

The Capability and conduct policy seems still to be fit for purpose, apart from a change in date.



Halstead Town Council Capability and conduct policy

Capability and conduct at Halstead Town Council relate to matters of work performance. The purpose of the capability procedure is to provide a transparent process so that if problems arise with a staff member's work performance, the manager can take a fair and reasonable course of informal and/or formal action to resolve issues and aid improvement. The Town Council endeavours to ensure that its employees deliver an acceptable standard of performance for their role. It aims to use this policy as a means of encouraging employees to improve performance wherever possible and provide help and support to restore and maintain effective contribution. However, poor performance can ultimately result in dismissal.

The procedure is based upon principles of natural justice, fairness, equality, and reasonableness, as underpinned by legislation. The procedure shall be applied with these principles in mind.

This policy applies equally to full time and part time employees on a permanent or fixed-term contract.

This capability policy applies where there is a genuine lack of capability displayed in the work that the employee is asked to deliver (e.g. lack of skill, aptitude, knowledge or ability). The conduct policy applies to cases of poor attendance or wilful poor performance.

Key principles

- Where possible the Clerk will resolve minor issues with a staff member informally and swiftly, through discussion of the problem, suggestion of changes in behaviour which will resolve the problem, and support. Employees are encouraged to inform the Clerk of anything which might affect their work, or the team.
- In the majority of cases there will be no need to have recourse to a formal disciplinary process

Setting the standards

- Employees must deliver their day-to-day work as outlined in their job description and annual objectives in a timely and professional manner and fully meet the standards and competencies for their job. Poor performance occurs where the quality of work deteriorates below the required standard due to lack of ability, skill or knowledge, or disinterest/poor attitude
- HTC will aim to ensure that:
- employees understand what is expected of them in terms of performance;
- that performance is monitored via regular supervision meetings and via the annual performance management process;

- employees are given appropriate training and support to meet those standards
- Employees are not normally dismissed for performance reasons without previous warnings.

Informal process

Informal discussions may cover the following issues:

- clarification of the required standards;
- identification of areas of concern;
- identification of the likely causes of poor performance;
- any training, coaching or support needed in order to help the employee meet the required standard
- setting a time period for improvement and review.
- A verbal warning may be given but this will not be considered to be a formal sanction and will be disregarded for the purposes of any formal proceedings. Where informal discussions have not resulted in a satisfactory improvement after a reasonable period of time, HTC may give further verbal warnings or may invoke the formal procedure set out in the disciplinary policy
- if poor performance is due to domestic or personal issues, due consideration will be given to the employee's circumstances and advice offered. These situations will be dealt with sensitively

Issues

- persistent lateness/poor timekeeping
- frequent days off for minor sickness
- lengthy periods off for sickness
- unwillingness to make the necessary effort
- time-wasting while at work
- attitude
- failure to meet standards
- unwillingness to be part of the team
- lack of competence
- breakdown in trust

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