
CAPABILITY PROCEDURE

Section:	Performance and Development at Work
Source:	Policy & Resources (Personnel) Sub-Committee - 26th March, 1997
Issue Date:	29th May 1997
Appendices:	Capability Procedure
Amended:	<u>24th June 2004, 4 July 2008, 1 April 2010, October 2014, June 2022</u>

1. Background

The attached Capability Procedure was approved by the Policy and Resources (Personnel) Sub-Committee on 26th March, 1997, and by Council on 24th April, 1997 following extensive consultation with all the trade unions (other than the teacher trade unions) who have indicated their support.

2. Reasons for Capability Procedure

From time to time issues arise in relation to the ability of an employee to carry out his/her job satisfactorily. Poor performance may be the result of willful misconduct by the employee concerned, in which case it is appropriate to use the disciplinary procedure. Where, however, the reason is that the employee is not capable of carrying out his/her job, the disciplinary procedure is not appropriate. In many cases, such matters are resolved as part of the normal management process through training, supervision, counselling, etc. However, there are situations where further action may be required. The purpose of the Capability Procedure is to provide a framework within which capability issues can be dealt with, in a fair and consistent manner throughout the Authority.

3. The Procedure

The procedure provides for the employee to express his/her view of the capability issue, and provides for support, guidance and training to help to address the identified problem. The emphasis in the procedure is placed upon support and guidance for the employee, with regular monitoring and reviewing to assess progress. The procedure also encourages both parties (i.e. the employee and the manager) to agree the nature of any training/assistance, and timescales.

Where, despite support and encouragement, improvement is not achieved, the next steps are to consider alternative employment or early retirement. These options may provide a practical and acceptable solution to both the employee and the Authority. At the formal stages of the procedure, there is provision for cautions to be issued to the employee if improvement is not achieved, with the ultimate stage being dismissal. It must be stressed that dismissal is very much a last resort, and would only be appropriate after all the other possibilities within the procedure had been explored.

4. Applying the Procedure

If a manager identifies a situation which he/she considers may be covered by the Capability Procedure, he/she should contact a Personnel Manager/Officer in the Personnel Department **at the earliest opportunity** to discuss the matter.