Probation Procedure

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# Introduction

The first few weeks in a new job are a crucial time for the individual to learn and gain an understanding about their role. By developing an early understanding of how the Westmorland & Furness Council/School functions and the services it provides the new employee will gain a sense of fulfilment and belonging to the organisation.

# Scope

This procedure applies to all employees of the Westmorland & Furness Council and all school-based support staff for whom there is no specific procedure laid down in national or local conditions of service.

It is expected that governing bodies of all community and voluntary controlled schools would adopt this procedure. Foundation and voluntary aided schools and academies are encouraged to do the same.

# Principles

All external appointments will be subject to a six-month probationary period irrespective of any previous continuous service. During this period suitability for the post will be assessed and continued employment will be subject to satisfactory reports. If at any time during the probationary period adverse reports are received, the Council/School may terminate this appointment by giving the appropriate contractual notice in writing. In exceptional circumstances, the probationary period may be extended.

# Process

It is important that the new employee (whether full-time, part time or trainee) becomes familiar with the Westmorland & Furness Council/school’s purpose, values and corporate policies and contributes to these as soon as possible. In the first few weeks, the manager/headteacher should provide the opportunity for the new employee to learn how to do their job properly as part of the performance management system.

During the first few week’s managers/headteachers should ensure that employees understand exactly what is required from them. This will help minimise any preliminary difficulties during this initial period.

Learning and development needs must also be identified in the first few weeks. These will vary from person to person and should be carefully planned on an individual basis to provide an effective induction. In this way a new employee will quickly become effective in their new role. A subsequent skills audit or training needs analysis and appraisal session, at the end of the probationary period, should reinforce and build upon the initial learning and development identified in the first few weeks.

# Purpose of Probation

The probationary period is one in which new employees are given every reasonable opportunity and support to develop their work to the required standard. All Directorates/schools are responsible for ensuring that individuals are given full and clear information about the requirements of the probationary period. Directorates/schools must also provide time and resources to fulfil these requirements.

# Probationary Period

Within the first two weeks, the new employee and line manager will draw up a Probationary Agreement. This will set out criteria for success in all appropriate areas of work and identify the nature of the support to be provided within and outside the department. The agreement will also include arrangements for a comprehensive review of the probation period. When an employee has successfully completed their probation, their appointment will be confirmed.

# Support Process

**Managerial Support**

It is the line manager who has daily responsibility for the overall induction and probation of a new employee. The line manager should periodically update their own line manager/headteacher on the new employee’s progress.

Where a new employee reports to more than one line manager, the two managers concerned should liaise and agree the approach to be taken.

**Line Manager’s Role**

The line manager will meet the new employee on a regular basis to review progress and offer the necessary support. At the beginning of the probation period the line manager will be responsible for:

• The provision of initial information about the department/school including all induction material.

• The allocation of work to allow the new employee to develop the skills and understanding needed for the post.

• The drafting of a Probationary Agreement with the employee, which will identify the criteria for successful completion of the probationary period and the learning/development support to be provided.

A mentor may be nominated by the Line Manager to help and support the new employee during the probationary period. However, the line manager retains responsibility for the employee’s probation on a day-to-day basis.

# Probationary Agreement

Within the first 2 weeks the line manager will draw up a Probationary Agreement with the new employee, which will include:

• The criteria for successful completion of Probation

• The name of the line manager

• The names and roles of any other colleagues providing any kind of supervision or support

• A timetable for review meetings

• Training and development needs with a proposed way of meeting them

• Any other necessary arrangements

Probationary Agreements should be clear and concise so that the employee can easily understand the process. Training and development needs will vary between employees, and this should be reflected fully on the Probationary Agreement form. A copy of the Probationary Agreement form can be found at **Appendix 1**.

# Appraisal Process

The annual appraisal process, which requires a six-monthly review, includes the assessment of performance against previously agreed objectives. The employee’s objectives and personal performance targets should be consistent with the objectives of their team/Directorate/W&F Council/school.

Objectives agreed within the probationary period, whether short term or long term, should be fed into the employee’s performance appraisal as appropriate at the 26-week point. At the end of a successful probation, the line manager and employee will complete the respective paper work and feed previously agreed objectives into a mid-year appraisal.

If the end of the probation period doesn’t fall in June (the main month for appraisal) this process should link into a mid-year performance appraisal.

