

**DRAFT VERSION 4**

**Wiltshire Council Human Resources**

**Probationary Periods Policy and Procedure**

This policy can be made available in other languages and formats such as large print and audio on [request](#).

**What is it?**

All new staff will undertake a probationary period when joining the council. Employment will be confirmed only after satisfactory completion of the probationary period.

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There is also a [toolkit of documents](#) including letter templates and guidance notes to use when following this policy.

### **Who does it apply to?**

This policy applies to all staff with the exception of teaching and non-teaching staff employed in locally managed schools.

In matters which involve chief officers and deputy chief officers (corporate directors and service directors) this policy must be read in conjunction with their JNC terms and conditions of employment and [Wiltshire Council's constitution](#).

### **When does it apply?**

It applies to all employees who are new to the Council, during their probationary period.

### **When does it not apply?**

The policy does not apply to transfers between roles within the council to employees with more than 26 weeks' continuous service.

Employees who are part of an organisation which is transferred to Wiltshire Council under TUPE terms are also not expected to undertake a probationary period, if they have more than 26 weeks' continuous service.

In addition, employees who have moved between different local authorities and have continuous service confirmed in their contract of employment with Wiltshire Council will not be expected to complete a probationary period if they have more than 26 weeks' continuous service.

### **What are the main points?**

1. You are required to undertake a period of probationary assessment upon joining the council for the first time as a new employee.
2. You will be issued with a contract of employment by the recruitment team before joining and this contract will confirm the probationary assessment period, normally 26 weeks but for some groups of employees (e.g. Soulbury staff) this may be 12 months in length.
3. The purpose of a probationary period is to ensure that you are able to settle into your new role satisfactorily with regular support and one-to-one meetings with your manager.

4. Your manager will ensure you have suitable, clear, work-related development [objectives](#) during your probationary period. The objectives will relate to the [job description and person specification](#).
5. The probationary period allows additional training needs to be identified by you and by your manager. The probationary period is a two-way process and if you have issues, concerns or have identified additional training needs, you should raise these with your manager as soon as possible.
6. When the probationary period is satisfactorily completed, the council's normal [guidelines for managers – the appraisal procedure](#) will commence.
7. Employees will be treated fairly during the probationary period and review. A consistent process will be followed and applied without regard to age, disability, race, sex, pregnancy and maternity, gender reassignment, marriage or civil partnership status, religion or belief and sexual orientation (otherwise known as protected characteristics).
8. If you require reasonable adjustments to be made in the workplace, your manager may decide to extend your probationary period and hold additional review meetings in order to allow time for these [reasonable adjustments](#) to be implemented. You should identify to your manager should you feel you have reasonable adjustments needed in order for you to carry out your role.
9. This policy should be read in conjunction with the [flowchart - probationary periods](#)
10. This policy applies to temporary and fixed-term employees. A shorter probationary period may be confirmed to you.
11. A probationary period may be extended beyond the normal 26 weeks' period.

#### Probationary review meetings

12. Your manager will hold a probationary review meeting with you at 4, weeks, 10, weeks, 16 weeks, 20 weeks and 26 weeks of employment and where it arises, at appropriate, regular intervals thereafter.
13. Your manager will complete the [template - probationary review assessment](#) after each of these meetings.
14. The probationary review meetings are part of the [guidance for managers - induction procedure](#) and [guidance for managers – probationary periods](#)

Step 1 – probationary review at four weeks

15. If you do not understand what is required of you in your role, your manager will hold a one-to-one with you in order to identify gaps in your knowledge and a plan for addressing these. One-to-one meetings will give you the opportunity to discuss any concerns you may have and to ensure you have understood what is required.
16. Your manager will review with you the job description and person specification, and will explain priority areas to work on, providing you with feedback on your performance to date. Refer to [template – job description and person specification](#).
17. Your manager will set objectives with you with the aim of you achieving the full role, normally within the first 16 weeks of the probationary period. Refer to [guidelines for managers to setting objectives](#).
18. Your manager will complete the [template - probationary review assessment](#), sending a copy to you for your signature, comment and return. A final copy will be sent to the [HR administration team](#).

