



HUMBERSIDE FIRE AND RESCUE SERVICE

People & Development

Professional Standards Performance and Capability Policy

Owner	Executive Director of People & Development
Responsible Person	Head of Human Resources
Date Written	August 2018
Date of Last Review	June 2024
Date of next review	June 2027
EIA Completed	June 2021



**What we must
do well**



**How we support our
communities**



**We value and support
the people we employ**



**We efficiently manage
the Service**

CONTENTS

1. [Introduction](#)
 - [Core Code of Ethics](#)
 - [National Guidance](#)
2. [Equality, Diversity and Inclusion](#)
3. [Associated Documents](#)
 - [Equality Impact Assessment](#)
 - [Legal References](#)
 - [National Guidance](#)
4. [Aim and Objectives](#)
5. [Scope](#)
6. [Principles](#)
7. [What is Unsatisfactory Performance](#)
8. [What is Capability?](#)
9. [Employees Subject to a Probationary Period](#)
10. [Performance and Capability Matters Regarding Trade Union Representatives](#)
11. [Performance And Capability Matters Relating To Fitness Test Failure](#)
12. [Representation](#)
13. [Addressing Unsatisfactory Performance](#)
 - [Initial Performance Management meeting \(Informal\)](#)
 - [Initial Monitoring Period Review Meeting](#)
14. [Formal Procedure](#)
 - [Stage 1 First formal Meeting](#)
 - [Formal Stage 1 Review Meeting](#)
 - [Progression to Formal Stage 2](#)
 - [Formal Stage 2 Review Meeting](#)
 - [Progression to Formal Stage 3](#)
 - [Stage 3 Meeting – Potential Dismissal](#)
 - [Outcome of Stage 3 Meeting](#)
15. [Right of Appeal Against Dismissal](#)
16. [Offers of Alternative Employment](#)
17. [Levels of Management](#)
18. [Who Can Provide Support or Advice To Employees](#)
[Appendix A – Appeal Hearing Procedure](#)

1. INTRODUCTION

The primary purpose of the policy is one of guidance and problem-solving. It aims to provide support to an employee in achieving and maintaining a satisfactory standard of work performance and to provide a fair and consistent process for supporting employees where capability has become a cause for concern.

This policy will also be applied where an informal development plan, previously agreed to address performance related issues and performance against objectives, does not achieve an improvement.

Managing employee performance is a vital tool in securing the effectiveness of the Service. Therefore, the emphasis for managers at all levels is on supporting employees to enable them to maintain competent standards of performance whilst achieving, where appropriate, agreed work objectives.

Core Code of Ethics

HFRS has adopted the Core Code of Ethics for Fire and Rescue Services. The Service is committed to the ethical principles of the Code and strives to apply them in all we do, therefore, those principles are reflected in this Policy.

National Guidance

Any National Guidance which has been adopted by HFRS, will be reflected in this Policy.

2. EQUALITY, DIVERSITY AND INCLUSION

HFRS has a legal responsibility under the Equality Act 2010, and a commitment, to ensure it does not discriminate either directly or indirectly in any of its functions and services or in its treatment of staff, in relation to race, sex, disability, sexual orientation, age, pregnancy and maternity, religion and belief, gender reassignment or marriage and civil partnership. It also has a duty to make reasonable adjustments for disabled applicants, employees and service users.

3. AIM AND OBJECTIVES

The aim and objectives of this procedure is to:

- Assist and encourage all employees to achieve and maintain effective standards of job performance by guidance and problem-solving.
- Provide managers with a framework and guidance to improve the performance of employees.
- Ensure consistent and fair treatment for all employees who experience difficulties in performing satisfactorily the duties required of the post or attaining the standard required through examination or other formal assessment to satisfactorily and lawfully undertake the job.
- The Personal Development Review (“PDR”) process is to be used for ongoing

Professional Standards Performance and Capability Policy

development and progression and this procedure is to be used to address instances of poor performance.

