

# Performance & Capability Policy

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If you require this policy in another format please go the end of the document for details.

## Purpose

KCC recognises the shared responsibility between managers and staff for maintaining acceptable standards of performance and attendance at work.

This policy and the Performance & Capability Procedure provide a fair and structured means of addressing issues relating to performance at work and capability due to health issues which impact on attendance at work. The aim of this policy is to enable the identification of performance and health issues and to support the employee to improve those and/or improve or maintain their attendance to a satisfactory level.

The Performance & Capability Policy and Procedure are reviewed on a regular basis.

There is a separate policy and procedure for dealing with conduct issues (Disciplinary Policy and Procedure).

The Performance and Capability Procedure does not apply to employees who are within their probation period.

## Aims

- Ensure consistency and fairness of treatment
- Assist employees to improve, achieve and maintain required standards of performance or capability
- Identify appropriate support for employees to improve performance and attendance
- Ensure service delivery is supported and maintained through high performance and minimal absence
- Enable issues to be managed via a swift and effective process
- Manage individual issues confidentially, whilst ensuring that there is a transparent process.

## Employee entitlements

Under the Performance & Capability Policy, KCC employees are entitled to be:

- Informed of the required standards of performance and attendance.
- Made aware if their performance or attendance at work is unsatisfactory.
- Given time to improve where appropriate.
- Accompanied at all formal meetings by a KCC workplace colleague or trade union representative.
- Given the right of appeal against warnings or other formal management action.

## **KCC standards**

- HR advice should be sought by managers in advance of any formal action being taken.
- The same attendance and performance standards are applied to all employees including trade union representatives. Any proposed action against a trade union representative should be discussed in advance, with a more senior representative or full time official of the relevant trade union.
- Reasonable adjustments will be made to assist employees considered disabled under the definition set out within equalities legislation.

## **Partnership working**

It could be the case that a performance, capability or attendance issue impacts on more than one employer. Every effort will be made to agree an approach that reflects best practice across the agencies concerned.

Managers from partner organisations will be expected to implement KCC policies and procedures where they are managing KCC employees with support from KCC management or KCC HR.

## **Retention of records (lapsed warnings)**

1. Warnings that have been issued as part of the Performance & Capability Procedure are held on an individual's personal file for as long as the warning is valid. Details of the warning may be included in a reference to a potential employer if it is still live when the information is sought. Employees will have access to this record.
2. At the expiry of the warning period, unless the Performance & Capability Procedure has been re-invoked within this period, all relevant documentation will be removed from the employee's personal file.
3. Previous warnings will be disregarded in the future application of the Performance & Capability Procedure but may be referred to should a related conduct issue arise, to counter an employee's claim that they were unaware of the standards required.

## **Alternative Formats**

This document is available in other formats. Call 01622 694778 or email Employment Policy Team for further details.

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