

Probationary Periods Policy and Procedure

Ratification Process

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**Cambridgeshire & Peterborough CCG
Probationary Periods Policy and Procedure**

Document Control Sheet

Development and Consultation	This policy was developed by the CCG HR team and consulted upon with senior managers and staff representatives. This policy has been approved through the Joint Consultation and Negotiating Partnership (JCNP).
Dissemination	All new and updated policies and procedures are notified to senior managers via email for dissemination to their staff. Notification is also sent to all staff via the bi-weekly staff newsletters. This policy will also be highlighted within all recruitment documentation to new staff.
Implementation	All staff and managers. Line managers have an additional duty to authorise in accordance with the policy. The OD & HR department has amended all appointment documentation and ensured all recruitment documentation reflects this policy.
Training	The CCG HR team will organise to inform managers of this policy. This policy will be included in all recruitment and selection and management training.
Audit	The CCG HR Team will hold a database of all policies and a reminder will be sent when a policy is due for renewal.
Review	This policy will be reviewed by the CCG HR Team and JCNP every two years, unless an earlier review is required e.g. due to changes in legislation or in NHS direction.
Links with other documents	This policy should be read in conjunction with: CCG Orientation and Induction Policy and Procedure CCG Recruitment and Selection Policy and Procedure CCG Capability at Work and Unsatisfactory Performance Policy and Procedure CCG Appraisal Policy and Procedure

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Revisions

Version	Page/Para No	Description of Change	Date Approved
2	Page 2	Inclusion of reference to CCG Appraisal Policy and Procedure and CCG Orientation and Induction Policy and Procedure	17/11/2015
2	Page 5, section 1.1	Inclusion of reference to existing CCG employees moving to new role within the CCG	17/11/2015
3	Pages 9-16 Appendix 1	Probationary Period Review Form updated to include section for second review at two months	

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1. Introduction

- 1.1. All newly appointed employees to Cambridgeshire and Peterborough Clinical Commissioning Group (CCG) will be subject to a probationary period of three months, with the option to extend to six months depending upon circumstances. The probationary period will not be applied to substantive employees of the CCG who move to a different role within the CCG. For CCG employees who move to another role within the CCG, during their induction period in the new role, there will be provision in the Appraisal Policy and Procedure for their last appraisal to be rolled forward. This will provide the framework for their first three months in the new role.
- 1.2. The purpose of this probationary period policy and procedure is for the organisation and line manager to assess the work of the employee, to allow the new employee to assess the suitability of the role with the benefit of first-hand experience and to determine if the employee is competent to perform their role. In line with the national pay framework, (Agenda for Change NHS Terms and Conditions of Service), all terms and conditions of employment will have continuous service from the first day of employment at the start of the probationary period, not from the end of the probationary period.

2. Legal Position

- 2.1. There is no provision in law for the length of a probationary period. Where an employee has less than two years' continuous service with the current employer at the date of termination then they generally do not have the right to bring a claim for unfair dismissal to an employment tribunal. They may however make an appeal internally if they feel the procedures laid down in this policy have not been followed.
- 2.2. Probationary periods are recognised as a valuable management tool when used correctly. There is a generally held view that successful probationary periods lead to new employees performing well in their new role, as it places a clear responsibility on managers to induct new starters properly and iron out any issues early on.

3. Managing the Employee during the Probationary Period

- 3.1. As part of the orientation and induction process all line managers will be responsible for ensuring the new employee receives regular supervisory support, feedback on their performance, guidance on what needs to be done and the required standards to be reached. Employees will be issued with a contract of employment stating that they have been employed on a probationary period.
- 3.2. All employees will attend the CCG Corporate Induction as soon as possible after they commence employment with the CCG. During their induction process, in the first two weeks, the line manager will discuss expectations of the new employee. The expectations of the new employee will be based on the job description and the

organisational and/or departmental objectives.

