



2.3) CAPABILITY POLICY

PURPOSE

The objective of this policy is to help and encourage all employees to achieve and maintain standards of job performance and to ensure that QTS has fair and effective arrangements in place for dealing with work performance and capability matters. QTS is committed to ensuring that all staff have the appropriate skills, knowledge, competence and aptitude to undertake their role effectively.

Where employees are performing below expectations, the role of the line manager or director will be to bring this to the attention of the individual and to work closely with them to support them to improve performance to an acceptable level. The objective will always be to set out a constructive approach to achieving improved work performance through effective supervision, mentoring, support and training, and performance review and development.

Whilst QTS will support employees who are underperforming, it is the employee's responsibility to take whatever action is necessary, including seeking guidance, to improve their performance.

DEFINITION OF CAPABILITY

For the purposes of this policy and procedure, capability is assessed with reference to skill, aptitude, attitude, behaviours, competence, knowledge and ability to do the job.

THIS POLICY WILL ENSURE THAT:

- Cases of poor performance are handled fairly and consistently with any underlying reasons and mitigating circumstances taken into account
- Employees are offered appropriate support and training within a performance review framework.
- All employees are aware of the performance and standards of work expected of them.
- Employees will be given the opportunity to state their case and be represented at all formal stages of the Capability Policy, by a union representative or work colleague of their choice.
- A record of discussions and agreed actions will be retained and a copy will be provided to the employee at all stages of the procedure.
- Employees will have a right of appeal against the issuing of an improvement notice under each formal stage of the capability procedure and also against any decision to dismiss for reason of capability.
- Whilst every effort will be made to enable an employee to improve their performance and retain them in post, QTS cannot guarantee to maintain employment if reasonable and appropriate performance is not achieved following the exhaustion of the Capability Policy.
- In exceptional cases where one performance error has serious consequences (e.g. where it results or could result in the serious jeopardy of the health and safety of service users or employees) the principles in this policy may not apply. Instead the matter may be dealt with as potential misconduct or gross misconduct under the QTS Disciplinary Policy.
- Employees have the right to reasonable adjustments under the Disability Discrimination Act.

EMPLOYEE'S RESPONSIBILITIES

All employees have a responsibility to:

- Take full accountability for their own performance and behaviour.
- Perform in line with all company policies.
- Perform in line within their job description taking into account agreed personal review and development program
- To contribute to 1:1s and to engage in objective setting, problem solving, review and evaluation.
- To work with managers and directors constructively to address any underlying issues this may be affecting performance.
- To move forward their learning and development by taking ownership for their personal development.
- Be open to constructive feedback.

ILL HEALTH OR DISABILITY

If ill health or a disability is affecting an individual's performance the employee should raise this with their manager or director so that this may be taken into account and any reasonable adjustments made. A critical stage in assisting an employee may be to gain authorisation to access their medical records. With the employee's permission, relevant information as determined by the medical practitioner can be made directly available to HR. Permission will be obtained from an employee each time medical information is

requested. In addition, QTS may request that an employee be seen by an independent medical examiner. If an employee refuses permission to any or all of the above, any future decision which the QTS makes will be based on the limited evidence and knowledge at its disposal

QTS encourages directors/managers to quickly make employees aware of any shortfall in their performance as part of routine day to day performance management without entering into the capability process. In many instances, this action will allow the employee to address their under-performance.

INFORMAL ONE TO ONE MEETING

Where employees have not addressed their underperformance as part of the normal performance management discussion the manager will invite the employee to an informal meeting. This is part of the Capability Policy. As the meeting is 'informal action', neither party will be accompanied nor will the right of representation exist, as the aim is to try and resolve matters on a 1:1 basis and in an informal capacity. As part of this meeting, the employee will be offered access to additional training, support or role clarification as appropriate to the situation.

The aim of this meeting is to try and help the employee rapidly address their under-performance in an informal manner. A problem solving approach will be taken to address the situation. During the meeting;

- The employee will be provided with objective examples of the areas of under-performance which are causing concern
- They will be asked to explore possible reasons for the performance shortfall
- The standards of required job performance will be confirmed to the employee once more and the employee will be set a performance improvement plan (PIP) including short term objectives which they need to achieve by a specified timescale
- Additional support required by the employee will be identified and where reasonable, provided by the Council.
- The possibility that medical/ disability related reasons may be affecting the employee's performance will be explored. If this is mentioned as a possibility, the manager should refer to HR. It may be necessary to ask the employee to authorise Access to Medical Records and / or see a member of the Occupational Health Service team and / or an independent medical consultant
- The timetable for achievement of the performance improvement plan will be set by the manager but will be a minimum of 4 weeks and a maximum of 12 week
- During this time, the manager will hold regular informal interim review meetings with the employee both to provide feedback on progress and to encourage and motivate improved performance
- The manager will confirm to the employee that the formal stages of the Capability Policy will be implemented if the employee fails to improve sufficiently with sustained satisfactory performance standards,

- File notes will be made and a copy given to the employee for their record.
- If there is a need to share with any other parties (other than HR) the fact that the employee is being managed under the informal stage of the policy, this will be discussed and agreed at the meeting (e.g. if the employee's work is to be monitored by a third party or if they are to be provided with on-the-job training by someone else in the team etc)

OUTCOMES OF THE INFORMAL STAGE

- If at the review interview, it is evident that the required improvement has been made then the employee will be given positive feedback and reminded of the need to sustain this improved level of performance.
- Should significant improvements be evident, but the employee has not yet achieved the required standards of performance, the manager may choose to extend the length of the review period for a further 4 weeks
- If there has been insufficient improvement, or there is a further shortfall in performance, the formal part of the capability policy will be implemented and the employee will be requested to attend a stage 1 Capability Meeting

STAGE 1,2,3 DISCIPLINARY ACTION

It is important to ensure that issues of discipline are not dealt with under this policy, but of the Disciplinary Enforcement Policy. The Disciplinary Enforcement Policy will apply where misconduct or negligence are believed to be the causes and also where employees have demonstrated that they are capable of performing the job at the required level but choose not to do so. At this point stage's 1,2, and 3 of the QTS Disciplinary Enforcement Policy will be implemented either in part or inclusive dependent upon the outcome of each stage.

See 2.12 QTS Disciplinary Enforcement Policy for stages of disciplinary action.

Records will be treated as confidential and kept in accordance with the Data Protection Act 1998.

DISCLAIMER

This Policy is written and authorised by the Directors of Quality Traffic Surveys Ltd, with the best possible intention to follow all current UK and EU laws and guidelines, and has been done so to the best of the directors knowledge. Any legal errors or infringements within this policy are not intentional.

Dickie Cumberworth director
Quality Traffic Surveys Ltd.