

Probation Policy & Procedure

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Probationary Policy & Procedure

1. Introduction

The Authority commits to recruiting and retaining well-motivated and skilled staff to progress the work of the Council. Staff are supported to achieve a high standard of work output and satisfaction, and the probation period plays an important part in this.

The Probationary Policy and Procedure works with:

- The Induction programme. The HR Induction ensures a consistent standard of information is given to new starters.
- Disciplinary Policy:
 - 1) staff on probation will normally be given one warning only, no matter what level of disciplinary offence they are found to have committed. If an employee is alleged to have committed a second offence (i.e. there is a case to answer under the Disciplinary Policy), a Disciplinary Hearing is arranged. If a Formal sanction is issued, a Probationary Case Review is arranged.
 - 2) However, in line with our Disciplinary Policy, an employee on probation can be dismissed without receiving a prior warning.
- All Council policies apply during the probation period. Access to some staff benefits – including salary sacrifice schemes – are only available after the employee has successfully completed their probation period. Please contact HR if you have any queries.

Authority to confirm employment, extend the probation period or make a recommendation for dismissal is in line with other Policies.

2. Scope

All employees commencing employment with the CPCA, regardless of previous local government service, are subject to a probationary period.

All references to 'new employee' or 'employee' within this policy and procedure will stand for new employees to the CPCA with or without previous local government service.

Internal Transfers and Redeployment

- Where an existing employee voluntarily applies for a new role within the CPCA, they will not be subject to a probationary period in their new role. Any performance issues will be managed through the Capability Policy.
- The only exception to this is where an existing employee has not completed their initial Probationary Period in their first role. In this instance, if they have been appointed to a different role at the Authority, they will need to complete the Probationary period. For example, Employee A starts in a role, works for 3 months, and is appointed to a different role. Their probationary period was 6 months. They need to complete Months 4-6 in the new role. For any specific queries, please speak to HR.
- Employees that are offered a Suitable Alternative Employment post, because of being put 'at risk of redundancy' will be subject to a 4-week trial period in

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their new role; where both the individual and the Council can ascertain if the role is suitable. Please refer to the Organisational Change Policy and Procedure for further information.

- Employees that are assimilated will not have a probationary period or a trial period. Any performance issues should be managed under the Capability Process.

3. Vision and Values

Our vision is for a prosperous and sustainable Cambridgeshire and Peterborough. Driven by our values and using our collective voice and strengths, we seek inclusive good growth for an equitable resilient, healthier and connected region.

Our values define what is important in the way we deliver this vision. At Cambridgeshire and Peterborough Combined Authority our core values are Collaboration, Integrity, Vision, Innovation and Leadership. We are committed to ensuring our culture enables our employees to display these values regardless of their roles within the organisation. Managers and employees alike must ensure our core values are upheld when implementing this policy.

4. Why have a probation period?

A probation period is a trial period for a new employee. It allows the line manager and the new employee the opportunity to assess suitability for the role, considering the individual's capability, skills, performance, and general conduct in relation to the job. The probationary period review meetings are a useful and constructive way to ensure that new employees get feedback on performance. They also help and support the employee to reach and maintain the required standard.

All meetings are a two-way process. They provide both manager and employee with the opportunity to discuss progress on a one-to-one basis. Even if a new employee appears to be settling in well, regular meetings provide an opportunity to clarify any issues, gain feedback, and discuss training and development options. It is particularly important to hold meetings when concerns are raised about work standards or performance. Other issues affecting performance such as attitude or attendance are tackled during this period.

A well-managed probation period will ensure the employee has settled well into the role with the skills and support to carry out the work at a good standard. By the end of the probation period the manager should confirm the appointment with confidence.

5. Time scales

- For permanent appointments or fixed term contracts of more than 6 months there is a 26-week probation period.
- If someone has a fixed term contract of less than 6 months, their probationary period will last the length of their contract. If their contract is extended, then the length of the probation will be 6 months. The options to the line manager remain confirming employment at 6 months, extending for up to 3 months or ending the contract.

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As recommended in the **HR Induction Checklist**, the manager should meet with the new employee, regardless of length or type of contract, to discuss the Probation Policy when they start. They then should arrange to meet as soon as possible, and no later than the first 2 weeks of induction, to discuss and set objectives.