4. ASSOCIATED DOCUMENTS

- [Equality Impact Assessment](#)
- Legal References
 - Employment Rights Act 1996
 - Equality Act 2010
- National Guidance
 - ACAS
 - NFCC
 - Local Government Green Book Terms and Conditions of Employment
 - Local Government Grey Book Terms and Conditions of Employment
- [Disciplinary Policy](#)
- [Absence Management Policy](#)
- [Performance and Development Review \(PDR\) Policy Delivery Guidance](#)

5. SCOPE

This procedure applies to all employees of the Service. Concerns regarding performance/capability of employees who are subject to a probationary period will be managed according to [Section 9](#) of this procedure.

Issues of incapability due to sickness or ill health will be dealt with under the Service's Absence Management Policy.

Issues of conduct will be dealt with under the Service's Disciplinary Policy.

Employees have the right to be accompanied by a Trade Union representative or work colleague at all formal meetings held under the Performance and Capability policy and procedures.

6. PRINCIPLES

Before employees can be expected to reach appropriate standards of job performance, the Service accepts they should be provided with appropriate training, guidance and support to achieve and maintain this.

Employees should be supported in their efforts to improve and maintain the standard of work through advice, coaching and guidance, with the emphasis on developing a series of performance improvement plans, which are mutually agreed (wherever practicable) to reach and maintain the required standards.

Human Resources Professional Standards Performance and Capability Policy

In managing employees' performance at work and in tackling issues of unsatisfactory performance, the following principles will be applied:

- The concept of performance and standards will be based on a continual process of improvement linked to:
 - clear role maps, National Occupational Standards and/or job descriptions.
 - personal qualities and attributes, where applicable, to the role.
 - the outcome of the appraisal process and/or performance meetings.
- The standards of performance required of employees in their role will be clearly defined and communicated in accordance with the relevant job description, person specification and role maps, etc.
- Managers are responsible for the fair and objective assessment of employees' performance.
- Managers should be receptive to employees' ideas for improved work methods.
- Managers should identify agreed learning and development needs with employees to maintain satisfactory performance and they should ensure that these are addressed.
- Managers are responsible for regularly discussing performance with their employees.
- Good performance will be recognised. Similarly, performance issues will be addressed promptly, with clear outcomes at each stage of the process.

Managers and employees should focus on managing issues in relation to performance as soon as they arise. Often, with early, appropriate and sensitive intervention, this will ensure the employee is supported and can achieve and sustain the performance standards required in their role.

However, the situation may need to be managed under the formal procedure (see [Section 13](#)). Such an approach should only be taken following discussion with the HR Team.

If, at any stage in this procedure, it becomes apparent that the matter is a conduct matter than capability, the initiation and application of the Disciplinary Procedure will take place.

7. WHAT IS UNSATISFACTORY PERFORMANCE?

When managing unsatisfactory performance, there is a need to be clear about what it is. Examples of unsatisfactory performance may include but are not limited to:

- poor quality of work.
- low output.
- consistent/repeated failure to meet realistic deadlines or targets.

- consistent inability to recognise common problems and/or find appropriate solutions.
- continuing inability to improve despite appropriate training and coaching, e.g. changes in working practices and targets.
- a significant or frequent mistake(s) despite coaching and support.
- a demonstrable lack of skill, knowledge or ability to learn despite appropriate coaching, training and support.

Unsatisfactory work performance may be due to the following:

- Lack of aptitude, skill, ability or experience
- Lack of appropriate training or supervision
- Re-organisation or redefinition of role
- Poor overall organisation of work
- Changes in the nature and allocation of work
- Changes in workload and/or resources
- Absence of facilities crucial to the employee's performance
- Personal/domestic problems
- Health problems
- Neurodiverse conditions
- Bullying/harassment at work

If it is identified that an individual's health is impacting on their performance, this will normally be managed under the Service's Absence Management Policy.

8. WHAT IS CAPABILITY?

'Capability' in the Employment Rights Act 1996, is defined as an employee's 'capability assessed by reference to skill, aptitude, health or any other physical or mental quality'. Lack of capability or loss of capability can arise for various reasons. It can be short or long term in its effects.

