



# Barrowby Parish Council

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## Capability and Performance Policy

### Document control

- **Owner:** Staffing Committee
- **Responsible officer:** Clerk / Proper Officer
- **Adopted:** 11.05.2026 (Minute ref: 8e [26/008])
- **Version:** 2026.1
- **Review:** Annually or earlier if legislation/guidance changes
- **Next review due:** January-March 2027 at Staffing for formal adoption at Parish Council May 2027

### 1. Purpose

Barrowby Parish Council is committed to supporting employees to achieve and maintain high standards of performance in their roles.

This policy provides a fair, supportive and transparent framework for addressing situations where an employee's **performance falls below the expected standard**, and for providing assistance to help employees improve.

The policy is intended to:

- Encourage high standards of work
- Identify performance issues at an early stage
- Provide support and training where needed
- Ensure employees are treated fairly and consistently
- Comply with good employment practice and ACAS guidance

Capability procedures relate to **performance and ability**. Issues of **misconduct** will normally be dealt with under the Council's **Disciplinary Policy**.

### 2. Scope

This policy applies to all employees of Barrowby Parish Council.

The policy does not normally apply during an employee's **probationary period**, where separate probation review arrangements will apply.

For the **Clerk**, the Council (or delegated Staffing Committee) will manage capability matters.

### 3. Definitions

Capability refers to an employee's **ability to perform their role to the required standard**, whether due to:

- lack of skills or training
- insufficient knowledge or experience
- difficulty managing workload
- health or wellbeing issues
- other performance-related matters

This policy does **not apply to misconduct**, which will be addressed under the Disciplinary Policy.

### 4. Principles

The Council will:

- Address performance concerns **promptly and constructively**
- Provide **clear expectations and objectives**
- Offer **appropriate support and training**
- Allow the employee the opportunity to **improve performance**
- Treat all employees **fairly and consistently**

Employees will:

- Be informed of performance concerns
- Be given an opportunity to respond
- Be allowed reasonable time to improve
- Be accompanied at formal meetings by a **trade union representative or work colleague**

## 5. Informal Stage (Performance Support)

Where performance concerns arise, the first step will normally be an **informal discussion** between the employee and their line manager.

This meeting will:

- Explain the performance concerns
- Clarify expected standards
- Identify any causes or obstacles
- Agree an **informal improvement plan**
- Provide support, training, or guidance

An **informal review period** will normally be agreed.

Where performance improves to the required standard, no further action will be taken.

If concerns continue, the matter may proceed to the **formal capability procedure**.

## 6. Formal Capability Procedure

### Stage 1 – First Capability Meeting

If performance has not improved following informal support, the employee will be invited to a **formal capability meeting**.

The employee will receive:

- Written notice of the meeting
- Details of the performance concerns
- Relevant evidence
- Confirmation of the right to be accompanied

At the meeting the Council will:

- Explain the concerns
- Allow the employee to respond
- Consider any mitigating factors
- discuss training or support needs

Possible outcomes include:

- A **First Performance Improvement Plan (PIP)**
- Additional training or support
- A review period (normally **4–12 weeks**)

The required improvements and review arrangements will be confirmed in writing.

### Stage 2 – Final Capability Meeting

If sufficient improvement has not been achieved, the employee may be invited to a **final capability meeting**.

Possible outcomes include:

- A **Final Performance Improvement Plan**
- Further support and monitoring
- Extension of the review period where improvement is evident but not yet sufficient

The employee will be informed that **failure to improve may result in dismissal on capability grounds**.

### Stage 3 – Capability Dismissal Hearing

If performance remains unsatisfactory after previous stages, the Council may convene a **capability hearing**.

Following the hearing, possible outcomes include:

- Further extension of the improvement period
- Redeployment (if appropriate and available)
- **Dismissal on grounds of capability**

Dismissal will normally be with **contractual notice**.

## **7. Appeals**

An employee has the right to appeal against:

- a capability warning
- a final capability decision
- dismissal

Appeals must be submitted **in writing within 10 working days** of receiving the decision.

Where possible, the appeal will be heard by councillors **not previously involved in the case**.

The outcome of the appeal will be confirmed in writing.

## **8. Support During the Process**

The Council recognises that performance issues may arise from underlying factors.

Support may include:

- training
- mentoring
- workload adjustments
- wellbeing support
- occupational health referral (where appropriate)

## **9. Record Keeping**

Records of capability meetings and outcomes will be retained confidentially in accordance with the Council's **Data Protection Policy**.

## **10. Review of Policy**

This policy will be reviewed periodically to ensure it remains compliant with employment law and good practice.