Selsey Community Forum
Capability Policy

1. Introduction

Selsey Community Forum is committed to supporting employees to perform their roles effectively and to the required standard.

The purpose of this Policy is to provide a fair and consistent framework for managing situations where an employee is experiencing difficulty in meeting the required standards of performance because of their capability, skills, knowledge, aptitude or other relevant circumstances.

Selsey Community Forum will seek to understand the reasons for any performance concerns and, wherever reasonably practicable, provide appropriate support, guidance, training and a reasonable opportunity for improvement before formal action is considered.

Where capability concerns may be related to an employee's health or disability, Selsey Community Forum will consider the circumstances carefully, including any appropriate medical or occupational health advice and its obligations to consider reasonable adjustments under the Equality Act 2010.

This Policy applies to employees of Selsey Community Forum and is intended to promote open communication, appropriate support and improvement while ensuring that required standards of performance are maintained.

2. Scope and Principles

This Policy applies when concerns arise regarding an employee's capability to perform their role to the required standard. Capability concerns may include matters relating to an employee's skills, knowledge, experience, aptitude or ability to carry out the duties and responsibilities of their role.

Where concerns relate primarily to an employee's conduct or behaviour, Selsey Community Forum will normally address these under the Disciplinary Policy rather than this Capability Policy. In some circumstances, capability and conduct issues may overlap. Selsey Community Forum will consider the individual circumstances and determine the most appropriate procedure to follow.

Selsey Community Forum will aim to identify and address capability concerns promptly and fairly. Employees will normally be given appropriate support and a reasonable opportunity to improve before formal action is considered.

Any action taken under this Policy will be reasonable and proportionate to the circumstances, taking into account the nature of the role, the level of performance required, the seriousness of the concerns, and any relevant mitigating circumstances.

3. Informal Support and Early Intervention

Where capability or performance concerns arise, Selsey Community Forum will normally seek to address these informally in the first instance, where appropriate. The manager will discuss the concerns with the employee in a timely and constructive manner and will seek to understand any reasons or circumstances that may be contributing to the issue. The discussion may include:

- the areas in which performance is falling below the required standard;

- the standards or expectations that need to be met;
- the employee's explanation or views regarding the concerns;
- any training, coaching, guidance or other support that may assist;
- whether any health, disability or other relevant circumstances need to be considered;
- any reasonable adjustments that may be appropriate;
- clear objectives or improvements required; and
- a reasonable timescale for improvement.

Where appropriate, a written record of the agreed actions, expectations and review arrangements will be provided to the employee. The employee's progress will be monitored and reviewed during the agreed period.

Where sufficient and sustained improvement is achieved, no further action will normally be required. Where performance does not improve to the required standard, or where the concerns are sufficiently serious that an informal approach is not appropriate, Selsey Community Forum may commence the formal capability procedure.

4. Formal Capability Procedure

Where informal support has not resulted in the required improvement, or where the circumstances warrant formal action, Selsey Community Forum may commence the formal capability procedure. The employee will be informed in writing of the capability concerns and will be provided with sufficient information to understand the issues being considered and the possible consequences.

The employee will be given reasonable notice of any formal capability meeting and reasonable time to prepare. At formal capability meetings where a warning or other formal action may result, the employee will have the right to be accompanied by a work colleague, trade union representative or trade union official, in accordance with statutory requirements.

Selsey Community Forum may move through the stages of this procedure at an appropriate pace depending upon the circumstances. In sufficiently serious cases, it may be appropriate to commence the formal procedure at a later stage.

4.1. Stage 1: Capability Meeting

The purpose of the formal capability meeting is to discuss the performance concerns, consider the employee's response and determine what further support or action may be appropriate. At the meeting, Selsey Community Forum will normally:

- explain the performance or capability concerns and the standards expected;
- review any informal support, guidance or action previously undertaken;
- give the employee a reasonable opportunity to respond and provide any relevant information or explanation;
- consider any mitigating circumstances;
- consider whether further training, coaching, support or reasonable adjustments may be appropriate;
- agree clear and measurable standards or objectives for improvement; and
- determine an appropriate review period.

Where formal action is considered appropriate, the employee may be issued with a first written capability warning. The written outcome will normally confirm:

- the areas in which improvement is required;
- the required standard of performance;
- any support or adjustments to be provided;
- the timescale for improvement;
- how performance will be monitored and reviewed; and
- the possible consequences if the required and sustained improvement is not achieved.

