



CAPABILITY POLICY

This is a whole-school policy, within the framework of which the Junior School and Infant School, plus EYFS, and the Nursery policies operate as appropriate.

1. It is the School's policy to support employees who are genuinely sick and unable to come to work and, where an employee's absence lasts for two weeks or more, to actively to manage his or her absence and subsequent return to work.
2. The School will adopt a 'case management' approach when dealing with employees who are incapable of working due to ill health. This means regularly reviewing an employee's absence and state of health or fitness to see whether or not there is any improvement and if the School can do anything to facilitate the employee's recovery and return to work. Case reviews will normally be held fortnightly, and these will involve the employee's Line Manager, the Head/Bursar and occupational health, where appropriate.
3. Part of the case management will be for the School to keep in touch with the employee. The employee will be consulted about how contact will be maintained, for example by telephone, email and/or visits to the employee's home at agreed times. The employee's views on how contact should be made will be sought and respected.
4. When an absent employee is well enough to return to work, the School will meet with the employee to discuss the terms of his/her return. The discussions will include:-
 - the employee's opinion about his/her capabilities, for example whether the employee is confident that he/she is capable of full job performance or only partial performance;
 - whether the employee should return full time or have a phased return;
 - whether or not the employee will be taking any medication after his/her return to work that might have side effects, for example tiredness;
 - any special arrangements, additional support or adjustments to the employee's duties, working conditions or environment that would help the employee to reintegrate into the workplace; and
 - whether an induction programme is desirable or necessary, for example if the employee's absence is lengthy and if a number of School or procedural changes have taken place during this time.
5. After the employee's return, the School will:-
 - monitor the employee's progress over the first few weeks to ensure that he/she is coping with the work and the day to day pressures of working life; and
 - take all reasonable steps to facilitate the employee's reintegration into the workplace.
6. If the School uses the services of an occupational health specialist, the School may request that an employee provides access to their medical records and consents to an occupational health assessment (at the School's expense), to allow the occupational health specialist to provide a report to the School. The terms of all employees' contracts provide that they must give such consent to the School. Refusal to submit to such examination may be treated as misconduct. The School will routinely ask an employee who has been absent from work for a month or more to be medically examined by an



occupational health specialist to confirm whether he or she is capable of returning to work and/or ascertain whether there is anything that the School can do to facilitate an employee's return to work.

7. The School will review the position periodically. Ultimately, it may become necessary from a business perspective to consider termination of employment on the grounds of incapability. In these circumstances, the School will:-
 - review the employee's absence records to assess whether or not it is sufficient to justify dismissal;
 - consult with the employee;
 - obtain up to date medical advice;
 - advise the employee in writing as soon as this is established that termination of employment has become a possibility;
 - meet with the employee to discuss the options and consider the employee's views on continuing employment;
 - consider whether there are any other jobs that the employee could do prior to taking any decision regarding dismissal;
 - allow a right of appeal against any decision to dismiss the employee on the grounds of long term ill health.
 - arrange a further meeting with the employee to determine any appeal; following this meeting, inform the employee of its final decision; and
 - act reasonably towards the employee at all times.

Capability and Qualifications

8. The School recognises the difference between:-
 - a deliberate failure on the part of the employee to perform to the standards of which he or she is capable, in which case the School may take action under the Disciplinary Policy; and
 - a case of incapability, where an employee is lacking in knowledge, skill or ability and so cannot carry out his or her duties to the standard required, in which case the School will operate this policy in an attempt to improve performance.
9. The School sees successful performance management as fundamental to its effectiveness as a whole and if it becomes clear that an employee is not performing his or duties to the required standard due to a lack of knowledge, skill or ability, the School will arrange a meeting with the employee to discuss the matter. The School will:-
 - make the employee aware that he or she is not performing to the required standard;
 - give the employee a reasonable period to improve and undertake any training which is deemed necessary; and
 - offer the employee close supervision by his or her Manager or Supervisor.
10. At the end of this period, another meeting will be arranged to review the employee's progress and decide whether or not any further action is required.



11. If the employee's performance has still not improved to an acceptable standard, a more formal meeting may be held. The employee may be given a warning about his or her performance, given a further chance to improve, and offered further supervision.
12. If the employee is unable to improve to the required standard, the School will consider whether or not he or she can be moved to alternative work more suited to his or her abilities.
13. Once the School has exhausted all attempts to improve the employee's performance and find him or her alternative duties within the School, as a last resort it may become necessary to consider dismissal.
14. Where an employee no longer has the correct qualifications to continue to perform his or her duties, the School will consider whether or not adjustments can be made to existing duties so that employment can continue. Where the qualification in question is fundamental to the employee's duties and he or she cannot continue without them, the School will consider whether or not the employee can be moved to another position. The School will also give consideration to whether the employee can be returned to his or her original duties, once the qualifications have been re-gained.
15. If the employee is offered alternative work, this may be on a reduced rate taking into account the alternative work. The School will however pay the employee's previous remuneration for a period of 6 months.
16. Once the School has exhausted all attempts to amend the employee's existing duties or to alternative duties within the School, or if no such amendments can be made or alternative duties found, it may, as a last resort, become necessary to consider dismissal.

Reviewed:

June 2016

Approved by Board of Governors:

June 2016