

Probation Policy

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Table of Contents

1	Introduction	3
2	Principles	3
3	Duration of Probation.....	4
4	Assessed and Supported Year in Employment (ASYE) Scheme	4
5	Probation Review Meetings	5
6	Formal Review Meeting	5
7	Extending Probation	5
8	End of Probation	6
9	Final Probation Hearing	7
11	Probation Dismissal Appeals.....	8
12	Other Considerations	9
13	Support for employees	11
14	Further References	11
	Appendix A - Manager and New Employees' Responsibilities	12
	Appendix B - Probation Review Meetings.....	13
	Appendix C - Probation Overview	15
	Document Control	16

Probation Policy and Procedure

1 Introduction

- 1.1 The purpose of this policy is to provide clear guidance to support managers with welcoming and settling in new employees into the Council, as well as outlining the new employee's responsibilities as part of the probationary period.
- 1.2 The Council recognises that starting a new job can be challenging and we are committed to ensuring that all new employees are fully supported during their probationary period and feel part of the organisation.
- 1.3 A Probationary period forms part of the onboarding experience and plays an important part of the start of a new employee's career with Haringey Council. The effective management of probation contributes to the development of the employee in line with our Council values.
- 1.4 It provides an opportunity to address and manage any concerns or issues that may arise from the beginning of employment and to provide any reasonable adjustments for new employees who have or are found to have a long-term condition or disability before or soon after commencing employment with the Council.
- 1.5 It is important to be fair, consistent and transparent when managing the probationary period and to provide development opportunities to enable the new employee to effectively fulfil the requirements of their role.
- 1.6 This policy applies to all new employees and apprentices directly employed by the Council on a permanent, fixed-term or temporary contract. It does not apply to any agency workers, contractors or consultants working for the Council.
- 1.7 Teachers and employees working in schools have their own local management and policies to follow.
- 1.8 Any concerns with the performance of agency workers should be raised with Matrix, the Council's temporary resourcing provider.

2 Principles

- 2.1 During the probationary period managers must ensure that they provide training, support and tools to help new employees carry out their job to the required standard.
- 2.2 Managers are required to monitor performance and provide clear feedback to the new employee during each probation review meeting.
- 2.3 The probationary period provides the opportunity for both the manager and new employee to assess objectively if the new employee is suitable for the role.
- 2.4 The manager and new employee have certain responsibilities that they must adhere to as part of the probationary period, as outlined in appendix A. Employee Relations team will provide advice and guidance on managing the probation period.

3 Duration of Probation

- 3.1 All new employees are subject to a six month probationary period, apart from those in Adults and Children's services completing the Assessed and Supported Year in Employment (ASYE) who have a twelve month probationary period. Employees who transfer to the organisation under TUPE are not subject to a probationary period unless they are within probation with their previous employer, in which case this will continue. Further information on ASYE can be found at section four (4).
- 3.2 Employees who have completed a probationary period and are later redeployed or appointed into another role in the Council are not required to complete another probationary period. In these instances, a three month period of support and development will be offered to help the employee adjust into the new role and for redeployees there will be a trial period. Further guidance on redeployment can be found in the [Organisational Change policy](#).
- 3.3 New employees who previously worked as an Agency Worker or Contractor at the Council are still subject to a probationary period effective from the first day of employment directly with the Council.
- 3.4 Any possible extension to the probationary period should be discussed with the Employee Relations team in the first instance. Further information can be found at section seven (7).

4 Assessed and Supported Year in Employment (ASYE) Scheme

- 4.1 Employees who are completing the ASYE scheme are subject to a twelve month probationary period. Employees are only considered to have passed their probation upon successful completion of their ASYE training.
- 4.2 The manager is required to complete ASYE documents instead of the Council's probation forms. Support on how to complete these can be found as follows: Adults [ASYE \(skillsforcare.org.uk\)](#) and Childrens [ASYE Programme](#)
- 4.3 Where a Newly Qualified Social Worker (NQSW) has completed part of the ASYE with another organisation, the employee's probation will last up to the end of the ASYE programme or a period of 6 months, whichever is longer.
- 4.4 If an employee is failing the ASYE this will result in not passing their probation and may result in dismissal. Managers should seek advice from the Employee Relations team.
- 4.5 The probationary period may be extended if the ASYE is extended, for where a Newly Qualified Social Worker has a period of maternity leave or long-term sick leave. Once the ASYE resumes the amount of time outstanding should concur with the outstanding period of the programme, for example seven months if the deferral is agreed at five months into the programme.
- 4.6 The manager must arrange a 'My Conversation' meeting with the employee at six months to support with their development plan.

