



# **Probation Period Procedure**

**Policies and Procedures Control Page**

<b>Title</b>	<b>Probation Period Procedure</b>
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## **1.0 INTRODUCTION**

- 1.1 The staff probation period is a standard period for all new employees to local government including new employees who have previously been employed as a casual worker. It applies to all staff, except casual staff and certain staff on short fixed-term contracts (3 months or less). It is a six month period, during which the line manager has the opportunity to monitor the progress of the new employee. The new employee is responsible during this period to demonstrate their suitability for the post. If the employee is deemed unsuitable during this period then the employment contract may be terminated. The Council's disciplinary procedure does not apply during a probationary period.
- 1.2 Existing employees who are promoted or transferred within the Council will not normally be subject to a probation period unless their initial probation is not completed.
- 1.3 Any period of maternity leave taken during the probationary period does not count towards the completion of the probationary period. Disability related absence will count towards the completion of the probationary period but a reasonable adjustment will be made relating to when that absence reaches a trigger point.
- 1.4 The Council aims to ensure that the probation process is undertaken for all new employees and is applied in a fair and consistent manner.

## **2.0 PROBATION PERIOD 4 WEEK FORMAL ASSESSMENT**

- 2.1 A formal assessment for the probation period must take place after 4 weeks of employment. Line managers must complete the assessment form in Appendix A and return to Human Resources in a timely manner. The assessment should be done in conjunction with the new employee to discuss the skills and capabilities required for competence in the relevant role. The manager and new employee must agree specific objectives or development needs that will enable the new employee to reach competence and the required performance in their role.

## **3.0 PROBATION PERIOD 3 MONTH FORMAL ASSESSMENT**

- 3.1 A formal assessment for the probation period must take place at 3 months. Line managers must complete the assessment form in Appendix B and return to Human Resources in a timely manner. The assessment should be done in conjunction with the new employee, allowing for feedback in each area. If, after the assessment, any area is deemed as 'Not Satisfactory' then the line manager must take further action immediately.

### **3.2 Action Following 3 Month Formal Assessment**

#### **a) Probation Period Progressing Satisfactorily**

If the assessment at 3 months is deemed to be progressing satisfactorily then the line manager should indicate this on the Probation Period 3 month assessment form. Copies of the assessment form should be sent to HR for the employee's personal file.

## **b) Probation Period Progressing Unsatisfactorily**

If the assessment at 3 months is deemed as progressing unsatisfactorily then further action must be taken by the line manager to assist the employee in improving in the identified areas. This action should take the following form:

Using the formal progress meeting to discuss with the member of staff problem areas and a programme needs to be agreed with the employee, who must be clear on what is expected of them. This must include timescale and specific targets to meet such as:

- Clear job outputs, i.e. what the employee is expected to achieve during, or by the end of, the probationary period;
- The standards of performance that are required in respect of the job duties;
- The standards or measurements against which the employees performance will be assessed;
- Any agreed development needs;
- A description of any relevant standards of behaviour;
- Review meeting to discuss progress and further action.

3.3 This action must take place, be completed and reviewed prior to the 6 Month Formal Assessment. Where necessary, the line manager should clearly explain the consequences of underperforming to the employee. It should be explained to the employee that a continued failure to achieve the required standards could ultimately lead to his or her employment being terminated.

3.5 The agreed objectives should be clearly and fully documented on the assessment form. The form should provide an accurate record of what was discussed at the meeting.

## **4.0 PROBATION PERIOD 6 MONTH FORMAL ASSESSMENT**

4.1 A final formal assessment for the probation period must take place at least **3 weeks before** the end of the 6 month probationary period. Line managers must complete the assessment in Appendix C and return to Human Resources in a timely manner. The assessment covers all subject areas that were raised at the 3 Month Formal Assessment. As with the 3 Month Formal Assessment, the meeting should be conducted with the new employee, allowing for feedback in each area. Following the 6 Month Formal Assessment the line manager should indicate on the assessment form what action is to be taken (i.e. confirm satisfactory completion of the probation period, extended probation period or termination of the employment).

4.2 If a probationer's performance is unsatisfactory, and it is clear that further training or support is unlikely to alter the situation, termination of the employment will be the next step. Managers must advise Human Resources as soon as the 6 month formal assessment is completed in order to arrange a final formal meeting.

**4.3 Please note that if you wish to extend the probation period, or terminate the contract then this MUST be done within the six month period. Any action you wish to take after this point must be through the disciplinary procedure.**

## **5.0 EXTENDING PROBATIONARY PERIODS**

5.1 The manager must seek the approval of a Strategic Director prior to extending an employees probationary period. An extension will only be agreed if there are extenuating circumstances that justify it.

5.2 Any extension of a probationary period should normally be for no more than three months. Where the probation period is extended, the manager must explain to the employee the consequences should they not reach the required standards by the time of the final review meeting e.g. that the employee may not be confirmed in post and their employment with the Council will therefore end.

