



Cowbit St Mary's (Endowed) Church of England School

PROBATION POLICY AND PROCEDURE

LCC Model Policy (November 2016)

Policy approved by Governors

18.05.21

Policy to be reviewed annually

Our Vision

We are a small, inclusive Church of England Primary School that welcomes everyone and encourages all voices to be heard. Through challenge and support, we strive towards each person becoming the best person God intended them to be, happily flourishing as human beings. We empower our whole school community to be hopeful about the future and to be drivers of positive change.

Employment Manual

PROBATION POLICY

This policy applies to all Council staff with the exception of Chief Officers, Uniformed Fire Fighters and teachers

Updated November 2016

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INTRODUCTION

This policy explains the Council's process for managing probation periods. All new employees to the Council are subject to a six month probation period before their appointment is confirmed unless otherwise stated. This may be ended earlier or extended following discussion with the manager and employee concerned.

Probation periods give the Council the opportunity to assess a new employee's suitability in the role they have been appointed to and for the employee to demonstrate their ability to effectively perform their duties, have the opportunity to become familiar with the main duties and tasks of their post and demonstrate the standard of performance, attendance and conduct expected of them.

OBJECTIVES

To ensure both managers and employees on probation understand the purpose of the probation period.

To guide and advise managers on managing probation periods.

MINIMUM STANDARDS

The policy applies to all new entrants to the Council including temporary or fixed term appointments for 6 months or more.

In the case of fixed term staff with a contract shorter than the length of the probation period the probation process will be followed for the period during which the individual is employed by the Council.

Confirmation of appointment is dependent upon the satisfactory completion of the six months' probation period. If a new employee's, performance, conduct, timekeeping, sickness absence or attendance is not satisfactory during the probation period the appointment may be terminated giving one month's notice, regardless of grade as detailed in the Local Terms of Conditions of Employment. Managers will meet with probation employees at least twice during the probation period to review the new employee's performance and to take supportive action, particularly where this falls short of requirements.

Where there are no issues of concern with the employee's performance, conduct, timekeeping, sickness absence or attendance, then the manager will write to the employee at or about the 6 month of employment confirming that the probation period has been satisfactorily completed.

Existing employees who have completed a probation period and are moving to a new position within the Council are not subject to any further probation periods.

EXEMPTIONS

Newly Qualified Social Workers or Qualified Practitioners will be classed as being within their probationary period until successful completion of undertaking the ASYE process.

Employees appointed under the Appointing One Point Below Policy.

RESPONSIBILITIES

DIRECTOR AND ASSISTANT DIRECTOR LEVEL

Ensuring effective implementation and awareness of the procedure.

MANAGERS

Explaining the expected standard of performance and managing the probation period and ensuring that review dates are set and that the employee receives regular feedback on performance.

SERVICE MANAGER – PEOPLE MANAGEMENT

Reviewing the policy.

Advising the Chief Executive in ensuring the procedure is followed and applied consistently across the Council.

EMPLOYEES

Demonstrating the standards expected by the Council for performance, conduct, timekeeping, sickness absence and attendance and to raise any difficulties with the line manager.

HR ADVISERS

Responsible for advising and supporting managers in the application of this policy.

FURTHER INFORMATION

Probation Procedure

Appointing One Point Below Policy

Employment Manual

PROBATION PROCEDURE

This procedure applies to all Council staff with the exception of Chief Officers,
Uniformed Fire Fighters and teachers

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PROCEDURE INTRODUCTION

The probation period policy should be explained to the new employee as part of their individual service area induction programme and that this procedure will be used.

The line manager should explain the responsibilities of the job, arrange for any necessary training to take place and set objectives for the first 6 months in the role. (See Letter 1.)

The line manager should advise the new employee that there will be two probation review meetings during the 6 month probation period.

The date of the first probation review meeting should be set as part of the induction process.

As good practice during the first month of employment it is recommended that time is set aside every week to discuss:

- How the job is going.
- Highlights and any problems.
- Training needs.
- Any organisational issues which are not clear.
- How the employee feels about the job.

It is expected that managers will deal with any concerns about work performance or conduct as they arise and not wait until the probation review meetings. Dealing with problems at an early stage means that they are more likely to be dealt with successfully.

EXEMPTIONS

- Newly Qualified Social Workers or Qualified Practitioners will be classed as being within their probationary period until successful completion of the ASYE process.
- Employees appointed under the terms of the Appointing One Point Below Policy

FIRST PROBATION REVIEW MEETING – at two months

If a probation period is to be of any value, it must be properly managed.

The first probation review meeting must be held during the second month of employment. The purpose of the meeting is to review performance, conduct, timekeeping, sickness absence and attendance and constructive feedback should be given to the employee highlighting both achievements and any areas where they are falling short. Examples must always be provided.

Where all aspects are satisfactory, the line manager should inform the employee of this fact and set a date for the final probation review meeting to be held during month four. (See Letter 2.)

Where there are concerns regarding any aspect of performance, conduct, timekeeping, sickness absence or attendance, the line manager must:

- Discuss the areas of performance that need improvement.
- Explain the standards required.
- Devise an improvement plan which sets objectives and targets and identifies any additional support, training or guidance needed.
- Set the final probation review meeting for a further two months (4 months after the start date).
- Advise the employee that failure to meet the required standards may result in termination of employment.

(See Letters 3, 4 and 5.)

FINAL PROBATION REVIEW MEETING at four months

The final probation review meeting must be held during the fourth month of employment. (See Letter 6.) The purpose of the meeting is to review performance, conduct, timekeeping, sickness absence and attendance and constructive feedback should be given to the employee highlighting both achievements and any areas where they are falling short. Examples must always be provided.