- 4.7 If a Newly Qualified Social Worker is dismissed during their ASYE period or whose professional practice is of a significant concern the Council has a duty to notify Social Work England. In this instance, the Principal Social Worker should liaise with the Employee Relations team.

5 Probation Review Meetings

- 5.1 The probation review meetings are a pivotal part of the probation period; these ensure that the new employee is provided with support and training required to learn the role and carry out the duties to the required standard. In addition they provide an opportunity for the new employee to raise any concerns and the manager to address any areas of performance, conduct or attendance that do not meet the required standard.
- 5.2 Managers are expected to hold four probation meetings using the [Probation Review Form](#) to ensure that there is sufficient opportunity for both the manager and the employee to review progress and raise any concerns or development needs. Further information on what each meeting should cover is outlined at appendix B.
- 5.3 If required, managers can hold additional review meetings if a performance issue has been identified. If this is the case the employee should be informed as soon as possible. The employee should fully understand the areas of concern, the expected improvements the employee is required to make and within what timescales. In the event improvement is not seen within the set timescale the manager can proceed to a formal review meeting and should seek advice from the Employee Relations team prior to doing so.

6 Formal Review Meeting

- 6.1 The manager can proceed to a formal review meeting where they have set the required standards and an employee continues to perform below the required standard. The Employee Relations team can provide further advice on this.
- 6.2 A formal review meeting can be scheduled at any stage during the probationary period; however, it is advisable that the manager acts as soon as concerns arise. The review period will be a minimum of two weeks to a maximum of three months and an extension of probation may apply if necessary.

7 Extending Probation

- 7.1 Extending the probationary period may be considered in circumstances where there are concerns around performance, conduct or attendance.
- 7.2 Circumstances that would warrant an extension of probation are as follows:
- The manager has been unable to make a fair assessment of the employee's performance due to period(s) of absence from work including but not limited to sickness.
 - The new employee has demonstrated a degree of improvement in their performance; however, it has not been sufficient to confirm successful completion of probation during the six months and an extension would therefore be necessary.

- Where there has been a delay in implementing any reasonable adjustments or there has been insufficient time to assess the effectiveness of the reasonable adjustments in improving the employee's performance.

- 7.3 The manager must discuss the extension of probation with the Employee Relations team at the earliest opportunity to ensure that a fair and supportive management of probation is offered to the employee.
- 7.4 Probation extensions should be for a minimum of one month and a maximum of three months.
- 7.5 The probationary period should not be extended past 12 months.
- 7.5 If a probation is extended, a clear and detailed improvement plan must be communicated in writing to the employee and confirmed during the fourth probation review meeting. The employee must also be given the opportunity to seek clarification on any queries they may have with the improvement plan. The manager must also write to the employee, as soon as possible, notifying them of the probation extension, the duration of the extension, the reason for the extension and providing a copy of the improvement plan.
- 7.6 Extending probation should not be used in cases where the employee has not made significant progress during the original probation review period and where it is likely, that even with an extension the employee will not be able to achieve the required standard to pass the probation. In this case the manager would move to the final probation meeting.
- 7.7 There is no right to appeal against an extension to the probationary period.

8 End of Probation

- 8.1 There are two outcomes at the end of probation, which are as follows:
- Passing Probation
 - Probation Dismissal
- 8.2 Passing Probation:
Before passing probation, employees must have completed all mandatory training, failure to do so will result in probation period being extended. The manager must ensure checklists are completed and that all probation meetings have been documented.
- 8.2.1 Upon successful completion of the probation period the manager is required to confirm this verbally during the final probation review meeting and update the [Probation Review Form](#) to this effect. A copy of the probation review form must be submitted to the HR Operations team via [HALO](#) , in order for Human Resources to write to the employee to confirm that they have passed their probationary period and save a copy to employee file.
- 8.3 Probation Dismissal:
If dismissal is a likely outcome, the manager must consult with the Employee Relations team prior to proceeding with the final probation meeting.