The contract of employment allows for one extension of the probation period and if this decision is taken it must be put in writing to the employee before the end of the 26-week probation period. The total period of probation will be no longer than 9 months. An extension may be implemented in circumstances where the employee's performance during probation has not been entirely satisfactory, but it is thought likely that an extension to the probationary period may lead to an improvement, or where the employee or line manager has been absent from the workplace for an extended period during probation. For further information please see [Extending the Probationary Period](#).

Note to Managers: Failure to give notice of an extension to the probation period, or notice of case review and possible dismissal, before the end of the original probation period, will result in automatic completion of probation and confirmation of employment without recourse to extend or dismiss.

6. Notice period during the Probationary Period

During their probationary period, all employees are entitled to only one week's notice. The decision to dismiss will only be made after the recommended procedure is followed. The employee will have the opportunity to reach the required standard.

The employee can give the Council one week's notice to end their contract during the Probationary Period.

If the Probationary Period is extended, the one-week notice period will continue to apply during the extension. The employee must be given notice of the extension before the end of the original Probationary Period.

After employment is confirmed, the notice periods set out in the employee's written statement of particulars will apply.

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Probationary Procedure

1. Procedure overview – Line Manager’s responsibilities

The line manager has responsibility for monitoring a new employee’s performance and progress during the probationary period. This document outlines the Procedure.

The line manager will ensure that the employee is informed at the start of their employment about what is expected of them during probation. This may include the required job outputs or standards of performance.

The line manager will meet with the new employee to discuss performance, attendance and conduct at regular intervals. A record of performance, targets and learning needs is made on the [Probation Period Record Form](#). It may be referred to in future meetings, and also when making the decision to confirm appointment or otherwise.

All achievements are recorded. Development needs should be identified, and training or support arrangements agreed. The required improvements in performance should be discussed and agreed with time scales.

It is important that the Manager completes the process as close to the recommended timeframes as possible. An example of when this might not be possible include sickness or Annual Leave. Please consult with HR as required.

2. Procedure for review meetings

- Managers should, *as a minimum*, meet with the employee at the recommended intervals outlined below as a minimum. In some cases, more frequent meetings may be necessary.
- A [Probation Period Record Form](#) must be completed at all meetings.
- The purpose of each meeting is for the manager and employee to review work and training to date; standards expected and reached; identify further training needs; and be clear what is to be achieved by the next review meeting.
- The manager should give clear examples of expected standards and behaviours so that the employee is very clear about what is to be achieved, particularly if the employee is having difficulty understanding how they are falling short of what is expected of them.

3. Probationary Meetings

The employee and the line manager should review and assess the employee's performance, capability, and suitability for the role on regularly during the employee's probation, and again at the end of the probationary period. (Meetings should be held at the timings detailed in [3.2 Meeting frequency](#)).

A clear record should be made of each review meeting by the Line Manager and signed by the employee and line manager. A copy should be shared with the employee. A copy of the record will be shared with HR to be held on the individual’s Personnel file.

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During an employee's probation, the line manager will provide regular feedback to the employee about their performance and progress. If there are any problem areas, the manager will raise these with the employee as soon as possible with a view to resolving them. The line manager is also responsible for providing guidance and support, and for identifying and arranging any necessary training.

When assessing the capability of an employee, Managers should consider whether this is their first job or if they are returning to work after a lengthy spell out of work. These factors may mean it takes them longer to adapt to the working environment.

4.1 Initial 1 to 1 meeting during induction

This takes place during the first 2 weeks of the induction process.

- The manager and new employee meet at a pre-arranged time to discuss how the new employee has settled in and what has been achieved so far, with reference to the induction checklist.
- The manager explains the probation period.
- The manager explains the standards the new employee is expected to achieve with examples for clarity.
- Job related objectives and time scales are agreed for achievement by the next meeting.
- Training needs and how these are to be met (either by in house support or formal training being arranged) should be discussed.
- Any issues related to use of ICT or other equipment basic to the job must be addressed.
- The probation review meeting dates are agreed and diarised into the manager and employee's calendars.

4.2 Meeting frequency

Meetings should be held at the following intervals:

Meeting	Week
Initial	By end of week 2
Meeting 1	By week 13
Meeting 2: At this meeting, the manager will inform the employee whether they are making a recommendation to confirm, extend or arrange Case Review	By Week 25

When giving feedback, discuss earlier objectives and whether progress has or has not been made. Use examples where possible.

When setting objectives, try to use the SMART method: (Specified, Measurable, Achievable, Realistic, Timely).

