



General Purposes Committee
27 November 2012

**Report from the
Interim Director of Human Resources**

Wards affected:
ALL

Managing Capability Policy and Procedure

1.0 Summary

- 1.1 This report provides details of the proposed Managing Capability Policy and Procedure. This will replace the current Capability Policy and Procedure.

2.0 Recommendations

- 2.1 GP Committee is asked to agree the draft policy and procedure with effect from 1st January 2013.
- 2.2 GP Committee is asked to authorise the Assistant Director, Human Resources (or Deputy), in consultation with the Director of Legal and Procurement (or Deputy) and then consultation with the relevant trade unions, to make such other changes as may be necessary from time to time to all HR Policies and Procedures.

3.0 Detail

- 3.1 The Council continually reviews its HR policy framework to align its policies and procedures to the organisational objectives and to reflect current modern HR practice, in the context of legislative change.
- 3.2 Brent is committed to providing excellent, publicly accountable services that give real value for money. Brent recognises that its people are key to the delivery of excellent services.
- 3.3 The draft policy and procedure provides a framework of support for employees who require additional management intervention to enable them to carry out their roles effectively and in line with organisational objectives.
- 3.4 The key points to note are that the new policy and procedure:
- Recognises that under-performance may place the organisation at risk and allows for swift action to be taken.

- Expects that informal management action happens within the normal day to day management of staff.
- The procedure will be instigated where improvement in performance has not been demonstrated or sustained, or where serious issues of capability are raised that make informal management action inappropriate.
- Has a two stage process (as opposed to a three stage process).

3.5 The policy and procedure is designed to ensure that all employees are treated fairly and consistently and that high standards of performance are maintained.

3.6 The policy and procedure is underpinned by a strong focus on delivery of the highest level of service.

4.0 Implementation date

4.1 It is recommended that the policy becomes live on 1st January 2013. A communications plan has been developed to support roll out of the policy and guidance for managers to support implementation of new arrangements.

5.0 Financial Implications

5.1 There are no specific financial implications.

6.0 Legal Implications

8.1 The policy is underpinned by the Employment Act 2002 and the Equality Act 2010.

8.2 The policy adheres to the basic principles of fairness in the ACAS Code of Practice: Disciplinary and Grievance Procedures (April 2009).

8.3 The policy is non-contractual and may, subject to applicable legislation, be amended or withdrawn by Brent at any time.

9.0 Diversity Implications

9.1 The policy and procedure is applicable to all staff and provides a consistent approach to ensure employees perform their roles effectively and capably, and to support employees not performing in a fair and consistent manner. Capability action is in accordance with the Council's equality duties and will be continually monitored to ensure compliance.

10.0 Staffing/Accommodation Implications

10.1 Brent is moving towards a flexible workforce and this policy and procedure will assist in the organisation meeting its objectives through offering a framework to help employees meet or exceed the high standards of performance required. There are no other implications in addition to those otherwise set out in the report.

Background Papers

Draft Capability Policy and Procedure is appended to this report.

Contact Officer

Cara Davani

Interim Head of Human Resources