- 8.3.1 Employees who have been through a formal probation review and have not satisfactorily fulfilled the requirements during the probationary period or in a case of misconduct or gross misconduct will be invited to a final probation hearing. Employees must be given at least five working days notice for the meeting. A template letter can be obtained from the Employee Relations team.

9 Final Probation Hearing

- 9.1 Purpose of this hearing is to review the probation case and make a final decision on the employee's ongoing employment with the Council.
- 9.2 The chair of this meeting will be the head of service or above and will decide if dismissal is appropriate. The line manager or another appropriate manager will present the information contained in the probation report.
- 9.3 The employee must be provided with a minimum of five working days notice of the scheduled hearing date. They are responsible for submitting any documents that they intend to rely upon to the Employee Relations team at least two working days before the meeting date.
- 9.4 If the decision is to dismiss the employee, the Chair of the hearing must inform the employee. The employee will be advised in writing within five working days that the dismissal is on the grounds of failing the probationary period and provide information on how to appeal the decision.
- 9.5 Payment of salary will be made in lieu rather than the employee working their one week notice.
- 9.6 Manager must submit a [leavers notification](#) via HALO immediately for the employee to be made a leaver on the payroll system and avoid any overpayment of salary, clearly stating the last working day and last day of service.
- 9.7 If any of the parties are not available at the scheduled time for the meeting, the probationary period may be extended to allow for the probation hearing to be rescheduled. The employee must contact the Chair of the panel at least two working days before the hearing date to advise that they are unable to attend. The employee must prioritise this meeting, as it can only be rescheduled once. Alternatively, the Chair may continue with the hearing without the employee being present, for example in case of sickness this may be considered.
- 9.8 All parties of the probation hearing must inform the Chair or Employee Relations team of any reasonable adjustments; these must be received a minimum of two working days before the hearing date.
- 9.9 It is recommended that the probation hearing is held in person, however in exceptional circumstances it may be agreed to be conducted virtually and this must be mutually agreed by all parties. In the event reasonable adjustments are requested, these will be considered. Further information on reasonable adjustments can be found [here](#).

- 9.10 The Council has the right to record and use a voice recorder to ensure the accuracy of the hearing notes. A copy of the transcript will be available for the employee, as well as a copy being saved to the employee's file. In the event the employee does not wish to have the probation hearing recorded, a written request must be sent to the Chair at least two working days prior to the hearing. In this instance the manager is required to assign an appropriate note taker. If the employee wishes to review the recording from the probation hearing, the employee and representative can review the recording at the Council offices where a member of the Employee Relations team will be present. The recording cannot be copied or recorded on another device.
- 9.11 An employee has the right to be accompanied at a final probation hearing. The statutory right is to be accompanied by a workplace colleague, a trade union representative or an official employed by a trade union.

10 Summary Dismissals

- 10.1 In the event of an occurrence which could be considered gross misconduct, a final probation meeting will be held.

11 Probation Dismissal Appeals

- 11.1 The employee may appeal the outcome of the probation if it results in dismissal of employment.
- 11.2 The possible grounds of appeal are as follows:
- The dismissal procedure was unfair
 - A part or the overall process of the probation was unreasonable.
 - The evidence presented in the final probation meeting was not substantiated and/ or there was no good reason for the Dismissing Officer to accept it.
 - The decision at the final probation meeting is unduly harsh.
 - Submission of new evidence presented by the employee that was not reasonably available at the meeting. The employee must provide valid reasons why it was not presented before.
 - Failure to implement reasonable adjustments during the probationary period which directly or indirectly resulted in dismissal.
- 11.3 The appeal must be submitted within ten working days upon receipt of the outcome letter, this should be submitted via [HALO](#). If an employee does not have access to HALO the appeal should be emailed to humanresources@haringey.gov.uk.
- 11.4 For Officers, the chair of the appeal panel must be a manager more senior than the manager who made the decision to dismiss.
- 11.5 Appeals for Chief or Deputy Chief Officers must be heard by a Member panel and not by an Officer panel. The Employee Relations Team will liaise with the Committee Services team to arrange the date, time and venue for the hearing and will confirm the names of the Members who will form the panel. The process and timescales for Member hearings will normally be the same as for Officer panel hearings but will be subject to the diary commitments of Members.

