

### 1. Introduction

Honiton Town Council operates probation periods for all new employees to create a supportive and positive environment which enables new employees to perform effectively during their employment.

### 2. Purpose

The purpose of this policy is to provide a framework which sets out how to manage the performance and conduct of new employees during their probation period.

The use of probation periods is intended as a supportive and constructive process to allow new employees to:

- understand the organisation, their team/service, their role and how these fit together.
- understand the standards and objectives required for their role.
- demonstrate their skills and abilities for the role.
- learn and adapt to their new job and working environment.

The probation period should enable the organisation to monitor the new employee's effectiveness over a reasonable time frame; to provide feedback, support, and training as appropriate to the new employee; and to help decide whether their employment should continue.

This policy should be used in conjunction with the organisation's HR Policies.

### 3. To Whom This Policy Applies

This policy applies to all new employees.

This policy does not form part of an employee's contract of employment, and the organisation reserves the right to amend or withdraw it at any time.

The probation process can also be used for existing employees who are promoted or transferred into a different role, as it provides a framework for monitoring and support when they take up their new role. However, if there are concerns which need to be addressed during their probation, the organisation's normal capability/disciplinary process should be followed rather than addressing these at a Probation Hearing.

This policy does not apply to Councillors, agency workers, contractors, consultants, volunteers or self-employed individuals engaged by the organisation.

### 4. Terms of Employment During the Probation Period

During the probation period, all the terms and conditions set out in the contract of employment will apply.

The exception to this is the organisation's disciplinary and capability policies. During the probation period, neither of these policies will apply. Any capability or conduct issues will be addressed and dealt with in accordance with the probation process set out below.

## 5. Length of the Probation Period

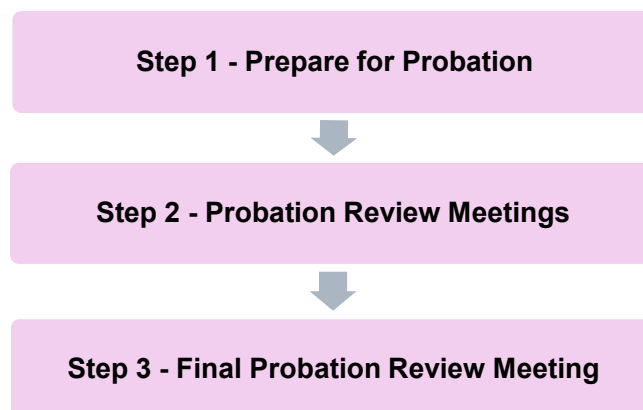
The length of an employee's probation period is specified in their contract of employment and will reflect the requirements of the role. Unless otherwise stated, the probation period will normally be four months.

This may be extended where appropriate to give an additional short period to establish whether they have met the required standards and/or to enable management processes to be followed.

The organisation reserves the right to terminate employment at any time during the probation period. This may occur, for example, where there is sufficient evidence that the required standards of performance or conduct are not being met and are unlikely to be met, or where allegations of serious misconduct have arisen.

## 6. The Probation Process

The probation process is normally split into three key steps, as follows:



A more detailed Flow Chart for the Probation Process is shown in Appendix C. This also shows the process to be followed at/after Step 3, depending on whether the required standards have been fully met, nearly met or not met.

### 6.1. Step 1 - Preparation for Probation

#### Before the New Employee Starts

Prior to the new employee starting in post, the Town Clerk / relevant line manager should review the role to determine the standards and objectives that the employee will be expected to meet during their probation period.

They should also consider what training and support may be needed to help them to achieve the expected standards and objectives, and ensure that this is provided from the start of the probation period. The level of support required is likely to differ depending upon the individual employee.

At this stage, where possible, the Town Clerk / relevant line manager should also schedule dates for all probation review meetings, including the Final Probation Review Meeting. These meetings will normally take place at the end of month 1, at the end of month 2, the end of month 3 and by the end of month 4. The meeting by the end of month 4 will be the Final Probation Review Meeting.

The timings of the probation review meetings can be flexible, taking into account business needs, annual leave, sickness absence etc. However, they should be planned to ensure that the Final Probation Review takes place before the end of the four month probation period.