The employee should leave the meeting with a clear understanding of the targets and standards that must be achieved.

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4.3 Support from HR

The Manager can seek support from HR at any point in the process.

If the employee is not meeting the required standards, then the manager may set some SMART goals for the employee to meet in a shorter timeframe. If the manager considers that the employee may need an extension to the probationary period or a case review, then it is recommended they discuss this with HR and agree a course of action. The manager will then need to speak to the employee, for example, to give them an Extension to Probation Letter or an Invite Letter for a Case Review.

4.3.1 Option 1

The employee has not reached the required standard although progress has been made or there have been exceptional circumstances influencing progress, for example, a long absence:

A decision is made by the line manager and Head of Service/Director to extend the probation period and the employee has this explained to them (Appendix 3b: Model Letter- Extension of probation period). This will happen by Week 25.

Dates for further review meetings are agreed.

4.3.2 Option 2

The employee has failed to reach a satisfactory standard. If the employee is still failing to meet the required standard despite reasonable support, then the manager consults with HR and considers moving to the formal Case Review Meeting and dismissal is one of the possible outcomes.

The manager informs the employee of their decision to arrange a Case Review. This is put in writing.

See – [Case Review Meeting](#).

5. Making decisions

By holding regular reviews with the employee as detailed above, the line manager and the employee should have clearly agreed objectives; an example of Best Practice would be for the objectives to be set using the SMART (Specified, Measurable, Achievable, Realistic, Timely) Framework. Other frameworks can be used.

The line manager should discuss any concerns regarding performance, capability, or disciplinary issues with the employee, at the time or at the next Probationary Review Meeting. If there are any ongoing concerns, the line manager must speak to HR.

By week 25, the line manager will have decided either to confirm employment, to extend the probation period or arrange a Case Review Meeting, if required, to consider dismissal.

In the following circumstances, the relevant Manager will issue the following letters:

- If employment is to be confirmed, refer to [Confirmation of Employment](#).
- If the employee is failing to reach the required standard the line manager should discuss the matter with HR before deciding to extend probation or arrange a Case Review.

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- If the Probationary Period is being extended, refer to [notice of extension](#).
- Where dismissal is likely there must be a final meeting (Case Review) before the decision to dismiss is reached. If a decision to dismiss is reached, the employee will receive a letter confirming this. Please refer to [non-confirmation of employment](#).

HR contacts the Line Manager, prior to the expected end date of probation, asking for confirmation of completion of the probation period. It is the responsibility of the Line Manager to ensure it is signed off by the relevant Manager at Executive Team level. The letter and completed record files will be stored on the employee's electronic file.

6. Annual increments and link with probation

Increments are normally awarded each year on 1 April, until an employee reaches the top of their pay grade. If an employee has not completed 6 months service within their current role on 1 April, the increment will be deferred until the next financial year.

If an employee transfers from one role to another, the increment will be awarded on the following 1st April.

7. Extending the Probationary Period

If an employee is seriously failing to meet the required standard by Week 25 (6 months) despite reasonable support, then the manager should consult with HR.

The probationary period can be extended once, for any period *up to* three calendar months in exceptional circumstances. The reasons for the proposed extension should be clearly explained to the employee, including arrangements during the proposed extension. Supervision during any extension should be consistent with the procedure outlined above.

The manager must:

- ensure that every reasonable effort has been made to train and support the employee.
- consider if there are any exceptional or mitigating circumstances to warrant extending the probationary period.
- seek advice from HR about the situation.

If Probation is extended, dates and times of extended probation review meetings are agreed. The timescale may reduce to weekly/fortnightly meetings, to best support and monitor performance. A plan of action is agreed with targets or actions to complete with time scales as in the previous meetings.

All meetings are recorded in writing and follow the format as before.

Before reaching the end of the agreed extension period, the manager assesses the likely outcome and decides either to confirm the appointment or recommend dismissal and therefore move to a formal Case Review Meeting.

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8. The Case Review Meeting

The previous section outlines the procedure when extending the probationary period.

Option 1 – Without Extension

Where the manager believes that there is no reasonable belief that the employee could reach the required standards, even with an extension, then the Case Review can be arranged without an extension.

Option 2 – With Extension

Otherwise, the employee's probation may be extended for up to 3 months. If the manager does not consider that the employee has met the required standards at this point, then a Case Review will be arranged.

