

## **MANAGERS' GUIDANCE ON DISMISSAL – UNSATISFACTORY COMPLETION OF PROBATION PERIOD**

### **PRELIMINARIES**

The Chair of the meeting arranges for the parties to enter and take their designated seats.

The Chair conducts introductions, explains the protocol for the meeting; reminds parties that electronic, audio or video recording by any device of the meeting will not be permitted.

#### **Note:**

- i) If the employee is unaccompanied, the Chair checks that they are happy to proceed without representation and makes a note to that effect.
- ii) If the employee is not in attendance, the Chair checks that the circumstances are in order for the meeting to proceed in the employee's absence, i.e. that the employee has been notified that the meeting will proceed in their absence and/or the employee has confirmed non-attendance.

### **THE MEETING**

- Management presents the management position in relation to the employee's unsatisfactory level of performance, including all relevant documentation and/or statistics
- Employee/representative has a chance to put questions to management
- Chair/HR Adviser has a chance to put questions to the management
- Employee/representative presents the employee's responses
- Management puts questions to the employee/representative
- Chair/HR Adviser put questions to the employee/representative
- Management representative summarises the management position
- Employee/representative summarises the employee's position
- All parties withdraw (all parties will be recalled into the room once a decision has been made so the final decision can be announced)

### **THE DECISION**

The Chair of the panel and the HR Adviser discuss all related evidence and any relevant Council policies, procedures and practices. The Chair makes the final decision on the outcome.

Before making the final decision the following questions should be considered:

1. Has the appropriate support put in place to help the employee meet the agreed targets/objectives set?

2. Have the targets/objectives set been SMART and achievable?
3. Have the requirements of the probation policy been properly complied with up to this point?
4. Has sufficient regard been paid to any explanation put forward by or on behalf of the employee?
5. Has regard been given to any mitigating circumstances put forward by or on behalf of the employee?

**The effect of answering 'Yes' to questions 1 to 5 is to reach the finding that the employee has unsuccessfully completed their probation period.**

The Chair makes a written summary of the decision.

All parties are recalled and the Chair reads out their decision.

The decision is subsequently confirmed in writing by the Chair, based on [template Letter 10 Outcome of Probation Hearing](#). This will detail the employee's right of appeal against any sanction imposed by the Panel.

The Chair brings the meeting to a prompt close, without further discussion or debate.