

## **Probation Policy and Procedure**

### **1 INTRODUCTION**

Whilst the University 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 the University or replaced at any time following appropriate consultation and negotiation with recognised trade unions. Breach of this policy may be addressed via the University'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.

### **3 ORGANISATIONAL SCOPE**

This Probation policy is a corporate policy and applies to all newly appointed employees (and workers, as applicable) of The University of Northampton including any wholly owned subsidiaries, unless an alternative policy exists, subject to any qualifying conditions.

### **4 POLICY STATEMENT**

- 4.1 The University of Northampton 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 The length of the probation period will be outlined in the terms and conditions of employment but unless specified otherwise 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).

<b>Job Type and Grade</b>	<b>Length of Probation Period</b>
Support jobs up to Grade 6	6 months (Reviews after 2, 4 and 6 months)
Support jobs Grade 7 and above All academic jobs	12 months (Reviews after 3, 6, 9 and 12 months)

- 5.3 Probationary periods are for use with employees who are new to the University 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 or a probationary period of the appropriate length, they will be required to have a probationary period on commencing a permanent role.

- 5.5 In cases where a member of staff has been redeployed to another post within the University, a trial period will be a more appropriate method of ensuring that the redeployment is satisfactory to both the individual and the Faculty/ department. Please see the Redeployment Policy and Procedure for further information.
- 5.6 Staff who have successfully passed their probation in one post at the University who then move to a different post will not be subject to a further, formal probation process in their new post. It is important to ensure that an effective induction for the new post is carried out, that objectives are set and that performance is reviewed.
- 5.7 If an existing employee moves to a new post internally and problems with their performance become evident, the situation should be managed via the Performance Management Procedure.
- 5.8 Unauthorised audio recording of conversations is prohibited. Anyone in breach of this may be subject to disciplinary action.

## **6 PROCEDURE**

- 6.1 When a manager has a new employee, they should ensure that an induction programme is in place prior to the employees start date. Objectives should be set and provided to the employee to ensure that expectations regarding standards of performance are clear and that appropriate support, training and guidance is in place. This should be in line with the job description.
- 6.2 The manager should arrange an initial meeting with the new employee ideally during their first week of employment to help them to understand the standards required of them and that activities carried out during the job induction may be used to document the employee's performance during the probationary period.

- 6.3 At the initial meeting the manager should clarify the duties and responsibilities in line with the job description, and talk through the probation procedure and the induction process in accordance with the Probation Procedure and Induction Guidance (both for Managers and for New Employees) and with the Local Induction Checklist (see Associated Documents at end). Completion of Induction including all of the mandatory training is mandatory in order to successfully pass the probationary period.
- 6.4 Probation objectives should be agreed and recorded, with timescales outlined, on the Probation Period Report Form.
- 6.5 The manager should ensure that any training or development required for the employee is completed in conjunction with Staff Development and any timings specified in the Local Induction.
- 6.6 The manager should arrange regular and informal one-to-one meetings 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. This is so that regular constructive feedback is given to the employee and that they have the opportunity to ask questions or ask for additional support. This also allows the opportunity for any problems or difficulties to be discussed and resolved at the earliest opportunity.

### **Probationary Review Meetings**

- 6.7 Throughout the probation period an employee's performance and conduct should be subject to assessment by their line manager within a supportive and developmental context.
- 6.8 It is the responsibility of the manager to carry out formal probationary review meetings in a timely fashion. Formal reviews should be at the appropriate set time (based on the table in 5.2).

- 6.9 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 , but in such cases agreement must be sought by both parties in advance.
- 6.10 If an employee has a disability and requires assistance, reasonable adjustments will be made in line with statutory requirements.
- 6.11 Probationary review meetings should be set up in advance so that both parties have time to prepare for the meeting.
- 6.12 As part of the Probationary Review meeting, line managers should:
- Acknowledge good performance and achievements so far.
  - Discuss the employee's performance against the requirements of the position detailed in the job description.
  - Discuss the employee's performance against any objectives set at previous meetings.
  - Review training requirements, especially the mandatory training requirements and agree any further development needs.
  - Identify any areas of performance, conduct, attendance that need improving, using suitable examples to illustrate the points – identifying the standards required and how these can be achieved.
  - Provide support and guidance targeted towards enabling the employee to meet the objectives.
  - Be sensitive to issues of equality and inclusion, seeking guidance as appropriate.
  - Review time keeping and attendance, including any sickness absence.
  - Confirm the date for the next review meeting.
  - Document the details of the meeting on the probation form, ensure the form is signed by both parties and send a copy to Human Resources.

### **Difficulties during Probation**

- 6.13 Line managers should discuss with the employee, any difficulties that arise at the time when they occur, rather than leaving them until a scheduled probationary review meeting. Support in managing any difficulties can be sought from the HR contact.
- 6.14 In the first instance the line manager should meet with the employee informally to clarify what the difficulties are in detail, provide evidence/ examples and how the performance, conduct or attendance is falling below the acceptable standard. The employee should have the opportunity to respond to any concerns.
- 6.15 The line manager should discuss the action required to address the problem and set objectives specifying in detail what standards of performance, conduct and/ or attendance are required to reach an acceptable level.
- 6.16 Any training needs or reasonable adjustments for disabled employees should be identified which may help the employee to achieve the objective and dates of when the objective should be met should be set.
- 6.17 The line manager should explain that if the objectives are not met within a reasonable and realistic timescale, following appropriate training and support, it may be necessary to discuss the matter at a formal meeting and this could result in the employee not being confirmed in their post.
- 6.18 The line manager should use the Probation Review form to keep a record of the details referred to in the meeting and ensure that this is signed by both parties.
- 6.19 Where a formal meeting to discuss difficulties is appropriate, advice should be sought from HR. The employee should be invited in writing to attend the meeting, giving them 5 working days notice. Details regarding the problem should be provided, with evidence, where this is available, prior to the meeting.
- 6.20 The employee will have the right to be accompanied at the meeting by a work colleague or trade union representative.

