

Capability Policy

Date: May 2021

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Policy Title	Capability Policy
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Policy Sponsor	HR Manager
Policy Owner	Director of Business Support
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Rural Needs Impact Assessment Status	1. Rural needs impact assessed: 24 March 2021
Date Set For Review	May 2024
Related Policies	<ul style="list-style-type: none"> • Code of Conduct • Managing Attendance at Work Policy • Menopause Policy • Discipline Policy • Discretions Policy on Pension • Pension Policy for Staff Who Are Members of the Local Government Pension Scheme (NI)

CAPABILITY POLICY MAY 2021

1. Introduction

- 1.1 Libraries NI recognises that the continued success of the organisation is dependent on all employees achieving and maintaining standards of performance in their roles.
- 1.2 Libraries NI is committed to providing support to employees to attain acceptable performance standards and to ensure that any concerns about performance are dealt with fairly.
- 1.3 The policy applies to all employees of Libraries NI. It does not apply to agency workers or self-employed contractors.
- 1.4 This policy is designed to help and encourage employees to achieve and maintain acceptable standards of performance to meet the operational needs of Libraries NI and to encourage improvement where necessary.
- 1.5 All employees have a responsibility to perform in their job role to a satisfactory level. Capability is assessed by reference to skill, aptitude, health or any physical or mental quality' (Section 130(3), Employment Rights (Northern Ireland) Order 1996). A lack of capability occurs where a member of staff is deficient in their performance and failing in a significant or persistent way to achieve acceptable standards of work.
- 1.6 Libraries NI recognises its responsibilities under the Disability Discrimination Act 1995 (as amended) (DDA), and is committed to promoting equality of opportunities for all its employees. Consideration will be given to whether poor performance may be related to a disability and, if so, whether there are reasonable adjustments that could be made to an employee's working arrangements, including changing duties or providing additional equipment or training.
- 1.7 Nothing in the policy or procedure is intended to prevent the normal process of supervisory management whereby the manager allocates work, monitors performance, draws attention to errors and poor quality and highlights work well done.

2 Purpose

- 2.1 The purpose of the Capability Procedure is to ensure that any concerns about an employee's ability to achieve satisfactory levels of performance and or required standards of work are dealt with promptly, fairly and consistently.
- 2.2 Concerns about capability may arise from a number of factors, including:
 - Lack of skill, aptitude, training or experience
 - Lack of proficiency and or poor overall organisation
 - Changes in the nature and allocation of work

- Reorganisation or redefinition of role
- Personal or family difficulties.
- Short term health problems
- Poor attendance at work related to ill health

2.3 Where an employee's performance at work is below the required level, and it is identified that this is a result of capability, the Capability Procedure should be applied.

3 Policy

3.1 Libraries NI will:

- inform employees of the standards of performance required in their role and ensure as far as reasonably practical that requirements are fairly and consistently applied
- treat employees fairly and consistently when issues of underperformance have been identified as below the required standard
- provide support to help an employee to achieve the required standards of performance. This may include training, coaching, mentoring, supervisory guidance, referral for advice, medical treatment, counselling and/or time off work
- normally follow each stage of the procedure sequentially. However, depending on the seriousness and the consequences of the failure to attain or maintain satisfactory standards of performance, the manager may exceptionally omit the second formal review meeting and action plan for improvement
- if appropriate, apply the policy and procedure to all employees who are employed on a permanent, fixed term, or temporary contract, other than newly appointed employees who are subject to completion of a satisfactory probation period.

3.2 Libraries NI recognises that some employees may find application of the procedure distressing. Employees will be offered support of the confidential counselling services available. Full information about these are available on the Health and Wellbeing page of the intranet.

4 Authority

4.1 Policy Sponsor

The Director of Business Support

4.2 Policy Owner

The Human Resources Manager is the policy owner and responsible for its regular review.

4.3 **Policy Contact**

Any employee requiring further information about Capability Policy and associated procedures should contact the HR Department.

4.4 This policy and accompanying procedure have been subject to consultation with the Trade Union Side. The policy and procedure will be reviewed with Trade Union Side after three years.

5 **Related documents**

Policies

- Code of Conduct
- Managing Attendance at Work Policy
- Menopause Policy
- Discipline Policy
- Staff Appraisal Policy
- Discretions Policy on Pension
- Pension Policy for Staff Who Are Members of the Local Government Pension Scheme (NI)

Procedures

- Capability Procedure
- Managing Attendance at Work Procedure
- Menopause Procedure
- Discipline Procedure
- Staff Appraisal Procedure