

Capability Policy & Procedure

Purpose

The purpose of this policy is to outline responsibilities in addressing capability issues.

Sometimes poor performance is due to an inability, or lack of capability, to perform adequately in the workplace. In these circumstances where attitude or conduct is not an issue, your manager will work with you to identify how to support you to improve performance.

Capability vs. disciplinary

Capability is any skill, aptitude, health or, any other mental quality that is required for you to carry out your duties competently.

There is a distinction between situations where you are incapable due to inability or ill health and those in which you are capable but refuse to perform to the required level.

Identifying poor performance

Poor performance can take many forms. This list is not exhaustive but illustrates examples when the capability procedure may be used:

- Persistent failure to meet agreed objectives including deadlines
- Failure to work at the required speed or efficiency
- Persistent errors and/or omissions in completing necessary work
- Failure to meet the requirements of the post as set out in the job description
- Failure to adapt to changed working procedures

The assessment of capability is an ongoing process. It starts at the stage of recruitment, when you are assessed as being capable of doing the job. It is likely you will need additional training when first employed – and this will be addressed during the induction process.

Capability can be assessed through meetings with your line manager. In the event that capability difficulties are identified, your manager will work with you to develop an action plan to address them.

Performance management

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This capability policy forms part of the total performance management approach, and aids to support you to become effective in your role. It is hoped that this can be achieved without any disciplinary action but in certain cases, this will be necessary as a final resort.

This policy, therefore, links to our other policies including:

- Appraisals
- 1:1s
- Induction
- Discipline
- Learning and Development.

Your Responsibilities

You are required to work effectively and perform to the highest standard achievable.

If you are struggling in any area of your work you should speak to your line manager and ask for assistance.

You are responsible for working with your line manager to agree on a plan to support the required level of performance.

You are responsible for attending to any learning and development planned to enhance your performance at work.

You are also responsible for identifying any learning and development activities that might enhance your work performance. There is a limited budget for learning and development, and it might not always be possible to fund the learning and development activity you have requested.

Responsibilities of your line manager

Your line manager is responsible for:

- Meeting with you at induction and identifying any training or other activities required to help you become effective within your role.
- Appraising your standard of performance.
- Working with you to draw up an effective action plan to address any issues that have been identified.

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- Setting appropriate targets for you to achieve.
- Monitoring your progress against set action plans and identifying and addressing any issues where targets are not being met.
- Equally support all employees within their team to ensure all are given every opportunity to perform to the best of their ability

Promotion

If you are promoted at work, your line manager will meet with you to discuss any additional training or other learning and development that is required to ensure you are effective in your new role.

We are responsible for careful consideration of all promotions and should not promote you unless you have the required capability to perform within the role.

Procedure

Informal conversation

Where a capability issue is identified, your manager will raise this informally in the first instance. This will be done through a conversation between you and your manager. Records of the capability issue and outcome of the conversation will be maintained. It is important that any issues raised are reviewed and researched objectively and that goals and SMART objectives are set.

You will be given the opportunity to respond to the issues raised and ask for support, training, mentoring, or coaching if required.

A review date will be set at which point a decision on further action will be made.

Stage 1 capability review

Should the capability issue persist after informal intervention it may be necessary to engage in a more formal process.

You will be invited formally, at least two days in advance of the meeting via a letter, outlining the capability issue and any records/evidence which will be considered in the process. You have the right to be accompanied by a colleague or union representative.

During the meeting, the capability issue will be discussed in more detail, giving you the opportunity to respond and ask for any support as described above. If it is found that the capability issue has not been caused by external factors out of your control, a first

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formal improvement notice may be given, which will remain on file for disciplinary purposes for 12 months.

A review period will be set to allow you to attend any training or coaching sessions identified during the meeting. At the end of the review period, your manager will decide whether;

- the improvements made are sufficient
- you need more time to implement new skills
- the issue needs to be escalated to the second stage of the capability review procedure

Stage 2 capability review

The same process as the stage 1 review shall be applied.

A possible outcome of the meeting will be a stage 2 improvement notice which will remain on file for disciplinary purposes for 12 months.

A further review period will be set stating that this will be the final review under the company capability procedure and that a lack of improvement may lead to dismissal.

During the review period, it is essential that every effort is made by yourself with the support of your manager to improve your performance levels. Should your manager feel insufficient progress has been made, you will be invited to attend a meeting under the final stage of the capability process.

Stage 3 capability review

At this meeting, which will be conducted as described above, the decision will be made on whether your engagement in your current capacity may be continued.

If your performance has not improved to the required level and there is clear evidence to demonstrate this, then there are several options:

- Extend the review period
- Redeployment
- Demotion
- Dismissal

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You will be informed of the decision. If the decision is taken to dismiss, you will be given contractual notice with immediate effect.

Right of appeal

You have the right to appeal against any disciplinary action at any stage of this process. The appeal should be submitted to a director within 5 working days of receipt of the sanction being issued. The letter needs to outline the grounds for appeal clearly.

A senior manager/director will conduct an appeal hearing in line with the guidelines issued under the disciplinary procedure.

Appeals should not be made using the Grievance procedure. Should a grievance be flagged that is connected to the capability process, the director may take the decision to suspend any capability reviews pending a decision on the grievance complaint logged. This is entirely discretionary and will be judged on a case-by-case basis.

Policy Issue Date	Director Signature
17 th April 2025	