

# EIA Record

Date of EIA 3 November 2004  
 Directorate Corporate Services & Resources  
 Function or policy to be assessed **CAPABILITY PROCEDURE**

Is it a policy or function	Policy
Is it a new or existing policy or function?	Existing
Aim / objective / purpose of the policy or function	To ensure fair and effective arrangements exist for dealing with capability matters and common standards are observed for all employees.
Who is responsible for the policy or function?	Borough Human Resources Manager (through departmental HR teams)
With regard to the equalities themes, which groups might be <b>impacted</b> by the policy or function?	<input type="checkbox"/> Race <input type="checkbox"/> Disability <input type="checkbox"/> Gender <input type="checkbox"/> Age <input type="checkbox"/> Religion or Belief <input type="checkbox"/> Sexual Orientation <p style="text-align: right;">All these groups.</p>
Which groups might be <b>affected adversely</b> ?	<input type="checkbox"/> Race <input type="checkbox"/> Disability <input type="checkbox"/> Gender <input type="checkbox"/> Age <input type="checkbox"/> Religion or Belief <input type="checkbox"/> Sexual Orientation <p style="text-align: right;">All these groups.</p>
What evidence has been found to indicate this? (include any consultation undertaken)	National findings indicate that potential exists for minority groups to be discriminated against by employers.
On what grounds can adverse or differential impact be justified?	We cannot determine any grounds as to why adverse or differential impact could be justified under this policy
What changes are proposed to the policy or function to reduce or remove adverse or differential impact?	Recognition needs to be given to the needs of disabled employees and those employees who have English as a second language who are dealt with through this procedure through alteration of standard letters. The procedure recognises the requirements of the Disability Discrimination Act in terms of "reasonable adaptations" to the workplace when dealing with ill-health capability matters but additional legislative stipulations will need to be made explicit (and then observed) through occupational health advice.
In to which plan or strategy has the necessary action been incorporated?	Capability Policy.
What monitoring arrangements have been put in place?	The Council monitors capability cases on an annual basis when they manifest themselves into disciplinary matters which are then reported on an annual basis to the Employment Committee
What conclusions have been drawn or recommendations have been made?	We propose to implement the proposed changes as outlined above through a change to the policy and thereafter informing managers/staff accordingly as per our usual communications channels when dealing with policy changes.
Has the information in this EIA been made publicly available?	Yes as part of the Council's general approach to EIA's.