## **6 NON-CONFIRMATION OF APPOINTMENT**

6.2 Where an employee has failed to reach the required standards of performance, conduct or attendance required for their position, they should be invited to a formal final review meeting in order to reach a decision about their employment status.

6.3 The employee should be invited in writing to attend the meeting, allowing 5 working days notice. The letter should state the reasons why they have fallen short of the required standards and should advise them that a possible outcome of the meeting could be the decision not to confirm them in post during their probation period.

6.4 The employee will have a right to be accompanied at the meeting by a colleague, trade union representative or any other person of their choice.

6.5 At the meeting the manager will be assisted by a HR Manager.

At the meeting the manager should:

- give the reasons for considering non confirmation of post
- discuss the evidence/provide examples of the problem
- allow the employee and/or their representative to respond to the concerns and to ask any questions
- ensure that due consideration has been given to issues of equality and diversity and any other issues pertinent to the individual case
- adjourn the meeting for consideration to be given to all the evidence and for a decision to be taken

- at the reconvened meeting the manager should state clearly the decision that has taken place and reasons for the decision

## **7.0 DISMISSING AN EMPLOYEE DURING THE PROBATIONARY PERIOD**

- 7.1 In order to give an employee a full opportunity to come up to the required standards, the line manager will usually wait until the end of the probationary period before taking a decision to terminate. However, if there is clear evidence to suggest that the employee is wholly unsuitable for the role, the line manager should consult HR with a view to early termination.
- 7.2 Any case of misconduct during the probationary period may lead to dismissal and gross misconduct may lead to summary dismissal with one weeks pay in lieu of notice. However, in all circumstances a formal meeting will be held by the employee's manager who will be accompanied by a HR representative. The purpose of this meeting is to decide whether the employee's employment with the Council will continue. The employee must be advised that one outcome of the meeting could be the termination of their employment. At the formal meeting the manager should explain the allegations against the employee and go through the evidence that has been gathered.
- 7.3 The employee will be allowed to answer any allegations that have been made.
- 7.4 If it is decided that, on the balance of probability, the employee was guilty of an offence then dismissal will be considered. At the end of the formal meeting the appropriate manager should inform the employee of the outcome of the meeting. The outcome of the meeting should then be confirmed in writing to the employee.
- 7.5 It is important for an accurate record of a formal meeting to be kept. This does not necessarily have to be a verbatim account, but should consist of at least the key points made by the manager, the employee's response, and the action decided upon.

## **8.0 APPEALS AGAINST NON-CONFIRMATION OF PROBATIONARY PERIODS.**

- 8.1 Employees will be advised in writing about their right to appeal against the decision to terminate their employment. The letter will detail who the appeal should be addressed to. The employee's notice of appeal shall include a statement in writing of the grounds on which they wish to challenge the decision and must be made within 10 working days of receipt of the dismissal letter.

- 8.2 Appeal hearings will normally take place within 10 working days of receipt of the employee's written notice of appeal.
- 8.3 Employees should note that an appeal hearing is intended to focus on specific factors which the employee feels have been dealt with unfairly or which have received insufficient consideration.

**Appendix A**

**Probation Period 4 week formal assessment.**

**Employee details**

Name:	Job title:
Post Reference:	Service/department:
Start date:	Six month probation end date:

**Part A.**

Outline the main duties and responsibilities of the role.  
Discuss and agree the skills and capabilities required for competence in the role.

**Part B**

Discuss and agree any specific objectives (based on SMART) or training and development support that will enable the new employee to reach competence and to meet the required performance in the role.

Signed:  
(line manager)

Date:

Signed:  
(employee)

Date:

**Once this form is completed Line Managers must return it to Human resources in a timely manner**

**Human Resources Authorisation**

Signed:  
(HR Manager)

Date:

## Appendix B

### Probation Period 3 Month Formal Assessment

#### Employee details

Name: \_\_\_\_\_ Job title: \_\_\_\_\_  
Post Reference: \_\_\_\_\_ Service/department: \_\_\_\_\_  
Start date: \_\_\_\_\_ Six month probation  
end date: \_\_\_\_\_

#### Probation Period 3 Month Formal Assessment

Please indicate (tick relevant box) whether the above named member of staff has achieved satisfactory levels in the following areas:

Competency	Not satisfactory	Satisfactory	More than Satisfactory
Attendance			
Managing time (being effective, efficient, productive and reliable)			
Quality of work			
Attitude to work			
Taking initiative, solving problems and personal responsibility			
Adaptability and flexibility			
Achievement of agreed targets			
Sickness record			
Applies Equality and Diversity			
Using information and communications technology			
Builds good relationships			

If as line manager you tick '*satisfactory*' or '*more than satisfactory*' in all of the above areas the probation period will automatically continue through to the 6 month assessment stage.

