HR62

Probation Policy and Procedure

Review Date: July 2017
1. The Policy

North East Scotland College applies a robust and rigorous recruitment and selection process to identify and recruit skilled and able staff in the right jobs at the right time.

Prior to being offered employment, prospective employees will be assessed via the recruitment process as to their suitability for the position. On accepting the post the assessment process continues to ensure that the person recruited has the right skills and aptitudes to develop successfully in the job.

This assessment process at the start of employment is called the probationary period. It will be one of the conditions of employment that the employee successfully completes their probationary period.

This policy and procedure explains how the probationary period will work and what will happen if at any point during the probationary period it becomes unlikely that the employee will successfully complete their probation.

2. Scope and Purpose

The probationary period provides both parties to a contract of employment with a trial period to ensure that the employer and the employee have made the right choice in offering and accepting employment at the college.

Whilst every effort is made to provide prospective employees with information to self-assess their suitability it is recognised that on rare occasions the employee may not be suitable in the post.

Both the employee and the College must be satisfied that the employee is a good fit in the post.

The purpose of the probationary period assessment therefore will be to provide both manager and employee with a clear view of the skills knowledge and abilities already possessed, and the areas that would benefit from further development or training.

It is recognised by the College that newly appointed staff will often need time to learn what is required in a new post. Therefore the objectives, targets and reviews in the early part of
the probation period will reflect the element of “growing into the job”.

No salary increments will apply during the probationary period.

This policy and procedure applies to all staff employed directly by the college.

This policy and procedure will not apply to established staff where their job performance is causing concern. In their case the College’s Policy and Procedure on Capability will apply.

Staff who move internally from one position to another by job application (except in the case of an offer of alternative employment arising from a job at risk situation where usually a statutory trial period applies) will not be required to satisfy a probationary period. They will however be subject to the setting of objectives, targets and regular supervisory reviews to assess continued suitability.

3. Probationary Timescales

The period of time that a new employee will serve under a probation period will be 6 months.

New staff on short term fixed term contracts will serve a probation period of 6 months.

This timescale may change in situations where an employee:

(a) that even with support, coaching, training and learning it is clear early in the process will not be suited for the post as they are falling far short of their targets and showing little sign of improvement.

(b) Has not been at work for long periods of sickness absence or through significant amounts of sporadic sickness absence it has prevented the adequate assessment of an employee.

4. Procedure

4.1 Initial Meeting

New employees will meet with their line manager who will provide them with essential information and “on the job training”.

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Within two weeks of starting employment the employee’s line manager will agree a date for the first meeting under the probation period. At that meeting the manager and the employee will:

(a) Receive a copy of the probation policy and procedure

(b) Receive the relevant paperwork and forms for the conduct of the scheme

(c) Set out regular review meetings within the first two months of employment and less frequently thereafter if performance is up to standard

(d) Agree some initial targets to assess job performance against criteria derived from the job description and person specification

(e) Agree a date for a lesson observation (only applies to teaching staff). This date is agree between the line manager and Organisational Development. Observation outcomes will be shared with the line manager.

(f) Agree on any training, on the job coaching or any other support in time and materials to enable the employee to perform well in the post.

5. Lecturers

5.1 All new lecturers including those with prior teaching experience and staff transferring from Protocol will have a developmental observation conducted by the Organisational Development team during their probationary period.

5.2 If performance is satisfactory the responsibility for arranging future observations is passed to the Quality team

5.3 If performance is not satisfactory further support and training will be provided by the Organisational Development team and a further observation conducted.
6. Reviews

The line manager must formally meet with new staff on three occasions during the probationary period to discuss performance. Further reviews will take place for staff where line managers have concerns.

<table>
<thead>
<tr>
<th>MINIMUM TIMETABLE FOR PROBATIONARY REVIEWS TO TAKE PLACE</th>
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<tbody>
<tr>
<td>Review 1: 3 weeks</td>
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<tr>
<td>Review 2: 3 months</td>
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<tr>
<td>Review 3: At 6 months (final)</td>
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</tbody>
</table>

For staff on shorter probationary periods Review 2 will become the final review.

The purpose of these reviews is to provide support and to monitor progress.

The employee will be given appropriate notice by the line manager of the date of each formal meeting. To prepare for the meeting they will also be given a probationary review form.

At the beginning of induction, the line manager will explain the purposes of the probationary period. At the first Review Meeting the line manager will discuss the employee’s induction, their work, give praise, discuss any difficulties they are experiencing, and additional support they may need. This will include identifying training and development needs.

The manager will provide feedback to the employee on how they are performing in their post and a Probationary Review Form will be completed.

At the end of the meeting, the manager and employee will agree appropriate targets with time scales where necessary. The manager will forward the Probationary Review Form to the Organisational Development team.
The final review should take place at 18 weeks. However, if there are concerns further optional reviews can take place as detailed in this policy.

6.1 Successful Completion of Probation Period

If the reviews have all demonstrated satisfactory progress and achievement of objectives set, the manager will inform the employee at the final review that they will recommend that the appointment in post is confirmed.

The employee will receive a formal letter from the college confirming this result at 6 months and a copy of the letter will be placed on the employee’s personal file.

