

Human Resources

**Probation / Internal Appointment
Support Policy**

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1.0 Introduction

Chelmsford City Council recognises the importance of introducing employees effectively into the organisation. The Council appreciates that learning a new job is a challenging experience for most people and that it takes time to adjust to new people and surroundings.

This policy sets out the process to be used to introduce new employees to the Council and for existing employees who change positions within the organisation.

This policy is mandatory and should be used to introduce all new employees to the City Council and to support all current employees who change positions within the Council. It sets out the expectation of the Council that all employees will have a formal induction period.

This policy sets out the review periods and details the responsibilities of both line managers and newly appointed members of staff. It details the process for dealing with all employees whose conduct or work performance is not judged to be satisfactory during the supported introduction to employment period.

The Council is committed to promoting the welfare and protection of children, young people and adults at risk. During the induction period and the probation process, it is important that all new employees are given time to gain the relevant knowledge to understand the Council's commitment to Safeguarding and how to raise a concern.

2.0 Definitions

For all employees new to the Council, the first six months of employment is known as the 'probationary period' during which the employee's suitability for the position is assessed.

For employees who are changing jobs within the Council, even with the same Manager, the first six months in the new position is known as the 'internal appointment support period'.

An employee's contract of employment states whether an appointment is subject to a probationary period or the internal appointment support period.

At the start of the first year in the new position, whether it is a probationary period or an internal appointment support period, there will be a formal 'induction'. During this period the new appointee will receive a formal introduction to the relevant department, their work and the various policies and procedures applicable to them. The induction period will run concurrently with the probationary period or internal appointment support period, as appropriate. Further details about the induction process are set out in Section 5 below.

3.0 Scope

This policy applies to all permanent and fixed term employees of Chelmsford City Council except for those engaged on a casual basis. Employees new to the Council will also go through Corporate Induction.

4.0 Roles and Responsibilities

4.1 Line Manager/Supervisor

- To ensure that a thorough induction is completed for all new starters both new and existing staff adhering to all relevant induction guidance as detailed in Section 5 below.
- To ensure that appropriate support and assistance is given to help the employee to complete their probation/internal appointment support period. Whilst the probation/internal appointment support review period is six months, it is recognised that the length of time taken by new employees to establish their suitability for continued employment is not the same for all jobs and supervisors/ line managers should aim to tailor the training, development and support to the complexity of the work.
- To ensure that employees understand the standards of work required of them.
- To ensure that the probation/internal appointment support period focuses on supporting employees within their new role through the setting of clear and achievable job standards and regular monitoring and feedback on performance throughout the period
- To ensure that all relevant probation/internal appointment support reviews are conducted and all relevant paperwork is completed in a timely manner, as detailed in Section 6 below.
- To ensure that employees understand the Council's safeguarding policies, procedures and systems and the conduct expected of them when working with vulnerable groups
- To ensure that concerns about employees are appropriately recognised and managed in line with relevant policies and procedures

4.2 Employee

- All employees have a contractual responsibility to perform at least to a satisfactory level. New entrants should understand their responsibility to demonstrate their suitability for the position during their support period.
- To demonstrate commitment to achieving at least satisfactory levels of performance and to attend any meetings convened in accordance with the probation /internal appointment support policy as well as any events organised as part of the induction process.
- To show commitment to safeguarding vulnerable groups and to perform their role in line with Council safeguarding policies, procedures and the code of Conduct.

4.3 Human Resources

- To advise line managers/supervisors/employees on the induction/support procedures and to provide additional support to both the line manager and the employee in dealing with employees who fall beneath the satisfactory level of performance during support periods.
- To monitor progress throughout the probation/internal appointment support period and recognise and act appropriately upon any concerning practice/information received (notify safeguarding leads, coach manager to have appropriate conversations and provide support as needed).

5.0 Induction

Induction is the start of an important learning and development period for every new employee, irrespective of their previous employment background. Being promoted or transferred to another position within the organisation also requires new learning and development to take place and therefore induction is also applicable to employees in this situation.

Line managers are responsible for ensuring that appropriate arrangements are made for the induction of all new appointees. Whilst some line managers may wish to take full responsibility for the planning and delivery of the induction training, others may wish to delegate all or part of this to another colleague. Line managers should ensure that the person to whom this responsibility is delegated has the necessary time, skills and knowledge to carry it out effectively.

It is also the line manager's responsibility to ensure that key areas are covered, and that regular formal reviews of the new employee's progress are carried out, particularly if the new employee is in their probationary period. This part of the probationary or internal appointment support process should not be delegated.