Step 2 – probationary review at 10 weeks

19. Your manager will repeat the procedure as for step 1.
20. If you identify additional training requirements during your probationary review period, you should raise this with your manager.
21. Your manager will complete the [template - probationary review assessment](#), giving a copy to you for your signature, comment and return. A final copy will be sent to the HR administration team.

Step 3 – probationary review at 16 weeks

22. Unless you are in a specific training role with other longer-term development targets, or unless reasonable adjustments have not been implemented, you are normally expected to be performing at the required level for your role by 16 weeks from the start date of your employment. If this is not the case your manager may seek the advice of an HR advisor before discussing this with you.
23. A probationary review will be held at 16 weeks. There will be one of two possible outcomes:

<b>Option 1: satisfactory performance</b>
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- Your manager will complete a [template - probationary review assessment](#), with a copy to you for your comment and signature. A final copy will be sent to the HR administration team.

**Option 2: your performance is not yet adequate**

- If your manager is concerned that your performance is not at a satisfactory level, your manager will confirm this to you in writing – [template letter - 16 week probationary review](#), within two working days of the 16 week probationary review. A copy of this letter will be sent to the HR administration team.
- Your manager will have identified in the review meeting the areas where improvement is needed as well as agreeing with you what additional training or support you may need in order to address these areas. These will be confirmed in the letter.
- There may be reasons why your performance is not at the required level such as appropriate training not being available or, for example, that you have been absence from work, or that [reasonable adjustments](#) required at work have not yet been fully implemented. In this case your manager may decide to extend the probationary period beyond the 26 week period.
- If your manager feels it is necessary to extend the probationary review period, they will agree this with an HR advisor and will then confirm this in writing to you – [template letter - extension to probationary period review](#).

Step 4 – probationary review at 20 weeks

24. There will be one of two possible outcomes:

**Outcome 1: Acceptable performance**

- If your performance has reached an acceptable level, your manager will remind you of the need to maintain a satisfactory level of performance and conduct. Your appointment can only be confirmed when you have reached 26 weeks of employment. Your manager will complete a [template - probationary review assessment](#), with a copy to you for your comment and signature. A final copy will be sent to the HR administration team.

**Outcome 2: Unsatisfactory performance**

- If you have not reached a satisfactory level of performance, a formal review meeting will be arranged at 20 weeks – [template letter - invite to formal probationary review meeting](#). You have the right to be

- accompanied to this meeting – [guidelines for managers to the right to be accompanied](#). An HR advisor will be invited to attend this meeting.
- Your manager will decide after this meeting whether to extend the probationary review period by between 4-12 weeks. Your manager will confirm this extension in writing – [template letter - extension to probationary review](#), sending a copy to the HR administration team;
  - Your manager will complete a [template - probationary review assessment](#), with a copy to you for your comment and signature. A final copy will be sent to the HR administration team.

Step 5 – Probationary review at 26 weeks

25. Your manager will decide on one of two options:

<b>Option 1: Confirm your role as permanent</b>
<ul style="list-style-type: none"> <li>• Your manager will confirm your role as permanent – <a href="#">template letter - end of probationary review period</a>. A copy will be sent to the HR administration team.</li> <li>• Your manager will send a copy of the final <a href="#">template - probationary review assessment</a> to the HR administration team.</li> </ul>
<b>Option 2: Termination of contract of employment</b>
<ul style="list-style-type: none"> <li>• Your manager will seek advice from an HR advisor before notifying you of their intention to end your contract of employment.</li> <li>• As per the council’s <a href="#">notice periods</a> policy, your manager will confirm the intention to issue you with one week’s notice – <a href="#">template letter - termination of employment</a>. Your manager will send a copy of the final <a href="#">template - probationary review assessment</a> to the HR administration team.</li> </ul>

Step 6 - employees on a 12 month probationary period

26. If your probationary period is 12 months as per your contract of employment, your manager will hold further review meetings with you at 32, 40 and 46 weeks.
27. Your manager will complete the [template - probationary review assessment](#) for each of the meetings at 32, 40 and 46 weeks, sending a copy to you for signature and comment and a copy to the HR administration team.

**Other information:**

Automatic confirmation

28. If your manager does not hold formal review meetings with you, and you reach 26 weeks of employment (or 12 months, as per your contract of employment), your permanent employment with the council will be deemed to have automatically taken place.

