HAPTC
Hertfordshire Association of Parish and Town Councils

CP Associates

PROBATION BRIEFING

1. General

An offer of employment can be conditional not only for example on receipt of satisfactory references and, if relevant, a medical examination but also on satisfactory completion of a probationary period. The concept of such a period is that it gives both parties time to consider whether both have made the right choice and in essence therefore the suitability of the employee for the job.

Employees need two years' service before they have a right of access to an Employment Tribunal but the usual period of probation is three or six months. However there are a number of exceptions to the service requirement when an employee needs no service to be able to have recourse to a Tribunal for example in a case involving any form of discrimination.

2. Probationary Period

The purpose of a probationary period is therefore to give both parties time to consider whether both have made the right choice and in particular for the employee to establish his/her suitability for the post. Throughout the probationary period therefore the newly appointed employee's work performance and conduct should be regularly assessed in relation to his or her job description.

There are no legal obligations in respect of the period of probationary service, the common approach is to have one of 3 or 6 months, but whatever it is the responsibility of the employer is to define clearly the set of performance standards and the job requirements to ensure the newly appointed member of staff understands what is required. The employer is also responsible for providing guidance and support and ensuring the newly appointed member of staff receives an effective induction and appropriate assistance to meet the required standards. The newly appointed staff will be given suitable guidance and support during their probationary period along with any appropriate development and training opportunities.

A probationary period can be of any length but employers should set out the terms of the probationary service period in the Principal Statement of Written

Terms and Conditions of Employment (contract of employment). During the probationary period appropriate contractual notice rules will apply and confirmation of the appointment will be subject to the satisfactory completion of the probationary service period. During the probationary period the employee will be expected to establish their suitability for the post and successful completion of the probationary period should be confirmed in writing. During or at the conclusion of the probationary period the employment may be terminated in writing by either side if your suitability for the post is not established.

There is no specific notice for such termination required if the employee has worked for less than one month but during the remainder of the probationary service period one week's notice in writing is required by either side. If appropriate the employment may be terminated by summary dismissal on grounds of gross misconduct. The probationary service may extend the probation period after discussion with the employee during the probationary period.

3. Monitoring

Having a probationary period therefore requires a monitoring process to be set in place which should prompt action before the end of the probationary period and which will in turn give the employee sufficient time and opportunity to rectify any concerns. It is recommended that for example if the probationary period is six months the first formal review meeting should be after three months and then at least a month before the end of the period a decision reached to confirm or not the appointment. If serious issues of potential misconduct arise the employee should be informed as soon as those problems arise and addressed if necessary through the disciplinary procedure rather than waiting to rely on the probationary process.

During the probationary period the individual monitoring process set in place with the employee to ensure therefore that his/her progress is continually reviewed, any performance or other employment related issues are addressed and prompt and appropriate management action is taken before the end of the period. Similarly the employee is will be expected to raise any concerns on their part with management during the probationary period. Any concerns to be raised with the employee should be based on fact and reality not just any personal likes or dislikes of the individual employee.

Before the end of the probationary period, the employer needs therefore to consider and discuss the employee's progress and to make a decision:-

(a) to confirm the continued employment on a permanent basis; or
(b) to agree an extension of the probationary period in the event of uncertainty; or
(c) to terminate the employment on notice.

If the probation period is extended the situation should continue to be monitored and an appropriate decision made prior to the end of the extended

period either to confirm the employee's continued employment on a permanent basis or to terminate the employment.

In all cases the situation will be explained and discussed with the employee and the decision then confirmed in writing.

4. Further Advice

If you require any further information of have any questions on the above please contact me as below.

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Appendix "A"

PROBATION REVIEW FORM

Once completed by the employer following the probation review meeting the employee should be given a copy of this document at each stage of their probation and should retain the original to monitor progress against set objectives at follow-up meetings.

Probation Record

Employee name:		
Job Title:		
Grade:		
Department:		
Post Start Date:		
Line Manager:		
	Date Due	**Please tick when completed**
Initial Meeting:		
3-month review:		
6-month review:		

PART 1: Initial meeting

This section should be completed by the line manager within a week of the employee commencing their employment.

SECTION A: Objectives The line manager should identify specific objectives for the employee (for 3 and 6 months, as appropriate) These will be statements of what should be achieved during the probationary period, including indicators of success and timescales for achievement.
SECTION B: Development Plan To support the employee in achieving these objectives, the line manager should identify any training and development needs and specify how and when these needs will be addressed during the probationary period.

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

PART 2 – First review (3 months) - *a second copy of PART 2 of this form may also be used to conduct a 6-month review with an employee whose probationary period is 9 months)*

To be completed by the Line Manager in discussion with the employee.

(Please tick relevant box for each factor)	**Improvement required**	**Satisfactory**	**Good**	**Excellent**
Quality and accuracy of work				
Efficiency				
Attendance				
Time Keeping				
Work relationships (team work and interpersonal communication skills)				
Competency in the role				
If any areas of performance, conduct or attendance require improvement please provide details below.				

Where concerns have been identified, please summarise how these will be addressed during the remaining period of probation.			
Summarise the employee's performance and progress over the period			
Have the objectives identified for this period of the probation been met?	**YES / NO**	**If NO, what further action is required?**	**Review Date**
Have the training / development needs identified for this period of the probation been addressed?	**YES / NO**		
Employee's Signature:			
Manager's Signature:			
Date:			

PART 3 – Final Review (say 6 months)

To be completed by Line Manager in discussion with the employee.

(Please tick relevant box for each factor)	**Improvement required**	**Satisfactory**	**Good**	**Excellent**
Quality and accuracy of work				
Efficiency				
Attendance				
Time Keeping				
Work relationships (team work and interpersonal communication skills)				
Competency in the role				
Have the objectives identified for the probationary period been met?	**YES / NO**	**If NO, please provide details**		

Have the training / development needs identified for the probationary period been addressed?	**YES / NO**	
Summarise the employee's performance and progress over the period		
Is the employee's appointment to be confirmed?	**YES / NO**	
If NO, please provide reasons below and summarise what action has been taken to address any difficulties which have arisen during the probationary period.		
The employee may provide any comments about their experience of the probationary process here.		
Should the employee's probationary period be extended?	**YES / NO**	
If YES, please provide reasons and, where appropriate, specify any areas of improvement required and how these will be monitored.		

Length of the extension (max 3 months):	
New Probation Period completion date:	
Employee's signature:	
Manager's signature:	
Date:	

PLEASE NOTE: At the final review meeting, the line manager should confirm verbally whether or not the employee has successfully completed their probationary period and the outcome of a probationary period will be confirmed in writing.