An Induction Checklist has been designed to provide a framework within which the first stage of induction training can be delivered, having regard to the previous experience and personal attributes of the new employee, as well as the complexity of the job and the nature of the services provided. The Induction Checklist along with detailed guidance on the induction process can be found in on the intranet under forms, policies and documents.

It is recognised that the manner and timing of the delivery of the induction training will vary between departments. However, using the Induction Checklist will enable line managers to ensure that all new employees, and those appointed to a new position within the organisation, are given the information they need;

- at the appropriate time / in a manner which meets their own development needs
- supports them in settling into their new role and becoming an effective member of the team.

6.0 The Probationary Period

Probation is primarily a six-month introductory period, which applies to all new employees of Chelmsford City Council, whether they are appointed on a fixed term or permanent basis and regardless of their previous experience prior to joining the Council. In circumstances where an employee is engaged on a short-term fixed term contract of less than six months their

probationary period will be the duration of their fixed term contract. If a short-term fixed term contract is then extended, the employee will continue to be in their probationary period up until they reach six months service at which point it will be the responsibility of the employee's line manager to complete a probationary review.

Employees who have transferred from the service of another Local Authority or organisation covered by the Redundancy Payments (Continuity of Employment in Local Government, etc.) (Modification) Order 1999, will also be subject to probation for the first six months of employment and the probationary review procedure will apply.

6.1 Purpose of Probationary Period

- 6.1.1 When an employee is newly appointed to the City Council, they may or may not have similar work experience related to their new appointment. It is important, for both the Council and the employee, to ensure that there is an initial period during which a formal assessment can be made of the employee's progress in meeting the requirements of the new position, and an opportunity for both parties to discuss and review progress.
- 6.1.2 The probationary process allows line managers to feedback on an individual's performance and assess their suitability for the position. It also gives the employee time to demonstrate their abilities and get a feel for the job.
- 6.1.3 Formal reviews will be held at set intervals throughout the probationary period to assess the employee's progress.
- 6.1.4 Supervisors/ line managers should ensure that the probationary period focuses on the following key elements
- giving clear job instruction and guidance on the activities of the team;
 - giving people support in their new role and identifying training needs;
 - training to support the induction process and achievement of job targets;
 - setting standards for the job;
 - enabling all employees to understand their safeguarding responsibilities;
 - regular and clear feedback on job performance;
 - highlighting any problem areas and looking at ways to resolve them;
 - monitoring the effectiveness of the induction process;
 - monitoring timekeeping and level of attendance.
- 6.1.5 Probation is a two-way process and the employee should be encouraged to participate fully in discussions with their immediate supervisor/ line manager. The emphasis should be on developing a good working relationship between the individual employee and their supervisor/ line manager, with both parties working together to contribute to the effectiveness of the process.
- 6.1.6 Upon satisfactory completion of the probationary period an employee will be confirmed in position. The employee will then be reviewed at least annually through the Council's Personal Performance Appraisal process.

- 6.1.7 Termination of employment should be considered where an employee does not meet the required standard following appropriate training and supervisory support or where the employee's conduct is not satisfactory. This can be at any stage during the probation period. See section 6.4 below.
- 6.1.8 If the employee's contract is terminated (or would have been terminated had the person not resigned, retired or left the workplace) due to safeguarding concerns the Council has a duty to refer to the Disclosure and Barring Service (DBS) because they:
- Harmed or posed risk of harm to a child or adult at risk of harm or
 - Satisfied the harm test or
 - Received a caution or conviction for a relevant offence
 - The person that is being referred is, has or might in future be working in regulated activity

The DBS may consider it appropriate for the person to be added to a barred list

6.2 Continuation of Probationary Period upon transfer

- 6.2.1 When an employee transfers to a new position within the Council, before completing their probationary period, the employee's continued employment remains subject to the satisfactory completion of the six-month probationary period.
- 6.2.2 The employee's outgoing manager must liaise with the new manager to ensure that:
- the employee's new line manager is aware of the need for the employee to complete their initial six-month probationary period satisfactorily;
 - the new line manager is aware of any issues that have been identified in the formal probationary reviews conducted to date; and
 - appropriate support is given, to enable the employee to complete their probationary period in the new position.
- 6.2.3 This will be concurrent with induction training in the new position and, if the probationary period is completed satisfactorily, will be followed by an additional period of internal appointment support for the balance of the first six months in the new position.