# Employee Development

The new employee and line manager are to identify suitable learning and development activities. These may be achieved by work/job shadowing, on-the-job training, blended learning, e-learning, structured courses, coaching, mentoring, seminars, conferences or continuing professional development.

# Review Mechanism

The process of probation must include regular reviews conducted at the 12 & 20-week points by the employee’s line manager. A record must be kept using the Assessment of Probation Period forms. The review should include a discussion with the employee which includes:

• Explaining the criteria which are being used to review performance

• Discussion of progress to date

• Identifying any areas for further improvement

• Identifying suitable learning/development activities and appropriate support

• The provision of/or review of any reasonable adjustments made for an employee with a disability

• Attendance record

• Giving the employee an opportunity to improve, if appropriate

• Warning, where appropriate, that failure to improve could lead to termination of employment either before or at the end of the probationary period

Allow sufficient time to enable the employee to demonstrate improvement and to assess the effectiveness of any support. Provided the employee’s performance has been satisfactory, then the review at the 26-week point should form the basis of the next performance appraisal.

The job description and person specification will help identify the skills, knowledge, qualifications/training and personal competencies that are required of the employee. These two documents will then form the basis for defining standards of performance and identifying objectives against which performance can be measured.

If the probationary period is completed satisfactorily then the employee’s appointment will be confirmed.

If a line manager, after review meetings with the employee, decides that the new employee is unsuitable for the post, the employee will be informed by the line manager. The Council may then terminate the new employee’s contract by giving the period of notice to which that person is entitled. **Please see the section on Probationary Period Dismissal Procedure.**

If there are any doubts about the employee’s performance not reaching the required standard, it is essential that there is sufficient evidence to support non-confirmation of the appointment.

# Review of Performance

Periodic performance reviews are to be conducted between the new employee and the line manager at the following intervals:

12 weeks - assessment of probationary period

20 weeks - assessment of probationary period

26 weeks - performance appraisal

All documentation must be recorded on the Assessment of Probation Period report forms, copies of which are attached at **Appendix 2**. The Assessment of Probation forms must be forwarded to the HR & Payroll Admin portal or to the HR/payroll provider to be placed on the employee’s personal file.

# Successful Completion of Probationary Period

Once the final interview has taken place at 26 weeks, the Line Manager should collate the Assessment of Probation reports (12 & 20 week) confirming a successful probationary period. The manager will write to the employee confirming that the probationary period has been completed to a satisfactory level. A copy of the letter must also be sent to the HR & Payroll Admin portal, or to the HR/Payroll provider to be placed on the employee’s personal file.

# Problems During Probationary Period

If there are concerns about any aspect of an individual’s performance, these should be discussed with the individual as soon as possible and not left to the next scheduled review meeting. In such cases the following is recommended:

* Review meetings are held more frequently
* Action plans updated and monitoring times adjusted where necessary
* Identify shortfalls so that both parties are clear about expected performance
* Confirm what action is to be taken to address any shortfalls
* Agree how any new actions are to be monitored
* Set timescales for action plan

If the line manager continues to have concerns about the employee’s performance, advice should be taken from the People Management team/HR provider.

Where it is clear that the employee is unable to meet the required performance, the Line Manager’s Assessment of Probation Period must be sent to their respective manager stating the recommendation that the appointment should not be confirmed.

After considering the Assessment of Probation Period reports, the manager and the line manager will make a final decision regarding the dismissal of the new employee. When considering the probationary reports, the manager will want to ensure:

• There is written evidence of review meetings with clearly defined objectives

• Sufficient support and guidance has been provided

• Extension of the probation period, under exceptional circumstances, would not improve performance

• The employee fully understands the situation and has had adequate opportunity to improve, or meet the required standards

# Probationary Period Dismissal Procedure

The manager must write to the employee confirming the circumstances that are leading to potential dismissal and inviting them to a meeting to discuss the matter and advising them of their right to be accompanied by a trade union representative or work colleague. The employee will be notified of the meeting as soon as possible but must be given not less than five working days' notice in writing of the date, time and place of the meeting.

The manager will notify the relevant senior manager who will conduct the meeting.

In a school based setting a probationary period dismissal will be dealt with by the Headteacher where Governors have delegated the power to dismiss. School based staff should submit an appeal in writing to the Chair of Governors.

The employee must take all reasonable steps to attend the meeting. If the employee has a reasonable excuse for being unable to attend the meeting, or his/her trade union representative or work colleague is unable to attend, a postponement will be arranged. A new date will be set which does not delay the process unduly. However, where the employee is persistently unable or unwilling to attend without good cause, a decision will be made on the available evidence.

