



CAPABILITY/PERFORMANCE

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PURPOSE

This Policy provides details of the provisions available and the procedure to follow where an unacceptable level of performance is due to incapability.

This Policy does not cover situations more appropriately dealt with under the following procedures:

- deliberately/wilfully ignoring instructions or producing sub-standard work - the Discipline Policy should be used;
- below standard level of attendance or ill-health capability - the Managing Attendance Policy should be used;
- people with disabilities, or who become disabled, whose performance standard is connected with, and is detrimentally affected by, their disability - the Disabled Persons Policy should be used.

SCOPE

This Policy applies to all employees of Sysco Productions Limited.

All those persons referred to within the Scope of this Policy are required to be familiar with the terms of this Policy.

Line Managers are responsible for ensuring that this Policy is applied within their own departments. Any queries on the application or interpretation of this Policy must be discussed with the Managing Director prior to any action being taken.

POLICY STATEMENT

Sysco Productions Limited will at all times endeavour to ensure that employees achieve and maintain a high standard in their work. To this end it will ensure that standards



are established, performance is monitored, and where necessary, employees are given appropriate training and support to meet these standards. When it is apparent that an employee is not capable of achieving the required level of performance, the Company will deal with the situation in a reasonable and competent manner.

Therefore, all employees must:

- be advised as soon as their performance falls below expected standards.
- understand the standards required, the reasons for any action and the implications of not achieving an improved performance.

In addition, all managers must:

- investigate all the facts.
- advise or warn the employee of the problem.
- give the employee a period during which he/she has a chance to improve performance.
- take any relevant action to assist and support the employee during the improvement period.
- maintain a complete, written record of all discussions and actions throughout the process.

DEFINITION

Incapability, as defined in this Policy, implies that there is no element of choice in the employee's failure to measure up to the required standards. This may be due to an inherent lack of ability, skill or experience, or to a lack of adequate training and/or supervision. In these cases, employees will be given reasonable help and encouragement to reach a satisfactory level of performance, as detailed in this Policy, before any formal action is considered.



Negligence, in contrast, normally involves a measure of personal blame or wilful conduct or misconduct. The employee's performance will be inadequate due to a lack of motivation, interest or attention. In all matters of conduct, including negligence, disciplinary action as detailed in the Discipline Policy will be taken.

Where managers are unclear as to which is the appropriate procedure to apply in any specific circumstance, they are advised to discuss the matter with the Managing Director.

INFORMAL PROCEDURE

Early Attention

Where a manager establishes that an employee's performance is unacceptable, he/she must not wait until any formal review meeting to address the issue. Instead, a meeting should be held immediately with the employee under the terms of this Policy. The aims of this meeting will be to:

- ensure that the employee is aware of the required standard of performance;
- explain clearly the shortfall between the employee's performance and the required standard; and
- carefully assess the situation in order to identify if the failure to meet performance levels is due to the employee's negligence, idleness, or attitude, or whether it is due to lack of training/supervision or basic incapability. (If the former reasons are established, the Company's Discipline Policy must be used); and
- identify the cause(s) of the incapability and determine what remedial assistance can be given. This may include further training, retraining or closer supervision and support; and



- obtain the employee's commitment to reaching the required standards; and
- set a reasonable period for the employee to reach the required standard and agree on a monitoring system during that period. This will normally be four weeks, however, this may vary according to the area of poor performance; and
- tell the employee what will happen if that standard is not met i.e. that the formal disciplinary procedure will be invoked.

Assistance to Meet Required Standards

Should the discussion during the meeting result in a decision by the manager that the required standards are not reasonably attainable, the standards will be reviewed and revised accordingly.

Should the meeting establish that the performance problems are related to the employee's personal or domestic life, then necessary counselling/support may be provided.

If it is decided that the poor performance emanates from a change in the Company's standards or working methods, those standards or working methods will be explained to the employee. Any necessary supervision, training or retraining will be offered to obtain conformity with the standards or to achieve the required skill level.

The content, agreed action, and the outcome of this meeting must be recorded in writing, with a copy given to the employee concerned. Managers should retain their own copy securely and confidentially, as the notes will be needed to ensure effective follow-up. The notes are not part of the formal procedure and the employee should be informed of this: they are taken for the manager's record only.

Review Meeting

At the end of the review period a further meeting will be held between the manager and the employee as part of the informal process where either of the following apply:

- if the required improvement has been made, the employee will be told of this and encouraged to maintain this improvement; or
- if much improvement has been made but the standard has not yet quite been met, the review period will be extended. In this case a further review meeting date will be arranged.

Referral to Formal Procedure

If there has been no discernible or insufficient improvement the manager will explain to the employee that the formal procedure (see clause 6) will now be invoked.

FORMAL PROCEDURE

Where an employee's job performance falls short of the required standard and informal action has not brought about the required improvement, it will be necessary to implement the Company's disciplinary procedure. In this event the precise terms outlined in the Company's Discipline Policy must be followed.

The employee concerned will be informed in writing of this and will be asked to attend a disciplinary hearing where he/she will have the right to be accompanied by a work colleague or by a Trade Union representative. Whenever practicable at least 48 hours notice of the hearing will be given.



ALTERNATIVE SOLUTIONS

At any stage during the informal or formal procedure, an employee who concludes that he/she would wish to volunteer to move to an available alternative role which may be a better match for his/her capabilities should raise this with his/her manager. Where the employee is prepared to accept an alternative solution, such as transferring to another position, this will be actioned as quickly as possible as such periods of uncertainty are de-motivating for the individual concerned and for those around him/her.

During the period between the initial discussion regarding a transfer and the resolution, the employee will be seen by his/her manager at least fortnightly until he/she is appointed to a new position.

Should the transfer involve a voluntary demotion, the Business Support Manager will confirm the changes to terms and conditions that would be relevant to the new role. The employee will then be asked to confirm, in writing, that these arrangements are acceptable to him/her.

Where required and as appropriate, training arrangements will be finalised and implemented by the Company.