6.3 The Probationary Review Process

- 6.3.1 It is the responsibility of the line manager to hold a probationary review meeting with the employee, after their third and fifth month of employment, or more frequently if required.
- 6.3.2 At the probationary review meeting the line manager is required to assess the employee against key areas including the Council's Value Framework.
- 6.3.3 Where any key area is assessed as requiring improvement the Line manager must complete an action plan with the employee to address the area/s of concern. See **Appendix I – Probation / Internal Appointment Support Action Plan**

- 6.3.4 The first probationary review meeting is an ideal time for the supervisor/ line manager to explore the new employee's first impressions of the Council, ensure review meetings are diarised and make an initial assessment of performance, which is shared with the employee.
- 6.3.5 A written record should be kept of all discussions, using the Probation/ Internal Appointment Support Form, which should be shared with the employee. The written document must give details of the employee's current standard of work and conduct. If the employee's performance or standards are satisfactory, this should be explicitly stated. Where aspects of performance or conduct in the role are considered unsatisfactory or require further development, the proposed measures to facilitate improvement and the consequences of continued unsatisfactory probationary employment should be clearly stated.
- 6.3.6 Supervisors/ line managers conducting probationary and/or internal appointment support formal reviews should bear in mind that the information entered on the Probationary/ Internal Appointment Support Review Form could, in certain circumstances, be subject to scrutiny in a formal setting such as a probationary dismissal or Employment Tribunal hearing. Consequently, it is important that all fields on the form are completed fully, with meaningful and relevant detail at each of the formal review meetings. For this reason, the use of phrases such as "see previous form", "ditto" or "not applicable" is not acceptable as they do not convey the scope and content of the discussion conducted with the employee.
- 6.3.7 It is important that the supervisor/ line manager begins setting work targets and explains the standards that are expected to the new employee at an early stage of their employment. If, at any stage during the probationary period, there are concerns about the employee's performance or conduct, the supervisor/ line manager should be identifying the reasons for this and planning a remedial training/ development programme to improve conduct and/ or performance. In doing this, the supervisor/ line manager should focus on the following key elements:
- reminding the employee of the standards that are expected and confirming them in writing;
 - explaining how performance or conduct is falling short;
 - identifying training needs and taking action to meet those needs;
 - providing additional supervision/monitoring of work if appropriate;
 - reviewing levels of sickness or other unauthorised absence, its impact on performance and actions to minimise future unauthorised absences;
 - ensuring that regular reviews take place;
 - keeping written records of discussions, actions and progress including the issuing of an Action Plan if appropriate and discuss this with the employee to encourage them to reach the required standard.
 - ensuring that the employee is fully aware that failure to reach the required standard could result in termination of employment. This should be confirmed in writing.
- 6.3.8 If, despite encouragement and assistance, the required standard cannot be reached, then the manager should not transfer the employee to the permanent establishment of the Council.

Note: an employee should not be dismissed because of unsatisfactory performance unless warnings have been given and the employee is given the chance to improve performance.

6.4 Extension of Probationary Period

In very exceptional circumstances there may be grounds to extend an employee's standard probationary period up to a maximum of a further six months. However, any decision to do this should be taken after careful consideration of all the reasons for the potential extension and whether sufficient guidance and support have already been given to the employee.

Sickness absence during the probationary period could be a reason to consider an extension to the probationary period. Each case should be considered with regard to its particular circumstances. Sickness absence during the probationary period may equally be a reason to terminate employment where there are frequent absences or where a longer absence is for a reason likely to cause ongoing problems that are not conducive to the employment. Whilst the Council's Managing Health and Attendance policy does not apply to employees on Probation any health/absence issues will nonetheless be dealt with in a fair and reasonable manner, with due regard to disability discrimination legislation. The relevant HR Business Partner should be contacted prior to making any decision regarding the extension of a probationary period.

The employee should be informed, in writing, of any such extensions to the probationary period, as this is a variation to their terms and conditions of employment.

6.5 Termination of employment under the Probationary review period

- 6.5.1 If, despite support and clear feedback being given, an employee is unable to achieve a satisfactory level of performance, they should be invited to attend a meeting with the appropriate Manager to discuss the termination of their employment. The Manager should be at least a Service Manager or above and the matter must be discussed with the relevant HR Business Partner before any decision to terminate employment is considered.
- 6.5.2 The employee should be given five working days' notice of the meeting. They should be informed that they may be accompanied by a trade union representative or a work colleague.
- 6.5.3 The purpose of the meeting is to explain the reasons for their dismissal (i.e. unsatisfactory performance). The employee should be given the opportunity to respond if they wish.
- 6.5.4 The decision to terminate employment should be confirmed in writing and the employee should be given the appropriate period of notice.
- 6.5.5 The final decision to terminate employment should be made by the appropriate Manager in conjunction with HR. They must ensure that the processes have been reasonable and fair; that the employee has been communicated with throughout the probationary period; and they have been given every reasonable opportunity in which to at least perform to the required standard including the provision of any agreed training or support.

