

Probation Review Policy

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The CCG is committed to an environment that promotes equality, embraces diversity and respects human rights both within our workforce and in service delivery. This document should be implemented with due regard to this commitment.

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Approved documents are valid for use after their approval date and remain in force beyond any expiry of their review date until a new version is available.

Version Control Sheet

Version	Date	Reviewed By	Comment
Draft v0.1	8/1/14	Staff Forum	Agreed.
Draft v0.1	29/1/14	Executive	For approval.
Finalv1.0	31/1/14	F Moore	Changes made during Executive approval
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1. POLICY STATEMENT

- 1.1 The initial period of service is a time in which new employees settle into their jobs by learning about specific duties of the post and using their skills and competencies to learn to undertake those duties satisfactorily. This Probation Review policy and procedure is designed to facilitate this process in order to enable new employees to meet the standards required for successful completion of the six month probationary period in terms of performance, conduct and attendance.

2. PRINCIPLES

- 2.1 The main objectives of the probationary period are:
- To give assistance and encouragement in adapting to the new job (e.g. duties, responsibilities, working environment, targets, standards required);
 - To take necessary supportive action at the earliest opportunity if required standards of performance, conduct and attendance are not being achieved and to give a clear indication to the employee as to what support and guidance will be provided to enable the employee to meet the standards;
 - To identify employees who do not meet the required standards after managers have exhausted all reasonable and practicable remedial action (e.g. closer supervision, training, counselling etc), by applying fair and consistent procedures.

By the end of the probationary period, the employee must demonstrate they have met the required standards.

- 2.2 Bolton CCG has the right to terminate the contract of an employee at any time during the probationary period. Staff whose contracts are terminated during the probationary period will be entitled to notice.

Employees will be entitled to one weeks' notice, which will normally be paid in lieu. On successful completion of the probationary period, the notice period outlined in an individual's contract of employment will apply.

- 2.3 The following policies will not apply during the probationary period: Managing Attendance Policy, Disciplinary Policy, Procedures and Rules, Capability Policy. This does not affect any statutory rights.
- 2.4 The length of probation periods in the CCG for both permanent and fixed term posts of more than 6 months in length will be 6 months however management reserves the right to vary the length of probation period where appropriate. Details of the probation period will be outlined in the contract of employment.
- 2.5 Probationary periods will apply to all new entrants and re-entrants to the CCG.

3. PROCEDURE

The procedure is set out in Part 2 and should be read in conjunction with other relevant policies.

4. EQUALITY

- 4.1 In applying this policy, the Organisation will have due regard for the need to eliminate unlawful discrimination, promote equality of opportunity, and provide for good relations between people of diverse groups, in particular on the grounds of the following characteristics protected by the Equality Act (2010); age, disability, gender, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, and sexual orientation, in addition to offending background, trade union membership, or any other personal characteristic.

5. MONITORING & REVIEW

- 5.1 The policy and procedure will be reviewed periodically by Human Resources in conjunction with operational managers and Trade Union representatives. Where review is necessary due to legislative change, this will happen immediately.

PART 2

Procedure

Regular reviews

- 1.1 Regular reviews between the employee and the line manager should take place throughout the probationary period. For those staff employed on fixed term contracts of 6 months or less, weekly reviews will be held. For those staff employed on permanent contract or on fixed term contracts over 6 months reviews should be held on a monthly basis. Topics to be discussed at the regular review meetings will include:
- Review of actual performance, including statistical information where appropriate (e.g. accuracy and output).
 - Methods of improving performance (e.g. training, coaching, mentoring).
 - Any problem areas including corrective action.
 - Any issues regarding attendance and conduct.
 - Performance targets to be set and reviewed.

Milestone Review Meetings

- 2.1 There will be two milestone review meetings for all staff during the probationary period. For staff employed on permanent or fixed term contracts of more than 6 months these should take place at the end of month 3 and after month 5. The table below summarises the schedule of the milestone review meetings:

Contract of Employment	Milestone review meeting
Fixed term contract 6 months or more	End of month 3 and after month 5
Permanent contract	End of month 3 and after month 5

Either of the 2 milestone meetings may be brought forward by management if necessary. These review meetings will take place with the line manager who may be accompanied at this meeting by another manager, People Services Representative or more senior manager.

- 2.2 It is the responsibility of the manager to ensure that the employee is given at least 2 working day's notice of the meeting in writing. The letter will also include information about the content of the meeting and the employee will be invited to bring to that meeting any issues they wish to raise (see Appendix A for the template letter).
- 2.3 Employees have the right to be accompanied to the milestones review meetings by a Staff side representative or a workplace colleague.