9. EMPLOYEES SUBJECT TO A PROBATIONARY PERIOD

Newly appointed employees who are subject to a contractual probationary period will have their performance monitored during their period of probation.

The individual's line-manager should ensure that the newly appointed employee completes a structured induction programme. This will include discussing and setting clear, realistic and measurable performance standards with the employee which are then required to be met during the probationary period.

The Manager will regularly monitor the employee's performance during this period and a final review should take place 4 weeks before the expiry of the probationary

period.

Following the final probationary review, the manager will notify the HR team of the outcome. In most cases, the outcome will be confirmation of continued employment and the HR team will then send written confirmation of successful completion of the probationary period to the employee.

However, should concerns about the employee's performance arise during the probationary period, the manager will follow the approach outlined in the informal stage of this procedure in the first instance.

In line with the informal stage of this procedure, a review meeting should be held, and written records kept. Timescales for a review meeting will normally be a maximum of six weeks from the initial discussion about performance concerns.

Following the review meeting, where the employee has achieved a satisfactory level of performance, no further action will be necessary, and the HR team will then send written confirmation of successful completion of the probationary period to the employee.

Where the employee has not met the required standards of performance, the manager may decide to choose one of the following courses of action:

- Provide additional time for improvement.
- Provide additional appropriate training.
- Implement any other actions to support the employee to improve their performance.

Should the performance not improve, the manager may choose to extend the probationary period. However, the employee should be advised that failure to meet the required standards of performance and/or to sustain improved performance, may result in their employment being terminated.

The manager should comply with the requirements in relation to recording and notifying employees as indicated in the informal stage of the procedure. However, written notification to the employee must identify any extension to the probationary period and provide a clear understanding as to what is expected. It must also indicate that their employment may be terminated if they fail to achieve the required standard of performance.

Where the employee's performance has not improved sufficiently, and/or they have failed to sustain the required improvement; the manager will discuss the matter with a representative of the HR team before arranging a Formal Meeting in line with the principles of the third formal stage of this procedure.

Advice and guidance on conducting this process and appropriate outcomes will be provided by the HR team.

The outcome of the meeting will be formally recorded in a letter to the employee. Where the decision is to dismiss the employee, the termination letter will include

notice arrangements.

10. PERFORMANCE AND CAPABILITY MATTERS REGARDING TRADE UNION REPRESENTATIVES

Formal performance management action in relation to a trade union representative should be discussed, after obtaining the employee's agreement, with a senior trade union representative or permanent union official.

11. PERFORMANCE AND CAPABILITY MATTERS RELATING TO FITNESS TEST FAILURE

Individuals who fail to meet the fitness test requirements will be supported under the Service's Physical Fitness of Operational Personnel policy.

12. REPRESENTATION

It is the member of staff's responsibility to arrange appropriate representation. If meetings are cancelled due to unavailability of any party, it should be rescheduled within 1 week if possible. Persistent delay by an employee or their representative to rearrange the meeting may result in the meeting taking place in their absence.

13. ADDRESSING UNSATISFACTORY PERFORMANCE

Continuous monitoring and assessment of an employee's performance against the requirements of their post should be undertaken by the line manager as part of the appraisal process. Where work performance problems arise, they can generally be managed through informal discussions and counselling.

Annual Personal Development Reviews (PDR) should reflect any concerns around performance and the measures that will be afforded to the individual in order to support them as they work to address the same.

Every effort will be made by both the manager and employee to resolve issues of poor work performance at an early, informal stage and through the process of performance appraisal. However, where sustained improvement in performance does not occur, the formal stages of this procedure will be invoked.

Advice and guidance on identifying and managing issues of poor performance and on the application of all stages of this procedure are available from the HR team.

Initial Performance Management Meeting (Informal)

Having established that there are concerns about an employee's performance, the individual's line manager should meet with the employee as part of the normal supervisory process and draw attention informally to the deficiencies in the employee's performance. The purpose of the meeting will be to:

- Identify and share the underperformance – why the work performance is unsatisfactory and what standards are expected.