- 6.5.6 Termination of employment within the probationary period is excluded from the Council's Disciplinary Policy and Procedures, Capability Policy and Ill Health Capability Policy and Procedures.
- 6.5.7 Please see section 6.1.8 above for information on the Duty to refer to the DBS if there are Safeguarding concerns

7.0 Internal Appointment Support Period

Existing employees who have already completed a probationary period and are subsequently appointed or transferred to a new position within the Council will be subject to the Internal Appointment Support Period for the first six months of employment in their new position.

As with the probationary period, this allows line managers to feedback on an individual's performance and assess their suitability for the position as well as being a way of:

- giving clear job instruction and guidance on the activities of the team;
- giving staff support in their new role and identifying training needs;
- training to support the induction process and achievement of job targets;
- setting standards for the job;
- enabling all employees to understand their safeguarding responsibilities;
- giving regular and clear feedback on job performance;
- highlighting any problem areas and looking at ways to resolve them;
- monitoring the effectiveness of the induction process;
- monitoring timekeeping and level of attendance.

It also gives the employee time to demonstrate their abilities and get a feel for the job.

7.1 The Internal Appointment Support Procedure

- 7.1.1 Formal reviews should take place at set intervals throughout the internal appointment support period in accordance with the timescales for the probation review process (see section 6.3 above) and using the same Probation/internal Appointment Support Form (Appendix I). Reviews should consist of an open and honest discussion about the employee's performance. The employee should be fully involved in the review process and given ample opportunity to express their own views.
- 7.1.2 Notes of the discussions held at the review meeting should be recorded in writing on the Probationary/ Internal Appointment Support Form and should be signed by the supervisor/ line manager and the employee. The guidance in section 6.3 above should be followed when completing the form at the formal review meetings.
- 7.1.3 Where any key area is assessed as requiring improvement the Line manager must complete an action plan with the employee to address the area/s of concern. See Appendix I – Probation / Internal Appointment Support Action Plan
- 7.1.4 If, at any time during the internal appointment support period, there are concerns about the employee's performance the supervisor/ line manager should ensure that the employee is made aware of the discrepancy between the required and actual performance or conduct

as soon as possible. Specific examples of unacceptable work/ behaviour should be identified and the improvements that are required should be clearly explained. There should be joint discussions between the supervisor/ line manager and the employee to develop arrangements to overcome any difficulties identified. Timescales for improvement should be clearly defined and additional support or training offered, as appropriate. Should any concerns relate to Safeguarding concerns reference should be made to the Council's Safeguarding Policy and Lead.

7.1.5 Supervisors/ line managers are encouraged to seek advice and support from their HR Business Partner should there be concerns about an employee's performance or conduct.

7.2 Failure to meet satisfactory standards during the Internal Appointment Support period

7.2.1 If particular difficulties are encountered, which cannot be overcome by additional training or supervision, the employee's performance should be dealt with within the context of the relevant HR policy including the Capability Procedure, Management of Ill Health and Sickness Absence Procedure or the Disciplinary Procedure.

7.2.2 In such circumstances, the Internal Appointment Support Procedure can run alongside the provisions of other policies such as those listed in 7.2.1. Diarised Appointment Support review meetings can be used to consider progress/actions under the provisions of the relevant policies.

7.2.3 It is not necessary to wait for the full six months' appointment support period to be completed before making a decision about an employee's suitability in the position. However, it is important that a reasonable period is given for the effects of the additional training and supervision to be seen.

7.2.4 Please see section 6.1.8 above for information on the Duty to refer to the DBS if there are Safeguarding concern.

8.0 Links to Other Policies

1. Safeguarding policy
2. Performance Management Policy
3. Code of Conduct

Appendix I

Probation / Internal Appointment Support Action Plan

Name

Line manager.....

Date.....

What we want to achieve (Objective)	Measure of success (Outcome)	Target (Completion Date)	Action Plan (self, manager, other)	Outcome (A = completed B = Not yet completed)
Ensure completion of mandatory learning for the role including Health and Safety and Safeguarding awareness/knowledge				

Version Number	Creation Date	Changes Made	Changes Made By:	Authorised/ Checked?	Date of Changes
1.5	May 2019	Probation form removed and link added Safeguarding information referenced	K Knowles J Corsham		30/05/2019
1.4	April 2014	Amended Disability Confident logo	HR Team	Y	05/12/2016
1.3	April 2014	Inclusion of Safeguarding on form	A Cartwright	Y	08/01/2016
1.2	April 2014	Scoring key added 6.4 Further information added regarding sickness absence management during probation period	M Kettles 9/4/2015	Y	M Kettles 9/4/2015