

CHRE

Capability Procedure

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1 Policy Statement and Introduction

This procedure applies to all employees. It accords with all legal requirements and Advisory, Conciliation and Arbitration Service, (ACAS) principles and aims to help and encourage employees to achieve and maintain satisfactory standards of performance. The procedure is a statement of the Council for Healthcare Regulatory Excellence (CHRE) (the organisation) policy and management practice. It does not form part of an employee's contract of employment or otherwise have contractual effect.

1.1 Lack of Capability

Lack of capability is work performance that falls below expected standards due to lack of skill, abilities, and knowledge and/or understanding needed to carry out the job. Serious lack of capability will normally lead to dismissal which may be without notice or pay in lieu of notice.

Poor performance is not usually wilful but due to lack of skills, abilities, knowledge and/or the understanding needed to carry out the job.

Note the following good management practice:

- write job profiles clearly and unambiguously so that the employee understands their role and responsibilities
- clearly explain the standard of work required, particularly at induction and during the probationary period or if standards or expectations change for any reason
- set targets clearly in discussion with the employee and check they understand what is expected of them. Keep targets realistic and SMART so that they can be measured in terms of quality, quantity, time and/or cost as follows:
 - **Specific** – the target should state exactly what is to be accomplished
 - **Measurable** – measurement should be expressed in terms of quality, quantity, timeliness and/or cost. Success criteria should be specified.
 - **Attainable** – the target must be reasonable – challenging yes, impossible no
 - **Relevant** – the target should be related to the business plan and have a positive impact on the results of the division
 - **Time-bound** – the targets should have timescales attached, although these can be revisited on a regular basis so that any corrective action can be taken
- Operate the appraisal scheme effectively and on time – it is your key way of evaluating performance in the job

- Give support to promoted employees – they may need time to adjust to higher expectations and responsibilities.

1.2 Recognising a lack of Capability

If there are concerns about an employee's performance the manager is advised to discuss them in supervision sessions. Concerns must not be left until the annual appraisal as CHRE reputation and standards may suffer. Management and colleagues are likely to become increasingly frustrated and it is important that the employee is given the time and opportunity to improve.

Always seek explanations from the employee as to why their performance is below standard and try to identify solutions jointly.

If the reason for the poor performance is lack of necessary skills consider what learning and development initiatives could be put in place.

Allow time for performance to improve; identify an appropriate monitoring period, (as a guide 1-3 months, depending on the extent of the incapability,); check whether any improvements are sustained.

Most of the above discussions will take place informally however you will need to consider convening a formal interview when informal action is no longer appropriate or the incapability is more serious. There may also be cases where the employee commits a single error and the actual or potential consequences of that error are so serious as to require formal action straight away.

If formal action is taken and a warning issued it is important to set a monitoring period and review performance during that period. Discuss progress with the individual with the object of encouraging improvement. The formal procedure is explained below within Section 2 and Manager's guidelines within Appendix A.

Review the warning prior to expiry to check that improvements in performance have been sustained.

If there is a failure to improve despite warnings and any learning and development activities/support, you may have no alternative but to convene a formal interview and dismiss the employee. However, you should consider finding the employee suitable alternative work where possible and explain the position to the employee where this is not feasible.