Human Resources
Professional Standards Performance and Capability Policy

- Ascertain whether there are any underlying problems affecting the employee's performance. If there are any health issues identified, the employee should be referred to Occupational Health for an assessment.
- Enable the employee to have the opportunity to explain or reply and to put forward their views.
- Agree appropriate remedial action such as additional on or off the job training, counselling and support.
- Agree a realistic and reasonable timescale for improvement (between 4 and 8 weeks) and performance monitoring and review arrangements including dates for review meetings.
- Ensure that the employee is aware of the possible consequences of continued poor performance, i.e. the commencement of the formal procedure.

Having assessed the situation, the manager will discuss and seek the agreement of the employee to an action plan which would allow the improvements in performance that are expected to be achieved.

This will include:

- A clear statement of the standards to be achieved.
- A realistic timescale for those improvements (approximately 4 weeks, taking into consideration time to attend specific training).
- Details of any support or training.
- Identified date for regular review meetings during the monitoring period.
- Details of how performance will be measured.

The action plan will be confirmed in writing to the employee as soon as possible following the meeting including dates for review during the improvement period.

A review meeting must be held at the end of the monitoring period to determine whether the required standards of work performance have been met within the timescales agreed.

Initial Monitoring Period Review Meeting

If the employee sufficiently meets the required standards within the informal period, the manager should meet with the employee to confirm that this is the case and confirm the meeting in writing. No further action will be taken.

If the employee has not met their set objectives, they should be informed that they will progress to the first formal stage of the procedure.

The records of the initial performance management meeting should normally be retained on an employee's file for 12 months once their performance has been confirmed as having returned to the required standard.

14. FORMAL PROCEDURE

Stage 1 – First Formal Meeting

Where a decision has been made to move to the first stage of the formal procedure, the Station Manager will notify the employee in writing that they are required to attend a formal meeting to discuss concerns regarding their performance at work.

The employee will be given a minimum of 7 calendar days' notice of the meeting.

Where this stage follows the informal review stage, such written notification will immediately follow the conclusion of the review stage. The letter will specifically refer to this procedure and will provide the following details:

- That they have reached the first formal stage of the Performance and Capability Policy (include a copy of the policy)
- Date, time and venue for the meeting.
- Details of who will be present.
- Full and concise details of the perceived areas of poor performance.
- Details of any informal discussion to this point.
- The right to be accompanied by a trade union representative or work colleague.

The approach at this meeting will be supportive and transparent and the following should be discussed.

A full and transparent review of the continuing poor work performance and all outstanding areas of concern will take place:

- Required performance improvement, how the individual will be supported to achieve this and how they will be measured.
- Action plan for addressing the performance issues, SMART objectives, with an agreed timescale for improvement.
- Review date (establish a reasonable timescale for improvement – usually 4 weeks)
- Regular review meetings.
- the potential consequences of failing to meet the agreed performance standards.

The employee should be given an opportunity to put forward their views and explain any reasons for their not being able to meet required performance level. This will inform the manager in deciding if advice is required from Occupational Health or other forms of counselling is appropriate. Training needs should be discussed.

Human Resources
Professional Standards Performance and Capability Policy

The manager should update the original action plan. A new, clear, timescale for the achievement of the required standards should be set, which provides enough time to meet the standard, but it should not be unduly prolonged. Depending on the circumstances, this would usually be 4 weeks.

The meeting notes and action plan should be confirmed in an outcome letter to the employee within 7 calendar days of the meeting and the employee should be advised of the potential consequences at the end of the review period, which are:

- Successful completion of the objectives and no further performance concerns will result in no further action being taken under the Performance and Capability Procedure.
- Further monitoring at Stage 1.
- A failure to meet and maintain the required standards within the agreed timescale which will result in progression to formal Stage 2 of the procedure.

Following the meeting, it is important that the manager keeps the employee up to date during the monitoring period with their progress in line with a programme of regular review meetings.

Formal Stage 1 Review Meeting

At the end of the formal monitoring period a meeting should be held with the employee to review their performance.