#### Appraisal process

29. After completing the 26 weeks or 12 months probationary period successfully, the [appraisal procedure](#) will be followed in the usual way.

#### Disciplinary Issues

30. During the probationary period, you are subject to the [disciplinary policy and procedure](#) as for other employees.

#### Sickness during the probationary review period

31. Should you be off sick for a short period during the probationary period, this will not affect the assessment undertaken by your manager. Your manager may decide to extend the probationary period beyond 26 weeks if you have been off sick for a period of time such that it makes a reasonable assessment of your work difficult.
32. If significant absence is noted at any time during the probationary period, your manager will discuss this early on, referring to the [sickness absence management policy](#).
33. Your manager may need to involve occupational health for an assessment to be made, if health issues are felt to be an issue and so that appropriate support can be made available to you.

#### Other policies – relevance during the probationary period

34. All HR policies and procedures apply as normal, during the probationary period.

#### Unpaid leave during the probationary review period

35. Should you take unpaid leave (agreed by your manager) during the probationary period, your manager may decide to extend the probationary period beyond 26 weeks.

### **Roles and responsibilities**

#### Line manager responsibilities

36. To agree probationary review assessment dates with new employees and to ensure these are undertaken and the probationary period assessment form completed.
37. To create and implement an induction plan. If the employee is a current employee who is transferring internally and is not a new employee, a probationary period does not apply, however managers should ensure an induction plan is still implemented irrespective of length of service.
38. To seek advice from the HR advisor should the new employee not be performing adequately in their role at the 16 week review..
39. To establish objectives for the new employee, to ensure training opportunities are planned and are undertaken by the employee, within the first 26 weeks of starting.
40. To seek agreement with the head of service should a manager below head of service reach a decision to terminate an employee's contract of employment during or at the end of the probationary period.
41. To arrange and chair all formal meetings.
42. To ensure copies of all correspondence with the employee is kept and forwarded to the HR administration team
43. Where required, to carry out a workplace assessment and to ensure any [reasonable adjustments](#) required at work are implemented in a timely manner.
44. If the employee does not complete their probationary period successfully, to establish whether any equipment purchased may be reassigned to another employee, reused by contacting the Equalities and Inclusion Team or whether a refund may be obtained.
45. To keep records of all training undertaken by the employee with the outcome.

#### HR responsibilities

46. To provide guidance and advice to managers on the implementation of this policy.
47. To attend the formal probationary review meeting, where required.

#### Occupational health responsibilities

48. To provide advice and guidance to managers on the outcome of any pre-employment health questionnaire where reasonable adjustments are identified.

#### Employee responsibilities

49. To perform to the best of your abilities at all times.
50. To undertake any agreed training and to endeavour to implement the learning from this training.
51. To raise training and development needs with your manager as early as possible.
52. To identify to your manager if you have a protected characteristic and feel that additional support, training, equipment or adjustments are required.

#### Frequently asked questions

53. **I am a part time employee. Does the normal 26 week (or 12 months) probationary review apply to me?**

Yes you are subject to the normal 26 weeks probationary period.

54. **I am a casual employee and do not work a set number of hours per day or per week. Does the normal 26 week probationary review apply to me?**

If you are a casual employee, you will be subject to a probationary review but this may be extended and confirmed to you in writing, in order to give a reasonable period of time for your work to be reviewed and assessed by your manager.

55. **I have been told that my notice period during my probationary period is only one week. Can you confirm this?**

Your notice period during your probationary period will be as per your contract of employment however generally speaking, most employees are indeed on one week's notice until they have successfully passed their probationary period. Refer to the [policy on notice periods](#).

56. **I require reasonable adjustments at work in order for me to successfully complete my probationary period. Who should I talk to?**

You should liaise with your line manager, explaining clearly what adjustments you feel are required. Your manager will normally carry

out a workplace assessment and if needed, involve Occupational Health, in order to put [reasonable adjustments](#) in place at work. If equipment is required and is not readily available, it may be necessary to extend your probationary period in order that you have adequate time to implement adjustments at work once the equipment is available.

## Definitions

Probationary period	A period of 26 weeks commencing with your start date which allows both you and your manager to assess any specific training needs and to allow you time to settle into the new role. This probationary period will be 52 weeks in length for some employees.
Appraisal process	The council's procedure for setting formal goals with you and for reviewing your performance against those goals on a regular basis.
Probationary review	A meeting with your manager which occurs at 4,10,16, 20 and 26 weeks of employment. There will be further probationary reviews for employees subject to a 52 week probationary review.