### Initial Meeting When the Employee Starts

The Town Clerk / relevant line manager should meet with the employee early in their probation period. During the initial meeting they should:

- clearly set out the standards and objectives that the new employee will be expected to meet within their probation period.
- set out the training and support that is planned to enable them to succeed in the role.
- ask the employee whether they have any health conditions, disabilities, or aspects of neurodivergence they wish to disclose, so that appropriate adjustments or support can be considered. If so, discuss what support may be needed and whether involving other colleagues would be helpful in providing this support.
- confirm dates of all probation review meetings.

Where an employee has a disability, the Town Clerk / relevant line manager must discuss with them what support and/or adjustments are needed in order to enable them to perform their role effectively. Reasonable adjustments must be put in place. Where necessary, advice can be sought by carrying out an Occupational Health referral.

## **6.2. Step 2 – Probation Review Meetings**

Probation Review Meetings should be held regularly during the probation period, and at least at the end of month 1, at the end of month 2 and the end of month 3. These will be followed by the Final Probation Review Meeting, which must be held by the end of month 4, as set out in the following section.

The purpose of these meetings is to assess and review the employee's progress and performance against the standards and objectives set during the initial meeting, and to provide support and guidance where improvement is required.

The Town Clerk / relevant line manager should record notes using the Probation Review Form – Appendix A at each probation review meeting, ideally noting the

employee's progress in relation to each standard and objective set, and any actions agreed. A copy of the forms should be retained by both the employee and the Town Clerk / relevant line manager.

### **6.3. Step 3 – Final Probation Review Meeting**

By the end of month 4, the Town Clerk / relevant line manager should hold a Final Probation Review Meeting.

The purpose of the meeting should be to carry out a final review of the employee's conduct, performance, progress and suitability.

The Town Clerk / relevant line manager should again record notes using the Probation Review Form – Appendix A.

However, at the end of this meeting they should **also** complete the Final Probation Review Meeting Record - Appendix B to confirm their view as to whether or not the employee's performance and conduct have been satisfactory.

If performance and conduct are satisfactory – see Section 7

If performance and/or conduct are unsatisfactory – see Section 8

If more time is needed to assess whether or not performance and/or conduct are satisfactory – see Section 9.

## **7. If Performance and Conduct are Satisfactory**

If, by the end of the meeting, it is concluded that the employee's performance and conduct are satisfactory, the Town Clerk / relevant line manager will:

- Complete the Probation Review and Final Probation Review Forms - Appendix A and B.
- Confirm during the meeting that the employee has successfully completed their probation and their appointment is confirmed.
- Write to the employee following the meeting to confirm the above.

## **8. If Performance and/or Conduct are Unsatisfactory**

If, by the end of the meeting, the Town Clerk / relevant line manager's view is that the employee's performance and/or conduct during their probation has been unsatisfactory then they will:

- Complete the Probation Review and Final Probation Review Forms - Appendix A and B.
- Inform them that they will be invited to a Probation Hearing in order to consider whether or not to continue their employment.
- Inform them that their probation period is being extended until the date of the Probation Hearing.

- Write to the employee to confirm the extension and invite them to the Probation Hearing without delay, in accordance with section 10. The hearing should normally take place within one week of the Final Probation Review Meeting.

## **9. If More Time is Needed to Assess Whether or Not Performance and/or Conduct are Satisfactory**

By the end of the meeting, the Town Clerk / relevant line manager's view may be that more time is needed to assess whether or not the employee will be able to meet the required standards of performance and conduct.

Other than in exceptional circumstances, there should only be a single additional review period of up to one month. [For simplicity, the guidance below assumes a one month period.]

Circumstances when a probation period may be extended include, but are not limited to:

- when the organisation considers that an extension may lead to the necessary improvement, or
- where circumstances have not enabled performance to be adequately assessed, or
- where the new employee or line manager has been absent from the workplace for an extended period during the probation period.

In such circumstances, at the end of the meeting, the Town Clerk / relevant line manager will:

- Complete the Probation Review and Final Probation Review Forms - Appendix A and B.
- Inform the employee that their probation is being extended for an additional one month period.
- Set out the objectives to be achieved and/or standards that they will need to meet during this time in order to successfully complete their probation.
- Agree any support, for example further training, that will be provided and plan any additional review meetings to check progress, where relevant.
- Explain that at the end of the one month period a Probation Hearing will take place. The purpose of this will be to decide whether the employee's performance and conduct meet the required standards, and:
  - if they have met the standards, they will be confirmed in post.

