Probation Procedure

Table of Contents

Introduction 1
Scope 2
Probationary Periods 2
Transfers within the City of London Corporation 3
Probation and Formal Procedures 3
Notice Periods 3
Required Standards of performance, conduct and attendance 4
Performance 4
Conduct 4
Attendance 4
Probation Review periods 5
Failure to meet required standards 5
Formal Stage 6
Review of Decision (Appeal) 6
List of Appendices 7
Links / Other Resources 7

Introduction

1. All appointments to the City of London Corporation are subject to a probationary period, during which time appropriate training and support will be provided and the ability of employees to perform their duties assessed.

2. Employees have the responsibility for demonstrating their suitability for the post and encouragement and assistance will be given to help them meet the standards of work required.

3. Managers are responsible for:

    - ensuring that the induction process is fully completed and are aware of required standards of performance, conduct and attendance (please see New Employee's Guide to Induction for full details);
    - ensuring that all new employees are properly monitored during their probationary period and that they raise any concerns at an early stage;
    - ensuring that the employee is informed at the start of their employment about what is expected of them during their probation;
    - taking action at the appropriate time(s).

Scope

4. The Probation Procedure applies to all City of London Corporation employees, except for Teachers in the three City of London Schools and Police Officers for whom separate procedures apply. It should be read in conjunction with the Managing People Policy in order to determine the appropriate level of management required for formal action.

5. This procedure does not apply to agency workers, consultants or other workers providing services to the City Corporation.

6. This procedure does not apply to existing employees who have transferred or been promoted into a different role and are not within their initial probationary period. See Transfers within the City of London Corporation section.

Probationary Periods

7. The standard probationary period is six months. However, employees on fixed term contracts of less than six months may have a shorter probationary period.

8. Probationary periods may be extended once, normally by up to a maximum of three months, if there are concerns relating to performance, conduct or attendance. Every effort will be made to help employees to settle into their new role and appropriate support will be provided as required. Employees will be advised of any issues as soon as possible and given an opportunity to discuss them and time to improve.

9. If areas of concern arise during the probationary period they will be dealt with promptly as and when they arise. This will ensure that the employee is aware of any

aspect(s) of performance / conduct which is unsatisfactory and can take action to prevent the problem escalating. However, all areas of concern will be taken into consideration when deciding whether to confirm the appointment.

Transfers within the City of London Corporation

10. Where internal transfers occur whilst employees are in their initial probation, the probationary period will be extended by up to a further three months.

11. Where employees are promoted to a new post (permanent, fixed term or a secondment) and are not within their initial probation period with the City Corporation, managers will set objectives as part of the appraisal process. If performance becomes a concern and informal management does not result in a sustained improvement, the capability procedure will apply.

Probation and Formal Procedures

12. During the probationary period employees will not be subject to the formal capability, disciplinary and sickness absence policies as set out in the Employee Handbook, however, the general principles of good practice will apply.

13. If employment is terminated either during or at the end of the probationary period employees will be notified of the reasons in writing, given the opportunity of a meeting to discuss these, and given the right to request an independent review of the decision if the outcome is dismissal.

Notice Periods

14. One week's notice is required during probationary periods by either side. The nature of some posts means that longer notice periods may be necessary. An employee's Statement of Terms and Conditions will give full details of their notice period. Employees may be required to stay away from their place of work during this notice period.

Required Standards of performance, conduct and attendance

15. Employees are expected to meet certain required standards in relation to job performance. These required standards are outlined below. Failure to meet the required standards during the probationary period could result in dismissal.

Performance

16. During the probationary period the general principles of best practice will apply. Following successful completion of the probationary period employees will then be subject to the appraisal process.

17. At the start of the probationary period the line manager will discuss with the employee the objectives, behavioural standards and planned development that will be used to formally assess performance.

18. During probationary periods, employees will be under continuous assessment and meetings with their line manager should take place periodically to discuss performance against the initial objectives and to identify areas for improvement.

Conduct

19. The City Corporation expects the conduct and integrity of employees to be of the highest standard. The Code of Conduct sets the standards of conduct required at work by all employees.

Attendance

20. Providing a regular, efficient service and maintaining punctual attendance from all employees is a contractual condition and is essential in providing quality services to the public and other users.

21. The City Corporation is committed to employee health and wellbeing and has established policies, procedures and benefits to support employees.

22. The procedure for reporting sickness absence detailed within the Sickness Absence Policy should be followed by all employees, including those in their probationary period. If attendance causes concern during probationary periods it will be addressed and, if found to be unacceptable, may be dealt with, as set out in this procedure.

