

## NOTICE OF ENQUIRY: INCAPACITY – POOR WORK PERFORMANCE

Employee Name

ID/ Passport 

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Department

Date

Dear \_\_\_\_\_

We have observed consistent issues regarding your work performance, which have not improved despite previous interventions or support. Therefore, we must conduct an enquiry to determine the underlying cause of this poor performance.

### Reason for Enquiry:


### Enquiry Details:

Date

Time

Venue

### Purpose of the Enquiry:

- To assess whether your incapacity to perform your duties to the expected standard is due to:
  - **Incapacity in terms of skill, knowledge, or aptitude** for your current role, where training, adjustment or any other applicable recommendation might be necessary or,
  - **Misconduct**, where the performance issues stem from a deliberate or negligent disregard for work responsibilities.



### Your Rights:

- **Right to be Heard:** You will have the opportunity to explain your performance issues, provide context, or present evidence related to your ability to perform.
- **Representation:** You are entitled to be represented by a fellow employee or a trade union representative during this enquiry.
- **Access to Information:** You will have access to all performance-related documentation or evidence that has led to this enquiry. Please contact \_\_\_\_\_ to review this information.
- **Right to Present Evidence:** You are encouraged to bring forward any evidence or documentation that could support your case, including any training you have undertaken or personal circumstances affecting your performance.
- **Right to an Interpreter:** If you require an interpreter due to language or hearing impairments, one will be provided. Please notify us by \_\_\_\_\_.

### Possible Outcomes:

- **Incapacity Due to Skill or Aptitude:** If it is determined that your poor performance is due to a lack of skill or aptitude, we will explore options such as training, job modification, or possibly a transfer to a more suitable position if one exists, or any other recommendations applicable.
- **Misconduct:** Should the enquiry conclude that the poor performance is due to misconduct, the matter will proceed to a disciplinary hearing to address this behaviour.

Please prepare any relevant information or evidence that you wish to present at this enquiry. Your cooperation is crucial in determining the best course of action.

Should you have any queries or require clarification regarding this notice, please do not hesitate to contact \_\_\_\_\_ at \_\_\_\_\_.

We aim to resolve this matter fairly and with due consideration of all available options.

### Acknowledgement of Receipt:

- **Employee's Acknowledgment:** I acknowledge receipt of this notice and understand the contents therein.

**Signature:**

\_\_\_\_\_

**Date:**

\_\_\_\_\_



- **In case of Refusal to Acknowledge:**

If the employee refuses to acknowledge receipt, the following witness will confirm that the notice was received:

**Witness's Name:** \_\_\_\_\_

**Witness's Signature:** \_\_\_\_\_

**Date:** \_\_\_\_\_

*This template focuses on initiating a fair process to evaluate poor work performance, distinguishing between incapacity due to skill or misconduct, and setting out the procedural rights for the employee.*