

Capability Policy

Part C - Summary

Sept 2021

Version 2

1. Informal meeting

- Prepare using guidance in procedure and code of practice
- Hold meeting to:
 - *address issues (provide evidence)*
 - *clarify standards*
 - *identify any underlying problems or factors*
 - *identify improvements required*
 - *offer reasonable training/development/support*
 - *set regular progress review meetings*
 - *set timeframe for review*
- Provide written notes of meeting and improvement plan
- No formal right to representation.

Formal interview (Stage 1)

- Seek advice from HR before initiating
- Invite employee to meeting:
 - *5 working days' written notice*
 - *advance copies of documentation*
 - *right to call witnesses (notify in advance)*
 - *right to representation*
- At meeting:
 - *discuss evidence of poor performance*
 - *clarify/restate standards and expectations*
 - *identify any underlying problems or factors*
 - *identify improvements required*
 - *discuss draft improvement plan*
 - *identify any further reasonable training/development/support*
 - *set regular progress review meetings*
 - *set timeframe for review*
 - *issue **Formal Caution** (disregarded after 12 months)*
 - *advise of right of appeal*
- Provide written notes of meeting within two working days:
 - *confirm formal caution and right of appeal*
 - *confirm improvement plan*
 - *copies to HR and employee's representative, where appropriate*

2. Formal review (Stage 2)

- To take place at end of review period
- Seek advice from HR before initiating
- Invite employee to the meeting: (as above)
 - *include notes of previous meeting, improvement plan, further evidence*
- At review meeting:
 - *review progress against improvement plan*
- Where improvement is satisfactory:
 - *confirm improvement*
 - *encourage employee to sustain performance*
 - *confirm outcome in writing within two working days*
 - *copy to HR and representative where appropriate*
 - *continue to monitor for a while to ensure sustained improvement*
- Where some reasonable improvement but not sufficient:
 - *inform employee*
 - *restate standards and expectations*
 - *extend review period*
 - *update improvement plan*
 - *confirm in writing within two working days*

- *copy to HR and representative where appropriate*
- Where little or no improvement:
 - *discuss evidence of continued poor performance*
 - *restate standards and expectations*
 - *set further review period*
 - *update improvement plan with new target dates*
 - *continue to look at reasonable training/development/support discuss alternative options including transfer to suitable alternative employment or downgrading role*
 - *issue **Final Caution** (disregarded after 12 months)*
 - *inform employee that failure to improve could result in dismissal*
 - *advise of right of appeal*
 - *provide written notes of meeting within two working days*
 - *confirm final caution and right of appeal*
 - *confirm improvement plan*
 - *copies to HR and employee's representative, where appropriate*

3. Final review (Stage 3)

- To take place at end of review period.
- HR to be consulted in advance and must be present at meeting
- To be arranged with more senior manager than previous meetings (must also have authority to dismiss)
- Invite employee to the meeting (as above)
 - *include notes of previous meeting, improvement plan, further evidence*
- Where improvement is satisfactory
 - *confirm improvement*
 - *encourage employee to sustain performance*
 - *confirm outcome in writing within two working days*
 - *copy to HR and representative where appropriate*
 - *continue to monitor for a while to ensure sustained improvement*
- Where significant improvement but further limited support necessary to secure permanent satisfactory improvement:
 - *inform employee*
 - *restate standards and expectations*
 - *give examples of underperformance*
 - *extend review period*
 - *update improvement plan*
 - *confirm in writing within two working days*
 - *copy to HR and representative where appropriate*
- Where insufficient or unsustained improvement within agreed timescales
 - *discuss evidence of continued poor performance*
 - *inform employee of failure to improve*
 - *advise employee of possible dismissal*
 - *seek views from employee and their agreement/recognition of what's happened*
 - *advise employee of options under consideration including:*
 - *withholding increment or automatic progression*
 - *extension to review period*
 - *transfer to suitable alternative employment*
 - *review of job description and possible downgrade dismissal*
 - *advise employee of suitable available vacancies where appropriate*
 - *Adjourn meeting to consider all facts.*
- In reaching decision, ensure satisfied that:
 - *expectations and standards were reasonable*
 - *line manager has acted fairly*
 - *reasonable practical assistance has been given*
 - *suitable alternative employment been fully explored*
- Reconvene meeting to inform employee of decision
- Where opportunity to downgrade position or transfer to lower grade

- *confirm outcome of meeting within two working days, copied to HR and employee representative where appropriate*
- *arrange meeting within ten working days to finalise and agree position*
- *allow employee ten days to consider the offer which must be accepted in writing*
- *no pay protection applies*
- Where no opportunities for transfer/downgrade/redeployment are available or rejected, issue notice of dismissal on grounds of capability
- Advise of right to appeal
- Confirm dismissal in writing within two working days of the meeting, along with notes of meeting
- Copy to HR and employee representative where appropriate
- Continue to look for redeployment opportunities during period of notice