Probation Review periods

23. The manager will meet with the employee to set objectives in their first week ensuring that they understand what is required of them. Progress against these objectives will be monitored during regular 1:1 meetings.

24. Two formally documented review meetings will take place within the probationary period. The first review meeting will be half way through the probationary period. During this meeting the manager will review and assess the employee's performance, capability and suitability for the role.

25. The last probationary period review meeting will take place approximately 1 month before the end of the probationary period, and employees will be provided with one weeks notice of the meeting. The purpose of this meeting is to discuss performance with a view to confirming employment, extending the probationary period or providing the intention to dismiss. This meeting will be repeated if the probationary period is extended, approximately one month before the end of the extended probation period. A clear record of all meetings will be made using the Probation Review Form and a copy should be provided to the employee and the HR representative. (Appendix 1 and 2).

Failure to meet required standards

26. If, during their probationary period, including any extensions, employees fail to meet and maintain the required standards of performance, conduct and/or attendance, they will be invited to a meeting by their manager to discuss concerns. As this is an informal meeting there is no right for employees to be accompanied.

27. Managers should seek advice from their HR representative before this meeting on appropriate action which may be undertaken.

28. During this meeting, standards will be discussed. If necessary a review period set during which improvements will be expected. Further learning needs may be identified to assist the employee to achieve these standards. The outcome of the meeting will be confirmed in writing.

29. If standards improve satisfactorily this shoud be noted on the Probation Extension Form. If standards do not improve sufficiently the formal stage of this process will be initiated as outlined below.

30. If, during the probationary period, it is suspected or established that the employee does not have the qualifications, experience or knowledge that they claimed to have at the time of recruitment, the matter will be discussed to establish the facts. If the

evidence suggests that the employee deliberately misrepresented his/her abilities, qualifications or experience in any way, their employment can be terminated.

Formal Stage

31. If the required standards of performance, conduct and/or attendance have not been met at the end of the review, the formal stage will be convened before the end of the probationary period ensuring the relevant notice periods are taken into account. If, however, the failure to meet standards is sufficiently serious then the formal stage may be convened at an earlier stage. At this point the line manager will refer the case to the second line manager.

32. The second line manager will arrange a meeting, giving 5 working days written notice, setting out the reasons for the meeting and offering the right to be accompanied by a trade union representative or work colleague (whose identity should be notified to line management in advance). This meeting may result in dismissal.

33. The meeting will be chaired by the second line manager to the employee, and will also be attended by a HR representative. The line manager will present the management case at the meeting and the employee will have the opportunity to respond.

34. The outcome of the meeting will be communicated in writing by the second line manager within 3 working days. Employees have the right to request an independent review of the decision (appeal) if the outcome of the formal meeting is dismissal.

35. If dismissal is the outcome, the notice period will be one week, unless the nature of the post means that longer notice periods are necessary. If a senior manager decides there is evidence of gross misconduct, dismissal may take effect without notice.

Review of Decision (Appeal)

36. Employees have the right to request a review of the decision to dismiss by a more senior manager. This request must be made in writing to the Director of Human Resources within 7 working days of receipt of the original decision. The request must explain the reasons for requesting a review.

37. The second line manager will be asked to prepare a written response to the employee's request to review the decision within 3 working days and this will be shared with the employee. The employee may request that the review of the decision is a review of the paperwork only. In these circumstances the reviewing manager will consider the paperwork and confirm their decision in writing within 3 working days of

considering the case. In all other cases a meeting as outlined below will be arranged. The manager reviewing the case will be supported by a HR representative.

38. The meeting will usually be heard within 10 working days of the request to review the decision being received. The meeting will be attended by the employee and the manager who took the decision to dismiss. The manager who undertook the formal probation review may also be present at the meeting. The employee has the right to be accompanied by a trade union representative or work colleague (whose identity should be notified to the chair of the meeting in advance).

39. It is not usual to have new information put forward for consideration. If new information is introduced the reviewing manager will determine in consultation with their HR representative why the information was not provided at the time the original decision was made and the extent to which the evidence is material. It will be a matter for the reviewing manager to decide whether the new information should be considered or not.

40. The reviewing manager may dismiss the request, in which case the original decision will stand; or substitute some other decision (e.g. extending the probation period for a short time).

41. The decision should be confirmed to the employee in writing within 5 working days.

List of Appendices

- Appendix 1 – Probation Review Form
- Appendix 2 – Probation Extension Form

Links / Other Resources

- Capability Procedure
- Code of Conduct
- Disciplinary Procedure
- Employee Assistance Programme
- Managing People Policy
- New Employees Guide to Induction
- Sickness Absence Management Policy