

Probationary Period

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1 Purpose

This document describes the approach of the Trust to the use of probationary periods.

The purpose of a probationary period, together with other measures such as induction, is to provide a consistent means by which new employees can be supported to become effective as quickly as possible and to enable a manager to objectively assess the capability, attitude and potential of the new employee.

Should the required standards of the Trust not be met during the probationary period employment may either be terminated or exceptionally extended.

2 Scope

This procedure will apply to all new employees of the Trust with the exception of medical staff, those individuals employed on training contracts such as associate practitioners, trainee healthcare assistants and those engaged on fixed term contracts of no more than six months duration.

Existing Trust staff who take up new posts within the Trust will not be subject to a probationary period nor will individuals who join the Trust due to the application of the Transfer of Undertakings Protection of Employment (TUPE) regulations.

2.1 Roles and responsibilities

Role	Responsibility
The Manager	<ul style="list-style-type: none"> • To agree probationary review induction dates with the employee and to ensure that these reviews are undertaken and the probationary assessment forms are completed. • To create and implement an induction plan for the employee including regular supervision arrangements. • To establish clear objectives for the employee and to ensure that training and development opportunities are identified, planned and undertaken by the new recruit. • To make recommendations to the Head of Service/Associate/Deputy/Clinical Director should a manager below this level believe that an employee's contract of employment ought to be terminated during or at the conclusion of the probationary period. • To ensure that copies of all related correspondence and records are kept and are accessible. • Where necessary, to carry out a workplace assessment and

	<p>ensure that any reasonable adjustments required at work are implemented in a timely manner.</p> <ul style="list-style-type: none"> • To seek advice from an HR Manager should the employee not be performing to the required standard at the ten weeks review or later. • At Head of Service/Associate/Deputy Director level or above to decide whether the employee has met the required level of performance, conduct and attendance to satisfactorily complete the probationary period.
The Employee	<ul style="list-style-type: none"> • To perform to the best of their ability • To undertake any agreed induction, training and development activities and to implement learning from these activities. • To raise training and development needs with the manager as early as possible • To identify whether they have a protected characteristic and whether additional support, training, equipment or adjustments are required.
The HR Manager and Workforce Development Team	<ul style="list-style-type: none"> • To provide guidance and advice to managers and probationers about implementation of this procedure • To attend review meetings when required.
Occupational Health Service	<ul style="list-style-type: none"> • To provide advice and guidance to managers about the outcome of any pre-employment health questionnaire and where reasonable adjustments are identified.

3 Related documents

This procedure must be read in conjunction with the following Trust policies, procedures and statements:

- [Recruitment and Selection Policy](#)
- [Disciplinary Procedure](#)
- [Capability Procedure](#)
- [Staff Development Policy](#)
- [Sickness absence management procedure](#)
- Trust Values and Behaviours statements and Trust Compact

4 Procedure

A probationary period is normally a six months period during which the performance, conduct and attendance of the employee will be assessed by a manager against the particular requirements of the role, the Trust's values and behaviours and expected levels of attendance and punctuality.

During the probationary period the employee's performance, conduct and attendance will be reviewed by the manager at four weeks, ten weeks, sixteen weeks, twenty weeks and at twenty six weeks and recoded within standard documentation (Appendix 1).

Where necessary, additional support and development opportunities will be provided by the manager.

A decision about whether the probationary period has been successful will normally be made at twenty six weeks however, should there be significant concerns highlighted at earlier review stages, and there is no evidence of the required improvement being made, a decision to dismiss or to extend the probationary period may be taken by the appropriate manager sooner than at twenty six weeks.

4.1 Contract of employment and related policies and procedures

During the probationary period the employee will be employed on a contract of employment and subject to the same range of Trust policies and procedures as their colleagues, including all relevant operational policies and procedures. Following successful completion of the probationary period the employee will also be covered by the Staff Development Policy.

4.2 Record keeping

It is important that a written/electronic record is kept by the manager of the outcome of every stage of the probationary assessment process and that this record can be accessed by the employee and HR Manager.

Records will include the Probationary Period Assessment Form (**Appendix 1**) and copies of any letters sent to the employee by the manager concerning a need for improvement, an extension of the probationary period and the outcome of the probationary period review process.

4.3 Right to representation

An employee is entitled to be accompanied at a probationary period review meeting by a companion should they wish to be. A minimum of fourteen calendar days' notice of each review meeting will be provided by the manager who will take into account the right of the employee to representation when making the meeting arrangements.

It is the responsibility of the employee to arrange for their representative to attend as review meetings will go ahead with or without a representative being present given the importance of adhering to the timetable laid down in this policy/procedure.

