



# PROBATIONARY PERIOD POLICY

THIS POLICY SHOULD ANSWER SOME OF THE QUESTIONS YOU HAVE  
WHEN THERE IS AN ISSUE RELATING TO YOUR PROBATIONARY PERIOD

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## **1. What is a probation period?**

The main purpose of a probation period is to provide a period of time whereby a new employee establishes by conduct, performance and attendance, fitness for a permanent appointment in that particular post.

## **2. How long is a probation period?**

The length of the probation period will be outlined in your contract of employment. This is usually 6 months, but may be extended by a maximum of 3 months if any issues arise during the first 6 months.

## **3. Who does it apply to?**

Every new entrant to the Council's service will be subject to a probationary period except those joining the Council with confirmed continuous local government service.

## **4. Does probation apply after promotion or transfer?**

Existing members of staff who are promoted, re-graded or transferred within the Council or another Authority with continuous service will not normally be subject to a formal probation period unless their initial probation period is not yet completed. In this case, the probation period will be carried over to the new contract and the appointment will not be confirmed until the original period has been successfully completed.

## **5. Can I join the Pension scheme whilst on probation?**

Yes you can. Please complete the paperwork sent with your offer letter.

## **6. How do I know what is expected of me?**

Prior to commencing your employment, you will have been given a job description and person specification. Within the first month of employment your Line Manager will ensure they have met with you to discuss expectations and targets with you, identify any training needs and set a work plan. You are also required to adhere to the Council's policies on behavior and conduct.

## **7. How does probation link to my pay?**

Pay is linked to the experience you bring to the role. Your pay will be decided on that factor, not whether or not you are undertaking a probationary period.

### **8. How does being on probation affect my employment rights such as sick pay?**

Your statutory entitlements are not affected by any probationary period. Entitlement to sick pay is linked to length of service. Please refer to the Sickness Absence Policy.

### **9. How often will I be reviewed during probation?**

If your manager has any cause for concern over your work, attitude, attendance record etc they will hold an informal meeting with you at the time they become aware of the concerns and will discuss the relevant areas with you.

Formal reviews will be held at approximately months 3 and 5 of your service. People Services will send your line manager a report which your manager will discuss with you and complete. Should your probation be extended then the timing of further reviews will be agreed with you, and noted on the report. Once completed you will be asked to sign it to agree it is an accurate record of the discussion.

### **10. What meetings will be held if there are concerns over my ability during my probation?**

Where cause for concern arises, there is a formal 3 stage procedure which will be followed. However, concerns will be discussed informally when they arise so they are dealt with in a timely manner. The 3 stage procedure may not be followed where there are circumstances which may warrant review and dismissal at an earlier stage and where it is clearly apparent that improvement is unlikely e.g. a number of performance related issues in a short period of time, particularly early on in the probationary period.

#### **Stage 1:**

You have a meeting with your line manager to discuss your probationary period and any issues which are causing concern. This is a 2 way discussion, the aim of which is to assist you in achieving the required standards. The meeting will follow a set format where your manager will:

- discuss any problems identified;
- explain what aspect of your work is not considered satisfactory;

- explain which objectives/standards you have not met and the shortfall between standards and timescales expected of you and those achieved;
- what remedial guidance and training will be provided;
- give clear, early warnings of what may happen if you do not meet the required standards;
- give unambiguous indication of any necessary improvements;
- agree a course of remedial action and timescales;
- agree a time scale for a further review. This is normally 4 weeks.
- record the outcome of the meeting in writing and give a copy to you, including action points, timescales agreed and consequences of failure to improve. This letter will also explain the consequences of failure to improve, which are a further meeting, warning and ultimately dismissal.

#### Stage 2:

This meeting will be the review scheduled in Stage 1 and will either:

- a. Advise you that you have improved and that subject to satisfactory performance during the remainder of your probationary period your permanent employment will be confirmed.

**or**

- b. If the required improvement has not been recorded your Line Manager will discuss with you your continued problems, you will be given every opportunity to state your case. Unless there are exceptional circumstances to be considered then you will face dismissal with due notice. If the decision to dismiss is taken you will have the right of appeal against this decision. You will receive a letter within 7 calendar days confirming the action taken and detailing your right of appeal. This will only be the outcome after every effort has been made to assist you in achieving the targets set.

#### Stage 3:

Appeal. You have the right of appeal against any decision to dismiss you, as detailed in Stage 2. Please refer to the Appeals procedure (HR 006) for details.

### **11. Is representation allowed?**

An employee subject to a probationary period has the right to be represented/accompanied at all formal stages of the procedure by a trade union representative or fellow Boston Borough Council employee chosen by the employee, and can include companions from trade unions recognised by Boston Borough Council. Where an employee has learning difficulties or mental health issues, it is important that the manager encourages the employee to arrange suitable representation.

The role of the representative is to:

- address the hearing but not to answer questions on the employees' behalf;
- confer with the employee during the hearing;
- ask questions (of the employer and employee) at the hearing;
- participate as fully as possible at the hearing;
- confer privately with the employee.

## **12. Can my probation period be extended?**

Boston Borough Council reserves the right to extend the probation period for the following reasons:

- If you have not performed to the expected standards but there is evidence that your performance is likely to improve given the extra time.
- If, due to your sickness or other authorised absence, it has not been possible to adequately assess your performance. Your probation period will not normally be extended if the period of absence relates to a disability or maternity leave. In this regard, due regard will be taken of the Council's obligations under the Disability Discrimination Act and Maternity provisions within the Sex Discrimination Act. This does not preclude the Council from taking action within the relevant legislation.

Your manager will only consider an extension to your probationary period when it becomes clear that you are unlikely to meet the required standards within the six month timescale. Any extension of the probation period will not exceed three months.

## **13. How many times can my probation period be extended?**

Your manager will only extend your probation period once. They will decide at that time the length of extension necessary to achieve any required improvement, but this will not exceed 3 months.

## **14. When will I know if my probation is satisfactory?**

At month 5 of your probation period or during the last month of any extension to your probation period your manager will hold a review meeting with you. If your performance, conduct, timekeeping and attendance are satisfactory and fully

meet the Council's expected standards for the relevant grade/post, your line manager will inform People Services appropriately and recommend that your appointment should be confirmed. You will then be advised in writing within 7 calendar days of the successful completion of your probation period.

