

## **PROBATION POLICY & PROCEDURE**

### **1 INTRODUCTION**

Whilst the University of Northampton Enterprises Limited (UNEL) expects its employees and staff to comply with this policy, it does not confer contractual rights or form part of any contract of employment and may be amended by UNEL or replaced at any time. Breach of this policy may be addressed via UNEL's Disciplinary Policy and Procedure and Code of Conduct.

This policy will be reviewed by the Human Resources department on a 3-year basis or amended in response to changes in future legislation and/or case law.

### **2 OWNERSHIP**

The Human Resources department owns and manages this policy on behalf of The University of Northampton Enterprises Limited (UNEL).

### **3 ORGANISATIONAL SCOPE**

This Probation policy is a corporate policy and applies to all employees (and workers, as applicable) of UNEL, subject to any qualifying conditions.

### **4 POLICY STATEMENT**

- 4.1 UNEL is committed to supporting and developing its employees and recognises that the probationary period is an essential part of this process.
- 4.2 The purpose of a probationary period is to provide a framework for assessing a new employee's adjustment into their job, and for identifying and resolving any problems which may occur where possible.

- 4.3 Full support will be given to new employees to try to resolve any problems identified and to try to facilitate their achievement of full competency in their job by the end of the probationary period.

## 5 KEY PRINCIPLES

- 5.1 Unless specified otherwise in the contract of employment, probationary periods are for a 6 or 12 month period depending on the employees job grade (see table below).
- 5.2 Review meetings will be held at set intervals depending on the length of the overall probationary period (see table below).

Job Type and Grade	Length of Probationary Period
<ul style="list-style-type: none"> <li>• UNEL, grades 1 - 8</li> </ul>	<ul style="list-style-type: none"> <li>• 6 months (reviews after 2, 4 and 6 months)</li> </ul>
<ul style="list-style-type: none"> <li>• UNEL, grade 9 and above</li> </ul>	<ul style="list-style-type: none"> <li>• 12 months (reviews after 3, 6, 9 and 12 months)</li> </ul>

- 5.3 Probationary periods are for use with employees who are new to UNEL only and would therefore not usually be used when an existing employee moves from one internal post to another.
- 5.4 However, in circumstances where an employee has been employed on a temporary or fixed-term contract and has not previously had a probationary period, they will be required to have a probationary period on commencing a permanent role.
- 5.5 If an existing employee moves to a new job internally and problems with their performance become evident, the situation should be managed via the Performance Management Procedure.

5.6 Unauthorised audio recording of conversations is prohibited. Anyone in breach of this may be subject to disciplinary action.

## **6 PROCEDURE**

6.1 During the probationary period the employee's line manager is responsible for ensuring that the following process and steps take place:

- the new employee completes all of their Induction (both University/UNEL Wide and their Local Induction), in accordance with the Induction Guidance (both for Managers and for New Employees) and with the Local Induction Checklist (see Associated Documents at end). Completion of Induction is mandatory in order to successfully pass the probationary period;
- management expectations and probationary performance objectives are understood and agreed by the new employee and recorded on the Probation Period Report Form (see Associated Documents at end), and that the employee's progress against the objectives is reviewed and recorded in each set Probationary Review meeting;
- any training or development required for the employee is completed in conjunction with Staff Development and any timings specified in the Local Induction;
- regular but informal supervision/one-to-one meetings are set up with the new employee (in addition to the Probationary Review meetings held at the set intervals), to take place on a monthly basis or more frequently if necessary;
- regular constructive feedback is given to the employee in the supervision/one-to-one meetings, and that they have the opportunity to ask questions or ask for additional support;
- appropriate solutions to problems or difficulties that might be identified are discussed and the line manager provides guidance, direction or instruction as appropriate.

## Probationary Review Meetings

- 6.2 Probationary Review Meetings will normally be held between the employee and their line manager and the employee would not normally be expected to be accompanied. However, on occasions the presence of a third party may help to facilitate communication between the two parties, particularly if English is not the employee's first language, but in such cases agreement must be sought by both parties in advance.
- 6.3 If an employee has a disability and requires assistance, reasonable adjustments will be made in line with statutory requirements.
- 6.4 All efforts must be made by both the employee and the line manager to arrange meetings sufficiently in advance to facilitate thorough preparation.
- 6.5 Line managers are specifically responsible for ensuring that:
- each Probationary Review Meeting takes place at the appropriate set time (based on overall length of probationary period - see table above);
  - an assessment of the employee's overall progress is undertaken in each Probationary Review Meeting, in line with the headings detailed on the Probation Period Report Form;
  - during each Probationary Review Meeting the employee's overall progress against their agreed objectives is reviewed;
  - fair and constructive feedback is given to the employee highlighting achievements and, where applicable, areas of concern; using suitable examples to illustrate the points for the employee;
  - the employee is encouraged to identify areas of difficulty and ways of resolving them, which must be clearly defined and agreed with their line manager;
  - that the Probation Period Report Form is completed at each Review Meeting and is submitted to the Human Resources department.

