

Probationary Period Policy

Version:	001
Ratified by:	
Date ratified:	
Name of Director Sponsor	Charlotte Dillaway, Director of Strategy and Planning
Name of originator/author:	As above
Name of responsible committee/individual:	Remuneration Committee
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Target audience:	All Southend CCG employees and governing body members, temporary and agency staff and contractors

1. INTRODUCTION

- 1.1 The purpose of this document is to ensure a robust probationary period procedure operates across Southend CCG (the CCG).
- 1.2 The CCG has the right to terminate the contract of an employee at any time during the probationary period. Employees whose contracts are terminated during the probationary period will be entitled to notice as outlined in this policy.
 The length of contract with the Organisation will determine the length of notice period during the probationary period:
- 1.3 A probationary period is a trial period during which the performance, conduct and attendance of the employee will be assessed by the line manager against the particular requirements of the role, the CCG values and behaviours and expected standards of attendance and punctuality.
- 1.4 In line with the national pay framework, (Agenda for Change NHS Terms and Conditions of Service), all terms and conditions of employment will have continuous service from the first day of employment at the start of the probationary period, not from the end of the probationary period.

2. SCOPE

2.1 This policy applies to new and returning employees of the CCG, (including those staff recruited from other NHS employers and part-time and fixed term contracts), but will not apply to:

- Existing (non-probationary) CCG employees who take up new posts within the CCG
- Employees who join the CCG due to the application of the Transfer of Undertakings Protection of Employment (TUPE) regulations.

2.2. Notice Periods

The length of contract with the Organisation will determine the length of notice period during the probationary period:

Length of Contract	Length of Probationary Period	Frequency of Review meetings	First and Second Formal Review meetings	Notice Period during Probationary Period
6 months or less	1 month	Weekly	Week 2 & 4	1 Week
Over 6 months and under 12 months	3 months	Monthly	Month 1 & 3	1 Week
12 months or more	6 months	Monthly	Month 3 & 6	1 Month
Permanent	6 months	Monthly	Month 3 & 6	1 Month

2.3 Following successful completion of a probationary period any concerns, unsatisfactory performance, misconduct or sickness or other absence will be dealt with under the Managing Performance Policy.

2.4 For new employees where the Probationary Period does not apply, as detailed in 2.1 above, please refer to the Policy for Managing Performance.

3. POLICY AIM

3.1 The aim of this policy is to provide guidance to managers and new employees during the probationary period process, ensuring the necessary information and support is provided to enable successful and continuing employment.

3.2 A structured probationary period for new employees to the CCG (where applicable, see section 2.1), to introduce them to the main duties and responsibilities of their post and to allow the opportunity for both the individual

and the line manager to objectively assess whether or not the employee is suitable for the role.

3.3 A framework for addressing any concerns, offering support and training to address unsatisfactory performance or conduct at an early stage.

3.4 A process to end employment fairly and consistently with the CCG during, or at the end of the probationary period, at a point where it becomes clear that no further training or support would allow the employee to reach the required standard.

4. PROCEDURE

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 CCG policies and procedures. However, the procedures regarding the management of sickness absence, performance and discipline will not apply and any areas of concern will be dealt with via the probationary review process. This does not affect any statutory rights.
- The duration of the probationary period will be clearly set out in the offer of employment letters and contracts of employment and the objectives to follow separately as per managers' responsibilities as per section
- For employees with a fixed term contract end date shorter than the length of the relevant probationary period, the normal probationary process will be followed for the duration of employment. If employment is subsequently extended, the probation period will be extended up to the standard period.
- During the probationary period the employee will be subject to a notice period as stated in their contract of employment which may be paid in lieu.

4.2 Managers responsibilities

- The line manager is responsible for making the employee aware of the Probationary Period Policy at induction.
- The line manager is responsible for monitoring and managing the probationary period.
- In the first two weeks of joining the line manager will discuss the expectations of the new employee, explain required standards and set objectives for the probation period. The expectations will be based on the job description and the organisational and department objectives.
- It is the responsibility of the line manager to ensure that the new employee receives regular supervisory support, feedback on their performance and the required standards to be reached.