The employee and/or their representative will be given the opportunity to state their case. The manager and others who have been involved in providing support to the employee will provide information on what actions have been taken.

After the meeting the senior manager must notify the employee in writing of the decision and notify the employee of their right to appeal against the decision if they are not satisfied with it. This will include details of the senior manager who the appeal should be addressed to.

If the employee does wish to appeal, they must inform the senior manager within 5 working days of the date of notification of the decision of the meeting. The appeal will be acknowledged within 5 working days.

The employee will be invited to a further meeting and must take all reasonable steps to attend. Employees have the right to be accompanied by a trade union representative or work colleague at this meeting.

After the appeal meeting the manager concerned must inform the employee in writing of the final decision.

There is no further right of appeal.

# Extension of probationary period

In very rare and exceptional circumstances the probationary period may be extended to allow the individual more time to reach the required level of performance. The individual should be informed of this decision as soon as possible. The line manager will issue a letter confirming the extended probationary period to the individual. Any extension period should not exceed 8 weeks.

# Appendix 1: Westmorland & Furness Council Probationary Agreement

**CONFIDENTIAL:** when completed forward to the HR & Payroll Admin portal, or to the HR/payroll provider to be placed on the employee’s personal file.

|  |  |  |  |
| --- | --- | --- | --- |
| Name |  | Job title |  |
| Directorate/School |  | Work location |  |
| Unit/Dept |  |  |  |
| Date appointed |  | Name of line manager  |  |
|  |  | Name of appraiser  | (if different to above) |
| Date of first performance appraisal |  |

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| --- |
| Criteria for successful completion of probation (should include fulfilling all the requirements of the employee’s job description and the Assessment Criteria of Assessment of Probation Period in Employment) |
|  |
| The names and role of any other immediate work colleagues providing any kind of supervision or related work support: |
|  |
| Outline timetable of future review meetings (must cover the first three months, with dates): |
|  |
| Preliminary learning and development needs and proposed methods for meeting them (viewed in conjunction with the person specification for the job)  |
|  |
| Any other arrangement considered necessary for successful probation |
|  |

Signed …………………………. Line Manager ……………………………………

Date ……………………

Signed …………………………. Employee …. ……………………………………

Date ……………………

# Appendix 2: Westmorland & Furness Council Assessment of Probationary Period in Employment

**CONFIDENTIAL:** when completed forward to the HR & Payroll Admin portal, or to the HR/payroll provider to be placed on the employee’s personal file.

To be completed at each of the 12 week and 20-week review meetings.

|  |  |  |  |
| --- | --- | --- | --- |
| **Name** |  | **Job title** |  |
| **Directorate/School** |  | **Work location** |  |
| **Unit/Dept** |  | **Name of line manager**  |  |
| **Date appointed** |  | **Name of appraiser** | (if different to above) |

**1. Assessment**

|  |  |  |
| --- | --- | --- |
| **Areas Assessed**  | **Comments of Line Manager**  | **Comments of Employee** |
| 1. Quality of work
 |  |   |
| 1. 2. Effectiveness of communication
 |  |  |
| 3. Working with people |   |  |
| 4. Customer services |  |  |
| 5. Initiative and problem solving  |  |  |
| 6. Employee’s Progress:a) Strengths and successes |  |  |
|  b) Areas for further improvement |  |   |
| **Areas Assessed** | **Comments of Line Manager** | **Comments of Employee** |
| c) Obstacles preventing progress (if any) |  |  |
| 7. Attendance and punctuality |  |  |
| 8. Has the induction checklist been completed? |  |  |
| 9. Supportive measures to be provided by the manager for Learning and Development needs |  |  |
| 10.General Comments |  |  |

**2. Overall comments of Line Manager**

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 \*a) I am satisfied with this employee’s progress to date OR

\*b) I have reservations about this employee’s progress and wish to discuss this further (see attached action to be taken)

Signed …………………………. Line Manager ……………………………………

Date ……………………

**3. Overall comments of Employee**

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I declare that I have seen the above report and have been given the opportunity to discuss the contents.

Signed …………………………. Employee ……………………………………

Date ……………………

For Schools:

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| --- | --- |
| Name of School: |  |
| Date by which School have adopted procedure: |  |
| Signature of Chair of Governors |  |

**Date**

**xxx**