



Christleton Primary School

Be the best you can be

Capability Policy (Support staff)

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Signed Headteacher		<i>Mr Mitchell</i>	
Signed Chair of Governors		<i>Ilkaton</i>	

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CESHIRE WEST AND CHESTER COUNCIL

HUMAN RESOURCES

CAPABILITY POLICY – Support Staff

1. Introduction

- 1.1 The aim of this policy is to help managers and employees of Christleton Primary School to identify where performance is falling below the required level, to establish the reasons for this and where necessary the most effective methods for developing the appropriate skills.
- 1.2 The Capability Procedure should be followed by managers to assist in the identification and investigation of a possible cause of incapability and in drawing up an action plan to resolve. The employee should fully understand the process and that if there is no improvement they will proceed to the next stage of the capability procedure.
- 1.3 Capability issues are not part of the Disciplinary Procedure. However, if after careful investigation, poor performance is identified as an issue of misconduct, it may become necessary to use the Disciplinary Procedure.

2. Policy

- 2.1 Managers must help the employees in their teams reach the desired level of performance.
- 2.2 The Capability Procedure should be followed by managers to assist in the identification and investigation of a possible cause of incapability and where necessary in the drawing up of an action plan. The employee should fully understand the process and that if there is no improvement further action will be taken.
- 2.3 A consistent approach will be applied across Cheshire West and Chester Council, promoting fairness and equity throughout in order to provide quality services.
- 2.4 A decision to dismiss someone is taken only after a full investigation has been completed with proper safeguards to the individual.
- 2.5 Capability issues (non health related) must normally be resolved within six months.
- 2.6 It is the Council's responsibility to set appropriate performance standards for all employees. National performance indicators and the Council's Corporate Objectives are all key performance measures. All jobs are evaluated and in time will have competencies attached. Standards set by professional organisations such as the Law Society, Chartered Institute of Public Accountants, Chartered Institute of Personnel and Development will be observed by Cheshire West and Chester Council.

- 2.7 It is a manager's responsibility to ensure that employees are aware of their required performance level. Careful recruitment and selection, job analysis techniques, the application of the Performance Management/ Appraisal Scheme and performance reviews help to clarify and quantify performance outcomes.

Please note: Where managers have concerns about an employee's performance they must not wait until the appraisal discussion to initially raise their concerns. Performance issues should always be discussed at the earliest possible opportunity at a separate meeting.

3. Aims/Principles

- 3.1 Cheshire West and Chester Council recognises that when an employee cannot perform the duties required to an acceptable standard it does not necessarily constitute misconduct.
- 3.2 The Capability Procedure should be followed where an employee is not able to perform his or her duties because they do not have the skills, knowledge, experience physical ability or aptitude they need to fully carry out their job. Mental health may also be an issue.
- 3.3 There are five main principles underlying the operation of capability procedure:
- (i) Employees must know what is expected of them;
 - (ii) Their shortcomings must be pointed out as they arise;
 - (iii) Employees must be given help, advice, the opportunity and time to improve their performance;
 - (iv) The relevant manager(s) must be clear about whatever action is necessary and be able to proceed without undue delay;
 - (v) The procedures should be applied irrespective of the age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation of the person concerned. If the person has a health issue or a disability Human Resources must be consulted, before formal capability procedures are started and at each subsequent stage.

4. Scope/Application

This Policy and the associated Procedure applies to all non-teaching staff and officers below Chief Officer Level, who have completed their probationary period. For school employees, other relevant policies and procedures apply.

5. Definitions

Capability is in relation to aptitude and the inability or limited ability of someone to perform their full job description to the required standard of performance. It may be due to poor standards of work, even with training and close supervision, or low output of work – where the person can produce work to the right standard but not in the right quantity.

6. **See also:** Disciplinary Policy and Procedure, Probationary Period