

Capability policy

Sometimes, an employee will not meet the standards expected by their employer and this can be due to many reasons, so it is always beneficial to investigate the situation informally and jointly before taking any action. Capability issues relate to an employee's ability to perform their role and are to be distinguished from their conduct. At all stages, the employee will have the right to be accompanied by a trade union representative, or work colleague.

This policy is designed to help and encourage all employees to achieve and maintain standards of behaviour, attendance and job performance. Employment law sets out two key fair reasons for dismissal: conduct or capability.

1. Policy Statement

1.1 Just Electrical Training is committed to supporting its staff to learn and achieve their full potential. We value our workforce and treat them with respect and dignity, recognising that each person is an individual with unique strengths, talents and skills.

2. Different types of capability

Poor performance

If there is no lack of application from the employee and it appears to be a lack of ability, this is when a performance capability period may be introduced. The employee should be informed, in writing, of:

- Exactly how their work is not meeting the required standard or expectation.
- The expected standard(s) or expectation.
- The timescale of expected improvement and that the employer will assess the employer at that time.
- Support, coaching and/or training that will be given to the employee.

Providing the employee has the above information and that it is reasonable, and with sufficient detail so that they can realistically make the required improvements, then the capability period may be ended and no further action taken. If the inadequate performance continues, despite support and resources, to not meet expected standards or expectations, then unfortunately dismissal at the end of the improvement notice period may be effected.

Ill health

Where an employee is off work incapacitated for a prolonged period and it is believed unlikely that they will be well enough to return to work within a reasonable timeframe, their employment may be ended, through proper, transparent, legal procedure.

We will investigate the circumstances, working with the employee, to find out how long it's likely to be until they return, following this, we will invite the employee to a meeting to discuss all the information put forward including their perspective on any likely return, and if they think their role should remain open for a longer period of time. We will take fit notes into account.

Any investigation will of course first include speaking with the employee and investigating the medical issues. The employee may be asked to allow an approach for medical opinion, although the employee can refuse, all data falls under the General Data Protection Regulations (GDPR) and the Access to Medical Reports Act.

4. Process

There may be several letters sent during the capability process. These include:

- Invite to stage 1 capability meeting.
- Stage 1 capability meeting outcome letter.
- Stage 1 capability review meeting outcome.
- Invite to stage 2 capability meeting.
- Stage 2 capability meeting outcome letter.
- Stage 2 capability review meeting outcome letter.
- Invite to stage 3 capability hearing.
- Stage 3 capability hearing outcome letter.
- Stage 3 capability review meeting outcome letter

8. Review of Policy

This capability policy will be periodically reviewed by the Training Manager to ensure it remains compliant with current UK legislation.