- if they have not met the standards by this point, a further extension is unlikely, and a decision may be taken to terminate their employment and issue them with the required notice.

Following the Final Probation Review meeting, Town Clerk / relevant line manager will write to the employee to confirm the above points and invite them to the Probation Hearing on a date at the end of the one month period, in accordance with section 10.

Any additional review meetings during the one month review period should be recorded using the Probation Review Form – Appendix A.

## **10. Probation Hearing**

The purpose of a Probation Hearing is to discuss the employee's performance and/or conduct within their probation period and consider whether or not to continue their employment.

Examples of when a probation hearing may take place include:

- Where serious misconduct/poor performance has taken place at any point during the employee's probation, calling into question whether their employment should continue.
- Where the employee's performance/conduct has not been considered satisfactory at their Final Probation Review Meeting and a final decision is required whether or not to continue their employment.
- Where the employee's probation has been extended for one month, at the end of which a review is needed to decide whether or not they have met the required standards and can be confirmed in post.

### **10.1. Arranging the Probation Hearing**

The Town Clerk / relevant line manager should write to the employee to confirm the Probation Hearing arrangements. The letter should:

- Explain that the purpose of the hearing is to discuss performance/conduct during the probation period.
- Give brief details of the areas of concern.
- Where relevant, include any evidence which shows that the employee's performance has fallen short of an acceptable standard and/or that conduct has been unsatisfactory.
- Inform them that they can, if they wish, be accompanied to the hearing by a work colleague or trade union representative.
- Set out that a possible outcome of this meeting could include dismissal.

The employee should be given reasonable notice of the meeting (ideally at least 5 working days) in writing.

The Town Clerk / relevant line manager may need to seek approval or request participation in this final meeting from the HR Committee, so that the meeting is conducted by someone with authority to decide on all the possible outcomes, including dismissal.

## **10.2. Conducting the Probation Hearing**

The Town Clerk / relevant line manager usually be the deciding officer at the Probation Hearing.

If the above is not the employee's line manager, the line manager will also attend in order to provide information to those making the decision. A note-taker may also be present if needed.

During the hearing, the Town Clerk / relevant line manager will:

1. Outline the purpose of the hearing.
2. Consider the evidence/feedback about the employee's performance and conduct in relation to the objectives and standards required, including the areas of concern.
3. Give the employee the opportunity to discuss their performance and/or conduct and make any other comments, before a decision is made.

Requests for an adjournment can be made by the employee or the Town Clerk / relevant line manager. It is up to the deciding officer to decide whether or not a request should be granted.

## **10.3. Outcome of the Probation Hearing**

The outcome of the hearing may be a decision to do one of the following:

- Confirm that the employee has successfully completed their probation.
- Terminate their employment.
- Extend their probation and schedule another Probation Hearing at the end of this time, as per section 10.4.

The decision outcome from the Probation Hearing should be confirmed to the employee verbally on the day of the hearing. It must also be confirmed in writing, wherever possible within 5 working days of the hearing.

## **10.4. Extended Probation Period Agreed**

Other than in exceptional circumstances, a decision to extend the probation period is not appropriate where it has already been extended beyond the employee's original four month probation period.

In any situation where a decision is reached at the hearing to extend the probation period further, the Town Clerk should ensure that this allows sufficient time to complete the process (including the extended probation period, another Probation Hearing and, in case they are unable to meet the required standards, the employee's notice period) within six months of the employee's start date.

Where an extension is decided upon, the Town Clerk should:

- Explain that the employee's probation will be extended for a further period (up to one month, as long as timescales allow), during which they will be expected to demonstrate that they have met the required standards of performance and conduct.
- Agree any support, for example further training, that will be provided during the extended period of probation and plan any additional review meetings to check progress.
- Explain that a date will be set for another Probation Hearing at the end of the one month review period.
- Explain that the purpose of the next Probation Hearing will be to decide whether during the period of extension the employee's performance and conduct meet the required standards and:
  - if they have met the standards, they will be confirmed in post.
  - if they have not met the standards by this point, a further extension is unlikely, and a decision may be taken to terminate their employment and issue them with the required notice.