The individual has the right to be accompanied at this meeting by either a Trade Union representative or a work colleague and the potential consequences should again be set out in the invite letter.

The approach at this meeting will be supportive and open and progress against each of the objectives in the action plan should be discussed. The manager should consider any mitigating factors and assess whether the support offered has been adequate.

The potential consequences of this meeting are:

Objectives Met - The employee adequately meets the required standards within the period set. This should be confirmed during the meeting and in writing. The manager should also confirm that no further action will be taken, and the employee's performance will now continue to be monitored in the usual way. If, however, there is a decline in the agreed standards during the next 12 months, the manager will recommence the process at formal Stage 2.

Further Monitoring at Stage 1 - If significant improvements have been made during the monitoring period or if adequate support has not been implemented during the monitoring period, including the provision of regular monitoring meetings, then the monitoring period may be extended at Stage 1.

Objectives Not Met – Progression to Stage 2 - If the individual has not met their objectives despite adequate support, then they will be notified of this and will progress to Stage 2 of the Procedure and begin another monitoring period.

This should allow enough time to meet the standard, but it should not be unduly prolonged. This would usually be 4 weeks, depending upon the circumstances, beginning from the date of this Stage 1 review meeting. This will be confirmed in writing as per the initial outcome letter at the Stage 1 meeting.

The Manager should review the original Action Plan and amend it if necessary.

Progression to Formal Stage 2

Following the Stage 1 Review Meeting, the meeting notes and action plan should be confirmed in an outcome letter to the employee within 7 calendar days of the meeting and the employee should be advised of the potential outcome following the Stage 2 monitoring period, which are:

Successful completion of the objectives and no further performance concerns, resulting in no further action being taken under the Performance and Capability Procedure.

- Further monitoring at Stage 2.
- A failure to meet and maintain the required standards within the agreed timescale which will result in progression to formal Stage 3 of the Procedure.

The letter should also confirm:

- Notification that the standards have not been achieved and that the process will escalate to the next Stage in the procedure.
- The individual areas of unsatisfactory performance and performance standards required.
- The management action taken, including training provided to support improved performance together with any associated support identified.
- The timescale for improvement (4 weeks is recommended);

Following the meeting, it is important that the manager keeps the employee up to date during the Stage 2 monitoring period with their progress in line with the programme of regular review meetings.

Continued support should be offered during this time and Occupational Health advice sought if required.

Formal Stage 2 Review Meeting

At the end of the second formal monitoring period a meeting must be held with the employee to review their performance; the meeting will be chaired by the Group Manager. The individual has the right to be accompanied at this meeting by either a Trade Union representative or a work colleague and the potential outcomes should

Human Resources
Professional Standards Performance and Capability Policy

be set out in the invite letter, specifically that one option is progression to the final stage of the Procedure.

The approach at this meeting will be supportive and open and the employee's progress against each of the objectives in the action plan should be explored and discussed.

The employee should be given an opportunity to put forward their views and can explain any reasons for continued failure to reach the required performance level.

Potential consequences of this meeting are:

Objectives Met - If the employee adequately meets the required standards they should be told that provided the standards are maintained within the next year following the meeting; that no further action will be taken and the employee's performance will continue to be monitored in the usual way. If, however, there is a reduction in the agreed standards during the next year, the manager will recommence the process at formal Stage 3.

Further Monitoring at Stage 2 - If significant improvements have been made during the monitoring period or if adequate support has not been implemented during the monitoring period, including regular monitoring meetings, then the monitoring period may be extended at Stage 2.

Objectives Not Met – progression to Stage 3 - If the individual has not met their objectives despite adequate support having been offered and having considered the individual's comments, the individual will progress to Stage 3 of the Procedure and begin another monitoring period. The monitoring period should allow sufficient time for the individual to meet the required standards, but it should not be unduly prolonged. This would usually be approximately 4 weeks, depending upon the circumstances, beginning from the date of this Stage 2 review meeting.

