



Public – To be published on the Trust external website

Probationary Period Procedure

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Contents

1	Introduction.....	3
2	Purpose	3
3	Who this procedure applies to.....	3
4	Related Documents	3
5	Procedure.....	4
5.1	Contract of Employment and Related Policies and Procedures	4
5.2	Record Keeping	4
5.3	Right to Representation	4
5.4	Extension to a Probationary Period.....	5
5.5	Outcome of Probationary Period.....	5
5.6	Right of Appeal	5
6	Definitions	5
7	How this procedure will be implemented.....	6
7.1	Training Needs Analysis	6
8	How the implementation of this procedure will be monitored.....	6
9	References	6
10	Document control (external)	7
	Appendix 1 - Equality Analysis Screening Form.....	8
	Appendix 2 – Approval checklist	11
	Appendix 3 – Probationary Period Assessment Form	13

1 Introduction

This document describes the approach of the Trust to the use of probationary periods. This procedure is critical to the delivery of Our Journey to Change and our ambition to co-create safe and personalised care that improves the lives of people with mental health needs, a learning disability or autism. It helps us deliver our three strategic goals.

This procedure supports the trust to co-create a great experience for all patients, carers and families from its diverse population by providing an assurance we are committed to ensuring new staff are supported to become competent in their role.

This procedure supports the trust to co-create a great experience for our colleagues new to the Trust to become proficient in their role as quickly as possible. The process supports the identification of development needs and how they may be achieved.

2 Purpose

The purpose of a probationary period, together with other measures such as induction, is to provide a consistent means by which new employees can be supported to become effective as quickly as possible and to enable a manager to objectively assess the capability, attitude and potential of the new employee.

Should the required standards of the Trust not be met during the probationary period employment may either be terminated or exceptionally extended.

3 Who this procedure applies to

This procedure applies to all new employees of the Trust with the exception of medical staff, those individuals employed on training contracts such as associate practitioners, trainee healthcare assistants and those engaged on fixed term contracts of no more than six months duration.

Existing Trust staff who take up new posts within the Trust will not be subject to a probationary period nor will individuals who join the Trust due to the application of the Transfer of Undertakings Protection of Employment (TUPE) regulations.

4 Related Documents

[Recruitment and Selection Procedure](#)

[Managing Concerns of Potential Conduct Procedure \(Disciplinary Procedure\)](#)

[Managing Concerns of Potential Poor Performance \(Capability Procedure\)](#)

[Staff Development Policy](#)

[Staff Health, Wellbeing and Attendance Procedure](#)

[Our Journey To Change](#)

5 Procedure

A probationary period is normally a six months period during which the performance, conduct and attendance of the employee will be assessed by a manager against the particular requirements of the role, the Trust's values and behaviours and expected levels of attendance and punctuality.

During the probationary period the employee's performance, conduct and attendance will be **formally** reviewed by the manager at six weeks, twelve weeks, eighteen weeks, and at twenty six weeks and recorded within standard documentation ([Appendix 3](#)).

Where necessary additional support and development opportunities will be provided by the manager.

A decision about whether the probationary period has been successful will normally be made at twenty six weeks however, should there be significant concerns highlighted at earlier review stages, and there is no evidence of the required improvement being made, a decision to dismiss or to extend the probationary period may be taken by the appropriate manager sooner than at twenty six weeks.

5.1 Contract of Employment and Related Policies and Procedures

During the probationary period the employee will be employed on a contract of employment and subject to the same range of Trust policies and procedures as their colleagues, including all relevant operational policies and procedures. Following successful completion of the probationary period the employee will also be covered by the Staff Development Policy

5.2 Record Keeping

It is important that a written/electronic record is kept by the manager of the outcome of every stage of the probationary assessment process and that this record can be accessed by the employee and People Partner Representative.

Records will include the Probationary Period Assessment Form ([Appendix 3](#)) and copies of any letters sent to the employee by the manager concerning a need for improvement, an extension of the probationary period and the outcome of the probationary period review process.

5.3 Right to Representation

An employee is entitled to be accompanied at a probationary period review meeting by a companion should they wish to be. A minimum of fourteen calendar days' notice of each review meeting will be provided by the manager who will take into account the right of the employee to representation when making the meeting arrangements.

It is the responsibility of the employee to arrange for their representative to attend as review meetings will go ahead with or without a representative being present given the importance of adhering to the timetable laid down in this policy/procedure. The option of a Teams meeting to enable any companion to be able to attend, if attending in person is proving difficult can be facilitated.

5.4 Extension to a Probationary Period

A probationary period should only be extended in exceptional circumstances. These may be

- When the performance of the employee has not been satisfactory but further time is regarded as being necessary due to a lack of support, delays in providing making workplace adjustments or the timing of periods of absence eg sickness, maternity, adoption, compassionate leave means that an assessment cannot be fairly carried out within the normal timescale.

Any extension to the probationary period can only be for a short period of time i.e. a maximum of eight weeks. The manager and the employee must both agree to an extension

5.5 Outcome of Probationary Period

Upon completion of the probationary review meetings, including any extension to the probationary period, the manager will either decide that the employee is to take up their post on a substantive basis or recommend that they be dismissed.

