
**CAPABILITY POLICY AND PROCEDURE
MEDICAL AND DENTAL STAFF**

PURPOSE AND SCOPE

This Procedure is designed to help and encourage the medical and dental employees of Guy's and St Thomas' NHS Trust to achieve and maintain high standards of medical and Dental practice. It is intended that a fair, systematic and uniform approach is taken to disciplinary and performance capability matters and the Procedure shall be applied to all medical and dental staff employed by the Trust.

In cases involving **conduct** the position of a doctor or dentist is no different from that of any other Trust employee, and the general Disciplinary Policy and Procedure will apply in such cases. This can be found in the E- HR section of the HR Portal.

This policy and procedure does not cover Honorary appointments who are subject to the Capability and Disciplinary procedures of their substantive employers.

PERFORMANCE/CAPABILITY:

The performance of a practitioner is defined as the exercise of medical or dental skills, practice and/or professional judgement.

All matters of concern relating to **performance or competence** will be dealt with in accordance with this Procedure.

Please refer to Appendix 1 for an algorithm to illustrate the process steps.

1. PRINCIPLES

Minor matters of concern should be resolved through an informal discussion and reference to the Trust Remediation Guidance with the relevant departmental head prior to entering the procedure.

1.1 Where necessary, reasonable support will be made available by the Trust to assist a practitioner in achieving satisfactory standards of performance/ competence via re-training or other suitable process.

1.2 No action will be taken against a practitioner until an appropriate level of investigation has been carried out. Where a full investigation is required, every effort will be made to complete it as speedily as possible. Exclusion or restriction of practice may be considered if there are serious safety concerns.

1.3 Training will be provided to all those nominated to act as a case investigator or case manager in these proceedings.

1.4 The practitioner shall be informed in writing of the nature of the complaint or concern about their performance, and will be given the opportunity to state their case before a decision is made.

1.5 Practitioners will have the right to be represented at all stages of the procedure, and will have the right to appeal against any penalty imposed under this capability policy. The representative may be another NHS employee, a member of a union or medical defence organisation.

1.6 In the case of trainees, the Director of PGME will be informed, in order to determine if the matter is purely a training issue or not. For all issues regarding trainees the Deanery or LEP will be informed by the Director of PGME, as part of the Revalidation process.