First Milestone Review Meeting

- 3.1 Job performance, including conduct and attendance issues, and progress towards standards will be closely reviewed and managers will seek to establish whether the employee is making satisfactory progress in assuming the responsibilities of the job. Employees will be made aware of progress made, of any discrepancy between actual and expected performance and what improvement is expected. Standards, target/review dates and areas for improvement will be agreed, and where necessary the training plan will be amended. If necessary, employees should be advised that failure to improve performance within the required timescale will result in dismissal.
- 3.2 Employees will be given the opportunity to discuss openly any difficulties they are experiencing, either on a work or personal level. Managers will offer advice, support and counselling where appropriate.
- 3.3 Managers should use the Milestone Review Meeting form (Appendix B) to keep a written record of each meeting. The manager and employee should have a summary of their comments noted. The employee should receive a copy of this form and a copy should be placed on the employee's personal HR file.
- 3.4 The first meeting is also an ideal opportunity for managers to praise the individual's progress. It is important to recognise the positive aspects as much as possible throughout the meeting.

Second Milestone Review Meeting

- 4.1 This meeting will again involve discussion regarding job performance, and, if the employee's performance is satisfactory in all respects, the manager should communicate this fact. Any identified shortfalls in performance will have been highlighted before now and there should be no surprises at this milestone review meeting.
- 4.2 The meeting will have one of three outcomes:
 - Make arrangements for the employee to be confirmed in the established post;
 - Terminate the contract;
 - Exceptionally, extend the probationary period.If either an extension of probationary period or a termination of contract is being considered this must be discussed with an HR adviser before the meeting takes place.

Confirm Employee in Established Post

- 5.1 If at the second milestone review meeting the employee's performance is satisfactory, the manager will send a letter to the employee confirming them in the post. (Appendix C).

Extend the Probationary Period

- 6.1 It may be appropriate to consider an extension to the probationary period to allow every opportunity for the employee to reach the required job performance. If this option is being considered, the manager should discuss this with the HR Adviser prior to the employee being informed. It is likely that, other than in exceptional circumstances, the probationary period would not extend for more than one month.
- 6.2 The extension should be confirmed in writing to the employee (Appendix G)

Terminate the Contract

- 7.1 Where termination of contract is a possible outcome, a manager who is authorised to dismiss will also be present.
- 7.2 Where the employee has failed to meet the required performance standards and management have exhausted all reasonable and practical remedial action, the contract of employment will be terminated. The employee will be paid in lieu of notice and for any untaken accrued annual leave entitlement.
- The employee will receive written confirmation of the decision along with the reasons. (Appendix D) The employee will also be informed of the right to appeal against the decision. The appeal will be heard subsequent to the dismissal taking effect.
- 7.3 Appeals against termination must be lodged in writing to the Chief Officer within 5 working days of the date of the written confirmation of dismissal.
- 7.4 Appeals will be heard within 5 weeks of receipt of the appeal but either party may, with the consent of the other and in exceptional circumstances, be entitled to extend this period.
- 7.5 Any written case (management and employee) to be presented in the appeal meeting should be forwarded to the Chief Officer no later than 5 working days before the appeal meeting. This enables all parties to receive and read the cases prior to the meeting.
- 7.6 The employee must be given at least five working days notice of the appeal hearing and has the right to be represented by a staff side representative or accompanied by a work place colleague.

- 7.7 The Appeals procedure must be followed (Appendix E).
- 7.8 The next manager in seniority to the manager who dismissed the employee will normally hear the appeal. The decision of the appeal panel is final.
- 7.9 The manager hearing the appeal will write to the employee confirming the outcome of their decision within 5 days of the appeal meeting. (Appendix F).

APPENDIX A – Invitation to Milestone review meeting

Private and Confidential

Date

Dear

Re: First/Second (delete as appropriate) Milestone Review Meeting

I am writing with reference to your current probationary period. In line with the Probation Review Policy and Procedure you are required to attend a Milestone Review Meeting on (insert, date, time and venue).

The meeting will be held by (insert name and title of manager) and (insert name and title) will also be present.

The purpose of the meeting is to discuss your progress in relation to performance and development in your role. You will also have the opportunity to highlight any issues you have in relation to your post.

In line with the Probation Review Policy and Procedure you are reminded that you have the right to be accompanied to the meeting by a staff side representative or a workplace colleague if you so wish.

If you have any questions regarding the meeting please do not hesitate to contact me.

