



University of
St Andrews

Capability (poor performance): FAQs

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Employee FAQs

I can't help being ill, why am I being put through this process?

The University understands that all employees will be ill at some point during their employment, but your absence is more frequent and higher than what would reasonably be expected. This process is an opportunity to work with your line manager, to ensure support is put in place and that advice is given from [Occupational Health](#) to improve your attendance at work. Unfortunately, persistent absence must be addressed because the impact of you not being at work means your colleagues have to cover for you and this is not something that can be sustained in the longer term.

I think my manager is picking on me, I'm not the only one that doesn't follow procedure.

Capability should not be viewed as a punitive measure but an opportunity to support you to perform to the required standards. Your line manager should be able to provide you with examples of the concerns they have, and you should be given the opportunity to respond.

I'm concerned that I am going to lose my job.

The purpose of this process is to work with you to bring your performance/attendance up to the required standard. A framework should be put in place to support you during this process with regular reviews. If you have any concerns or don't understand what you are being asked to do you must raise them with your line manager immediately. If your performance does not improve despite the measures put in place to support you, it may result in a dismissal hearing, but you will be given every opportunity to improve prior to this step.

Line manager FAQs

When would I use the Capability (Poor Performance) Policy?

You would use this policy if you have concerns regarding an employee's ability to do their job or where an employee has persistent short-term absence.

What steps should be taken before invoking the Capability Policy?

Where concerns arise regarding performance or attendance, it is important that the line manager addresses these concerns as they arise. It may be necessary to have an initial meeting with the employee to discuss the concerns and to set out what might happen if improvement is not seen e.g. invoking the capability procedure.

Is this process like discipline?

No. The purpose of the Capability Policy is to provide a framework and support and encouragement to the employee to achieve and maintain acceptable standards of performance. However, if the performance problems are judged to result from conduct over which the employee has control e.g. they won't follow a request, the University [Disciplinary Policy](#) will apply. An easy way to define the difference is: Can't = Capability vs Won't = Disciplinary. However, it should be noted that clear demarcation is not always easy and matters of capability could be relevant to either process. Your [HR Business Partner \(HRBP\)](#) will be able to advise.

Who should address the issues of performance/attendance with the employee?

The line manager or Head of School/Unit is responsible for addressing poor performance issues when they arise and for taking appropriate action.

Can employees be accompanied to the meeting?

When the process moves to the formal stages, employees have the right to be accompanied to the meetings by a colleague or trade union representative. A member of Human Resources, normally the [HR Business Partner](#) for the School/Unit, will also attend all formal meetings.

What structure should the informal meeting take?

As line manager, it is important that you give the employee a clear explanation of your concerns and encourage the employee to identify any problems they are experiencing and explore possible causes for the problems/difficulties. You should consider providing help if this is possible e.g. arrange training/coaching to improve the situation and support the employee. You should agree a time frame to allow the employee to improve and arrange a time to meet with the employee to review their progress. It is important that you make clear to the employee the possible consequences if performance/attendance does not improve. You can use the [capability template](#) to help structure your discussions and document agreed actions.

Do I need to take notes of meetings held as part of the informal stage?

Yes. It is important that any meeting is followed up in writing (e.g. email) with the employee confirming the discussion, the agreed outcomes, and objectives along with confirmation of the review date. You can use the [capability template](#) to help structure your discussions and document agreed actions.

If performance/attendance improves following the informal discussion, what happens next?

If there is a satisfactory outcome following the informal process, the matter will be considered resolved.

Do I need to follow each step of the process?

It is recommended that you don't miss out any stages. However, there may be occasions where the circumstances might warrant skipping steps, but advice must be sought from your [HRBP](#) before any action is taken.

I started the process and performance improved so I stopped. The same issues are arising again, do I have to start at the beginning?

Normally yes. However, much depends on how much time has passed since you closed off the initial performance management concerns. Please discuss with your [HRBP](#).

What sort of support should I put in place to improve attendance?

Referral to [Occupational Health](#) to see if there are any underlying health conditions and if so, what measures could be put in place to support. Your [HRBP](#) will be able to advise you on this.

What sort of performance issues would lead to invoking the capability procedure?

Any issue where you feel performance is not up to the standard expected, e.g. frequent lateness, lack of attention to detail, failure to follow local procedures/protocols, repeated mistakes.

What happens if the employee dismisses the concerns I have?

If you can provide the employee with examples of the concerns you have to support the discussion, then the issues are unlikely to be disputed. You can then, together, explore if there are any underlying reasons for the performance issues e.g. lack of understanding, lack of training, etc and this will enable you to put together the required support.

How much time should I give an employee to improve?

There is no specific period and it may vary depending on a number of factors e.g. complexity and frequency of the issues in question. You need to ensure that you are giving the employee a reasonable amount of time to improve their performance/attendance. An initial guide would be at least 4 weeks.

I am concerned about addressing issues of this nature in my team.

An important part of being a manager is supporting all your employees. Not addressing concerns regarding performance/attendance with one member of the team can have an adverse impact on morale and motivation for the rest of the team. Ensure that any problems or concerns are addressed as they arise. Make sure you schedule in regular meetings with your team members so that you build rapport with your colleagues. Always have specific examples to hand e.g. an email where you don't feel the tone was appropriate, overhearing a telephone conversation, details of timekeeping when addressing concerns.

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