Overview

The purpose of the Case Review meeting will be to consider whether, in line with legal options, there are any further actions that the Council and employee can take to assist the employee in continuing their employment or whether the employment should be terminated due to the employee's incapability to perform their duties to the expected standard.

Employees will have the right to be accompanied by a trade union representative or a work colleague.

The employee should be invited to a Case Review Meeting, giving them at least 5 business days' notice. The letter should set out:

- the reason for the meeting
- details of the concerns about the employee's work performance
- date, time, and place of the meeting
- who will conduct the meeting and who else will be present
- the employee will also be informed of their right to be accompanied by a work colleague or trade union representative.

Prior to the meeting, the line manager should prepare a Management Report providing an overview of the employee's performance, the support offered to the employee during the Probationary period, and the potential impact on the service delivery and the team. The report should be supported with evidence gathered during this Probationary Period.

The report and any supporting documentation to be referred to during the meeting should be shared at least 3 business days beforehand. The employee must also provide any documentation they wish to be considered to the hearing manager and line manager at least 3 business days before the meeting.

The line manager will explain how the employee's performance has continued to be assessed as unsatisfactory, referring to specific examples. The line manager will also explain what support or actions have been implemented during the Probationary period.

The employee and their representative will have the opportunity to explain any mitigating circumstances.

At the meeting, the manager will ask questions necessary to:

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- establish the reasons for continued under-performance including any underlying reasons
- assess if the poor performance is due to lack of capability, skills, ability and/or knowledge
- establish what actions have been taken by the Authority and the employee to achieve the expected standards
- establish what actions have been taken to support the employee in seeking alternative employment, if appropriate
- consider medical advice received, if appropriate
- establish and consider the impact of employee's lack of capability on service delivery.

This list is not exhaustive, and the weight attached to each will depend on the circumstances of the case.

In all instances, employees will be treated in a fair and reasonable manner, appropriate to their case whilst still ensuring commitment to consistency.

If the Manager considers that the employee has failed to make the required improvements during their probationary period, they will be dismissed.

Where possible, the employee will be informed verbally of the decision, which will be confirmed in writing within 5 business days of the meeting. This will give notice of termination of employment and the date it will take effect from.

9. Appeal

The employee has the right of appeal against the decision to extend their probationary period or the decision to dismiss by following the CPCA's Appeals Policy and Procedure. This will be confirmed

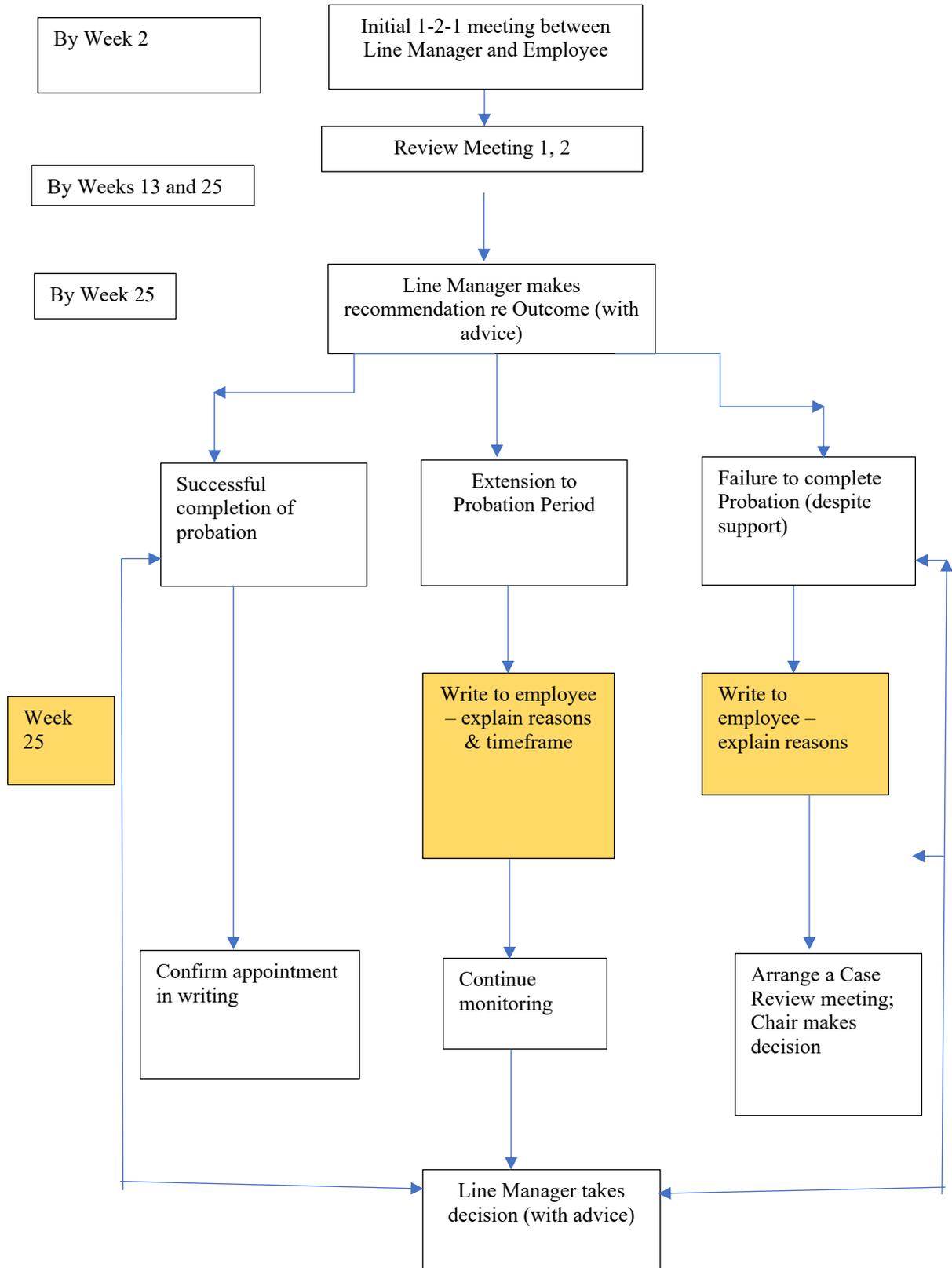
For the Appeal of an extension of a Probationary Period, another senior manager will chair the Appeal, with support from a HR team member. The Line Manager will be present, along with the employee.

