

PROBATION PROCEDURE

This document applies to all Council employees except:

- Fire employees on Grey & Gold Book Terms & Conditions
- Employees on Teachers' Terms & Conditions

This document may not be applicable to employees who transferred into LCC under TUPE legislation and remain on the terms and conditions of their previous organisation.

Last Review	September 2018
Next Scheduled Review	September 2021
Last Updated	September 2020

Temporary Changes to Policies During Covid 19

There are temporary changes to employment policies during the coronavirus pandemic Please refer to the FAQ's/guidance on George which refer to :-

- If you are new to the council, and you have not been able to do all of the tasks that you would ordinarily do within your role, your manager will discuss this with you. New targets will be set linked to the work you are doing so that you can complete your probation period.
- If you are absent from or unable to work due to Covid-19, you may receive an extension to your probation period.
- Any pay increment due would then be backdated to the end of the initial six months. Probation periods will not exceed 12 months. In this situation, any increase owing will be paid at the point of completion, but will not be backdated.

If you have any queries on the above please contact HR

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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 probation period must be properly managed to be of any value.

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.](#))

These objectives will be set in an initial appraisal shortly after starting their employment and will be appropriate for the role, and designed to assist them in reaching the required level of performance to qualify for their first pay progression increment and be confirmed in the role after 6 months.

Pay progression increments will normally be awarded on 1st April each year.

Employees who are appointed after 1st October of any year (up to 31st March) will need a successful rating from their probation review meeting to be considered for an increment after 6 months in post .

All other new starters (i.e. those who are appointed between 1st April and 1st October) will require both a successful probation review and a successful performance and development appraisal rating at the end of the appraisal year.

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 with the employee:

- 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

The first probation review meeting must be held during the second month of employment.

The purpose of the meeting is to review performance against targets/objectives set, 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 against targets/objectives set, conduct, timekeeping, sickness absence or attendance, the line manager must:

- Discuss the areas of performance that need improvement.
- Explain the standards required.
- Devise a development 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.](#))

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 against targets/objectives set, 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 against targets/objectives set, 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. (See [Letters 8 and 9.](#))

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:

- 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.
- If, during the probation period it is considered that that an employee's performance against targets/objectives set, 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, **and no longer.** This will enable the

employee's actual work performance in the job to be assessed over a reasonable length of time.

However, each case should be considered on its merits where the length of absence is extensive during the probationary period, and managers should seek advice from their HR Adviser as appropriate. (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 against targets/objectives set, 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.](#))

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

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.

Guidance on conducting this meeting is contained in [Managers' Guidance on Dismissal - Unsatisfactory Completion of Probation Period.](#)

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.

APPEALS AGAINST DISMISSAL

Appeals against the decision to dismiss should be submitted in writing by the employee to the HR Adviser who attended the dismissal hearing within 10 working days of receipt of the letter of 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

[Appointing One Point Below Policy](#)

[Employee Induction Policy](#)

[Local Terms and Conditions of Employment](#)

[Performance & Development Appraisal Procedure](#)

[Probation Policy](#)

[Probation Managers' Guidance on Dismissal – Unsatisfactory completion of probation period](#)

TEMPLATES

[Decision of Record](#)

[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 Probation Hearing

[Letter 11](#) Invite to Appeal Hearing

[Letter 12](#) Extension to Probation Period Due to Absence through Illness