This decision/recommendation, with reasons, will be recorded in a letter to the employee to be written and a copy retained by the manager. Where there is a recommendation that the employee be dismissed this will be subject of a written report by the manager which will be considered at a meeting with the appropriate Head of Service/Associate/Deputy/Clinical Director or Director and the employee, at which a decision will be made.

The employee is entitled to be accompanied as stated in section 5.3 of this procedure.

5.6 Right of Appeal

An employee has a right to appeal against a decision made to terminate their employment during, or at the conclusion of, their probationary period. The appeal process to be followed is laid down in the Managing Concerns of Potential Conduct Procedure (Disciplinary Procedure).

6 Definitions

Term	Definition
Probationary period	<ul style="list-style-type: none"> • Normally a six months period during which the performance, conduct and attendance of the employee will be assessed by a manager against the particular requirements of the role, the Trust's values and behaviours and expected levels of attendance and punctuality.
Companion	<ul style="list-style-type: none"> • "The Chosen Companion may be a fellow worker, a trade union representative, or an official employed by a trade union. A trade union representative who is not an employed official must have been certified by their union as being competent to accompany a worker" (ACAS Code of Practice). A fellow worker is an employee of the Trust.

7 How this procedure will be implemented

This procedure will be published on the Trust’s intranet and external website.

Line managers will disseminate this procedure to all Trust employees through a line management briefing.

The People and Culture Directorate will provide advice and guidance on the implementation of the Probationary Period Procedure.

7.1 Training Needs Analysis

Staff/Professional Group	Type of Training	Duration	Frequency of Training
n/a			

8 How the implementation of this procedure will be monitored

Number	Auditable Standard/Key Performance Indicators	Frequency/Method/Person Responsible	Where results and any Associate Action Plan will be reported to, implemented and monitored; (this will usually be via the relevant Governance Group).
1	100% of new recruits will be employed on a probationary period basis and their line manager will undertake the required actions to monitor their progress in post.	On an annual basis an audit will sample a proportion of new recruits paperwork to demonstrate compliance with the procedure.	People and Culture leadership group will monitor actions identified.

9 References

Equality Act Legislation.

Employment Codes of Practice – CIPD

ACAS guidance

10 Document control (external)

To be recorded on the policy register by Policy Coordinator

Date of approval	02 May 2023
Next review date	02 May 2026
This document replaces	Probation Period Procedure HR-0039-v2
This document was approved by	PWG (virtual approval)
This document was approved	28 April 2023
This document was ratified by	JCC
This document was ratified	02 May 2023
An equality analysis was completed on this policy on	24 April 2023
Document type	Public
FOI Clause (Private documents only)	n/a

Change record

Version	Date	Amendment details	Status
v3	02 May 2023	Full review with minor changes including:- Transferred to current template and update to section 5.	published

Appendix 1 - Equality Analysis Screening Form

Please note: [The Equality Analysis Policy and Equality Analysis Guidance can be found on the policy pages of the intranet](#)

Section 1	Scope
Name of service area/directorate/department	People and Culture
Title	Probationary Period Procedure HR-0039-v3
Type	Procedure
Geographical area covered	Trust wide
Aims and objectives	<ul style="list-style-type: none"> To describe the approach of the Trust to the use of probationary periods. To ensure all Trust staff understand the principles of a probationary period. To ensure an equitable approach to all Trust staff during a probationary period.
Start date of Equality Analysis Screening	February 2023
End date of Equality Analysis Screening	24 April 2023

Section 2	Impacts
Who does the Policy, Service, Function, Strategy, Code of practice, Guidance, Project or Business plan benefit?	All Trust staff employed on a probationary period contract.

<p>Will the Policy, Service, Function, Strategy, Code of practice, Guidance, Project or Business plan impact negatively on any of the protected characteristic groups?</p>	<ul style="list-style-type: none"> • Race (including Gypsy and Traveller) NO • Disability (includes physical, learning, mental health, sensory and medical disabilities) NO • Sex (Men, women and gender neutral etc.) NO • Gender reassignment (Transgender and gender identity) NO • Sexual Orientation (Lesbian, Gay, Bisexual, Heterosexual, Pansexual and Asexual etc.) NO • Age (includes, young people, older people – people of all ages) NO • Religion or Belief (includes faith groups, atheism and philosophical beliefs) NO • Pregnancy and Maternity (includes pregnancy, women who are breastfeeding and women on maternity leave) NO • Marriage and Civil Partnership (includes opposite and same sex couples who are married or civil partners) NO • Armed Forces (includes serving armed forces personnel, reservists, veterans and their families) NO
<p>Describe any negative impacts</p>	<p>There is the potential for staff with a disability to experience negative impacts linked to delays in providing essential equipment required to help them to perform their duties. Disabled staff with additional learning needs may also be negatively be impacted.</p>
<p>Describe any positive impacts</p>	<p>The Probationary Period Assessment form includes prompts linked to above which will aid identification and there is the provision to extend the probationary period if required.</p>