- 11.6 An employee has the right to be accompanied at an appeal hearing. The statutory right is to be accompanied by a workplace colleague, a trade union representative or an official employed by a trade union.
- 11.7 A member of the Employee Relations team will provide advice to the appeal panel.
- 11.8 There are two possible outcomes:
- To uphold the dismissal decision confirmed at the final probation hearing
 - To overturn the dismissal
- 11.9 The outcome of the appeal will be communicated to the employee in writing within five working days. The decision of the appeal panel is final.

12 Other Considerations

12.1 Fixed term contracts

- 12.1.1 Employees on a fixed term contract are subject to a probation period, passing probation does not mean the employee is a permanent employee, the fixed term contract remains in place.

12.2 Probationary Notice Period

- 12.2.1 The notice period for either party during the probationary period is one week.
- 12.2.2 In the event that employment is terminated on the grounds of gross misconduct or due to a fundamental breach in the contract there is no notice and the dismissal is with immediate effect.
- 12.2.3 If the employee's employment is terminated by the Council under this policy, the employee will not be required to work their notice period and will be paid the notice period in lieu.

12.3 Local Induction

- 12.3.1 Each service will confirm arrangements with regards to local induction including where this will take place. Some training could be required to be in person for all new employees.

12.4 Pregnancy and Probation

- 12.4.1 Following an employee declaring that they are pregnant, the manager must schedule a meeting to discuss any adjustments that may be needed to support the employee, a [workplace risk assessment](#) and any other assessments must be carried out.

12.4.2 An employee who is pregnant during their probationary period is entitled to time off for antenatal appointments. Entitlement to paid maternity/ parental leave is based on eligibility. Further information can be found [here](#).

12.4.3 An employee who is pregnant will still be subject to the probationary period in the usual way, it may be necessary to put in place adjustments following the risk assessment being completed. If it is necessary to extend probation due to not being able to complete the necessary training, this should be discussed with the employee and a clear plan be made to enable the employee to be successful in the role and pass probation. Any performance issues unrelated to pregnancy should be managed in the usual way.

12.5 Sickness and Probation

12.5.1 If the absence from work has meant the employee has not been able to complete sufficient training or demonstrated the ability to perform the role, the probationary period may be extended. If it is felt that the employee will not pass probation, the probationary period will not be extended and a final probation hearing will be arranged.

12.5.2 It may be necessary to consult Occupational Health in the event of an underlying health condition to ensure all reasonable adjustments have been considered to support the employee. The manager should contact the Employee Relations team prior to making a referral.

12.6 Declaration of Disability and Long term Conditions

12.6.1 When an employee declares a disability or long term condition, the manager must refer to the [reasonable adjustments and access to work guidance](#) in order to provide support to an employee in case any reasonable adjustments are required for the role.

12.7 Resignation during probation

12.7.1 If an employee chooses to resign to avoid the formal probation process, they are required to serve a one week notice period. All efforts should be made to conduct and conclude the formal probation process before the end of the employee's notice period.

12.7.2 Any attempts to hinder the probation process will be considered a conduct issue and dealt with appropriately under this policy.

12.8 Misconduct / Gross Misconduct During Probation

In the event misconduct or gross misconduct occurs, a formal meeting will take place to establish the circumstances and a decision made whether to proceed to a final hearing, giving the required notice. The employee may be suspended until the formal hearing.