## Final Probationary Review Meeting

- 6.6 Line managers must ensure that the Final Probationary Review Meeting is held with the employee at the appropriate time, and that their progress against their objectives and throughout the probationary period is reviewed.
- 6.7 The line manager should inform the employee as to whether they have passed their probationary period or not, and that any decision will be confirmed to them in writing.

## Extending a Probation Period

- 6.8 If at the time when an employee's Final Review meeting is due, their line manager wants to extend the employee's probation period, they should discuss the situation with an HR Representative to agree the most appropriate course of action.
- 6.9 The probationary period will only be extended in the following situations:
- exceptional circumstances where an unavoidable situation has occurred either as a result of the employee or of UNEL. For example, where an employee's approved absence during the preceding months has prevented them from achieving their agreed objectives/standard of work or behavioural performance required for their job;
  - where an employee has not fully achieved an appropriate level of progress but their line manager has evidence to suggest that they will be likely to improve sufficiently enough, with a further period of probation;
  - where an employee has failed to achieve all of their Induction Plan/ completed all of the induction training and has a justification for not achieving it, approved by their line manager.
- 6.10 Once the line manager has agreed with their HR Representative that they will extend an employee's probation period, they will confirm this to the individual in the Final Review meeting, informing them of the following:
- the reason/s for the extension including provision of appropriate feedback;

- clear objectives and identification of any training or development needs, or any other form of support;
- the length of the extension and the date by which an improvement must be achieved;
- when the employee's progress during the extended probation will be reviewed;
- that UNEL may terminate the individual's employment if they fail to successfully complete their extended probation.

6.11 The length of any agreed extension may vary depending on the job and the circumstances but will normally be for no longer than 1 – 3 months in duration.

6.12 Except in exceptional circumstances, probationary periods cannot be extended for the purpose of generally dealing with poor performance as this should already have been addressed during the probationary period and at each of the review meetings.

6.13 An extended probationary period will be deemed successfully completed when the employee has demonstrated satisfactory performance or completed the induction training by the end of the timeframe agreed. This will be confirmed to them in another Final Review meeting as well as ultimately, in writing.

#### Failure to a Pass Probationary Period

6.14 If an employee fails to pass their probationary period (whether after an extension period or not), they will be invited, in writing, to attend a meeting to discuss the ongoing cause/s for concern and the subsequent reason/s for the line manager's decision not to pass their probation, and the employee will be given the opportunity to state their case.

6.15 The employee will normally be provided with 5 working days' notice of the meeting date.

- 6.16 The employee will be advised in their meeting invitation of their right to be accompanied at the meeting by a work colleague or a trade union representative and the line manager may be accompanied by an HR representative or a colleague of the same grade in order to take notes on their behalf.
- 6.17 The employee will also be advised that the outcome of the meeting may result in the termination of their employment.
- 6.18 Following the meeting, the employee will be informed of the decision in writing, which may be to give notice to terminate their employment, and this will be communicated as soon as possible (normally within 5 working days). The employee will also be notified of their right to appeal against the decision.
- 6.19 In cases of severe misconduct during a probationary period, employment may be terminated UNEL by giving contractual notice in writing to the employee, in accordance with the disciplinary procedure.

#### Right of Appeal

- 6.20 Upon receipt of the written outcome from the meeting being to give notice to terminate the individual's employment, the individual may appeal that decision. If they wish to appeal they should do so in writing, setting out the grounds of their appeal, and should address it to the Director of Human Resources.
- 6.21 The Director of Human Resources will nominate an appropriate senior manager to hear the appeal, within a reasonable period of receiving the appeal letter. The appeal meeting will normally take place before the dismissal takes effect.
- 6.22 Following the appeal hearing, the appeal manager will inform the employee of their decision in writing, normally within five working days of the appeal meeting. The written confirmation should also confirm that this constitutes the final stage of the UNEL procedure and that there is no further right of appeal.

## **7 ASSOCIATED DOCUMENTS**

- 7.1 Probation Period Report Form
- Local Induction Checklist
- Induction Guidance for Managers
- Induction Guidance for New Employees