## More information

- [disciplinary policy and procedure](#)
- [notice periods policy](#)
- [sickness absence management policy and procedure](#)
- [appraisal procedure](#)
- [reasonable adjustments](#)
- [induction process](#)
- [notice periods](#)

## Equal opportunities

This policy has been Equality Impact Assessed ([link to EIA for policy](#)) to identify opportunities to promote equality and mitigate any negative or adverse impacts on particular groups.

Managers will make any necessary adjustments to ensure that all employees are treated fairly. For further information see the [guidance on equal opportunities in probationary periods](#).

## Legislation

This policy has been reviewed by an internal legal organisation to ensure compliance with legislation and our statutory duties.

## Toolkit

Guidelines:

- [flowchart - probationary periods](#)
- [guidance for managers – probationary periods](#)
- [guidance for managers – agreeing the job description and person specification](#)
- [guidance for managers - the right to be accompanied](#)
- [guidance for managers - equal opportunities in probationary periods.](#)
- [guidance for managers – setting objectives with employees](#)

Forms and letters:

- [template letter - invite to formal probationary review meeting](#)
- [template letter - 20-week review probationary period](#)
- [template letter - extension to probationary period review](#)
- [template letter - end of probationary period letter](#)
- [template letter - termination of employment](#)
- [template - probationary review assessment](#)

## For further advice and information

For further information please speak to your manager, corporate director or contact an HR advisor.

Policy author	HR Policy and Reward Team – MCL
Policy last updated	DRAFT 4 – Version sent to JCC and Staffing Policy.

**Probationary Period Assessment Form**

This form should be completed by managers with all new employees in the council, at 4, 10, 16, 20 and 26 weeks after the employee's start date. For employees on a 12 month probationary period, it should also be used for reviews at 32, 40 and 46 weeks. 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 sent to the HR administration team once both parties have signed to agree to the content.

Employee's name:	Start date:
Job Title:	End of probationary period:
Location:	Manager's Name:
Indicate which review this is: Week 4, 10, 16, 20, 26, 32, 40 or 46.	

<p><b>1. Review of job description:</b></p> <p>Review the job description and person specification with the employee. Explain what the priority areas are 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><b>Give examples where employee's performance meets the requirements of role.</b></p>	<p><b>Additional notes</b></p>
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<p>Priority objectives for next four weeks:</p>		
<p><b>2. Reasonable adjustments required in the role:</b></p> <p>Are there specific health requirements of the role as detailed on the job description? Are adjustments required in order for the employee to be able to perform to the standard required of the role?</p>	<p><b>Adjustments required:</b></p>	<p><b>Adjustments implemented</b></p>
<p><b>3. Developmental needs:</b></p> <p>Explain in what 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><b>Employee's developmental needs are:</b></p>	
<p><b>4. Strategies for improvement:</b></p> <p>Explain where you feel the employee can improve, giving ideas and strategies for improvement.</p>	<p><b>How will improvement be addressed:</b></p>	

<p><b>5. Timekeeping and attendance:</b></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><b>6. Interpersonal Skills:</b></p> <p>Is the employee able to work effectively as a member of a team and relate well to both colleagues, customers/clients/users? What improvements are required, if any.</p>		
<p><b>7. Overall manager or supervisor comments:</b></p> <p>Give your overall view regarding the employee's performance. What improvements are required? Is additional training needed?</p>		
<p><b>8. Employee's comments on the above assessment:</b></p> <p>The employee should give their comments in response to this review.</p>		

<p><b>9. Review at 20 and 46 weeks:</b></p> <p><b>Are you happy to confirm the employee's permanent position in the post. (The earliest date that appointment can be confirmed is 26 weeks.)</b></p>	<p>Explain if you are happy to confirm and if not, give reasons why not:</p>	
<p><b>Employee's signature:</b></p> <p>.....</p> <p><b>Date:</b> .....</p>	<p><b>Manager's signature:</b></p> <p>.....</p> <p><b>Date:</b> .....</p>	<p><b>Received by HR:</b></p> <p><b>Date</b> .....</p>

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