

Policy No: 03-1406	Authorised: Pellagia Margolis	Date: 15/01/2020
STAFF CAPABILITY POLICY		

The fundamental purpose of this Policy is to ensure the under-performing staff member is dealt with fairly with the main objective to bring the staff member's work performance up to the expected and required standards:

A: BACKGROUND INFORMATION:

1. This Policy does not apply to staff members on probation / trial period. All staff members are under a contractual duty to fulfil the job description to the standard required. The probation / trial period is in place to ascertain whether the new staff member is suitable for the role and is able to fulfil the job description. Once the staff member has successfully completed the trial period, this policy will apply.
2. Reasons for implementing this Capability Policy include:
 - Failure to complete work tasks within the prescribed time frame / missing deadlines
 - Unable to understand or complete tasks accordingly
 - Lacking confidence
 - Failure to use initiative when reasonably expected
 - Willingness and trying hard but unable to do the job
 - Unable to cope emotionally or in stressful situations.
 - Health issues not protected by Disability Discrimination
3. It is imperative that capability issues are distinguished from conduct issues; these should be dealt with under the Staff Disciplinary, Grievance & Appeals Procedure, reference *Policy No: 1202*.

B: PROCEDURE:

1. Once it has been identified that a staff member's work performance has fallen below the standard required, the staff member must be notified immediately by their line manager. The staff member should be given an opportunity to provide reasons and explanations for their underperformance. The Organisation needs to be specific about their concerns and targets need to be put in place for the staff member to work towards. These targets must be realistic and achievable and the staff member should be offered any training, support and mentoring needed to achieve them.
2. The first notification may be a formal or informal meeting. Should the first meeting be informal then a second formal meeting is required as a follow up as to what was initially discussed. All meetings should be logged and documented including dates, times and detailed minutes.
3. A reasonable time frame should be scheduled in which to give the staff member sufficient time to rectify the situation. On completion of this time frame the line manager will hold a meeting with the staff member to review the staff member's performance and discuss the outcome.

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4. Should it be decided the staff member has achieved the required targets and performance expected, the results will be documented and no further action will be required. A letter to this effect along with a copy of the meeting minutes will be sent to the staff member to be signed and dated. A photocopy will be kept on record for the Organisation.
5. In the event the staff member has not achieved the required standard, the matter will be discussed at the meeting and an action plan and support will be put in place with a next meeting scheduled. This will now become a formal procedure and the staff member will be given a letter to this effect.
6. Should the staff member achieve and maintain the required standard expected after the formal meeting, the outcome will be documented and the staff member will then be subject to a 3-month review.
7. Alternatively, should the staff member be unable to achieve the required standard expected, providing all support, training and guidance by the Organisation has been exhausted, the staff member and the matter will be referred to the legal or HR team. All information will be documented and a letter drawn up and given to the staff member. In addition, the staff member and their line manager may continue to work together to find alternative solutions and strategies. This may include a change in job description, a change in job role / re-deployment, or re-organisation of a relevant timetable. However, it must be stressed that **at no point will the Organisation take any action without consulting HR and taking appropriate legal advice.**