

Capability Policy		
Date Approved: 9/6/2023	Authorised by: Cliff Evans	
Review Date: 9/6/2024	Signed: 	
Page no: 1	Position: Trustee	

Capability Policy

Contents

Definition.....	1
Policy Statement	1
Expectations	1
Informal Stage	2
Stage 1: Identifying the issue	2
Follow up meeting.....	3
Stage 2	4
Stage 3	4
The right to appeal	5
The right to be accompanied	5
Reasonable Adjustments.....	5

Definition


Capability refers to skill, knowledge, aptitude or ability. The Capability Policy is in place to resolve a situation where a staff member shows a lack of any or all of these.

Policy Statement

The capability policy is in place to support staff to perform their jobs to the best of their abilities and ensure a process is in place to ensure additional training/support needs are met. In rare occasions where support received does not result in performance improving, this policy will include steps taken to end employment. In rare cases where a capability issue leads to what may be considered gross misconduct, for example actions or omissions which endanger others, the Centre reserves the right to follow the disciplinary policy in terms of gross misconduct.

Expectations

The Avon Centre has an expectation of all of its staff that they will perform the duties laid out in their job description to the best of their abilities. Where staff

Capability Policy		
Date Approved: 9/6/2023	Authorised by: Cliff Evans	
Review Date: 9/6/2024	Signed:	
Page no: 2	Position: Trustee	

identify a training gap which impacts their ability to carry out their duties they must bring it to their line manager immediately. It is the Centre's responsibility to ensure all staff receive adequate training and support to carry out the tasks assigned to them. Any issues, be it personal, or work related which cause poor job performance should be brought to the employees line manager, who will deal with them sensitively and discuss how the Centre might support these issues.

Informal Stage


There should be countless times when work issues are discussed, and possibly how performance can be improved. None of this needs to be recorded. Staff should never feel concerned about asking for advice or support and discussing ways to improve. None of this must be judgemental.

Concerns in time may arise about the performance of an individual. It is essential that management listen to staff concerns, respond to them and offer support. When support has been offered and no improvement made then a more structured meeting needs to be called, which is minuted and at which the employee may be allowed to have a friend or union representative present. The employee is notified that management is following the informal stage of capability and a copy of the policy should be given to the employee prior to the meeting. From this meeting a structure of support must be put in place, and a review date arranged. If at the review meeting the employee has not improved their performance sufficiently a new set of measures should be drawn up, and a verbal warning is given, which remains on the employee's records for 6 months. If after this period performance has improved the employee is notified that they are no longer on the informal stage of capability. Any future performance concerns may result in having to move straight to the formal stage.

If these informal discussions do not result in an improvement in performance the Centre will move on to the three stage formal procedure outline below:

Stage 1: Identifying the issue


The first step in capability is identifying the issue. The Centre will take steps to mitigate any issue arising through management having regular 1-1s with their team to address any training requirements/need for additional support. Should

Capability Policy		
Date Approved: 9/6/2023	Authorised by: Cliff Evans	
Review Date: 9/6/2024	Signed:	
Page no: 3	Position: Trustee	

an issue of capability arise the manager will arrange for a meeting with the staff member to address the issue and discuss what additional training/support will be put in place to resolve the issue. The staff member will receive an email detailing any concerns and arranging a date for a formal meeting. The date will be at least 5 working days after the email to allow the staff member time to prepare for the meeting. If the staff member wants to provide documentary evidence in the meeting these must be provided to their manager in a reasonable timeframe (at least 1 working day) prior to the meeting. The staff member is entitled to have a friend, colleague or union representative present for the meeting. If the representative is unable to attend the Centre must be informed as soon as possible and an alternative date can be scheduled. In the meeting all issues will be discussed and a timeframe will then be allocated for the issue to have been resolved, at the end of which a follow up meeting will be scheduled. The meeting will be documented and signed by both employee and manager and the employee will receive a copy for their records. This document will constitute a written warning and will be stored in a staff member's HR file for a period of 1 year before it expires.