4.4 Extension to probationary period

A probationary period should only be extended in exceptional circumstances. These may be

- When the performance of the employee has not been satisfactory but further time is regarded as being necessary due to a lack of support or the timing of sickness absence means that an assessment cannot be fairly carried out within the normal timescale.

Any extension to the probationary period can only be for a short period of time i.e. a maximum of eight weeks. The manager and the employee must both agree to an extension.

4.5 Outcome of probationary period

Upon completion of the probationary review meetings, including any extension to the probationary period, the manager will either decide that the employee is to take up their post on a substantive basis or recommend that they be dismissed.

This decision/recommendation, with reasons, will be recorded in a letter to the employee to be written and a copy retained by the manager. Where there is a recommendation that the employee be dismissed this will be subject of a written report by the manager which will be considered at a meeting with the appropriate Head of Service/Associate/Deputy/Clinical Director or Director and the employee, at which a decision will be made.

The employee is entitled to be accompanied as stated in section 4.3 of this procedure.

5 Right of appeal

An employee has a right to appeal against a decision made to terminate their employment during, or at the conclusion of, their probationary period. The appeal process to be followed is laid down in the Disciplinary Procedure.

6 Definitions

Term	Definition
Probationary period	<ul style="list-style-type: none"> • Normally a six months period during which the performance, conduct and attendance of the employee will be assessed by a manager against the particular requirements of the role, the Trust's values

	<p>and behaviours and expected levels of attendance and punctuality.</p>
<p>Companion</p>	<ul style="list-style-type: none"> • “The Chosen Companion may be a fellow worker, a trade union representative, or an official employed by a trade union. A trade union representative who is not an employed official must have been certified by their union as being competent to accompany a worker” (ACAS Code of Practice). A fellow worker is an employee of the Trust.

7 Document control

Date of approval:	07 November 2017	
Next review date:	01 November 2020	
This document replaces:	HR-0039-v1	
Lead:	Name	Title
	Nicola Rutherford	Senior HR Manager
Members of working party:	Name	Title
	Callum Smith	HR Manager
This document has been agreed and accepted by: (Director)	Name	Title
	David Levy	Director of HR & OD
This document was approved by:	Name of committee/group	Date
	JCC	07 November 2017
An equality analysis was completed on this document on:	02 September 2017	

Change record

Version	Date	Amendment details	Status
1	Sep 2012	New procedure	Withdrawn
2	Nov 2017	Definition of Companion included	Published

8 Appendix

8.1 Appendix 1 - Probationary Period Assessment Form

This form should be completed by managers with all new Trust employees at 4, 10, 16, 20 and 26 weeks after the employee's start date. The form should be completed by the employee and by the manager before each of the review meetings and a final version completed by the manager after the review meeting has taken place. A copy should then be retained by the manager once both parties have signed to agree the content.

Employees Name:		Start Date:	
Job Title:		End of Probationary Period:	
Location:		Managers Name:	
Indicate Which Review This Is		Week: 4, 10, 16, 20, 26, other	
<p>1. Review of Job Description:</p> <p>Review the job description and person specification with the employee. Explain what the priority areas to concentrate on.</p> <p>If at week 20 and the employee is not meeting most of the requirements of the role, explain why.</p>	<p>Give examples where employee's performance meets the requirements of role:</p>	<p>Additional notes:</p>	

<p>Priority objectives for next four weeks:</p>		
<p>2. Reasonable adjustments required in the role:</p> <p>Are there specific health requirements of the role as detailed in the job description?</p> <p>Are adjustments required in order for the employee to be able to perform to the standard required of the role?</p>	<p>Adjustments required</p>	<p>Adjustments implemented</p>

<p>3. Developmental needs:</p> <p>Explain priorities concerning areas the employee needs to develop. If additional training is required, state what this is and how this training need will be achieved and by when.</p>	<p>Employee's developmental needs are:</p>	
<p>4 Strategies for improvement:</p> <p>Explain where you feel the employee can improve, giving ideas and strategies for improvement</p>	<p>How will improvement be addressed:</p>	

<p>5. Timekeeping and attendances:</p> <p>Confirm whether you are happy with the employee's timekeeping and attendance. If not, detail why not and outline what change is needed and by when.</p>		
<p>6. Values and Behaviours</p> <p>Does the employee live the Trusts values and behaviours?</p> <p>What improvements are required, if any?</p>		

