

APPENDIX B

PROBATION POLICY

Purpose

The purpose of this Policy and the [Probation Procedure](#) is to provide a basis for the effective management of probationary assessment and where appropriate unsatisfactory performance during the probationary period.

This policy does not form part of any employee's contract of employment. It may be amended from time to time.

Key Principles

- All newly appointed employees will be subject to a probation period.
- Appointments 'subject to a probation period' are made with a view to permanency.
- The probation period provides an important opportunity for the newly appointed employee to familiarise themselves with the requirements of their role and to objectively assess with their line manager whether they can be adequately satisfied.
- Line managers will meet with newly appointed employees as soon as possible after the commencement of their employment in order to confirm the standards of performance expected and the way in which this will be evaluated during the probation period.
- Line managers will continue to provide appropriate support throughout the probation or extended probation period to assist the newly appointed employee in achieving the required standards of their role.
- Matters of attendance, capability and conduct will be dealt with under this Policy and the [Probation Procedure](#). No other Policy or Procedure will apply.

Further information

This Policy should be read in conjunction with the [Probation Procedure](#).

Probation Procedure

These guidelines are to provide helpful information to assist the management of probationary periods and are not intended to amount to legal advice.

Introduction

This Procedure should be read in conjunction with the [Probation Policy <insert link>](#).

Definitions

Newly Appointed Employees

Includes all new recruits including those joining with continuous service from another local authority or associated employer ①.

It does not include existing staff transferring into new roles (including secondments) who have previously completed a period of probation with Peterborough City Council.

Probation Period

Will unless otherwise and expressly agreed be a period of six calendar months beginning on the newly appointed employee's start date.

Extended Probation Period

Will be any period of probation extending beyond 6 months. An extended probation period must not extend beyond 11 months from the newly appointed employee's start date

Performance

Includes matters relating to attendance, capability and conduct.

Monitoring and Support

Newly appointed employees will receive feedback on their performance during 1:1's/supervision meetings with their line manager.

If minor performance issues arise the line manager should inform the newly appointed employee and attempt to alleviate the problem at an early stage.

Where reasonable and if required additional support and/or training will be given to assist the newly appointed employee in achieving an acceptable level of performance.

Where performance issues persist and/or are regarded as serious/gross incompetence, line managers should conduct a Performance Review.

① for a list of associated employers refer to the Redundancy Payments Modification Order (Local Government) 1983 (as amended).

Performance Review

Line managers should complete a Performance Review in any circumstance where performance issues have arisen and in all circumstances not later than 5 months after the newly appointed employee's start date.

Line managers should use the Probation Checklist (See Annex 1) when completing the Performance Review.

No Performance Issues Identified

If a newly appointed employee's performance meets required standards line managers should continue to monitor and provide support.

Required standards will be met in any circumstances where the newly appointed employee achieves level 3 or above in all areas.

Where required performance levels are maintained throughout the probation period, line managers should confirm the newly appointed employee's appointment.

Confirmation can be given in person or in writing. Where confirmation is in person an appropriate record should be kept.

Performance Issues Identified

If at any stage during the probation period the performance of a newly appointed employee does not reach the standards required the line manager will arrange a Probation Meeting.

Required standards will not be met in any circumstances where the newly appointed employee achieves level 2 or below in any area.

Where the issues identified are regarded as sufficiently serious to justify termination of the employment contract, a Stage 2 Probation Meeting should be organised

In all other circumstances, a Stage 1 Probation Meeting should be organised.

Probation Meetings

Stage 1 Probation Meeting

- The Stage 1 Probation Meeting ("Stage 1 Meeting") will be held as soon as possible and where achievable within 1 week of the unsatisfactory Performance Review.
- Normally an employee would not require representation. However, in certain circumstances, where deemed appropriate they can request this.
- During the Stage 1 Meeting the line manager will discuss areas of concern with the newly appointed employee and an improvement plan will be agreed.
- Where the actions agreed in the improvement plan cannot be achieved within the probation period the line manager should consider setting an extended probation period.

- After the Stage 1 Meeting the line manager will confirm the improvement plan in writing to the newly appointed employee and will include the following information:
 - A summary of the performance issues identified;
 - Confirmation of the actions agreed to achieve satisfactory standards of performance;
 - The timescale within which actions should be completed and performance levels improved;
 - Confirmation of any extended probation period; and
 - Confirmation that a Stage 2 Probation Meeting will be organised if performance levels do not improve and/or the agreed actions are not completed within the timescales.
- The line manager will continue to monitor the newly appointed employee's performance to ensure compliance with the improvement plan.
- At the conclusion of the improvement plan and where performance levels have been improved the newly appointed employee should be informed of this. The line manager should continue to monitor progress and provide support and where performance levels are maintained throughout the probation or extended probation period, line managers should confirm the newly appointed employee's appointment.
- In circumstances where performance remains unsatisfactory or the improvement plan is not complied with a Stage 2 Probation Meeting should be organised.