Section 3	Research and involvement
What sources of information have you considered? (e.g. legislation, codes of practice, best practice, nice guidelines, CQC reports or feedback etc.)	Equality Act Legislation. Employment Codes of Practice – CIPD ACAS guidance
Have you engaged or consulted with service users, carers, staff and other stakeholders including people from the protected groups?	Yes
If you answered Yes above, describe the engagement and involvement that has taken place	Staff Side Representatives through the Staff Policy Working Group, JCC
If you answered No above, describe future plans that you may have to engage and involve people from different groups	

Section 4	Training needs
As part of this equality analysis have any training needs/service needs been identified?	No
Describe any training needs for Trust staff	n/a
Describe any training needs for patients	n/a
Describe any training needs for contractors or other outside agencies	n/a

Check the information you have provided and ensure additional evidence can be provided if asked

Appendix 2 – Approval checklist

	Title of document being reviewed:	Yes/No/ Not applicable	Comments
1.	Title: Probationary Period Procedure		
	Is the title clear and unambiguous?	Yes	
	Is it clear whether the document is a guideline, policy, protocol or standard?	Yes	
2.	Rationale		
	Are reasons for development of the document stated?	Yes	
3.	Development Process		
	Are people involved in the development identified?	Yes	Staff Policy Working Group
	Has relevant expertise has been sought/used?	Yes	CIPD Employment Guidance Equality Act Guidance
	Is there evidence of consultation with stakeholders and users?	Yes	
	Have any related documents or documents that are impacted by this change been identified and updated?	No	
4.	Content		
	Is the objective of the document clear?	Yes	
	Is the target population clear and unambiguous?	Yes	
	Are the intended outcomes described?	Yes	
	Are the statements clear and unambiguous?	Yes	
5.	Evidence Base		
	Is the type of evidence to support the document identified explicitly?	Yes	
	Are key references cited?	Yes	
	Are supporting documents referenced?	Yes	
6.	Training		

	Title of document being reviewed:	Yes/No/ Not applicable	Comments
	Have training needs been considered?	Yes	
	Are training needs included in the document?	No	
7.	Implementation and monitoring		
	Does the document identify how it will be implemented and monitored?	Yes	
8.	Equality analysis		
	Has an equality analysis been completed for the document?	Yes	
	Have Equality and Diversity reviewed and approved the equality analysis?		
9.	Approval		
	Does the document identify which committee/group will approve it?	Yes	JCC
10.	Publication		
	Has the document been reviewed for harm?	Yes	
	Does the document identify whether it is private or public?	Yes	Public
	If private, does the document identify which clause of the Freedom of Information Act 2000 applies?	n/a	

Appendix 3 – Probationary Period Assessment Form

This form should be completed by managers with all new Trust employees at 6, 12, 18, and 26 weeks after the employee's start date. The form should be completed by the employee and by the manager before each of the review meetings and a final version completed by the manager after the review meeting has taken place. A copy should then be retained by the manager once both parties have signed to agree the content.

Employees Name:		Start Date:	
Job Title:		End of Probationary Period:	
Location:		Managers Name:	
Indicate Which Review This Is		Week: 6, 12, 18, 26, other	
<p>Review of Job Description:</p> <p>Review the job description and person specification with the employee. Explain what the priority areas to concentrate on.</p> <p>If at week 20 and the employee is not meeting most of the requirements of the role, explain why.</p> <p>Priority objectives for next four weeks:</p>	<p>Give examples where employee's performance meets the requirements of role:</p>	<p>Additional notes:</p>	

<p><i>Reasonable adjustments required in the role:</i></p> <p>Are there specific health requirements of the role as detailed in the job description?</p> <p>Are adjustments required in order for the employee to be able to perform to the standard required of the role?</p>	<p><i>Adjustments required</i></p>	<p><i>Adjustments implemented</i></p>

<p><i>Developmental needs:</i></p> <p>Explain priorities concerning areas the employee needs to develop. If additional training is required, state what this is and how this training need will be achieved and by when.</p>	<p><i>Employee's developmental needs are:</i></p>	
<p><i>Strategies for improvement:</i></p> <p>Explain where you feel the employee can improve, giving ideas and strategies for improvement</p>	<p><i>How will improvement be addressed:</i></p>	

<p><i>Timekeeping and attendances:</i></p> <p>Confirm whether you are happy with the employee's timekeeping and attendance. If not, detail why not and outline what change is needed and by when.</p>		
<p><i>Values and Behaviours</i></p> <p>Does the employee live the Trusts values and behaviours?</p> <p>What improvements are required, if any?</p>		

<p>Overall Manager or supervisor comments:</p> <p>Give your overall view regarding the employee's performance.</p> <p>What improvements are required?</p> <p>Is additional training needed?</p>		
<p>Employee's comments on the above assessment:</p> <p>The employee should give their comments in response to this review.</p>		
<p>Review at 20 and 26 weeks:</p> <p>Are you happy to confirm the employee's permanent position in the post (The earliest date that appointment can be confirmed is 26 weeks).</p>	<p>Explain if you are happy to confirm and if not, give reasons why not:</p>	

