**SECTION 3**

**Safeguarding and Welfare Requirements: Staff Qualifications, Training, Support and Skills.**

**Providers must monitor, support and offer training for staff who are under-performing.**

**3.3: Capability Policy**

**Policy statement**

Where a member of staff or student may be under-performing, the manager or deputy manager will investigate and collect evidence. The Chair of the committee will make arrangements for this to be done if the performance of the manager or deputy manager is in question. Once the facts are gathered and the evidence has identified the problem the following procedure will take place.

**Procedures**

* Arrange a meeting with the staff member to present the evidence and establish any contributing factors.
* If required arrange support in the necessary areas of practice.
* Present the member of staff with a Supervisory Review
* Arrange for monthly Supervision meetings with room leader or Chair in the case of the manager or deputy manager.
* Ensure that the staff member has feedback at every stage.
* Arrange for training, either through an outside body or internal training with the required officers.

**SUPPORT**

Support and informal training will aim to encourage and help the staff member to improve on their performance. It will be conducted discreetly with the relevant training provider or internal officer.

Explanations will be considered carefully and the matter closed if it is evident that the staff member has no case to answer.

The member of staff will be told what is required, how their performance will be reviewed, the review period, and that a formal procedure will take place if there is no improvement in their practice. Support will be available for a short period. A supervisory review will take place after one month to check on the required progress.

Discussion will not harass the staff member or turn into a formal interview. If more serious concerns arise, or if the staff member expresses discontent or indifference to the support offered, the formal procedure will commence to deal with the matter in a more structured and objective manner.

After a period of review involving observations and assessments, an improvement of practice should be evident resulting in the options of:

* The matter being resolved; or if not to
* Convene a formal interview with a member of the committee/trustees.

**Formal meeting**

The formal meeting initiates the formal part of the capability procedure. It provides an opportunity to deal with more serious problems in a structured way. It allows the staff member to prepare a response to allegations about their performance and to be accompanied by a colleague.

The meeting may provide new information or put a different view on evidence collected. If it becomes clear that further investigation is needed the meeting will be adjourned for a length of time to allow this to happen.

There are three options at formal meetings;

* All parties agree that the matter has been resolved therefore no further actions are required.
* Continued support (except where already undertaken without improvement).
* Move to the next stage of a disciplinary meeting (see disciplinary and grievance procedure).

A disciplinary meeting is relevant to a situation where continued concern about under-performing is justified. The decision on which level of warning to issue will depend on the seriousness of the problem. If the staff’s performance remains unsatisfactory a written warning will normally be issued and will define an assessment period not exceeding four weeks.

**Legal framework**

**Further guidance**

ACAS Guidance-www.acas.org.uk/acascode.pdf

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| This policy was adopted at a meeting of | St Peters Pre-school (Stafford) |  |
| Held on | 13th November 2020 |  |
| Date to be reviewed | October 2021 |  |
| Signed on behalf of the provider |  | |
| Name of signatory | Mavis Ingham | |
| Role of signatory | Chair/Director | |