If at this meeting it is evident that the employees' performance, conduct, timekeeping, sickness absence or attendance is still causing concern, the line manager must advise the employee that they will be invited to attend a meeting to discuss the termination of their employment or an extension to the probation period.

Any support or assistance identified will continue to be offered during the whole of the probation period up to the date of confirmation in post or decision to dismiss.

EARLY TERMINATION DURING THE PROBATION PERIOD

An employee should be invited to a meeting to discuss termination of employment in the following cases:

- (1) It can be demonstrated that, in submitting the application, that the employee purposely misled or provided false information to the Council for example concerning their qualifications, skills or experience.
- (2) If, during the probation period it is considered that that an employee's performance, conduct, timekeeping, sickness absence or attendance is unsatisfactory despite being given appropriate support.

POSSIBLE OUTCOMES AT THE END OF THE PROBATION PERIOD

At the end of the probation period of there are three possible outcomes:

- Confirm the appointment
- Extend the probationary period
- Dismiss the employee

CONFIRMING THE APPOINTMENT

If the employee demonstrates that all aspects of their performance are satisfactory the line manager should write and confirm their appointment at or about the six month date following their appointment. (See Letter 7.)

EXTENDING THE PROBATION PERIOD

In some circumstances it may be necessary to extend the probation period beyond the 6 month period. These circumstances include:

- It has not been possible to fully assess performance due to the employee's sickness or other authorised absence.

- There have been concerns regarding performance but the manager has evidence to suggest that performance is likely to improve with an extension to the probation period.

Probation periods may be extended for 1 to 3 months beyond the six month probation period, but should not be extended by more than 3 months. Any decision to extend the probation period should be made by the line manager in the meeting with the employee at the final probation review meeting. The line manager will inform their Head of Service of the decision and obtain advice from an HR Adviser. (See Letter 8.)

Where an employee is absent for a substantial part of their probation period, for example, due to sickness, the line manager may consider recommending extending the probation period for up to 3 months. This will enable the employee's actual work performance in the job to be assessed over a reasonable length of time. Each case should be considered on its merits where the length of absence is extensive during the probationary period, as this may lead to a potentially difficult situation in assessing and reporting on the employee. (See Letter 12.)

In circumstances where the probation period is extended the employee must be advised in writing of the extension and that if performance fails to meet the required standard at the end of this period, employment will be terminated. This discussion must take place at the final probation review meeting and must be confirmed in writing.

DISMISSING THE EMPLOYEE

Where the employee's performance, conduct, timekeeping, sickness absence or attendance is not satisfactory and the line manager does not consider that an extension to the probation period would be beneficial, the employee should be invited to attend a meeting with a manager with delegated authority to dismiss, to discuss the termination of their employment. (See Letter 9.) The employee should be informed that they may be accompanied by a Council work colleague, recognised trade union officer or recognised trade union representative. The purpose of the meeting will be to explain the reasons for their proposed dismissal (i.e. unsatisfactory performance) and the employee will have the opportunity to respond if they wish.

Also present at this meeting will be a HR Adviser.

The decision to dismiss must be confirmed in writing and the employee should be given one month's notice. (See Letter 10.) The letter should also advise the employee of their right of appeal to their Executive Director.

This meeting will take place either at the end of the probation period or at the end of an extended period of probation.

APPEALS AGAINST DISMISSAL

Appeals against dismissal will be heard by the Executive Director or Assistant Director of the Director area, except where the decision to dismiss is that of that Executive or Assistant Director. Under those circumstances the Executive Director will arrange for another Executive Director or Assistant Director to hear the appeal.

The employee should be informed that they may be accompanied at this meeting by a Council work colleague, recognised trade union officer or recognised trade union representative. (See Letter 11.)

Also present at this meeting will be a HR Adviser.

NOTICE PERIODS

One month's notice period, from either an employee or the Council, will be required in writing, during the probation period to terminate employment, in accordance with the Council's Local Terms and Conditions of Employment, or where there is a separate provision in an employee's terms and conditions document.

FURTHER INFORMATION

In order to minimise unnecessary formality and apprehension, the electronic, audio or video recording by any device of such meetings will not be permitted. Should an employee think that there are exceptional circumstances where this should be allowed (for instance, due to a disability) this should be raised in advance with the person due to conduct the meeting, the chair of the hearing or the relevant HR Adviser. Due consideration will then be given to the request and the employee will be advised of the outcome of that consideration.

For further information and guidance on this procedure managers should contact an HR Adviser.

ADDITIONAL RELEVANT POLICIES

Probation Policy
Appointing One Point Below Policy
Local Terms and Conditions of Employment
Employee Induction Policy

TEMPLATE LETTERS

Letter 1 First Probation Review
Letter 2 Advising of Outcome of First Formal Review Meeting – Satisfactory Progress

Letter 3 Advising of Outcome of First Formal Review Meeting – Unsatisfactory Progress
Letter 4 Progress Review – Improvements Made
Letter 5 Informal Stage Review – No Improvements Made
Letter 6 Invite to Final Review Meeting
Letter 7 Outcome of Final Review – Confirmed in Role
Letter 8 Outcome of Final Review – Extension
Letter 9 Outcome of Final Review – Formal Probation Hearing
Letter 10 Outcome of Dismissal Meeting
Letter 11 Invite to Appeal Hearing
Letter 12 Extension to Probation Period Due to Absence through Illness