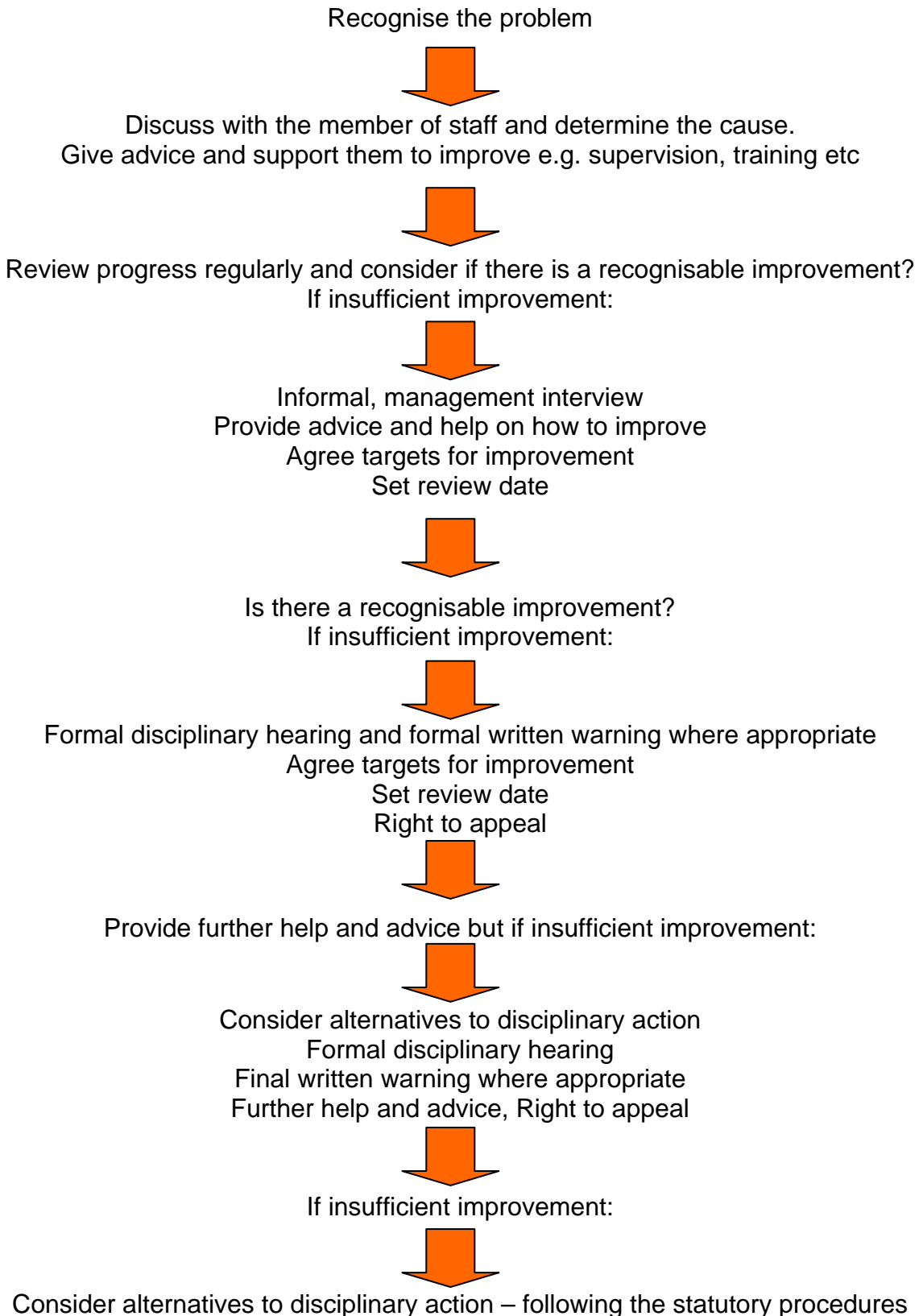
2 Formal Procedure For Disciplinary / Dismissal Action

Please refer to the organisation's Disciplinary and Dismissal Policy and Procedure for the details of the informal and formal stages of the procedure.

Manager Guidelines for Poor Performance are detailed below.



3 Managers Guidance - Poor Performance



Formal disciplinary hearing
Dismissal where appropriate – following the statutory procedures
Right of appeal



DOCUMENT CONTROL

Version Control

Printed documents are uncontrolled. This document is only valid on the day it was printed.

Version	Description of Version	Date Completed
1.0	Capability Procedure	23 September 2008

Associated Documentation

Version	Description of Documentation
	Disciplinary and Dismissal Policy and Procedure

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