

# Probation Scheme Policy

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## **1. Introduction**

This document sets out the terms and structure of Reading Borough Council's (RBC) Probation Scheme.

## **2. Purpose of the Probation scheme**

This scheme provides a framework to ensure the manager and new employee review and assess core performance and development needs during the initial six months of employment. It is linked to induction and is additional to one to one supervision and team meetings. It must be undertaken and applied in a fair and consistent manner.

The outcome of this process is the confirmation, or not, of employment with RBC.

## **3. Employees covered by the probation scheme**

The scheme applies to all new employees to RBC, including apprentices, with the exception of teachers and staff on Chief Officer terms and conditions (Reading Senior Manager grades).

The requirement to complete probation will only be waived with authorisation of the relevant Assistant Director having consulted the Joint Trade Union Committee (JTUC). A record of the decision must be sent to Human Resources and held on the employee's personal file.

The scheme does not apply to existing RBC employees who are appointed to a new or additional role, but the manager should put in place a development plan to support the employee in the new role. Generally, employees on fixed term contracts, other than apprentices, are exempt from the scheme. However, the scheme may be applied if appropriate for operational and business reasons. It does not apply to casual workers, volunteers or to employees on trainee schemes, but these staff should receive appropriate management support including induction and regular one to one supervision.

## **4. Length of the scheme**

The probationary period is six months. The decision to appoint on a permanent basis will be made subject to completion of a satisfactory probation period.

## **5. Extension of the probation scheme**

The probation period will only be extended in exceptional circumstances and with joint agreement between the manager and the employee. Reasons to extend the probationary period include:

- There are aspects of performance that the manager is not satisfied have been achieved but considers can be achieved with additional support

- Delays in accessing agreed learning and development opportunities
- The employee has had a significant amount of sickness that has impacted on their achievement of objectives during the probationary period

If an extension is necessary, the manager and employee should meet to discuss this and record:

- Length of the extension (extensions will usually not exceed two months at any one time)
- Date the extension will end
- Reason for the extension including details of planned support such as learning and development during the extension period

The employee must be told that if the required standards are not met by the end of the extension, their contract may be terminated.

## 6. Roles and responsibilities in the probation scheme

a) **Managers** must ensure that:

- The new employee understands what is expected during probation
- All reasonable steps are taken to enable the employee to meet the expected standards
- The four probationary review meetings take place at the recommended intervals
- Records are kept using the corporate process via iTrent.
- Any other correspondence relating to the scheme such as an agreement to extend probation or a letter of termination, is kept on the employee's personal file.

b) **Employees** must:

- Take an active part in the probationary review process
- Take some responsibility for ensuring probationary review meetings are undertaken and recorded
- Make use of support provided by the Council
- Raise and seek action to resolve issues.

## 7. Probation review meetings

The purpose of probationary review meetings is to monitor progress towards the achievement of agreed objectives and to establish learning support required to achieve these. If any issues arise during the course of employment, they should be dealt with immediately and not left until a formal probationary review meeting.

Regular probationary review meetings must be carried out during the six-month probationary period and recorded using the corporate reporting process on iTrent.

Probationary review meetings should be held:

- At the start of employment (within the first 5 working days)
- One month following appointment
- Three months following appointment
- Five months following appointment

The guidance notes in Appendix B below outline the structure for each meeting and recommendations for setting objectives.

### **If probation meetings are not held**

In the event that probationary review meetings are not carried out, there is an assumption within the scheme that the employee's appointment will be confirmed at the end of the probationary period, unless there is an agreed extension to the time periods.

## **8. Termination of employment during the probation scheme**

If the manager makes a recommendation not to appoint, the recommendation to the Assistant Director should take place no later than 6 months after the employee started work. Further guidance and supporting information are provided in Appendix C.

## **Appendix A: iTrent user guide for Probation review scheme**

Link to the iTrent Probation Process User Guide (on the intranet):

<https://intranet.reading.gov.uk/manual/probation-process-itrent>

## **Appendix B: Guidance on probation review meetings and setting objectives**

Objectives must relate to the job, be realistic and agreed between the manager and the employee at the first meeting. Objectives should cover work performance, behaviour, Team Reading values and learning and development needs.

Before a new employee starts, the manager should identify reasonable standards of work appropriate to the work role and level of responsibility. The core areas to be discussed should include:

- Basic standards of work – meeting targets, accuracy, familiarity with policies and procedures, attendance and time-keeping,
- Initiative – does the employee apply (or demonstrate the potential to apply) initiative as appropriate to the role?
- Customer service and working relationships– has the employee developed positive working relationships with colleagues and customers?
- Equality and diversity – does the employee show an awareness of the Council’s equality statement and its application to practice?

The probation meetings should address any periods of sickness absence but this is not an automatic reason for deciding that the employee has ‘not met’ the overall standards set.