Stage 2 Probation Meeting

- The Stage 2 Probation Meeting ("Stage 2 Meeting") will be held as soon as possible and where achievable within 2 weeks of:
 - a Performance Review raising serious concerns; or
 - the newly appointed employee's non-compliance with the improvement plan; or
 - the line manager identifying ongoing unsatisfactory performance during the improvement plan which is unlikely to improve within the agreed timescales;
 - the conclusion of the improvement plan where performance has not improved to the required standard.
- An HR Business Partner will be present at a Stage 2 Meeting unless it is agreed by the HR Business Partner, in discussion with the line manager, that their attendance is not required.
- Where the issues identified relate to conduct or matters of a serious nature, the line manager must discuss this with an appropriate HR business partner to determine whether an investigation is required and if so, who should carry this out.
- In exceptional circumstances it may be appropriate for an alternative manager to conduct the Stage 2 Meeting and a decision in this respect will be taken by the line manager in consultation with their HR Business Partner.
- At least 5 days prior to the Stage 2 Meeting the newly appointed employee should be sent a letter dealing with the following matters:
 - the date, time and venue;
 - the right to be accompanied;
 - details of the way in which their performance has fallen short of required standards with reference where applicable to the improvement plan; and

- confirmation of the possible outcomes of the Stage 2 Meeting.
- If the newly appointed employee or their companion is unable to attend the Stage 2 Meeting they must notify the line manager as soon as possible. They should be asked to suggest an alternative date so long as it is reasonable and unless exceptional circumstances exist not more than 1 calendar week after the original date proposed.
- The newly appointed employee and/or their companion (if any) should make every effort to attend the Stage 2 Meeting.
- Stage 2 Meetings will not be delayed beyond the probation period or where applicable the extended probation period.
- In this procedure references to a newly appointed employee within the context of a Stage 2 Meeting or Appeal Meeting will be taken to also include references to their companion.
- At the Stage 2 Meeting the line manager will explain to the employee the way in which their performance has fallen short of the required standards with reference where applicable to the improvement plan.
- The newly appointed employee will be given an opportunity to respond.
- The outcome of a Stage 2 probation meeting will either be:
 - **Termination of Employment**
This will occur if the newly appointed employee's performance is below required standards and/or they are unlikely to achieve the required standard.
 - **Agreement of an Improvement Plan**
This will only occur in extenuating circumstances and/or if the line manager considers that there is a good chance of the required improvements being achieved.
Where the actions agreed in the improvement plan cannot be achieved within the probation period the line manager should consider setting an extended probation period.
- After the Stage 2 Meeting the line manager will confirm the outcome to the newly appointed employee in writing. The following information should be included:
 - Confirmation of the decision and the reasons for making that decision.
 - Where an improvement plan is agreed, confirmation of the required actions, the timescales within which they must be complied with and where appropriate details of the extended probation period.
 - Where employment is terminated, confirmation of the newly appointed employee's last date of employment taking into account any relevant period of notice.
- At the conclusion of the improvement plan and where performance levels have been improved the newly appointed employee should be informed of this. The line manager should continue to monitor progress and provide support and where performance levels are maintained throughout the probation or extended probation period, the line manager should confirm the newly appointed employee's appointment.
- In circumstances where performance remains unsatisfactory or the improvement plan is not complied with a further Stage 2 Probation Meeting should be organised and the process should be followed as set out above.

Right to be Accompanied

Newly appointed employees may bring a companion to the Stage 2 Meeting under this procedure. The companion may be a trade union representative or a colleague.

The line manager may at their discretion allow the newly appointed employee to bring a companion who is not a colleague or trade union representative if this will help overcome a disability or difficulties in understanding English.

Companions may make representations and ask questions but should not answer questions on the newly appointed employee's behalf. The newly appointed employee may talk privately with their companion at any time.

Acting as a companion is voluntary and no employee is required to fulfil this role unless they are happy to do so.

If the newly appointed employee's choice of companion is unreasonable they may be asked to choose someone else for example:

- If there is a conflict of interest or the companion's attendance may prejudice the Stage 2 Meeting; or
- If the companion's unavailability will undermine the line manager's ability to call a Stage 2 Meeting within required timeframes unless exceptional circumstances exist.

Appeals

Employees have the right of appeal where employment is terminated during, or at the end of the probation period. Appeals must be put in writing to their line manager within 1 calendar week of receipt of the letter advising on their termination. The appeal letter must include the reasons for the appeal.

The employee's line manager will make arrangements for the appeal to be heard by a senior manager or Head of Service normally within 2 calendar weeks of receiving the letter and will remind the employee of their right to be accompanied by a work colleague or Trade Union Representative. A member of the HR team will be present at the appeal hearing.

The employee will be given an opportunity to state their case at the meeting. The meeting will adjourn for the decision maker to consider their decision and the outcome will be confirmed in writing. The employee will be advised that the outcome is final.

Document Retention

The line manager should keep a record of Performance Reviews, Probation Meetings and any associated correspondence and should forward copies of these to HR Support, Manor Drive. Any such correspondence should be labelled for the attention of the relevant HR Business Partner for the service area and marked as 'Strictly Private and Confidential'

Any paperwork provided will be stored and/or destroyed in accordance with the Council's records retention and management policies.

Further Information

For further advice and/or template letters please discuss with the HR Business Partner for your service area.

PROBATION CHECKLIST

Employee's name:			
Job title:			
Department:			
Start Date:			
Manager's name:			
Date of review:			
	5 = Consistently exceeds expectations 4 = Regularly exceeds expectations 3 = Meets expectations 2 = Marginally below expectations 1 = Significantly below expectations		
Performance against job description			
Quality and accuracy of work			
Attendance			
Time keeping			
Work relationships (team work, attitude to work and colleagues, inter-personal and communication skills)			
Conduct (note on the back of this sheet the allegation, supporting evidence/facts and whether it is a misconduct/gross misconduct issue)			
Other			
Stage 1 Improvement Plan			
<i>Use additional sheet if necessary and ensure the employee receives a copy of this plan</i>			
Stage 2 Meeting Decision			
Extend Probation		Terminate Employment	
For extension – detail here the period of the extension (maximum 3 months) and what is required of the employee to be confirmed and what support is in place:			
<i>Use additional sheet if necessary</i>			
END OF PROBATION DECISION			
Has the employee successfully completed their probation period			

Once completed send this form to HRSupport@peterborough.gov.uk with any Stage 2 decision letter and a leavers form where appropriate.

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