

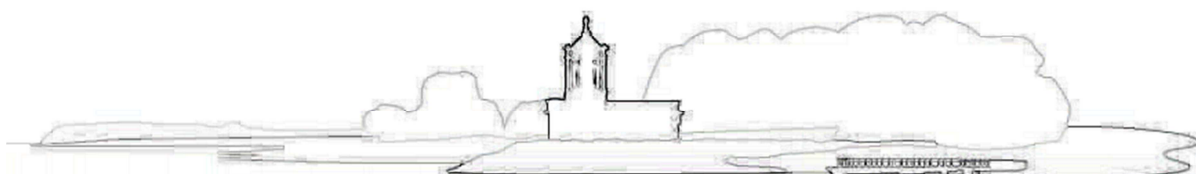


# Rutland County Council

## PROBATION POLICY AND PROCEDURE

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Guardian	Human Resources Team
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## **Summary of document**

The Probation policy applies to all new entrants to Rutland County Council regardless of previous local government service. The probation policy should be regarded as a period of continuous review and is concerned with helping new employee's of Rutland County Council reach the required standard during their probation period.

The Policy is supplemented by a set of Guidance Notes – Managing Probation.

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## **1.0 INTRODUCTION**

- 1.1** Rutland County Council aims to create a positive environment where everyone is enabled to fulfil their responsibilities and to perform to the best of their ability to meet the needs of the Council.
- 1.2** The Probationary period gives Rutland Council the opportunity to assess a new employee's suitability in the role they have been appointed to and for the employee to demonstrate their ability to effectively perform
- 1.3** The Probationary period is designed to be a positive, supportive and a structured process that ensures that an employee, new to a role, receives thorough feedback in respect to their performance and has the opportunity to discuss training and development needs at an early stage in their employment.

## **2.0 SCOPE**

- 2.1** All new entrants to Rutland County Council are required to complete a six month probationary period. Confirmation of appointment is dependent upon the satisfactory completion of the probationary period
- 2.2** New entrants from another Local Authority will be expected to serve a period of probation (for the purposes of managing progress and performance) but will not be dismissed for not successfully completing the probationary period. Poor performance (which may lead to dismissal) will be managed through the Capability Procedure. HR should be consulted in such cases.
- 2.3** The Line Manager is responsible under this policy for ensuring that the employee is set objectives and standards of performance. This includes full induction into the Council.
- 2.4** It is essential that the Line Manager has clearly detailed the standards required for the role at the onset of the probationary period and secured any training required to enable the employee to perform the job to the required standard.
- 2.5** Where the employee is thought to be unsatisfactory it is important to identify at an early stage whether the problem is one of conduct or work performance. This must be made clear to the employee and the HR team should be informed immediately.
- 2.6** Serious conduct/disciplinary issues requiring formal investigation which arise during the probationary period will be managed in line with the Disciplinary Procedure.

### **3.0 PROBATIONARY PERIOD**

**3.1** During the six month probationary period, each new employee must be seen each month and the form (at Appendix 1) completed by the Line Manager on each occasion. In addition, it must be signed and dated by the employee.

**3.2** An initial review should take the form of an open discussion between the employee and their Line Manager about all aspects of their conduct, work and work relationships. A checklist of items are:

- Time keeping
- Attendance
- Consistency of effort
- Communication - public/colleagues
- Relationships with colleagues team members /staff and the public
- Management and Leadership (linked to the Council's Leadership Behaviours)
- Learning the new job
- General conduct and attitude (initiative and enthusiasm)
- Quality and quantity of output.
- Ability to organise workload and achieve deadlines
- Future progress
- Training and Development (incl. Health and Safety).

Subsequent one to one monthly meetings should be held in the same way.

**3.3.** On completion of the probationary period, the Line Manager should submit the full set of probation reports to HR who will then confirm the satisfactory completion of the probationary period to the employee.

### **4.0 MANAGING POOR PERFORMANCE**

**4.1** Concerns regarding an employee's performance should be advised to them at the earliest opportunity. Clear standards and targets for improvements should be given and time allowed for improvement to be demonstrated – this will be between 2-4 weeks depending on the nature of the required improvement. This will be determined as relevant to the particular circumstances of the case and further support/guidance obtained from HR where necessary.

**4.2** At any stage of the probationary period where the employee is not meeting the required standard HR should be provided with details of:

- the shortfall in performance
- the standard that the employee should be achieving.
- any problems encountered due to the employee's conduct or attitude.

- 4.3** On receipt of this information a meeting should be held with the Line Manager, the employee and an HR representative. The employee may be accompanied by a workplace colleague or Trade Union representative ('representative').

The aim of this meeting is to discuss with the employee:

- the shortfall in their performance.
  - the standards required.
  - an improvement plan which sets out the objectives and targets and identifying any additional support, training or guidance needed.
  - advise the employee that failure to meet the required standards may result in failure of the probationary period and therefore termination of employment.
- 4.4** At the set date the performance will be reviewed again. If the employee's performance has not improved it is possible to either:
- arrange a further period of review (if within 6 months)
  - extend the probationary period – if it appears likely that the employee will reach the required standard.

## **5.0 FINAL PROBATIONARY MEETING**

**5.1** When an individual has been informed of the shortfall in their performance and expected standards but even with further training and focussed support still fails to attain the advised standards within the agreed period, a final probationary meeting should take place. This should be chaired by the employees Head of Service/ or equivalent. A more senior officer would chair meetings where the employee is at Head of Service/equivalent or above. This may lead to termination of employment.