3.3. During the new employee's first **two weeks** a date will be set for the first review of performance which should take place after two months. The purpose of this review will be for the line managers to inform the employee of any concerns and to give an indication as to whether the probationary period is proceeding successfully. It will also give the employee the chance to give their view as to the suitability of the job and to seek further guidance and/or clarification of any uncertainties.

3.4. At the second review, if the employee's performance is not satisfactory, they should be made aware that their probation may be extended. At the third review, the duration of the probationary period may be extended to six months if circumstances have arisen that have seriously impacted on the ability of the member of staff to perform their job. This may be due to personal reasons or for reasons within the organisation, but outside of the new employee's control. Please see Appendix 2 for a Probationary Period Extension Template Letter.

4. Concerns during the Probationary Period

4.1. Although a review date will be set during the induction process, it is important that any concerns are brought to the attention of the employee as and when they arise to allow every opportunity to address these concerns.

4.2. If a line manager has concerns about a new employee's performance, a meeting will be arranged to discuss the matter. The meeting will be informal and private. Notes will be taken and any agreed targets or actions will be confirmed in writing within three working days.

5. Support during the Probationary Period

5.1. All new employees need help and support to settle into a new job. The line manager is responsible for ensuring all required training is identified and provided as soon as possible. The line manager is also responsible for ensuring the employee has been booked on to all mandatory training and is made aware of relevant organisational procedures.

5.2. The CCG wants to ensure all probationary periods are completed successfully and therefore all support should be offered to achieve this aim.

5.3. Line Managers can request support and assistance from the OD & HR team to ensure access to support is provided wherever possible during the probationary period.

6. Terminating Employment before the Probationary Period has been Completed

6.1. It will be usual for employees to complete the full three-month probationary period. The length of time has deliberately been set to allow the employee to settle into the organisation, to learn the new job and to receive any training required.

- 6.2. In some circumstances it may be there are some fundamental difficulties with the new starter being able to fulfil the role from day one and, after speaking with the employee, the line manager may feel the difficulties cannot be resolved and regardless of any time frame the employee is not going to achieve the required standards.
- 6.3. In such a situation the line manager will contact the OD & HR team to discuss the possibility of terminating the probationary period early. No decision to terminate employment should be discussed with the employee before the OD & HR team has agreed this decision.

7. Terminating Employment at the end of the Probationary Period

- 7.1. Employees should have been made aware there are concerns about the standards of their performance during the second and third review, before the probationary period ends.
- 7.2. Line managers who think it may be necessary to terminate an employee's contract should contact the OD & HR team at least two weeks before the end of the probationary period to discuss the matter.
- 7.3. At the third review, if the employee's performance has still not improved, a probationary review hearing will be held. The manager should consult with the OD & HR team before inviting the employee to such a meeting. The employee will be invited by letter to the formal probationary review hearing to assess their progress and to decide if their employment is confirmed or not. The letter will outline any areas of concern and attach relevant documentation, as well as advise the employee of their right to be accompanied by a Trade Union representative or a work colleague in a non-professional capacity, and explain the possible outcomes of the hearing. The possible outcomes may include confirming the appointment, extending the probationary period or terminating the post holder's employment if the progress is unsatisfactory. As a formal meeting it is essential that an agenda is followed and that the employee has the right to comment on any concerns which are being raised. If the decision is taken to terminate employment there will be a right of appeal as per that set out in the CCG Disciplinary Policy and Procedure.

8. Confirming Successful Completion of the Probationary Period

- 8.1. It is important to make sure employees at the end of their probationary period are confirmed as successful. The line manager is responsible for informing their employee that they have successfully completed their probationary period. The line manager should confirm this in writing with a copy of the confirmation letter held on the employee's HR personnel file. Please see Appendix 3 for a Successful Probationary Period Template Letter.

9. Terminating Employment after the Probationary Period has Expired

- 9.1. If the employment has not been terminated following this procedure at the end of the probationary period, then any subsequent concerns about the employee's

performance should be addressed using the CCG policies on disciplinary matters, capability or unsatisfactory performance matters or other relevant policies depending upon the matter of concern.