Follow up meeting

The follow up meeting will review the steps put in place during the initial capability meeting and discuss whether the situation has improved. If the situation has improved the meeting will discuss what further steps, if any are required to continue to support the staff member to successfully address the issues raised in the first meeting. An additional follow up meeting will be arranged, but this will be considered an extension of the first follow up meeting and not an additional meeting. If all issues have been resolved then there will be no need for a subsequent meeting outside of the regular 1-1s already in place. If the situation has not improved and the staff member has not requested additional help/support in the interim to help resolve the issues then the staff member may be put on a Stage 2. This is a disciplinary procedure. The staff member will be advised of the date of this meeting and informed of their right to be represented by a Union Representative or friend. The meeting will be documented and signed by all persons present and the employee will be given a copy for their records. This will be considered a second written warning and will be stored in the staff member's HR file for a period of 1 year before it expires.

Capability Policy		
Date Approved: 9/6/2023	Authorised by: Cliff Evans	
Review Date: 9/6/2024	Signed:	
Page no: 4	Position: Trustee	

Stage 2

A Stage 2 meeting is a formal meeting between the staff member and their manager. This meeting will discuss the original issue, what steps had been put in place to resolve the original issue and ask the staff member why these steps have not resolved the issue. They will then discuss what additional steps/support could be implemented to resolve the issue. These steps will be mutually agreed and a deadline set in place for improvements to occur.

The employee will receive in writing the following:


- The areas in which they have not met the required performance standards;
- Targets for improvement;
- Any measures, such as additional training, support or supervision, which will be provided with a view to improving performance;
- The period for review and the system for monitoring your performance.
- The consequences of failing to improve.

This will be considered a second written warning. It will be stored on the employee's HR file for a year. Should the employee fail to meet the above stipulations they will receive formal written notice that the Centre will be moving to Stage 3.

Stage 3

If satisfactory improvements have not been made within the agreed timeframe the Centre will move to stage three. Stage three is a formal meeting in which the employee, their manager and a senior manager will discuss their performance, the steps put in place to improve their performance and why these steps have not been successful. A stage three meeting could result in the following:

- Dismissal
- Demotion (where an appropriate lower responsibility job is available)
- Redeployment to a different job role within the Centre. This could result in a cut in salary

Capability Policy		
Date Approved: 9/6/2023	Authorised by: Cliff Evans	
Review Date: 9/6/2024	Signed:	
Page no: 5	Position: Trustee	

Any decisions to dismiss must be approved by the board of trustees.

The right to appeal

If the staff member feels at any stage that the decisions made by the Centre in accordance with this policy are incorrect they have the right to appeal. An appeal must be received no later than 5 working days after the decision has been made, and must outline the grounds for appeal.

Appeals will be heard by a member of the board of trustees, and should new information arise an investigation may need to be conducted.

Appeals may result in the following:

- The original decision is upheld
- The original decision is revoked
- A different decision is implemented

The staff member will be notified of any decision in writing within 5 working days of the appeal hearing.

The right to be accompanied


Staff members have the right to be accompanied by a colleague, friend or trade union representative at any stage of this procedure. They must notify their manager of plans to be accompanied prior to the meeting. Their companion can:

- put forward and summarise their case;
- ask questions of clarification;
- respond to views on the staff member's behalf;
- confer with the staff member.

They do not have the right to respond to questions on the staff member's behalf.

Reasonable Adjustments

If the staff member requires any reasonable adjustments to be made in advance of these meetings, including documents in a different format then they should inform their line manager so the Centre can support this.

Capability Policy		
Date Approved: 9/6/2023	Authorised by: Cliff Evans	
Review Date: 9/6/2024	Signed:	
Page no: 6	Position: Trustee	

The Avon Centre wants to support all of its staff to perform their jobs to the best of their abilities.