Following the meeting, it is important that the manager keeps the employee up-to-date during the Stage 3 monitoring period with their progress in line with the programme of regular review meetings in the action Plan. The action plan should be reviewed if required.

The manager should review the original action plan and amend/update where necessary.

Progression to Formal Stage 3

The Stage 2 review meeting notes, SMART objectives and action plan should be confirmed in an outcome letter to the employee within 7 calendar days of the meeting and the employee should be advised of the potential outcome following the Stage 3 monitoring period, which are:

- Successful completion of the objectives and no further performance concerns, resulting in no further action being taken under the Performance and Capability Procedure.

Human Resources
Professional Standards Performance and Capability Policy

- Further monitoring at Stage 3.
- A failure to meet and maintain the required standards within the agreed timescale which may result in dismissal.

The letter should also confirm:

- The individual areas of unsatisfactory performance and performance standards required.
- The management action taken, including training provided to support improved performance together with any associated support identified.
- The timescale for improvement (4 weeks is recommended).

Following the meeting, it is important that the manager keeps the employee up to date during the Stage 3 monitoring period with their progress in line with the programme of regular review meetings in the action plan.

Continued support should be offered during this time and Occupational Health advice sought if required ([See Section 18](#)).

Stage 3 Meeting – Potential Dismissal

Following the Stage 2 monitoring period the employee will be invited by the Stage 3 hearing manager to attend a formal hearing. The letter should confirm the purpose of the hearing and inform the employee that they may be dismissed at the meeting due to poor performance/capability. As with all other formal stages of the procedure, the employee must be given the opportunity to be accompanied by a Trade Union representative or work colleague.

If the case is referred to a Stage 3 hearing, the Area Manager will chair the meeting, supported by a member of the HR Team. The employee's line manager will also attend the meeting.

The employee will be given at least 7 calendar days' notice of the meeting. The written invitation to the meeting must include:

- Notification that this is the final stage of the Performance and Capability Procedure.
- Clear details of the shortfall in performance.
- All necessary supporting documentation.
- Details of letters issued, and meetings held to this point.
- The right of representation by a Trade Union official or a work colleague.

That a potential outcome of the hearing is dismissal due to poor performance/capability

It is the member of staff's responsibility to arrange appropriate representation. If the meeting is significantly delayed or cancelled due to availability of any party, it should

Human Resources
Professional Standards Performance and Capability Policy

be rescheduled within 1 week if possible. Persistent delay by an employee or their representative to rearrange the meeting may result in the meeting taking place in their absence.

Documentation from the Stage 1 and 2 processes will be made available to the Stage 3 Chair, including the action plan, letters, notes from review meetings and the notes from the Stage 3 monitoring period.

At the meeting, the employee's manager will present information and feedback as to whether the employee has achieved an acceptable level of performance during the Stage 3 monitoring period, as set out in the agreed standards and objectives, and what support has already been offered during the earlier stages of the process.

The employee will be given the opportunity to put forward their views and to explain the reasons for their continued failure to reach the required performance level.

Outcome of Stage 3 Meeting

Having heard all the evidence about the employee's performance, the Chair, with support and advice from the HR team, will decide on whether the employee's performance meets the required standards.

Objectives Achieved - If the Chair concludes that the employee's performance adequately meets the required standard, the Chair will confirm to the manager and the employee that this is the case.

The Chair should confirm in writing that provided the standards continue to be met for the next 12 months, no further action will be taken, and the employee's performance will continue to be monitored by the employee's manager in the usual way. If, however, there is a reduction in the agreed standards during the next year, the manager will recommence the Performance and Capability Process at Stage 3.

Further Monitoring - If the Chair feels that the individual has not had a chance to display improvements (or otherwise) in a certain area during the monitoring period then further monitoring will be necessary. In addition, if the Chair feels the individual has met the required standards towards the latter stages of the monitoring period, further monitoring may be considered necessary to assess that the improvements can be sustained consistently. A further review meeting may be set to see if improvements have been maintained.

Objectives Not Achieved - If the Chair concludes that the employee's performance does not meet the required standard, alternative employment will be considered or demotion before concluding that dismissal is the appropriate outcome.

