

# Probationary Period Policy

CPRCCG CP26

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Ratified by:	Governing Body
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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 CPR 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 Castle Point & Rochford 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:

<b>Length of Contract</b>	<b>Length of Probationary Period</b>	<b>Frequency of Review meetings</b>	<b>First and Second Formal Review meetings</b>	<b>Notice Period during Probationary Period</b>
<b>6 months or less</b>	1 month	Weekly	Week 2 & 4	1 Week
<b>Over 6 months and under 12 months</b>	3 months	Monthly	Month 1 & 3	1 Week
<b>12 months or more</b>	6 months	Monthly	Month 3 & 6	1 Month
<b>Permanent</b>	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 (Appendix 1). 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 2b).
- 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 (**Appendix 5**).

#### **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 Castle Point & Rochford 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	March 2019	Charlotte Dillaway	First issue for Castle Point & Rochford CCG. Has received input from our HR Business Partner.

## Appendix 1

### Probation Period Policy: Probation Plan and Invite to the Formal Probationary Review

#### Probation, Objectives and Training Outline

Part 1 of this form should be used to set objectives during the first month of employment and to monitor progress.

Should any improvements during the probationary period be identified these should be recorded in Part 2 (Improvement Plan).

<b>Employee Name:</b>		<b>Job Title:</b>	
<b>Start Date:</b>		<b>Line Manager:</b>	
<b>Directorate:</b>		<b>Base:</b>	

#### Part 1

##### Probationary Objectives and Competencies

Objectives should be discussed and agreed between the employee and the line manager and recorded in the table below:-

Objective and competency area and description	Training required	Competency Indicator	Timescale	Review 1 comments	Review 2 comments
EXAMPLE Workplace awareness and mandatory training The employee will undertake a general workplace induction conducted by line manager including completion of all mandatory training	EXAMPLE Induction Training by line manager Mandatory training – online and face to face classroom	EXAMPLE Sign off of the General Induction checklist	EXAMPLE By xx/xx/xx		
<b>Manager's General Comments</b>					
<b>Employees General Comments</b>					

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## Appendix 2: Probation Period Policy: Probation Invite Letter and Review Form

Ref:

Date

### Private and Confidential

Name

Address

Postcode

Dear NAME,

### Formal Probationary Review Meeting

Arrangements have been made for your **FIRST/SECOND/FINAL** Probationary Review Meeting to be held on **DAY, DATE at TIME**. The meeting will be held at **ROOM/LOCATION**.

At this meeting we will look at the progress that you have made under your Probationary Plan, and discuss any achievements and areas of concern.

### Optional Paragraph:

Also in attendance will be **NAME – JOB TITLE** and **NAME – HR Representative**. You are entitled to be accompanied to this meeting by a colleague or Trade Union representative. I would be grateful if you would confirm your attendance and the name of any representative to me by no later than **DATE**.

Yours sincerely

Manager name

Job Title

**Note: To be inserted into current CCG letter template.**



<b>Employee Name:</b>		<b>Job Title:</b>	
<b>Start Date:</b>		<b>Line Manager:</b>	
<b>Directorate:</b>		<b>Base:</b>	

<b>Objective and competency area and description</b>	<b>Training required</b>	<b>Competency Indicator</b>	<b>Timescale</b>	<b>Review 1 comments</b>	<b>Review 2 comments</b>
<b>Manager's General Comments</b>					
<b>Employees General Comments</b>					

**Appendix 2b: Confirmation in Post**

Ref:

Date

**Private and Confidential**

Dear

**Re: Confirmation in Post**

Following our second milestone review meeting, I am writing to confirm that you have now successfully completed your probationary period and are therefore confirmed into your post on a substantive basis ((or) on a fixed term basis).

May I congratulate you and wish you every continues success in your role.

Yours sincerely

**Manager**  
**Job Title**

**Note: To be inserted into current CCG letter template.**

### Appendix 3: A Probationary Period Extension Review Form

Where it has been identified that an individual's performance and targets are not being met the Probationary Period Extension Form should be used to document the areas of concern and outline improvements required.

**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.**

#### Standards of Performance and Targets not being met:

- Details of how performance is below the required standard.
- Details targets which have not been met.
- Compare requirements of Job Description against current output and performance.

#### Improvements required and consequences of non-improvement:

- List detailed specific improvements required.
- List general improvements, if poor performance not linked to achieving specific targets.
- Inform employee of possible consequences of non-improvement.

Objective/Targets set	Measures/Evidence	Timescale for improvement	Training / Support required to achieve
1.			
2.			
3.			
4.			

<b>Manager's General Comments</b>	
<b>Employees General Comments</b>	

**Declaration**

**Date of 1<sup>st</sup> Review Meeting:**

I agree this is an accurate record of the meeting and understand what is required to improve performance.

Signed (Employee) \_\_\_\_\_ Date: \_\_\_\_\_

Signed (Manager) \_\_\_\_\_ Date: \_\_\_\_\_

**Date of 2<sup>nd</sup> Review Meeting:**

I agree this is an accurate record of the meeting and understand what is required to improve performance.

Signed (Employee) \_\_\_\_\_ Date: \_\_\_\_\_

Signed (Manager) \_\_\_\_\_ Date: \_\_\_\_\_

## Appendix 4: Extension of probationary period

Ref:

Date

### Private and Confidential

Dear

### Re: Extension of Probationary Period

Following our second milestone review meeting on xxxx (date and details), I am writing to confirm that your probationary period has been extended by (1 month) to xxxx (date) because of xxx (reasons).

Regular reviews will take place during the extension period to assess your progress and a further milestone review meeting will take place on xxx when a final decision on your continued employment will be made.

Yours sincerely

**Manager**  
**Job Title**

**Note: To be inserted into current CCG letter template.**

## **Appendix 5: Dismissal Letter**

Ref:

Date

**Private and Confidential**

Dear

**Re: Dismissal**

Following our second milestone review meeting held on xxxx (date and details), I am writing to confirm the decision to dismiss you from your post of (post title) with effect from the date of the review. This is due to a failure to meet the required standards of the post in terms of xxxx (list details).

You are entitled to receive xxxx pay in lieu of notice. This will be paid at full, together with payment for any untaken or accrued annual leave.

You have a right to appeal against this dismissal. If you wish to exercise this right, you should write to xxxxx (name and address), detailing the grounds of our appeal within 10 days of receipt of this letter.

Yours sincerely

**Manager**  
**Job Title**

**Note: To be inserted into current CCG letter template.**