Yours sincerely

Where concerns have been identified with an employee's performance, managers should seek advice from a HR representative on the wording of the above letter prior to sending.

APPENDIX B – Milestone Review Meeting Record

Review date:		
Milestone Review Meeting 1 Y/N	Y/N	Milestone Review Meeting 2
Areas covered:		
Manager's comments:		
Employee's comments:		
Action agreed	Identify who is responsible for the action:	

	Manager	Employee
Signature:		
Print Name:		
Date:		

The employee should retain a copy of the completed form and a copy should be placed on the employee's personal file.

APPENDIX C – Letter confirming successful in post following second milestone review meeting

Private and Confidential

Date

Dear

Re: Confirmation in Post

Following your recent second milestone review meeting I am writing to confirm that you have now successfully completed your probationary period. I can therefore inform you that you are confirmed into your post on a substantive/fixed term basis (delete as appropriate).

May I congratulate you and wish you ongoing success in your role.

Yours sincerely

A copy of this letter should be sent to the employee as soon after the second milestone review meeting as possible and a copy retained on the employee's personal file.

APPENDIX D – letter confirming decision to dismiss following second Milestone Review meeting

Private and Confidential

Date

Dear

Re: Confirmation of decision to dismiss

Following the second milestone review meeting held on (insert date), I am writing to confirm the decision taken to dismiss you from your role as (insert job title) with effect from the date of the meeting. The decision to dismiss is due to a failure to meet the required standards of the post in terms of (insert rationale for decision).

You are entitled to receive 1 week pay in lieu of notice and you will also receive payment for any untaken accrued annual leave.

You have the right to appeal against this dismissal. If you wish to appeal you must write to XX (insert name, job title and full address of person to receive the letter) detailing the grounds of your appeal. The appeal must be received no later than 10 working days from the date of this letter.

Yours sincerely

Managers should seek advice from a HR representative on the wording of the above letter prior to sending. A copy of this letter should be sent to the employee as soon after the second milestone review meeting as possible and a copy retained on the employee's personal file.

APPENDIX E – Appeals Procedure

Appeals will normally be heard by a more senior manager to the person who dismissed the employee. All appeal meetings, wherever possible, will include an HR representative in an advisory capacity.

The procedure for an appeal meeting is as follows:

1. The manager will present their case first, detailing their reasons for the action they have taken.
2. The employee will have the opportunity to ask the manager any questions about the case presented.
3. The manager hearing the appeal will also have an opportunity to ask any questions about the management case.
4. The employee will present their case outlining their grounds for the appeal.
5. The manager will have the opportunity to ask the employee any questions about the case presented.
6. The manager hearing the appeal will also have an opportunity to ask any questions about the employee's case.
7. There will then be an adjournment where both parties leave the room to enable the manager hearing the appeal to consider the information and reach a decision.
8. Following the adjournment the manager will reconvene the appeal meeting to inform both parties of the decision. Should this not be possible the manager hearing the appeal will agree with both parties how and when they will be informed of the outcome.
9. In any case the manager hearing the appeal will confirm in writing to the employee the outcome of the appeal no later than 5 working days following the appeal meeting.

APPENDIX F –Confirmation of outcome of appeal letter

Private and Confidential

Date

Dear

Re: Confirmation of outcome of appeal (Probation Review Policy and Procedure)

I am writing to confirm the outcome of the meeting held on (insert date) to consider your appeal against dismissal following your probationary period milestone review meeting. The appeal meeting was held in accordance with the CCGs Probation Review Policy and Procedure.

Following careful consideration of all the written and verbal information presented at the appeal meeting the decision taken was **to uphold/not uphold** (delete as appropriate) your appeal against dismissal. Insert brief rationale for this decision.

In accordance with the Probation Review Policy and procedure I am confirming that this decision is final.

Yours sincerely

A copy of this letter should be sent to the employee within 5 working days from date of the appeal meeting and a copy retained on the employee's personal file.

APPENDIX G – Letter confirming extension of probationary period

Private and Confidential

Date

Dear

Re: Confirmation of extension of Probationary period

Following the milestone review meeting held on (insert date), I am writing to confirm that your probationary period has been extended by one month to (insert date). The reason for this extension is (insert reason).

Regular reviews will take place during the extension period to assess your progress and a further milestone review meeting will take place on (insert date) when a final decision on your continued employment will be made. You have the right to be accompanied to the milestone review meeting by a staff side representative or a workplace colleague.

Yours sincerely

Managers should seek advice from a HR representative on the wording of the above letter prior to sending. A copy of this letter should be retained on the employee's personal file.