A reasonable review period will be set having regard to the nature of the concerns, the employee's role and the improvements required.

4.2. Stage 2: Formal Capability Review Meeting

At the end of the agreed review period, Selsey Community Forum will normally meet with the employee to review their progress. The employee will be given an opportunity to comment on their performance, the support provided and any circumstances that may have affected their ability to achieve the required improvement. Following the review, Selsey Community Forum may determine that:

- the required and sustained improvement has been achieved and no further formal action is necessary;
- sufficient improvement has been made to justify extending the review period or continuing monitoring;
- further support, training or reasonable adjustments should be considered; or
- the required improvement has not been achieved and further formal action is appropriate.

Where performance remains below the required standard, the employee may be issued with a final written capability warning. The final written capability warning will normally confirm the remaining areas of concern, the standards required, any further support to be provided, the review period and that continued failure to achieve and maintain the required standard may result in dismissal on the grounds of capability.

4.3. Stage 3: Final Capability Hearing

Where the employee has not achieved and sustained the required standard of performance following previous formal action, Selsey Community Forum may invite the employee to a final capability hearing. The employee will be informed in writing of the concerns to be considered, the possible outcomes of the hearing and their right to be accompanied.

The employee will be given a reasonable opportunity to respond to the concerns and to provide any relevant information or mitigating circumstances before a decision is made. Selsey Community Forum will consider the circumstances carefully, including:

- the nature and extent of the capability concerns;
- the improvement required and the time and support already provided;
- the employee's progress during the review periods;
- any explanations or mitigating circumstances;
- any relevant health or disability considerations;
- whether reasonable adjustments have been considered or implemented where appropriate; and
- whether any suitable alternative employment or other reasonable options are available.

Possible outcomes may include:

- no further formal action;
- a further period of review or support where this is considered reasonable;
- redeployment to a suitable alternative role, where one is available and appropriate; or
- dismissal on the grounds of capability, with appropriate notice or payment in lieu of notice where applicable.

Dismissal will only be considered after Selsey Community Forum has concluded that the required standard cannot reasonably be achieved or maintained within an appropriate period and that no reasonable alternative to dismissal is available. Any decision will be confirmed in writing and will include the employee's right of appeal.

5. Appeal

An employee may appeal against any formal warning or dismissal issued under this Policy. Any appeal should be submitted in writing within five working days of receiving the written outcome and should clearly state the grounds of appeal.

Wherever reasonably practicable, the appeal will be heard by a manager or other appropriate person who has not previously been directly involved in the decision and who has sufficient authority to determine the appeal. The appeal will be arranged without unreasonable delay. The employee will have the right to be accompanied at the appeal meeting by a work colleague, trade union representative or trade union official, in accordance with statutory requirements.

Following the appeal, Selsey Community Forum will confirm the outcome in writing as soon as reasonably practicable. The appeal decision will be final.

6. Support and Adjustments

Where capability concerns may relate to an employee's health, medical condition or disability, Selsey Community Forum will consider the circumstances carefully before taking formal action. Where appropriate, Selsey Community Forum may seek medical or occupational health advice to better understand:

- the impact of the employee's health condition on their ability to carry out their role;
- whether the condition may amount to a disability under the Equality Act 2010;
- whether any reasonable adjustments may assist the employee;
- the likely duration or prognosis of the condition, where relevant; and
- whether there are any other measures that may support the employee in remaining in or returning to work.

Where an employee is disabled, Selsey Community Forum will comply with its legal duty to consider and, where reasonable, implement appropriate reasonable adjustments. Possible adjustments may include changes to duties, working arrangements, working hours, equipment, targets, workplace arrangements or other appropriate support, depending on the individual circumstances.

Where appropriate, Selsey Community Forum will also consider whether suitable alternative employment is available. Dismissal on capability grounds where health or disability is a relevant factor will only be considered as a last resort after appropriate support, reasonable adjustments and other reasonable alternatives have been considered.

7. Review

This Policy will be reviewed periodically by Selsey Community Forum and may be amended to reflect changes in legislation, ACAS guidance, best practice or operational requirements.

8. Version Control

Version Number	Date of Update	Amendments
1.0	October 2025	Policy reviewed
2.0	October 2026	Reviewed and updated in line with current UK employment legislation and ACAS guidance