- The line manager is responsible for ensuring that the new employee has an effective CCG corporate induction as soon as possible after joining the organisation.
- The line manager is responsible for ensuring that all required training is identified and provided as soon as possible. The line manager is also responsible for ensuring the employee has been booked on to all mandatory training and is made aware of relevant CCG policies and procedures.
- It is the line manager's responsibility to ensure that appropriate review dates are set and adhered to and appropriate records kept at every stage of the probationary period review and assessment process as per section 4.5 of this policy.

4.3 Employees responsibilities

- Ensuring awareness of the Probationary Period Policy.
- Adhering to all CCG processes.
- Ensuring required mandatory training is completed and kept up to date. The employee will need to print the screen that confirms that they have completed the training and bring to their review meeting. The completion of mandatory training is a requirement for successful completion of their probationary period.
- Should a new employee wish to disclose a disability, impairment or other health condition, it is their responsibility to ensure they inform their line manager so that reasonable adjustments can be made.

4.4 HR responsibilities

- To ensure that the Probationary Period is highlighted to new employees when issuing the employment contract.
- To assist managers and employees in the fair and consistent application of the policy.
- To provide advice to employees and managers concerning individual issues, including advice on the range of options or courses of action that may be taken.
- To provide support in formal meetings.
- To provide template letters/documents to managers.

4.5 Managing the employee during the probation period

- It is expected that line managers will hold regular one-to-one meetings with all new employees to provide information, support them in their new role, set standards, provide feedback on performance and progress and to address any concerns from the employee. These meetings should be held as per the Policy for Managing Performance
- In addition to one-to-one meetings, three informal probationary meetings are to be held at the following intervals:-
 - Initial meeting: within the first two weeks of employment.
 - First review meeting: At the three month point of the probation period.
 - Final review meeting: At least four weeks before the date on which the probationary period ends.
- During the new employees first two weeks a date will be set for the first review of performance which should take place at the three month point, although support will be given at a normal one-to one at the end of month one and two.
- Initial meeting - the purpose of the initial meeting is for the line manager, in agreement with the employee, to set the objectives for the probationary period, discuss any training or development requirements identified by the manager or employee and a development plan developed. The Probationary Period Review Form should be completed (refer to Appendix 2).
- First review meeting - this review is an opportunity for the line manager to review the employee's progress to date, discuss training/development opportunities undertaken, or still required and for both parties to raise any issues or concerns. It is also at this stage that the employee is advised if they are on track to meet their objectives and successfully complete their probation period. The Probationary Period Review Form should be updated (refer to Appendix 2).
- Final review meeting – this would normally be held at least four weeks before the date on which the probationary period ends. The employees progress during the probationary period will be discussed and the employee will be informed that:-
 - They have successfully completed their probationary period (refer to 4.8), or
 - Their probationary period is being extended (refer to 4.9), or
 - They have not satisfactorily completed their probationary period and a further formal meeting will be held.
- An informal probationary meeting may be held sooner if a line manager has concerns that the employee's performance or conduct is not meeting the required standard (this might be as part of a one-to-one meeting).
- Notes should be taken and any agreed targets or action will be confirmed in writing within three working days. Evidence would need to demonstrate that appropriate support had been put in place, and the employee was given

sufficient opportunity to improve. • Line Managers should seek advice from HR at the earliest sign of a new employee not meeting performance requirements so that they can work together to improve the employee's performance.

4.6 Terminating employment before the probationary period has been completed

- It will be usual for new employees to complete the full six months probationary period to allow for the employees to settle into the CCG, learn the new role and to receive any training required.
- If during the course of an employee's probationary period, it is suspected or established that the individual provided inaccurate or misleading information during the recruitment process, this may be considered a sufficient reason to end their employment. This also applies at point 4.10.
- In some circumstances it may be evident that there are fundamental difficulties with the new employee being able to fulfil the role early on in the probationary period. After speaking with the employee, the line manager may feel that the difficulties cannot be resolved and regardless of any time frame, support and training the employee is not going to achieve the required standards.
- In all cases where there is the possibility of terminating the probationary period early the line manager will contact HR. No decision to terminate employment should be discussed with the employee before this has been discussed with HR and the relevant director.
- The line manager or appropriate dismissing manager, should confirm in writing that the employee is to be dismissed for failing to satisfactorily complete their probation period (refer to 4.10). An employee termination form will be completed by the line manager and a copy of the letter should be held on the employee's personal file.

