Capability Policy - Key Facts

Please note reference to the full Policy should be made for any cases raised under this procedure

Raising Concerns about Capability
Where a manager has identified areas of performance which are not satisfactory, these should be dealt with immediately, to avoid the problem continuing or getting worse. They should not be left to be discussed at appraisal meetings.

Managing Capability Issues Informally
In the majority of cases, capability issues can be dealt with informally initially. This should involve:

- Discussing performance levels with the employee concerned
- Agreeing what improvement needs to be made, and by when
- Agreeing what support the employee needs to be able to make the required improvements, and providing that support
- Confirming in writing to the employee the agreements reached

An informal action plan will be used, (a suggested template can be found at http://www.docs.csg.ed.ac.uk/HumanResources/Policies/Performance_Improvement_Plan_and_Guidance.doc) as this will help to provide a structured approach to addressing the performance issue and documenting the support which has been agreed.

Managing Capability Issues Formally
Where an informal approach hasn’t led to the required improvement within the agreed timescale, managers may initiate the formal Capability Process. This enables a staged approach, as follows:

**Stage 1** Meeting to produce Stage 1 PIP then a Hearing to review performance, which could lead to a first written warning and referral to Stage 2 or in particular circumstances, A final written warning and referred to Stage 3.

**Stage 2** Hearing, where the required improvements haven’t been made under the PIP from Stage 2, with the Manager’s Manager and HR adviser, which could lead to a final written warning and further PIP at Stage 3.

**Stage 3** Hearing, with the Head of School or Support Department and HR adviser, which could lead to dismissal if performance standards are not met under the Stage 3 PIP.

Employees have the right to appeal against any formal action taken under the Capability Policy.

Warnings given under this policy are as follows:

**First written warning** – 1 Year

**Final written warning** – 2 Years

Although warnings can be for up to 2 years, if performance doesn’t meet the necessary standards within the timescales of a PIP, or where acceptable performance isn’t sustained after a successful PIP, but before the expiry of a warning, the next stage of the policy may be initiated.

Managers should note that if performance actually deteriorates after a first written warning, the case may be referred for a Stage 3 hearing.

**Representation**
Employees are entitled to be accompanied by a Trade Union representative or workplace colleague during all formal meetings which form part of the capability process.