



CAPABILITY PROCEDURE

1.0 Introduction

- 1.1 The Students' Union is committed to supporting and developing its staff to ensure that they are able to fulfil their roles and responsibilities to a high standard of competence. The Students' Union wishes to create an environment in which successful performance is both encouraged and rewarded. It is in the interests of both staff and students that the Students' Union ensures that employees achieve and maintain such a standard in their work. Through the Students' Union's recruitment procedures, every effort will be made to ensure that new staff have the appropriate skills and competencies or a clear potential to achieve them for the roles they are recruited to fulfil. Staff will be informed at the start of the employment what their responsibilities are and the standards of work performance required. This will be reinforced and supported through appropriate induction, training and regular feedback on work performance.
- 1.2 Line managers are responsible for addressing performance issues as early as possible and for taking appropriate action. They will do this on a day-to-day basis via, for example, regular communication and feedback to staff.
- 1.3 The distinction is drawn between issues of capability and conduct. Conduct is within the employee's control and as such, issues of conduct will be dealt with via the Disciplinary Procedure. Capability, on the other hand, refers to the capacity and ability of the employee to perform their job. Without adequate capability, the best efforts and motivation from the individual will not be enough.

2.0 Purpose

- 2.1 The purpose of this procedure is to assist employees who are persistently failing to reach the required standards of work performance. It is also to ensure, in the interests of equity that the line manager follows a standard framework of action when dealing with issues of capability.
- 2.2 An employee's level of work performance varies over time. In the case of temporary poor performance the matter can normally be resolved by giving guidance and support. In the majority of cases work performance does not fall to unacceptable levels for prolonged periods, but where it does every attempt must be made to provide support and guidance.

2.3 However, it is important to note that a continued failure by the employee to achieve the standards reasonably required of them will result in the use of the Capability Procedure. If investigation shows the poor performance continues it could result in a manager invoking the Disciplinary procedure which could ultimately lead to dismissal.

3.0 General Principles

3.1 The intention of applying this procedure is to effect improvement in an employee's performance by guidance and support.

3.2 This procedure is only used with employees who are not within their probation period.

3.3 All written records used as a result of following the Capability Process will be filed on the employee's Personnel file, held by the Finance & Resources Manager and retained for 12 months from the date of the last correspondence, after which they will be destroyed.

3.4 Managers will receive appropriate training to enable them to deal with performance issues effectively. All possible factors will need to be considered when determining reasons for poor performance, which include:

- Skills and competencies
- Working environment
- Organisational environment
- Personal/Health reasons

4.0 The Procedure

Stage 1

4.1 When a manager identifies that an employee's work performance is continually below an acceptable level, or when the manager decides that normal day-to-day management methods have not been adequate, they must investigate and gather appropriate evidence.

4.2 If the evidence indicates a matter of Capability, then the line manager will arrange to meet the employee together the Finance & Resources Manager. The manager will:

- Give at least 5 days notice of the meeting
- Provide the employee at the time, in writing with reasons for the meeting and copies of any relevant paperwork that is to be referred to at the meeting
- Notify the employee of their right to representation at the meeting by either a trade union representative or a work colleague.

4.3 During the meeting, the manager will refer to the expected standards of work performance and advise the employee of the areas of shortfall in their work.

- 4.4 The manager will then explore with the employee the reasons for the shortfall in performance and agree a course of action to effect an improvement, together with performance targets. These targets will be specific, measurable and achievable within the time frame agreed. The manager needs to discuss with the employee areas of training, support and guidance and resources or equipment that could be offered to the employee. A review date after a reasonable interval will also be agreed.
- 4.5 The Finance & Resources Manager will keep on file a record of the meeting, together with the agreed performance targets and a copy will be sent to the employee.
- 4.6 Prior to the review meeting, the employee must be given any training, support and guidance, as agreed at the first meeting, to assist in the achievement of the performance targets. The line manager or another nominated person will monitor the employee's performance. Advice and guidance may be sought from other managers within the institution, where appropriate.
- 4.7 The Stage 1 review meeting will include those present at the Stage 1 meeting, wherever possible. The employee will be given 5 days' notice of the meeting, in writing and advised of their right to representation.
- 4.8 At the review date, the manager will assess whether the employee's performance has improved sufficiently and consistently and give a clear indication of the outcome of the monitoring process. The employee will be given the opportunity to present their views. The line manager can then determine what further action should be taken from the following:
- If performance has been satisfactory, there is no further action under the Capability Procedure
 - If there has not been a clear identification of significant improvement, then the line manager will move to Stage 2.
 - This can be done immediately after the review meeting or be adjourned, if appropriate.

Stage 2

- 4.9 The manager will inform the employee where the areas of shortfall in performance persist and will indicate how improvement can be affected. All areas of training, support and guidance will need to be explored to ensure all assistance is being given to the employee and where appropriate, arranged accordingly.
- 4.10 The employee will be warned that unless improvement over a sustained period of time is evident at the next review meeting, the Disciplinary Procedure will be invoked. The employee must also be informed of the potential for dismissal should an improvement in performance not be effected.

- 4.11 A further set of performance targets and review date will be agreed.
- 4.12 A record of the meeting will be sent to the employee.
- 4.13 The Stage 2 review meeting will include those present at the Stage 1 meeting, wherever possible. The employee will be given 5 days' notice of the meeting in writing and advised of their right to representation.
- 4.14 At the review date the manager will assess whether the employee's performance has improved sufficiently and consistently and give a clear indication of the outcome of the monitoring process. The employee will be given the opportunity to present their views. The manager can then determine what further action should be taken from the following:
- If performance has been satisfactory, there is no further action under the Capability Procedure
 - If there has not been a clear identification of significant improvement, then the line manager will move to Stage 3.
 - This can be done immediately after the review meeting or be adjourned, if appropriate.

Stage 3

- 4.15 If the employee has attained the required improvement, the manager should arrange a further review date to continue to monitor performance. If performance continues at the acceptable level, then the line manager can agree that the Capability Procedure no longer be used.
- 4.16 If however, the issue of performance is of consistency, then the manager will continue to monitor performance under Stage 2 of the Capability Procedure.
- 4.17 As with Stage 1, the employee is to be given 5 days notice, provided with copies of any relevant paperwork and be advised of their right to representation now, and any future monitoring meetings. As with all other meetings, those attending the meeting should be the same as previously, wherever possible.
- 4.18 If both the line manager and Finance & Resources Manager agree that no change has been effected, then the line manager will, in conjunction with the Finance & Resources Manager invoke the Disciplinary Procedure of which one potential outcome could be dismissal.

Approved by: Board of Trustees Date: 15th June 2012

Amended 8.8.13

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