If as line manager you tick '*not satisfactory*' in any one or more of the above areas then the probation period will be classed as progressing unsatisfactorily. In this situation further action must be taken by the line manager to assist the employee in improving in the identified areas. This can be achieved by discussing and agreeing with the employee any specific objectives (based on SMART) or training, development or welfare support that will enable them to reach the required performance in the role.

In cases where there is clear evidence to suggest that the employee is wholly unsuitable for the role, the line manager should consult HR with a view to early termination.

Outline the agreed development programme in the below box.

Signed:  
(line manager)

Date:

Signed:  
(employee)

Date:

**Once this form is completed Line Managers must return it to Human resources in a timely manner**

**Human Resources Authorisation**

Signed:  
(HR Manager)

Date:

## Appendix C

### Probation Period 6 Month Formal Assessment

#### Employee details

Name: \_\_\_\_\_ Job title: \_\_\_\_\_  
Post Reference: \_\_\_\_\_ Service/department: \_\_\_\_\_  
Start date: \_\_\_\_\_ Six month probation  
end date: \_\_\_\_\_

#### Probation Period 6 Month Formal Assessment

Please indicate (tick relevant box) whether the above named member of staff has achieved satisfactory levels in the following areas:

Competency	Not satisfactory	Satisfactory	More than Satisfactory
Attendance			
Managing time (being effective, efficient, productive and reliable)			
Quality of work			
Attitude to work			
Taking initiative, solving problems and personal responsibility			
Adaptability and flexibility			
Achievement of agreed targets			
Sickness record			
Applies Equality and Diversity			
Using information and communications technology			
Builds good relationships			

Please indicate what action you wish to take:

- Confirm satisfactory completion of probation period and pay performance increment, where appropriate.
- Request a formal final review meeting is held to consider terminating employment.
- Request Strategic Directors approval to extend the probation period due to extenuating circumstances which have prevented the employee from reaching the required standard for the role.

Signed:  
(line manager)

Date:

Signed:  
(employee)

Date:

**Once this form is completed Line Managers must return it to Human resources in a timely manner**

**Human Resources Authorisation**

Signed:  
(HR Manager)

Date:

## Appendix D

### Letter confirming an employee's appointment in post

Dear

Re: Staff Probation Period

I am pleased to advise you that you have successfully completed the staff six month probation period. Your line manager, (insert name) will continue to monitor your progress in the future through the Appraisal Scheme, which will occur as an annual formal meeting and a six monthly review meeting.

As a result of successfully completing your probation period you will be awarded a performance increment which will be payable from                    (\* see below) and you will be paid according to spinal column point    (£                    ).

Payroll have been informed of this change and you will receive any backdated pay in your next salary.

I would like to take this opportunity to wish you continued success in your current role, and in your future career with Stratford District Council.

Yours sincerely

HR Manager

**\* If an employee's start date is during the period 1 April-31 September their increment will be paid on 1<sup>st</sup> April. The increment will be paid 6 months after the start date if their start date is during the period 1 October- 31 March.**

## Appendix E

### Letter inviting an employee to a final formal review meeting

**(This letter will not apply in cases of gross misconduct during the probationary period, in these circumstances summary dismissal may be considered)**

Dear

Re: Final formal probation review

I am writing to inform you that you are required to attend a final formal probation review meeting in accordance with the Council's Probation Procedure, a copy of which is enclosed. The review will take place on (day, date) at (time) in (venue).

The purpose of this meeting is to:

1. Discuss your work performance/suitability for the role/sickness absence record to date and;
2. Decide whether your employment with the Council will continue. I would like to emphasise that one outcome of the meeting could be the termination of your employment on one weeks notice should you be found to have failed to have successfully completed your probationary period.

I understand that your line manager (insert name) has raised the concerns with you previously and have enclosed supporting documents relevant to those issues (copies of sickness absence record, probationary review forms).

(insert name) will chair the meeting and (insert name) from Human Resources will also be present. You may be accompanied if you wish by a trade union representative, work colleague or person of your choice.

I should be grateful if you would confirm to me by (insert date) that you will be attending the meeting.

Yours sincerely

Manager's name and job title

## Appendix F

### Letter extending an employee's probation period

Dear

Re: Probation Period – 6 Month Formal Assessment

Further to your discussions with ***Line Manager Name, Job Title*** on ***Date***, I am writing to confirm the outcome of your Probation Period 6 Month Formal Assessment.

As a result of this assessment it has been agreed that your probation period be extended for a period of 3 months to ***date***, to allow for improvements specifically in the following key area:

- ***Itemise in relation to the probation period checklist, in consultation with HR Manager.***

The extension of your probation period will give you the opportunity to improve in this area.

As part of the ongoing probation process your progress will continue to be monitored and will be formally reviewed at the end of the extended probationary period. However, if you fail to make sufficient progress either during or by the end of your extended probationary period, this is likely to result in your dismissal. Please be aware that the Council is unlikely to extend your probationary period further.

If you wish to discuss this at any time, please feel free to contact ***line manager name*** on ***phone number*** or a member of Human Resources.

Yours sincerely

Human Resources Manager