6.2 Extension of the Probationary Period

Extensions of the probationary period will be arranged, for example, when:

(a) An employee has not reached the required standard, but it is felt that they may do so given further time

(b) Performance gives concern late in the normal term of probation

(c) A period of ill-health has meant that proper assessment has not been possible.

It would be useful for an extension to be agreed at the third probationary review meeting. Any extension of the probationary period must be agreed with HR and notified in writing to the employee stating the following:

- The reason for the extension
- The improvements that are required
- The final review date (no longer than 3 months)

If the required standard is not met by the review date, the contract may be terminated with the appropriate contractual notice.
6.3 Unsuccessful Completion of Probation

In most situations it would be expected that the suitability of an employee to a post would become evident well before the end of their formal probationary period. In situations where performance is not at the level required employment may be terminated or an alternative position offered that is more suited to the probationers skills.

However, it also recognised that an employee may show promise and progress in the early stages of their probation but as the probation period progresses and the objectives and targets required begin to more fully reflect the skill sets at the level required of the position the employee does not progress as well or under performs. It is likely that in these situations the probationary period may well last the full term (See also extensions above).

Where at the end of the formal probationary period or indeed any sooner the employee’s performance is unsatisfactory, or an extension of probation has not resulted in the required improvement, the manager may recommend termination of the contract of employment and the matter would move to a Final Review Meeting. The manager must consult with Organisation Development and Human Resources and inform the employee of this decision, with reasons during a formal review meeting and confirm in writing.

6.4 Recommendation to Terminate Employment

The line manager will submit a report setting out the reasons for their decision to recommend dismissal to the Head of Human Resources. The report will detail all the support and the agreed action plan provided to the employee during the Probationary period.

On receipt of the report by the Head of Human Resources the employee will be invited by them to attend a Final Review Meeting convened to hear the recommendation to dismiss.

The employee will be advised of their right to representation.
The employee and/or his representative will be invited to address the meeting and give any reasons as to why the recommendation should not be upheld.

The chair of the meeting will adjourn the meeting to consider their decision.

On making the decision the employee will be informed of the outcome and if a dismissal is to take effect the employee will be paid their contractual notice and the dismissal will be effective from the date of the meeting.

The outcome will be confirmed to the employee in writing together with their rights of appeal.

6.5 Appeal

There is no right to appeal against dismissal.
Equality Impact Assessment (EIA) Form

Part 1. Background Information. (Please enter relevant information as specified.)

<table>
<thead>
<tr>
<th>Title of Policy or Procedure. Details of Relevant Practice:</th>
<th>Probation Policy</th>
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<tbody>
<tr>
<td>Person(s) Responsible.</td>
<td>Vice Principal HR</td>
</tr>
<tr>
<td>Date of Assessment:</td>
<td>10/06/2016</td>
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<tr>
<td>What are the aims of the policy, procedure or practice being considered?</td>
<td>Please see section 1 &amp; 2 of the Probation Policy</td>
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Who will this policy, procedure or practice impact upon?
The Policy apply to all staff who meet the qualifying criteria within NESCol.

Part 2. Public Sector Equality Duty comparison (Consider the proposed action against each element of the PSED and describe potential impact, which may be positive, neutral or negative. Provide details of evidence.)

<table>
<thead>
<tr>
<th>Need</th>
<th>Impact</th>
<th>Evidence</th>
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<tbody>
<tr>
<td>Eliminating unlawful discrimination, harassment and victimisation.</td>
<td>This Policy provides a framework to ensure that new employees to North East Scotland College have the opportunity to become familiar with the main duties and tasks of their post and to demonstrate the standard of performance, attendance and behaviour expected of them – this Policy applies equally to all staff irrespective of protective characteristics.</td>
<td>Consulted with LJNC. Government Regulations</td>
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<tr>
<td>Advancing Equality of Opportunity</td>
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<td>Promoting Good relations.</td>
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<td></td>
<td>Advises all staff members what the process and policy is on probation periods within NESCol.</td>
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<td>This policy promotes a positive working relationship between management, HR and all staff in order to ensure all staff are treated</td>
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fairly in regards to the Probation policy.

- A potential barrier could be that an employee with a disability as defined under the Disability Discrimination Act may not be able to attain the standards required during the first 6 months of employment. In such circumstances, consideration could be given to extending the probationary period to allow sufficient time for the employee to meet the standards, or considering if any reasonable adjustments that may be needed in either the workplace or the duties of the role to assist them to reach the required standards.

- All information is on the Intranet – arrangements need to be in place for staff unable to use these medium – e.g. visually impaired.

Part 3. Action & Outcome (Following initial assessment, describe any action that will be taken to address impact detected)

Assistance will be given by HR and Management for any reasonable adjustments in applying this Policy.

HR will be advised of any potential performance issues and will monitor and maintain appropriate records including equal opportunities monitoring data

Sign-off, authorisation and publishing

<table>
<thead>
<tr>
<th>Name:</th>
<th>Alison Kerr</th>
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<tbody>
<tr>
<td>Position:</td>
<td>HR Business Partner</td>
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<tr>
<td>Date:</td>
<td>10/06/2016</td>
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<tr>
<td>Where will impact be published?</td>
<td>On the intranet and from HR</td>
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