

Capability Procedure Guidance - supporting employees to improve their performance

1.0 Introduction

Capability relates to an employee's skills, ability, aptitude and knowledge in relation to the job that he or she is employed to do. A lack of capability often results in an unsatisfactory level of job performance.

Employees can raise concerns they have about their development or their role with their line-manager at any time and/or at their staff development review.

2.0 Capability and conduct

Capability at work refers to the capacity or ability to carry out one's role. Where an employee has an issue with capability and is unable to perform their duties to the required standard, the capability procedure should be used to address this issue. If an employee does not reach the standards required for the job due to negligence, carelessness or idleness this is a conduct issue and will be managed through the disciplinary procedure.

3.0 Disability

The needs of an employee with a disability should be discussed with that employee and reasonable adjustments considered that enable the employee to meet the performance standards for the job.

4.0 Management support for all employees to perform in their job

Managers should ensure that job descriptions accurately reflect the main purpose of the job, the key duties and responsibilities. Job descriptions should be checked annually in consultation with the employee, ideally as part of the staff development review process.

Managers should set clear standards of work performance and put in place regular arrangements for support and supervision where performance is discussed.

New or promoted employees should receive an induction to their new job and provided with training to support them in developing skills to perform effectively in the role.

As soon as a manager notices an indicator of unsatisfactory job performance they should meet with the employee, in private, at the earliest opportunity.

5.0 Indicators of unsatisfactory job performance

There are a range of indicators, examples include:

- Missed deadlines or agreed targets
- Line manager's observation of poor performance

- Complaints or criticisms about the employees work

6.0 Causes of unsatisfactory job performance

When a manager identifies an employee is not meeting the performance standards required for their job the first step should be to investigate the cause(s). Possible causes of unsatisfactory job performance include:

- a lack of facilities or resources to carry out the job,
- ill health,
- family or personal problems,
- workload,
- reorganisation or changes in the allocation of work,
- bullying or harassment,
- inadequate supervision or support,
- unclear instructions, and/or
- a lack of training.

7.0 Discussing unsatisfactory job performance

Any informal or formal meeting convened to investigate or discuss unsatisfactory job performance should be handled in a constructive, objective and sensitive manner.

When planning for the meeting manager's should think about:

- Setting a constructive, solution-focused tone for the meeting, its primary aim is to be supportive.
- Providing specific examples of how the employee has not achieved the performance standards for the job.
- Not criticising the employee's personality, focus on behaviours that the employee can change.
- Using open ended questions to identify reasons for the unsatisfactory performance.
- Actively listening to the employee's responses and keeping an open mind.
- Focusing the discussion on future performance improvements rather than a criticism of past performance.
- Identifying any training needs that will support the employee to improve their job performance.
- Setting clear standards for future performance improvements.
- Checking the employee has understood the discussion by asking questions or asking the employee to summarise their understanding.

8.0 Redeployment

If improvement is still insufficient, as an alternative to dismissal, the manager should consider whether voluntary redeployment could be a solution. If so, the offer should be made in writing, explaining why it is being made and the consequences of refusing it. The employee should be given time to consider the offer and be advised to discuss it with his or her representative.

An employee who is redeployed will have a four-week trial period during which his/her suitability in the role is assessed, and the employee will receive details of the trial period and objectives in writing.

At the end of the trial period the employee will either be confirmed in the post or, if they do not perform satisfactorily in the post, will be dismissed on the grounds of unsatisfactory performance.

9.0 Dismissal on the grounds of unsatisfactory performance

A dismissal on the grounds of capability will not be fair unless the employee has been given a series of warnings and an opportunity to improve with realistic targets and reasonable timescales.