When confirming in writing that this is the outcome of the Probation Hearing, the Town Clerk will communicate the above points and also invite the employee to another Probation Hearing on a date at the end of the one month period.

Any additional review meetings during the one month review period should be recorded using the Probation Review Form – Appendix A.

## **11. Representation**

Employees have the right to representation at a Probation Hearing either by a trade union representative or a work colleague.

Representatives have the right to address the hearing. They may also ask questions and present the employee's case. However, they have no right to answer questions on the employee's behalf.

## **12. Dealing with Concerns and Minor Misconduct**

If problem areas arise at any stage of the probation period, the Town Clerk / relevant line manager should raise these concerns promptly, providing constructive feedback and guidance to the employee, and not wait until the next formal probation review meeting to do this.

The Town Clerk / relevant line manager will normally consider minor misconduct issues and resolve them, where possible, without recourse to the formal probation procedure.

However, where allegations of more serious misconduct have arisen or where a previous warning has been given but the required improvement has not been made, this should immediately be referred to Town Clerk and may result in a decision to hold a Probation Hearing before the end of the probation period.

## **13. Probation Process for the Town Clerk**

The probation process for the Town Clerk shall follow the procedure set out in this policy. The planning, initial meeting and Probation Review Meetings will normally be carried out by the Chairman and Deputy Chairman or two members of the HR Committee.

Where a Probation Hearing is required, the decision will be made by a panel of 3 members of the HR Committee. The Chairman and Deputy Chairman or two members of the HR Committee who carried out the Probation Review Meetings should also be in attendance, either as part of the panel or to present the case.

## Appendix A

### PROBATION REVIEW MEETING RECORD

To be completed at all probation review meetings

Job holders Name:	
Job Title:	
Line Manager:	
Date appointed:	
Date of review meeting:	
Stage of probation: e.g. 1/2/3 month, final review, extension period	

Work Objectives	Please give a brief narrative assessment against each, noting how well it is being achieved

Skills	Please give a brief narrative assessment of each skill relevant to the role

- Is any further information/development needed?

- Are there any health conditions, disabilities or aspects of neurodivergence which the employee has disclosed or now wishes to disclose in order for adjustments/support to be considered? If so, what are these and what has been put in place or planned as a result.

**Attendance** (Total sickness absence taken during the probation period)

days

Has attendance (including time-keeping) met the requirements during the probation period?

YES

NO

If no give reasons below

**Induction** (Delete / Amend as appropriate)

- Have all the required induction sessions been arranged and has the Jobholder attended all of them?

**Jobholder's comments**

Record any comments you wish to make regarding your performance during the probation period to date. This may include comments on factors that you feel may have affected your performance or attendance and any training that you think may benefit you.

### Town/ Line Manager comments

Please comment briefly on the Jobholder's performance during the probation to date, indicating areas where improvement is required and any training needed. You can record here other relevant information, such as factors which have affected performance and any skills and knowledge which are not being used in the Jobholder's current post. Indicating areas where improvement is required and any training/support that is required.

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Planned date of next review:	
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Jobholder's signature		Date	
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Town Clerk / Line manager's signature		Date	
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## APPENDIX B

### FINAL PROBATION REVIEW MEETING RECORD

At the Final Probation Review Meeting, complete this form in addition to the Probation Review Meeting Record

#### Indicate below the outcome of the Final Probation Review Meeting:

- confirm the new employee's appointment.
- extend the probation period by one month and set up a Probation Hearing to take place at the end of the extended one month review period. (See note below\*).
- invite to a Probation Hearing to consider whether or not to continue employment. This should take place within one week of today's Final Probation Review Meeting. (See note below\*).

\*NOTE: For the 2<sup>nd</sup> and 3<sup>rd</sup> options above, the probation end date is hereby extended until the date of the Probation Hearing.

#### Town Clerk / Line Manager comments

Please provide details for outcome given:

#### Jobholder's comments

Record any comments you wish to make. This may include comments on feedback, guidance and training, or any special factors that may have affected your performance or attendance.

Your signature is to confirm that the Final Probation Review Meeting has taken place and that you have read and understood the record.