13 Support for employees

- 13.1 The following resources are available to an employee to access for support / advice.
- 13.2 Trade Union
If the employee is a member of a Trade Union, they can contact them for support and advice during their probationary period. The Trade Union representative can attend final hearings to accompany the employee. Further information can be found [here](#).
- 13.3 Employee Assistance Programme (EAP)
This is a telephone service which can be accessed 365 days a year and offers counselling services covering a variety of topics related to personal, work -related, health or legal issues. This is a confidential service; an employee will only need to declare which directorate they work in. This service is available to employees who are on a permanent, fixed term or temporary contract. Further information can be found [here](#).
- 13.4 Occupational Health (OH)
A manager can refer the employee to Occupational Health for further support in managing any physical or mental health during the formal probation procedure, subject to an employee's consent. Where appropriate, it may be beneficial for the manager to conduct a [stress risk assessment](#) to ensure that any risk related to stress can be managed.
- 13.5 Mental Health First Aiders (MHFA)
These are colleagues across the Council that have been trained to support employees. Further information can be found [here](#).
- 13.6 Virtual Meeting or Hearing
For employees requesting a virtual meeting or hearing information can be found on the [intranet](#) on how to use Microsoft teams and additional training can be provided. This is subject to all parties agreeing.
- 13.7 Neurodiversity at Work
Neurodiversity recognises the natural variations in how people think and process information, encompassing conditions such as autism, ADHD, dyslexia, and dyspraxia. As an employer we have a duty to make reasonable adjustments to remove barriers which may prevent neurodivergent colleagues from thriving in the workplace. If this is something you wish to discuss, please raise this via the HALO system.
- 13.8 Staff Networks
We have several staff equality networks including a Disability & Illness Staff Equality Network which provides peer to peer support for employees. A full list of our networks can be found on our [intranet](#).

14 Further References

Parental Leave Policy
Reasonable Adjustments Guidance

Appendix A - Manager and New Employees' Responsibilities

No.	Manager Responsibility	New Employee Responsibility
1	Prepare the new starter checklist before your new employee commences employment.	Engage fully with the process.
2	Complete New Starter Checklist with employee. Once fully completed save locally and provide employee with copy.	Perform at the required standard.