- 6.21 At the formal meeting, the steps carried out in the informal meeting should be repeated. At the meeting, the manager may identify that an extension to the probation period is necessary (See extending the probation period).
- 6.22 Following the meeting, the employee should be given an opportunity to improve their performance and be advised that should they not improve and reach the required standards of performance, conduct and/or attendance by the time of the end of the probation period, they may not be confirmed in post, and could therefore have their employment with the University terminated. If this meeting takes place during an extension period, the employee should be informed a further extension is unlikely.
- 6.23 A letter will be sent to the employee to confirm the details and actions of the meeting,

### **Extending the Probationary Period**

- 6.24 The University reserves the right to extend the probation period in circumstances where due to sickness absence or other authorised absence it has not been possible to assess an employees performance.
- 6.25 In circumstances where the employee has not completed their mandatory training or it is felt that an employee has not yet demonstrated their suitability but is likely to do so given more time, the probation period may be extended.
- 6.26 Extensions could be for a period from 1 month up to a maximum of 3 months depending on the issues being addressed and providing the individual with the appropriate level of time and opportunity for them to achieve the required standards.
- 6.27 Where the probation period is extended, the employee will receive in writing:
- The reasons for the extension
  - The length of the extension period
  - If applicable, any assistance, guidance or training to be given during the extension.
  - Any areas of improvement that are required and how these will be monitored.

- The consequences should they not reach the required standards by the time of the final review meeting e.g. that they may not be confirmed in post and could therefore have their employment with the University terminated.

## **Outcome of Probationary Period**

### Successful

- 6.28 If the mandatory training has been completed, and the performance is deemed to be satisfactory, a final copy of the probation review form should be completed, signed by all parties and forwarded to the HR department.
- 6.29 A letter will be sent to the employee confirming successful completion of their probationary period. The line manager should arrange a meeting with the employee to identify objectives in line with the PDR process.

## **Non-Confirmation of Appointment**

- 6.30 When an employee has not reached the required standards of performance, conduct and/or attendance during their probation, despite efforts to address this, they will be invited to a formal final review meeting to discuss this in order to reach a decision about their suitability for the post.
- 6.31 Where conduct, capability or attendance issues are sufficiently serious and there are concerns that the individual is unable to fulfil the requirements of their contract the procedure detailed in “Difficulties During Probation” may be omitted and the employee will be invited to attend a meeting allowing appropriate notice. The letter should state how they have fallen short of the required standards and should advise them that a possible outcome of the meeting could be the decision not to confirm them in post. In exceptional circumstances, suspension may be considered.
- 6.32 The employee will have the right to be accompanied at the meeting by a work colleague or trade union representative.



- 6.33 At the meeting the manager should:
- Give reasons for considering non confirmation in post – these should be explained clearly.
  - Provide evidence/examples of the problem/ issues to be discussed = where appropriate in advance of the meeting.
  - Allow the employee and/or their representative to respond to the concerns and to ask any questions.
  - Ensure that due consideration has been given to issues of equality and diversity and any other issues relevant to the case.
  - Once all the information has been gathered the meeting should be adjourned for consideration to be given to all the evidence and for a decision to be taken.
  - At the reconvened meeting the manager should state clearly the decision that has been taken and the reasons for it.
- 6.34 Termination of employment during the probation period (original or extended) will be subject to a month notice period or pay in lieu of notice where appropriate.
- 6.35 Where a decision is taken to terminate an employee's employment, the letter to the employee should state the reasons for the dismissal, their final date of employment and notice/ pay arrangements. They will also be advised of their right of appeal.

### **Right of Appeal**

- 6.36 Following notification of dismissal the employee can appeal in writing to the Director of Human Resources within 5 working days. The letter must state precisely the grounds of the appeal.
- 6.37 The HR department will acknowledge receipt of the appeal within 5 working days.
- 6.38 The employee will be invited in writing to an appeal hearing giving at least 5 working days notice. The employee has the right to be accompanied to the hearing by a work colleague or trade union representative.

- 6.39 The appeal hearing will be heard by a panel consisting of 2 members of University Management Team and supported by a member of the HR Business Partnering team normally within 4 weeks of receipt of the appeal.
- 6.40 At the hearing the panel will explain:
- Those present and their roles
  - The purpose of the meeting which is to consider the employees grounds for appeal
  - How the meeting will be conducted
  - The possible outcomes of the hearing.
- 6.41 During the appeal the employee or their representative will be given the opportunity to explain their reason for appeal and any additional evidence.
- 6.42 After the hearing consideration will be given by the panel to either uphold or overturn the original decision.
- 6.43 The decision will be communicated in writing to the employee as soon as reasonably practicable but normally within 5 working days of the appeal hearing. On some occasions it may be possible to adjourn the meeting and provide a response on the same day which will then be confirmed in writing. Where further investigation is necessary the employee will be informed of the timeframe for an expected outcome.
- 6.44 The decision of the Appeal Panel is final and concludes the internal procedure. Employees have no further recourse to appeal within the institution.

## **7 ASSOCIATED DOCUMENTS**

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

## 8 EQUALITY IMPACT ASSESSMENT

An Equality Impact Assessment must accompany this document.

## 9 VERSION CONTROL

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