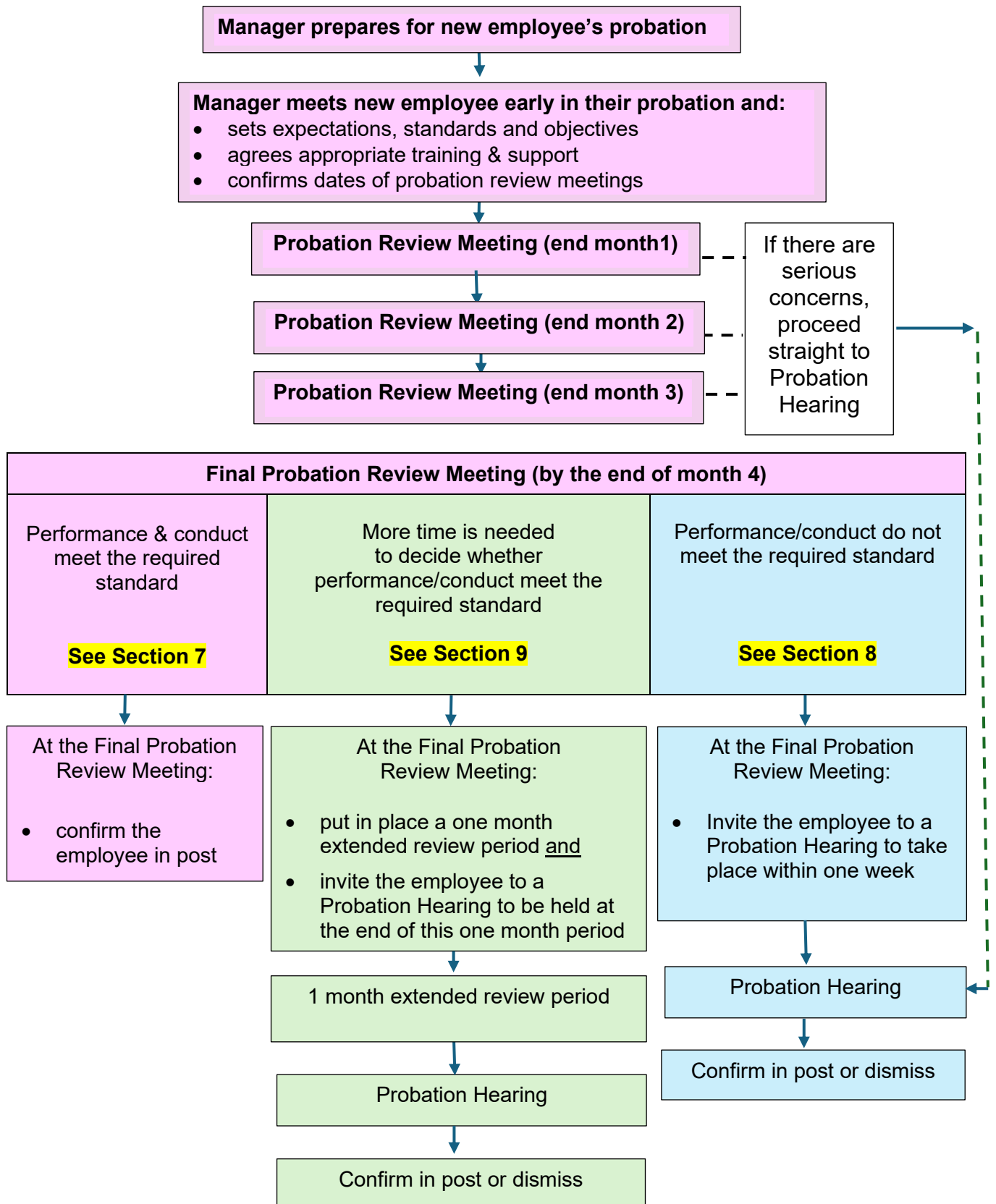
Jobholder's signature		Date	
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Town Clerk/ Line manager's signature		Date	
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When the probation record has been completed a copy should be sent to the Town / Parish Clerk

## Appendix C

## Probation Process Flowchart



Full details of the process to be followed are set out in the relevant sections of this policy as shown above.