No new role will be created - only suitable, current vacancies will be considered, Section 14. This may also, result in a transfer or demotion to an alternative role.

In the case of dismissal, the employee will be entitled to receive notice pay in addition to any payment for any untaken annual leave entitlement. Consideration will be given to paying in lieu of notice, where terms and conditions allow for this

and where all parties are agreeable.

15. RIGHT OF APPEAL AGAINST DISMISSAL

An individual has the right of appeal against a decision to dismiss under the Performance and Capability Procedure. An appeal request should be in writing, to the Chief Fire Officer, within 7 calendar days of receiving the written confirmation of the decision.

Employees should clearly state the grounds of their appeal. These would normally include one (or more) of the following:

- There was a defect in the procedure.
- The case of poor performance/incapability was not established and there are reasons for believing that the decision maker could not reasonably have reached the decision on this matter that they did.
- The sanction was too severe.
- New information has come to light which may have an impact on the original decision.

[Appendix A](#) details the procedure for the conduct of the appeal hearing.

Appeals against dismissal will be heard by the Appeals Committee of the Fire Authority.

16. OFFERS OF ALTERNATIVE EMPLOYMENT

Management will need to make a judgement on the suitability of an employee to be offered alternative employment, and if necessary, any training required.

Alternative employment does not have to be equivalent in terms and conditions to the current post and protection of salary will not apply. If it is thought appropriate and depending on the circumstances as presented at the time, alternative employment could be mutually agreed at any stage in the procedure.

The employee should be made aware that any failure to perform to required performance standards in the new role may result in their dismissal from employment and that this decision will be made following a final review meeting held under Stage 3 of the formal procedure.

17. LEVELS OF MANAGEMENT

For the purposes of this procedure, the hearing manager will always be senior to the person whose performance or capability is in question. The hearing manager will be appointed following consultation with the HR team. Meetings at Stage 3 of the procedure will be conducted by a Strategic Manager. All other meetings will be conducted by the appropriate line manager.

18. WHO CAN PROVIDE SUPPORT OR ADVICE (TO EMPLOYEES)?

We are committed to maintaining a safe and supportive work environment for everyone. Below are internal and external routes staff can use to speak up, raise a concern and get support.

Most speaking up happens through conversations with supervisors and line managers where challenges are raised and resolved quickly. We strive for a culture where that is normal, everyday practice and encourage you to explore this option it may well be the easiest and simplest way of resolving matters. However, you have other options: Station Managers, Group Managers, TLT and SLT member with responsibility for the subject matter you are speaking up about.

Via your line manager

Your line manager is a key point of contact for reporting concerns and seeking support. They are here to listen, provide guidance, and ensure that your concerns are addressed appropriately. Whether you have questions about workplace policies, encounter issues with colleagues, or require assistance with personal matters affecting your work, your line manager is there to support you.

If, for any reason, you feel uncomfortable discussing your concerns with your line manager, we have established multiple channels for reporting concerns anonymously or confidentially. These include the Service's Freedom to Speak Up Guardian, the Service's Zero Tolerance Campaign and Crimestoppers.

Through our Policies and our Professional Standards Policies

Various routes are included in our Policies and our Professional Standards Policies listed below:

- Anti-Fraud and Corruption
- Complaints
- Dignity at Work (anti Bullying and Harassment)
- Disciplinary
- Exits From the Service
- Equality and Inclusion
- Grievance
- Menopause
- Mediation
- Personal Relationships at Work Policy
- Safety Event Reporting Recording and Investigation Arrangements
- Whistleblowing

Further Whistleblowing Support

[Protect](#) is the UK's whistleblowing charity, who aim to stop harm by encouraging safe whistleblowing. Their free, confidential [Advice Line](#) supports more than 3,000 whistleblowers each year who have seen malpractice, risk or wrongdoing in the workplace.