10. Discovery of Irregularities during a Probationary Period

- 10.1. On occasions it may become apparent that an employee has not been honest about their previous employment, experience or qualifications declared during the recruitment process. If this is the case then it is a potential breach of contract and can result in immediate termination of the contract.
- 10.2. In such cases the line manager must discuss the matter at the earliest opportunity with the OD & HR team.

11. Range of problems during probationary periods

- 11.1. Successful performance is wider than successful outputs. A probationary period can be unsuccessful for a number of reasons including, but not limited to: persistent lateness, persistent absenteeism or unacceptable behaviour.

12. Probationary Pitfalls

- 12.1. Extra caution should be taken to deal with matters which, although they may cause concern, can become problematic if used as a reason for ending a probationary period. This includes:
- a. Absences relating to a declared or possible disability;
 - b. Unexpected announcements relating to pregnancy;
 - c. Unexpected requests for carers or special leave;
 - d. Request for flexible working;
 - e. Complaints or grievances about work;
 - f. Trade Union membership or activity;
 - g. Grievances relating to dignity at work.
- 12.2. There also remain a number of reasons for terminating employment which are automatically unfair and do not require two years' service in order to make a claim for unfair dismissal. These include issues relating to discrimination on protected characteristics, health and safety or making a protected disclosure. The OD & HR team will check for this aspect before any decision to terminate employment is taken.

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Appendix 1 - Probationary Period Review Form

Before completing this form, you are advised to read the CCG Probationary Periods Policy and Procedure.

This form should be completed during the employee's probationary period. If there are no concerns the form can be submitted to the OD & HR team at CAPCCG.HRfiling@nhs.net to be placed on the employee's HR personnel file. If there are concerns the line manager should seek HR advice at the earliest opportunity. **The line manager should ensure the employee is given a copy of this document at each stage of their probationary period and should retain the original to monitor progress against set objectives at follow-up meetings.**

Probationary Record

Employee name:		
Job Title and Band :		
Directorate / Team:		
CCG Start Date:		
Line Manager:		
	Date Due	Please tick when completed
Initial Meeting (in first two weeks)		
2 month review:		

3 month review and final sign off or extension:		
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Part One: Initial meeting

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

Section A: Objectives

The line manager should identify specific objectives for the employee for the first three months.) 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.

Set date for two month review	
Employee's Signature:	
Manager's Signature:	
Date:	

Part Two: First Review (after two months)

This is a gateway review which staff must pass through. In the event that there are major concerns at this time then HR advice should be sought and options discussed. The manager and HR should continue to monitor the situation. In all other circumstances the objectives should be reviewed and updated as necessary and feedback provided to the employee on their performance.

Probationary Period Checklist

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

<i>(please tick)</i>	Improvement required	Satisfactory	Good	Excellent
Quality and accuracy of work				
Efficiency/effectiveness				
Attendance				
Attitude to work				
Work relationships – builds good relationships				
Competency in the role				
If any areas of performance, conduct or attendance require improvement please provide details below.				
If 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 Three: Second Review (after three months)

This is the final review before an employee is provided with formal written confirmation they have successfully passed their probationary period. If the probation is successful, the objectives can be updated and transferred to the employee's annual appraisal or six month review (please see the CCG Appraisal Policy and Procedure).

If any concerns have been raised at the first review after two months, these can be reviewed again. At this second review, if the employee's performance or attendance, or behaviour has not improved and is still not considered to be satisfactory, the probationary period can be extended to a maximum of six months. The manager and HR should continue to monitor the situation.

Probationary Period Checklist

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

<i>(please tick)</i>	Improvement required	Satisfactory	Good	Excellent
Quality and accuracy of work				
Efficiency/effectiveness				
Attendance				
Attitude to work				
Work relationships – builds good relationships				
Competency in the role				
If any areas of performance, conduct or attendance require improvement please provide details below.				
If concerns have been identified, please summarise how these will be addressed during the extended 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		
Has employee successfully completed probationary period? (please select as appropriate)		Yes / No – probationary period has been extended to six months	
Employee's Signature:			
Manager's Signature:			
Date:			

Please note: At the second review meeting, the line manager should confirm verbally whether or not the employee has successfully completed their probationary period. The line manager should follow this up in writing with a letter to confirm the decision, using the template letters in the appendices of this policy, as appropriate. A copy should be sent to the OD & HR team at CAPCCG.HRfiling@nhs.net to be placed on the employee's HR Personnel file.