10. Further Guidance

For further guidance on the Probationary procedures and applying them appropriately, managers and employees should speak to the HR team.

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11. Appendix 1: Probationary Process Flow Chart



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12. Appendix 2: Probation Period Record Form

Manager:

Team Member:

3/6 Month Review (delete as appropriate)

<p>Where concerns have been identified, please summarise how these will be addressed</p>		
<p>Summarise the employee's performance and progress over the period</p>		
<p>Have the objectives identified for this period of the probation been met?</p>		
<p>Have the training/development needs been identified for this period of the probation been addressed?</p>		
<p>If any areas of performance, conduct or attendance require improvement please provide details below.</p>		
<p>Has the employee successfully passed 3/6-month probation review? (delete as appropriate)</p>	<p>Yes/No</p>	<p>Extension date to be reviewed</p>
<p>Probationary Sign Off</p>	<p>Yes</p>	<p>No</p>

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Employee's Signature:	
Manager's Signature:	
Date:	

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13. Appendix 3a: Model Letter – Confirmation of Employment

Dear **[Employee's Name]**

Re; Confirmation of employment – Job Role

I am writing to you to confirm that you have successfully completed your probationary period and therefore I have pleasure in confirming your appointment as a member of staff in the [] department.

[Under the terms of your contract your notice periods will increase. The organisation will be required to give you **xxx** months' notice to terminate your contract of employment, and you will be required to give the organisation [one] month's notice to terminate your contract of employment.

You are now eligible to apply for Staff Benefits including Payroll deductions through Vivup (e.g. for Home Electronics).

[If you are at SCP xx or above, your position is politically restricted.]

[Your post was subject to a Golden Hello Bonus. As you have now successfully completed your probation, your Golden Hello Bonus payment will be made in XX Month's Pay. If you leave within 2 years, or transfer to another post not covered by the Golden Hello Bonus, you will need to repay the full amount. Please see the Golden Hello Bonus Policy for further information.] [Delete as applicable]

You will receive your increment on **xx date xx**.

In all other respects your terms and conditions of employment remain unchanged.

May I thank you for your contribution to our Service so far, and hope you continue to enjoy your work with us.

Yours sincerely

Name

Title

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14. Appendix 3b: Model Letter- Extension of probation period

Dear **[Employee's Name]**

Re: Extension of the Probation period - Job Role

I am writing to you further to our meeting held on [date] in connection with your probationary period.