### **First meeting**

The manager and employee should agree and record the following:

- Standards of behaviour expected under the ‘core’ elements
- Performance outcomes that will be used as part of the probationary review
- An initial assessment of learning and development needs
- The timetable for the future review meetings

### **Second and third review meetings**

The manager and employee should:

- Review and record progress in achieving the agreed objectives and agree further actions
- Plan and record further learning and development needs

The manager gives an overall assessment of the employee’s progress. If overall performance is assessed as ‘not met’ the manager and employee should discuss and record a development plan. The employee should be reminded that satisfactory completion of probation is required before their appointment is confirmed and that the consequence of not successfully completing the probationary period could be termination of employment.

Additionally, at the third (Three Month) review meeting, if the employee’s performance is assessed as ‘not met’, the manager must put this in writing. The letter should:

- confirm this assessment
- remind the employee that continued employment is conditional upon the successful completion of the probationary period
- advise the employee that if unsuccessful, this could result in the termination of the employee's employment.
- state where improvement is needed and detail what support is being provided to assist the employee to achieve these requirements

#### **Fourth review meeting**

If the overall performance is assessed as 'objectives met', the manager will recommend to their Line Manager that the employee's employment is confirmed, via the iTrent process.

If overall performance is assessed as 'objectives not met', the manager must refer this decision to their Assistant Director, who has authority to suspend and dismiss an employee.

#### **Representation at meetings**

Discussions of work performance under the scheme will generally take place between the manager and the employee only. However, at key points there may be the need to involve other representatives or professional advisors (for example, Occupational Health). It is not a right, but it will not be unreasonably refused and each request be judged on its merits.

The employee may be accompanied by a Trade Union representative or workplace colleague at the following points:

- At meetings to discuss extending the probationary period.
- At a meeting which may lead to a decision not to appoint an employee.
- At meetings to review decisions not to appoint an employee.

## **Appendix C: Guidance on terminating employment during probation scheme**

### **Termination of employment during or at the end of the probation period**

The Assistant Director will convene a meeting with the employee and the manager to consider the recommendation not to appoint, and any explanation or representation that the employee may wish to make.

This should take place within 10 working days of the meeting where the verbal notification was given to the employee (unless there are exceptional\* circumstances).

\*'Exceptional' in this context means that the Assistant Director is unavoidably unavailable or that the employee and/or representative needs time to prepare for such a meeting. The extension will not be for more than a maximum of 2 to 3 working days.

The absence or unavailability of an employee to attend a meeting will not unreasonably delay holding a meeting or reaching a decision on the matter by the Assistant Director.

At the meeting, the Assistant Director will consider the written/verbal representations from the employee/representative and the manager and decide whether to uphold or reject the recommendation of the manager. This decision will be made within 5 working days and a letter confirming the decision will be sent to the employee. The Assistant Director's decision is final.

The employee's contract of employment will be terminated with notice with effect from the date of the decision of the Assistant Director not to appoint on a permanent basis.

### **Employee appeals against the decision not to appoint**

If the employee is unhappy with a decision not to confirm the appointment and to terminate employment, the employee may seek a review of this decision by another Assistant Director. The request must be lodged in writing to the Assistant Director who made the decision within 5 working days of the decision not to appoint/terminate being notified to the employee.

The request for a review must give details of the grounds for the review and refer to the reasons set out in the letter confirming termination.

The review shall normally be conducted and completed within 15 working days of receipt of the request from the employee. Written and/or verbal submissions from the employee, as well as the manager involved in the probationary review process, and the decision not to confirm the appointment as permanent, will be sought. In the event of verbal submissions being made by the employee, a union representative, workplace colleague or friend may represent the employee.

There is no further right of review once this process is completed and the decision given.

## **Termination of employment before 6 months**

The Scheme allows for the possibility that employment may be terminated before the end of the normal probationary review period, but that decision would be exceptional and not the norm. In the event that such a decision is made, the arrangements for recommendation to the Assistant Director (and possible review of a decision to terminate) will be those set out above.

The decision will not be made unless the employee has been told of areas that need improvement, has been given a reasonable opportunity to improve and the relevant local trades union representative has been formally consulted. Before coming to the decision, the manager should also consider the possibility of a move to other duties.

There may be circumstances where an employee has been absent which has resulted in delays to assessment during the probationary period. These absences should be dealt with and managed by using the principles of the Capability (Ill Health) procedure, if health related (attendance is a factor to be assessed under the Probation Scheme). If the absence of the employee would unreasonably delay the application of the Probation Scheme, the Scheme allows for the possibility of termination of employment before all the suggested review stages have been completed. If the employee has taken unauthorised absence from work, following any informal discussions with the employee, the disciplinary procedure may be considered.

Any possibility of the decision to terminate the contract of employment before the full probationary review has been completed should be dealt with reasonably and after discussion with Human Resources. The decision-making process/review applied should be the same as for any other form of termination set out in the Scheme (see above).

### **What exceptional circumstances could end employment before 6 months?**

- Other contractual procedures are applied (for example, disciplinary procedure)
- The performance of the employee is so poor that an early termination of the probationary period (and therefore employment itself) is necessary. The manager must consider if performance is unlikely to improve sufficiently even with further training and management intervention. The provisions of this Scheme relating to the decision not to confirm an appointment (and any review of such a decision) will still apply.
- Where the unavailability of the employee would unreasonably delay the application of this Scheme