4.7 Confirming successful completion of the probationary period

- Once an employee has successfully completed their probationary period, the line manager will send them a letter confirming this. A copy of this letter and a copy of the completed probationary period review form should be held on the employee's personal file (refer to Appendix 2).
- Following successful completion of the probationary period an employee will be managed through regular one to one review meetings and will be set new or continuing objectives in accordance with the Policy for Managing Performance.
- Any future concerns about the employee's performance or conduct should be addressed using the Managing Performance Policy.

4.8 Extension to Probationary Periods

- a) A probation period may be extended in the following circumstances:-
 - Where the performance, behaviour or conduct of the employee has not met the required standard, and it is believed that these can be addressed during the extended period.
 - The employee has not completed all mandatory training.
 - The employee has had a significant amount of time away from work, for example sickness, and this has resulted in an inability to conduct meetings.
 - The employee has moved to a different role during their probationary period which is very different or in a different department.
- b) Any extension to the probationary period will be for no longer than 9 months in total after the employee commenced employment. In these instances, they will be reviewed on a case by case basis in consultation with HR.
- c) The line manager should confirm in writing to the employee that their probationary period is being extended: the reason why, the length of the extension, any support/training to be provided and any improvements that are required. It will also advise that failure to meet these will result in non-completion of the probationary period and therefore termination. A Probationary Period Extension Review Form should be completed (see Appendix 3). A copy of this letter (see Appendix 4) along with the original completed Probationary Period Review Form should be held on the employee's personal file.

4.9 Termination of employment at the end of the probationary period

- a) Employees should have been made aware of any concerns regarding their performance, behaviour or conduct during the review process.
- b) If after regular review meetings, provision of appropriate training and support it becomes evident that no further training or support would allow the employee to reach the required standards then employment may be terminated.
- c) Employment may also be terminated where the employee has failed to complete any mandatory training, despite support being given to them to do so.
- d) A formal meeting (refer to 4.5) will be held in line with the process of the Managing Performance Policy, Section B, 3.2. The employee will be entitled to be accompanied by a workplace colleague or trade union representative if they wish. HR must be notified and will attend the formal meeting to give advice and ensure due process is followed.
- e) When the decision is taken to terminate employment, the required period of notice will be given as per the employee's contract and this may be paid in lieu.

- f) The line manager or dismissing manager will confirm in writing (with advice from HR) that the employee is to be dismissed for failing to satisfactorily complete their probation period.
- g) The decision to dismiss the employee will remain unchanged unless and until it is modified as a result of an appeal. A copy of this letter will be held on the employee's personal file with the completed Probationary Period Extension Review Form.

4.11 Right of appeal

- An employee has the right to appeal against a decision made to terminate their employment during, or at the end of, their probationary period.
- An appeal in writing must be submitted to the line manager within five working days of the employee's receipt of the written decision to terminate their employment.
- The appeal process is to be followed in accordance with the CCG Disciplinary Policy.

5.0 Equality Impact Assessment Statement

NHS Southend CCG is committed to carrying out a systematic review of all its existing and proposed policies to determine whether there are any equality implications. The policy applies to all groups. This policy has been assessed using the former CCG's Equality Impact Assessment framework and identified as having the following impact/s upon equality and diversity issues:

Age	Disability	Gender	Gender Reass.	Sexual Orient.	Religion	Preg./ Mat.	Race	Marital Status	Total Points	Impact
0	0	0	0	0	0	0	0	0	0	Low

Points

- 3 – This area has a high relevance to equalities
- 2 – This area has a medium relevance to equalities
- 1 – This area has a low relevance to equalities
- 0 – This area has no relevance to equalities

Scoring

- 13-21 points – High Impact
- 7-12 points – Medium Impact
- 0-6 points – Low or No Impact

Rationale:

The equality target groups are all covered by the policy. This policy is intended to ensure that all individuals are treated fairly during the recruitment and selection process. It is intended to bring clarity for both managers and staff.

6.0 Version Control

Policy Title: Probationary Period Policy

Version	Date issue/review	Author <i>Name and title</i>	Comment
001	February 2019	Charlotte Dillaway	First issue for Southend CCG. Has received input from our HR Business Partner.