<p>7. Overall Manager or supervisor comments:</p> <p>Give your overall view regarding the employee's performance.</p> <p>What improvements are required?</p> <p>Is additional training needed?</p>		
<p>8. Employee's comments on the above assessment:</p> <p>The employee should give their comments in response to this review.</p>		
<p>9. Review at 20 and 26 weeks:</p> <p>Are you happy to confirm the employee's permanent position in the post (The earliest date that appointment can be confirmed is 26 weeks).</p>	<p><i>Explain if you are happy to confirm and if not, give reasons why not:</i></p>	

<p><i>Employee's signature:</i></p> <p><i>Date:</i></p>	<p><i>Managers signature:</i></p> <p><i>Date:</i></p>	<p><i>Manager to notify the Workforce Information Team of the review outcome.</i></p>
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8.2 Appendix 2 – Equality Analysis Screening Form

Please note; The Equality Analysis Policy and Equality Analysis Guidance can be found on InTouch on the policies page

Name of Service area, Directorate/Department i.e. substance misuse, corporate, finance etc.	HR and OD			
Name of responsible person and job title	David Levy, Director of HR and OD			
Name of working party, to include any other individuals, agencies or groups involved in this analysis	Callum Smith			
Policy (document/service) name	Equality Analysis Guidance			
Is the area being assessed a...	Policy/Strategy	<input type="checkbox"/>	Service/Business plan	<input type="checkbox"/>
	Procedure/Guidance	<input type="checkbox"/>	X	Code of practice
	Other – Please state			
Geographical area covered	Trust Wide			
Aims and objectives	<ul style="list-style-type: none"> To describe the approach of the Trust to the use of probationary periods. To ensure all Trust staff understand the principles of a probationary period. To ensure an equitable approach to all Trust staff during a probationary period. 			
Start date of Equality Analysis Screening (This is the date you are asked to write or review the document/service etc.)	1/9/17			
End date of Equality Analysis Screening (This is when you have completed the equality analysis and it is ready to go to EMT to be approved)	29/9/17			

You must contact the EDHR team if you identify a negative impact. Please ring Sarah Jay or Julie Barfoot on 0191 3336267/3046

1. Who does the Policy, Service, Function, Strategy, Code of practice, Guidance, Project or Business plan benefit?					
All Trust staff undertaking a probationary period.					
2. Will the Policy, Service, Function, Strategy, Code of practice, Guidance, Project or Business plan impact negatively on any of the protected characteristic groups below?					
Race (including Gypsy and Traveller)	No	Disability (includes physical, learning, mental health, sensory and medical disabilities)	No	Gender (Men, women and gender neutral etc.)	No
Gender reassignment (Transgender and gender identity)	No	Sexual Orientation (Lesbian, Gay, Bisexual and Heterosexual etc.)	No	Age (includes, young people, older people – people of all ages)	No
Religion or Belief (includes faith groups, atheism and philosophical belief's)	No	Pregnancy and Maternity (includes pregnancy, women who are breastfeeding and women on maternity leave)	No	Marriage and Civil Partnership (includes opposite and same sex couples who are married or civil partners)	No
No – Please describe any positive impacts/s					
The Probationary Procedure should ensure an equitable approach to all Trust staff during their probationary period.					

<p>3. Have you considered other sources of information such as; legislation, codes of practice, best practice, nice guidelines, CQC reports or feedback etc.? If 'No', why not?</p>	<p>Yes</p>			
<p>Sources of Information may include:</p> <ul style="list-style-type: none"> • Feedback from equality bodies, Care Quality Commission, Equality and Human Rights Commission, etc. • Investigation findings • Trust Strategic Direction • Data collection/analysis • National Guidance/Reports 	<ul style="list-style-type: none"> • Staff grievances • Media • Community Consultation/Consultation Groups • Internal Consultation • Research • Other (Please state below) 			
<p>4. Have you engaged or consulted with service users, carers, staff and other stakeholders including people from the following protected groups?: Race, Disability, Gender, Gender reassignment (Trans), Sexual Orientation (LGB), Religion or Belief, Age, Pregnancy and Maternity or Marriage and Civil Partnership</p>				
<p>Yes – Please describe the engagement and involvement that has taken place</p>				
<p>Policy Sub Group, JCC.</p>				

5. As part of this equality analysis have any training needs/service needs been identified?					
No	Please describe the identified training needs/service needs below				
A training need has been identified for;					
Trust staff	No	Service users	No	Contractors or other outside agencies	No
Make sure that you have checked the information and that you are comfortable that additional evidence can provided if you are required to do so					
The completed EA has been signed off by: You the Policy owner/manager: Beverley Vardon-Odonkor					Date: 29 September 2017
Your reporting (line) manager: David Levy					Date: 29 September 2017
If you need further advice or information on equality analysis, the EDHR team host surgeries to support you in this process, to book on and find out more please call: 0191 3336267/3046					