**5.2** The employee should be advised in writing of the meeting and its potential outcome. They may be represented by a workplace colleague or Trade union representative.

- (a) The employee will be given at least 5 working days written notice of the proposed meeting within which the manager will set out their concerns over the employee's performance, the reasons for those concerns and that a possible outcome could be dismissal if it is decided after the meeting that their performance has been unsatisfactory.
- (b) An HR Adviser will also attend the meeting to provide procedural advice and support to the manager.
- (c) During the meeting the immediate line manager will inform the employee of their concerns regarding performance. This will be evidenced by all of the previous probation meetings and discussions.

- (d) The individual will be given the opportunity to present their case; this may be done by their workplace colleague or Trade Union representative on their behalf.
- (e) The meeting will be adjourned for the manager to consider their decision.
- (f) The meeting will be reconvened and the decision communicated verbally to the member of staff.
- (g) Following the meeting, the decision will be confirmed to the member of staff in writing. This letter will include the right of appeal.

**5.3** If, shortly after joining the authority, an employee who is on probation is considered wholly unsatisfactory, a review may be required immediately within the first month. HR should be involved at this stage. It is anticipated that this would be in a small number of exceptional cases as it remains the Council's intention to give an employee every opportunity to improve.

## **6.0 APPEALS AGAINST DISMISSAL**

**6.1** Where a decision is made to terminate employment the member of staff may submit an appeal against this decision.

- (a) This appeal should be made in writing and sent to the relevant Director; a copy should also be forwarded to HR.
- (b) The appeal should be received within 5 working days of the date of the dismissal letter. The grounds for the appeal must be fully stated in the appeal letter.
- (c) The appeal will be chaired by a Head of Service, or an Assistant Director('the Appeal Manager') who has not previously been involved in the case / decision. A more senior officer would chair an appeal where the employee is at Head of Service/equivalent or above. HR advice to the panel will be provided by an HR Adviser.
- (d) The member of staff may be accompanied by their workplace colleague or Trade Union representative who may present on their behalf, at the panel.

**6.2** Options/decisions available to the Appeal Manager are:

- Overturn the decision and confirm the appointment (i.e. the probationary period is ended)
- Overturn the decision and extend the probationary period to a maximum of three months. If this is the case the Appeal Manager **MUST** confirm what performance objectives should be achieved for the

probationary period to be successfully completed and the review process for the period.

- Confirm the decision to dismiss.
- 6.3 The Appeal Manager may advise the member of staff verbally of the decision on the day of the meeting and then follow up in writing. This should be done within 7 working days of the appeal meeting.
- 6.4 In the event of dismissal the effective date of the dismissal will be as originally advised.
- 6.5 In the event that the dismissal is overturned, the employee is reinstated from the date of the dismissal and pay and continuity of service will be reinstated.
- 6.6 The decision of the appeal is final and there will be no further right of appeal.



**Probation Review Form****NOTES**

1. This form should be completed following each monthly review meeting
2. Employees should have the opportunity to comment and sign the form
3. At completion of the Probation Review, the form should be sent to HR who will write to the employee as appropriate.

<b><i>Employee Details</i></b>			
<b>Surname</b>		<b>Forenames</b>	
<b>Directorate</b>		<b>Team</b>	
<b>Job Title</b>		<b>Start Date</b>	

<b><i>Month 1 – Date of review</i></b>	<b><i>Line Manager:</i></b>
<b>Summary of performance and progress</b>	
<b>Where any areas require improvement, give details below including plans to improve performance</b>	
<b>Employees comments:</b>	
<b>Employee's signature</b>	<b>Manager's signature</b>

<b>Month 2 – Date of review</b>	<b>Line Manager:</b>
<b>Summary of performance and progress</b>	
<b>Where any areas require improvement, give details below including plans to improve performance</b>	
<b>Employees comments:</b>	
<b>Employee's signature</b>	<b>Manager's signature</b>
<b>Month 3 – Date of review</b>	<b>Line Manager:</b>
<b>Summary of performance and progress</b>	
<b>Where any areas require improvement, give details below including plans to improve performance</b>	
<b>Employees comments:</b>	
<b>Employee's signature</b>	<b>Manager's signature</b>

<b>Month 4 – Date of review</b>	<b>Line Manager:</b>
<b>Summary of performance and progress</b>	
<b>Where any areas require improvement, give details below including plans to improve performance</b>	
<b>Employees comments:</b>	
<b>Employee's signature</b>	<b>Manager's signature</b>
<b>Month 5 – Date of review</b>	<b>Line Manager:</b>
<b>Summary of performance and progress</b>	
<b>Where any areas require improvement, give details below including plans to improve performance</b>	
<b>Employees comments:</b>	
<b>Employee's signature</b>	<b>Manager's signature</b>

<b>Month 6 – Date of review</b>	<b>Line Manager:</b>
<b>Summary of performance and progress</b>	
<b>Where any areas require improvement, give details below including plans to improve performance</b>	
<b>Employees comments:</b>	
<b>Employee's signature</b>	<b>Manager's signature</b>

<b>OUTCOME OF PROBATIONARY PERIOD</b>	<b>Line Manager:</b>	
<b>Is the employee's appointment to be confirmed?</b>	<b>YES</b>	<b>NO</b>
<b>If No, date of meeting to advise employee</b>		
<b>Is the employee's probationary period to be extended?</b>	<b>YES</b>	<b>NO</b>
<b>If Yes, date notified to employee</b>		

**A large print version of this document is available on request**



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