Capability Policy

Aims: Little Acorns Pre-school aim to manage performance in a fair manner to all employees.

We recognise that people have different ways of getting a good job done.

We will not discriminate against employees’ performance because of their age, race, sex, gender reassignment, disability, religion or belief, sexual orientation, marriage and civil partnerships, pregnancy or maternity.

The purpose of the policy and procedure is to encourage and support an employee who is underperforming or whose work is adversely affected because the employer feels or demonstrates they cannot perform duties or tasks to a required standard. It applies to all employees in the setting.

Expected Standards

Employees are responsible for informing their manager of any difficulties they are having in performing their job so assistance can be provided where necessary. This includes where the employee has a disability.

Where there are concerns

The employee will be advised of the concerns over their performance, the reasons for those concerns and the likely outcome if it were decided the employee’s performance was unsatisfactory.

Resolutions:

**Informal:**

In the first instance performance issues will normally be dealt with informally, between employee and manager. Informal feedback, coaching and support will be offered.

**Formal:**

When earlier informal discussion fails to achieve a satisfactory improvement, or in more serious cases, the formal procedure will be followed.

* Capability meeting with potential first verbal warning
* Capability meeting with potential first written warning
* Capability meeting with potential dismissal or demotion outcome

**What to expect in a capability meeting:**

The employee has the right to be accompanied by a fellow worker.

We will document in writing:

* the performance problem
* the improvement that is required
* the timescale for achieving this improvement
* a review date
* any support, including any training, that Little Acorns will provide to assist the employee

The employee is able to respond to concerns about their performance. This will also be documented.

The employee will be informed of the outcome of the meeting (first verbal/written/final written/demotion/dismissal) and what action will be taken if the employee fails to improve.

The outcome will be confirmed in writing.

All employees have the right to appeal within 7 days of receipt of an outcome letter against any formal action against them.

**Warnings:**

A first verbal warning will stay “active” for a minimum of six months

A first written warning will stay “active” for a minimum of six months

A final written warning will stay “active” for six months

After these periods a warning will usually be disregarded for capability purposes; however they will permanently remain on an employees’ personal file.

If the outcome is a potential dismissal meeting, is that the employees’ performance is not acceptable, their employment will be terminated with immediate effect (with payment in lieu of notice being made). Little Acorns Pre-school may consider demotion as an alterative to dismissal.

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