



# Probation Policy

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## **1. Introduction**

A probationary period enables both parties in a contract of employment to assess the suitability of an individual to the role and the organisation and to enable members of staff to be trained in the Council's working methods and procedures.

The purpose of a probationary period is to enable the organisation to assess the skills, conduct, capability, and attendance of an individual before deciding whether to confirm the appointment. The Council is committed to providing clarity of expectation, reasonable training and support needed for new employees to meet the required standards during their probationary period.

## **2. Scope**

This policy applies to any employee who is taking up their first appointment with Emersons Green Town Council, whether it is a temporary or permanent contract. All new employees (including those from other authorities) to the Council are subject to the Probationary Policy. Apprentices are not subject to the Probationary Procedure.

## **3. Probationary Policy**

The probationary period is usually six months, and a probationary report must be completed at three and five months after the employee's start date and discussed with the employee. (This can be adapted for limited-term contracts for periods of 6 months or less).

A formal Probationary Interview should be arranged where an issue has been identified and no improvement is apparent by the fifth month at the latest. The outcome of the interview must be confirmed in writing to the Employee and where no improvement is apparent at the end of the probationary period, an employee will be dismissed with one week's notice.

When a formal Probationary Interview is required, the Manager should consider seeking HR advice. The Chairman should be consulted in the first instance as HR services are chargeable.

## **4. Probationary Procedure**

Probation is an element of performance management and as such, the development, performance, and progress of employees, should be constantly kept under review commencing with the probation period and throughout their employment.

## **5. Probationary Report**

The Manager should hold regular 1:1 meetings with the new employee during the probationary period and ensure that the employee is clear about their role purpose and specific objectives, which will continue to be reviewed and developed throughout their employment. Records of the meetings should be kept and referred to. (see APPENDIX 1)

The Probationary Report must be completed at three and five months after the employee's start date.

An appointment can be confirmed at three months if the employee's performance is satisfactory.

An appointment can be terminated if the performance is unsatisfactory and unlikely to improve, and sufficient time has been allowed for improvement.

The manager should discuss the probation report with the employee to ensure the employee has the opportunity to comment on and improve their performance where an area of weakness has been identified.

Where no improvement is apparent at the end of the probationary period, an employee will be dismissed with one week's notice.

## **6. Probationary Interview**

Where a need for improvement has been identified and discussed with the employee and no improvement is apparent, a formal Probationary Interview should be arranged by the manager as soon as reasonably possible (no later than the fifth month following the employee's start date).

The employee should be advised in writing of the interview giving a broad outline of the areas for improvement, which will be discussed fully at the interview.

The line manager and employee will be present at the interview and the Probation Interview Procedure followed. Employees have the right to be accompanied at this interview if they wish.

The line manager usually chairs the meeting, introducing all parties and explaining the format of the interview, they will then present the background and the facts of the case which should include:

- Employee details – date of commencement, post title, grade, location;
- Strengths and weaknesses identified;
- Induction, support and training provided;
- Guidance and assistance provided to overcome the weaknesses;
- Objectives and timescales agreed;

- Supervision and support provided including evidence e.g. reports from meetings
- The line manager must make clear to the employee how their performance is less than satisfactory and that unless there are mitigating circumstances, the employment will not be confirmed.

The employee is invited to make a response or put forward any mitigating circumstances. The employee and the person accompanying them leave the room.

The decision is made as to whether the employee's employment should be confirmed, or whether an alternative extension to the probation period should be agreed. If the decision is not to confirm employment, consideration will need to be given to whether the employee will be required to work the weeks' notice or payment in lieu of notice given.

The outcome of the interview must be confirmed by the manager in writing including reference to areas for improvement and the proposed course of action and confirm the employee's right of appeal.

## **7. Extensions**

If the performance is unsatisfactory but is likely to become satisfactory in a reasonable timescale, an extension to the probationary period may be granted. This extension should not exceed three months and the actions required to make improvements should be confirmed to the employee in writing by the manager. If there is no improvement within the set timescales, the employee will be dismissed under the terms of the Probationary Policy.

## **8. Dismissals**

If unsatisfactory at the end of the probationary period (whether extended or not, and unless it is gross misconduct), the employee will be dismissed with one week's notice. It is important that the period of notice does not cause continuous service to exceed six months (unless an extension has been agreed), otherwise the employee cannot be dismissed under the Probationary Policy.

## **9. Right of Appeal**

The employee has the right to appeal against a decision to extend the probationary period or a decision to dismiss under the Probationary Policy. The employee must lodge their appeal in writing to the Town Clerk within five working days of the decision.

The appeal will be heard by 3 members of the Personnel Committee. In the case of a decision to dismiss, the probationary period will be extended up to the date of the appeal hearing.

In the case of dismissal, if the employee fails to attend the appeal hearing without good reason, the dismissal will take effect on that date and the hearing rearranged, probably on a date after the employment has ended.

## **10. Temporary Employees/Limited Term Contract**

Where temporary employees are appointed to permanent posts with no break in service, they will continue to be subject to this Probationary Policy.

Where a limited-term contract has an end date, the contract will end irrespective of the length of probation served.

## **11. Break in Service**

Where there has been a break in service between employment contracts (whether temporary or permanent) then the normal probationary period applies.

## 12. Appendix 1

<b>Employee Name:</b>				
<b>Start Date:</b>				
<b>Post Title:</b>				
Tick appropriate boxes below for each category, any comments should be added together with an explanation				
	<b>Very Poor</b>	<b>Poor</b>	<b>Good</b>	<b>Excellent</b>
Quality of work and attention to detail				
Conduct and co-operation				
Attitude				
Progress Made				
Relationship with Manager and colleagues				
Reliability				
Attendance and time keeping				
Details of sick leave	Number of Days and reason:			
<b>Line Managers Comments</b> (including any remarks regarding induction training, improvements identified and actions agreed:				
<b>Final Report</b>				
Do you recommend this employee passes their probation?	<b>Yes / No / Consider Extension</b>			
If No or an extension is required, please state reasons:				
Have you discussed this report with the employee?	<b>Yes / No</b>			
If No Please state reasons:				
<b>Signed:</b>				
<b>Name:</b>				
<b>Date:</b>				