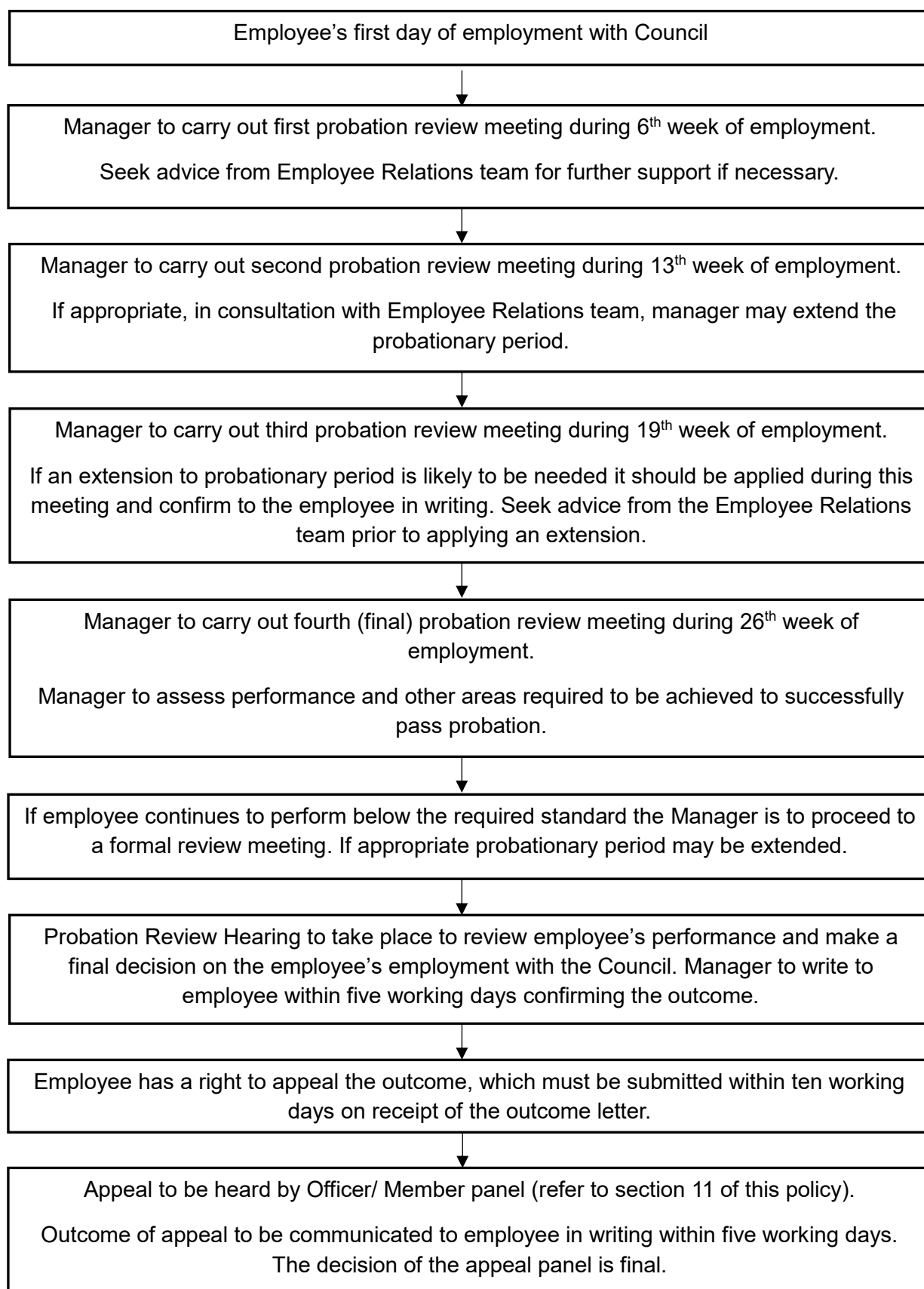
3	Provide local induction on employee's first day and schedule Corporate Induction within the first six weeks of start date.	Attend scheduled training.
4	Provide support, guidance and training for new employee as part of the induction and probation process.	Raise any challenges or difficulties at work and any further training and support required.
5	Clearly set out the standards of work performance and ensure employee performs at the required standard.	Inform manager of any reasonable adjustments needed at work.
6	If probation needs to be extended this must be discussed with the Employee Relations team prior to decision being made. The employee must be notified during the probation meeting and followed up in writing including the reason for the probation being extended.	Raise with the manager if reasonable adjustment is not adequate
7	Assess and review new employee during probation period.	
8	Ensure where possible any reasonable adjustments are applied to the role for new employee if there is a known or potential disability or long-term condition.	
9	Provide supervision during and after probation.	
10	Monitor progress and provide regular clear feedback. If completing ASYE more frequent meetings/ supervision are needed with new employee.	

Appendix B - Probation Review Meetings

Schedule meetings	Timings	Expectations
Welcome meeting and Induction	First day of employment	<ol style="list-style-type: none"> 1. Start New Starter Checklist 2. Local induction 3. Set expectations 4. New employee to start completing mandatory training (must be completed within the first six weeks). 5. Discuss any reasonable adjustments needed to support employee.

First Probation Review Meeting	6 th Week of employment	<ol style="list-style-type: none"> 1. Review progress of New Starter Checklist 2. Ensure mandatory training courses have been completed. 3. Discuss with employee how they are doing and their understanding of role and duties. 4. Provide employee feedback on initial performance and any areas for improvement. <p>If necessary seek advice from the Employee Relations team for further support.</p>
Second Probation Review Meeting Two	13 th Week of employment	<ol style="list-style-type: none"> 1. Focus on employee's development 2. Continue to provide feedback, raise any performance, conduct or attendance concerns. <p>If appropriate, in consultation with the Employee Relations team, the manager may extend the probationary period.</p>
Third Probation Review Meeting	19 th Week of employment	<ol style="list-style-type: none"> 1. Focus on continuing to support employee. 2. Continue to provide feedback and review any existing and new performance, conduct or attendance concerns if applicable. <p>If an extension to probationary period is likely to be needed it should be applied during this meeting and confirmed to the employee. Seek advice from the Employee Relations team before proceeding.</p>
Fourth (Final) Probation Review Meeting	26 th Week of employment	Manager to assess performance and other areas required to be achieved to successfully pass probation.

Appendix C - Probation Overview



Document Control

Key Information	
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