As you are aware, during your probationary period it was necessary for [name of individual] to speak to you on [date] in connection with your [performance/conduct], which was viewed by the organisation as unsatisfactory. You were subsequently given a chance to improve during the remainder of your probationary period [and were given further [coaching/training]]. Despite this support, you have still not yet met the standards that the organisation requires for employees of your position. Your [performance/conduct] has fallen short of the required standards in the following ways [define details of how and why performance/conduct has fallen short of the required standards].

For these reasons, you were invited to a meeting on [date] to discuss the problem of your continuing unsatisfactory [performance/conduct] and my proposal to extend your probationary period.

Following that meeting, I have decided that your probationary period will be extended by [number] [weeks/months] until [date].

You agreed at the meeting that you would strive to improve your [performance/conduct]. The organisation will continue to monitor your [performance/conduct] and your progress will be formally reviewed at the end of the extended probationary period. You will be expected to meet the following objectives [define improvement required], and you will be provided with the following training to assist you to meet these objectives [describe any training, coaching and/or any other development activities that will take place during the period of extension].

If you fail to make sufficient progress either during or by the end of your extended probationary period, this is likely to result in your dismissal. Please be aware that the organisation will not extend your probationary period again.

You have the right to appeal the decision to extend your probationary period. If you wish to appeal, you should do so in writing within ten business days of this letter, writing to the HR Manager, stating the grounds for your appeal.

Yours Sincerely

Name

Title

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15. Appendix 3c: Model letter – Non - confirmation of employment

Dear []

Notice of termination of employment because of unsuccessful probationary period

Following [our discussion/the performance dismissal hearing held] on [date], I am writing to confirm the termination of your employment.

The [discussion took place/hearing was convened] because of concerns related to your performance during your probationary period. On [date], we wrote to you explaining that the required improvement had not been made or maintained [and that we were considering cutting your probationary period short]. Specifically, we had concerns that [set out a brief description of the performance issues identified].

At the Case Review meeting, you were provided with an opportunity to ask questions, comment on the issues and to put forward any explanation for the matters identified as amounting to poor performance during your probationary period. You explained [briefly summarise the key points made by the employee].

However, I have found that the level of your performance has continued to be below the minimum standard required during your probationary period.

You have been provided with extensive support and an opportunity to improve during your probationary period.

[You were warned by letter dated [date] that a failure to make the required improvements during the remainder of your probationary period would result in your dismissal.]

This letter gives formal notification of the termination of your employment.

Notice period

You are entitled to one weeks' notice of termination, under your contract of employment. Your last day of employment will be [date]. You will be paid up to that date in the normal way. A sum constituting your pay in lieu of notice, less income tax and national insurance contributions, will be transferred into the bank account into which your wages are normally paid.

Holiday pay

We note that you will have accrued [number] days' holiday on your termination date. You have taken [] days.

This means that you are entitled to a payment in lieu of [number] days' accrued and untaken holiday. This payment will be paid to you with your final instalment of pay, less income tax and national insurance contributions.

[OR

This means that you have taken [number] days' holiday in excess of your accrued entitlement. In accordance with your contract of employment, we will deduct the corresponding amount from your final instalment of pay.]

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Expenses

We will reimburse any claim for expenses outstanding at the termination date. Please submit your expenses claim, in the usual way, by no later than [date].]

Company property

We ask that you return all property that belongs to the organisation by [date]. Items that should be returned to your manager include [list the appropriate items, and expand on them as necessary].

Right to appeal

You have a right to appeal against this decision in accordance with the Probationary Policy. If you wish to appeal, you should do so in writing to the HR Manager by [date/10 business days from the date of this letter]. Your written notice should state the grounds on which you believe that the decision was flawed or unfair.

Yours sincerely

Name/Title.

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16. Governance – Probationary Policy

References:
Appeal Policy
Disciplinary Policy
Capability Policy
Organisational Change Policy

Issue date:	2023
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Document Control Sheet

Purpose of document:	This policy is designed to ensure that staff are supported to achieve a high standard of work output and satisfaction, and that there is a consistent approach.
Type of document:	Policy
Document checked by Legal	No
If applicable, has an initial Equality Impact Assessment (EIA) been completed?	Yes
Document lead and author:	HR Team
Dissemination:	
What other documents should this be read in conjunction with:	Guidance documents listed in policy
Who will review the document (job title):	HR Team
Why is this document being reviewed?	N/A
Mandatory read	Yes