Part Four: Final Review (after six months)

It is only necessary for a manager to complete this section if the employee’s probationary period has been extended from three months to six months (as confirmed at the second review).

This final review should take place at least two weeks before the end of the extended probationary period. If there are continuing issues, HR advice should be sought and options discussed.

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

<i>(please tick)</i>	Improvement required	Satisfactory	Good	Excellent
Quality and accuracy of work				
Efficiency/effectiveness				
Attendance				
Attitude to work				
Work relationships –builds good relationships				
Competency in the role				
Have the objectives identified for the extended probationary period been met?	YES / NO	If NO, please provide details		
Have the training / development needs identified for the extended probationary period been addressed?	YES / NO			
Summarise the employee’s performance and progress over the extended probationary 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.				

<p>The employee may provide any comments about their experience of the probationary process here.</p>	
<p>Should the employee's extended probationary period be confirmed as successful?</p>	<p>YES / NO</p>
<p>If YES, please provide reasons and, where appropriate, specify any areas of improvement required and how these will be monitored.</p>	
<p>If the employee has not successfully completed their probationary period and sufficient improvement been demonstrated during the extended probationary period, the manager should consult the OD & HR team before taking any further action.</p>	
<p>Employee's signature:</p>	
<p>Manager's signature:</p>	
<p>Date:</p>	

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Appendix 2 - Probationary Period Extension Template Letter

Employee Name
Employee Address

Lockton House
Clarendon Road
Cambridge
CB2 8FH

Tel: 01223 725400
Direct: 01223 XXXXXX
Fax: 01223 725401
Email: xxxxxx@xxxxxx

Web: www.cambridgeshireandpeterboroughccg.nhs.uk

Date

Dear [Employee Name]

Probationary Period: Three Month Formal Assessment

Further to our discussions on [date], I am writing to confirm the outcome of your Probationary Period Three Month Formal Assessment.

As a result of this assessment it has been agreed that your probation period be extended for a period of 3 months to [date], to allow for improvements specifically in the following key area:

Itemise in relation to the probationary period checklist as per the Probationary Period Review Form, in consultation with HR.

The extension of your probation period will give you the opportunity to improve in this area. As part of the ongoing probationary process your progress will continue to be monitored and will be reviewed at the end of the extended probationary period. However, if you fail to make sufficient progress either during or by the end of your extended probationary period, this is likely to result in your dismissal. Please be aware that the CCG is unlikely to extend your probationary period further.

If you wish to discuss this at any time, please feel free to contact me on [phone number] or a member of the Human Resources Team on 01223 725482.

Yours sincerely

[Line Manager Name]
[Line Manager Job Title]

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Appendix 3 – Successful Probationary Period Template Letter

Employee Name
Employee Address

Lockton House
Clarendon Road
Cambridge
CB2 8FH

Tel: 01223 725400
Direct: 01223 XXXXXX
Fax: 01223 725401
Email: xxxxxx@xxxxxx

Web: www.cambridgeshireandpeterboroughccg.nhs.uk

Date

Dear [Employee Name]

Probationary Period

I am pleased to advise you that you have successfully completed the three/six month probationary period. I will continue to monitor your progress in the future through the CCG Appraisal Scheme, which will occur as an annual formal meeting and a six monthly review meeting, as well as during our monthly management supervision meetings.

I would like to take this opportunity to wish you continued success in your current role, and in your future career with Cambridgeshire and Peterborough CCG.

If you have any queries regarding this letter, please don't hesitate to contact me.

Yours sincerely

[Line Manager Name]
[Line Manager Job Title]