Independent Speak Up (Powered by Crimestoppers)

This service aims to provide a safe space for staff to speak up when something isn't right in the workplace:

- Discrimination, victimisation and harassment (on gender, sexual orientation, disability)
- Misogyny and violence against women and girls
- Health and safety breaches
- Fraud and corruption
- Poor or unsafe working practices

The service is available online or via phone [here](#).

Service users can remain anonymous or can choose to provide their name and contact details which will then be shared for confidential use by the Fire Service.

Our internal bullying and harassment hotline

Bullying will not be tolerated within Humberside Fire and Rescue Service. Our Dignity at Work policy clearly defines bullying and how to report it.

The Service's 'Zero Tolerance' campaign has a very simple strapline - **SUPPORT - CHALLENGE - REPORT** - and we encourage our employees to do just that.

Contact HR

You can contact your HR team, in complete confidence, on: 01482 567572. This number will take you through to one of our HR advisers who will listen to what has caused you to feel the way you do.

You don't need to provide names and you will receive completely confidential advice as to how to manage any issues you raise.

HMICFRS Independent reporting line

The independent reporting line (IRL) form is a tool for fire and rescue service staff to confidentially pass information to HMICFRS, which as an independent body is responsible for inspecting fire and rescue services on their efficiency, effectiveness and how well they look after their people.

The reporting line can be accessed [here](#).

Employee Assistance Programme

As part of an ongoing commitment to employee wellbeing, Humberside Fire and Rescue Service Occupational Health Team are very pleased to offer all employees confidential support, with free access to emotional and practical support through CiC's Confidential Care Service.

The service is provided by CiC, an external organisation, who are entirely independent, so support and advice is completely confidential. You can call the Confidential Care line as often and for as long as you need to discuss any issues you would like support with.

The Confidential Care service is available 24 hours a day, 7 days a week, 365 days a year and is accessed by calling the freephone number: 0800 085 1376.

Internal Freedom to Speak Up Routes

The Freedom to Speak Up model was developed in health and has six key elements; we have used the model as the basis for the HFRS process. How we implement 'Valuing' and 'Modelling' Speaking Up within HFRS will be developed from the 'ground up' by listening to staff about how line managers and the organisation can value and model Speaking Up.

Our 'Freedom to Speak Up Guardian' can support you to speak up if you feel unable to do so. The Guardian will ensure that people who speak up are thanked for doing so, that the issues they raise are responded to, and that the person speaking up receives feedback on the actions taken. You can find out more about the guardian role [here](#).

Additional information relating to Freedom to Speak Up Routes can be found [here](#).

You may also wish to speak to:

- A colleague
- A trade union representative
- The Humberside Fire Authority Counselling Service

You may wish to discuss the concern with a colleague or trade union representative first and may find it easier to raise the matter if there are other colleagues who share the same concerns. A trade union representative or work colleague may accompany a member of staff at any meetings or interviews in connection with the concerns raised.

If you require any further guidance / information in relation to this procedure, please contact Human Resources

APPENDIX A

Appeal Hearing Procedure

Appeal hearings will be conducted at a level of management higher than the original formal meeting. The Chair will, where possible, be supported and advised by a different representative from the HR Team than the representative involved in the original formal meeting.

The Chair and employee will be provided with all the documents presented to the original formal meeting, as well as a copy of the management notes/record of the hearing, the letter confirming the outcome, the letter of appeal and the written statement of the grounds of appeal.

The appeal manager will, where possible, be supported and advised by a different representative from the HR team than the representative involved in the original formal meeting.

- The employee and/or their representative will present their case first by explaining the grounds for the appeal and presenting any relevant evidence.
- The Chair and management will be given the opportunity to ask the employee questions.
- The management case will then be presented by the manager responsible for the dismissal, responding to the grounds of the appeal. Relevant witnesses may be brought by either side and questioned by all parties (specifically, consideration may be given to the line manager attending as a witness).

The outcome of the appeal will be either:

- The case against the employee is not upheld;
- The case against the employee is upheld (in whole or in part). The decision will then be the same or a lesser sanction applied and/or training and/or other support identified to support performance improvement.

The outcome of the appeal will be confirmed in writing within 7 calendar days of the decision.