

PROBATIONARY PERIOD PROCEDURE FOR SENIOR POSTHOLDERS



HEART OF
**WORCESTERSHIRE
COLLEGE**

Purpose of Policy/Document	<p>This document provides guidance for both managers and newly appointed Senior Post Holders regarding the process during the probationary period.</p> <p>The document also provides guidance on the procedure to be followed if an employee has not reached the required standard of performance/conduct during their probationary period in relation to invoking an action plan, and ultimately a formal review hearing.</p>
Target Audience (staff/students/visitors/contractors)	Senior Post Holders who have a contract of employment with the College
Particular Legal Requirements/Issues outside of EDD	
Links with Other Policies/Documents	Contracts of terms and conditions of employment

For completion by The Executive	
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Category	Employment
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Authorised By: (ELT/Corporation)	Corporation – 12 December 2024
Communicated via/Location: (Policy Acceptance software/website/ portal etc)	Staff Portal Governor Portal
Equality Impact Assessment Statement	<p>The Equality Act 2010 does not require public authorities to carry out EIAs by law. The College does however, carefully consider the impact, when creating or amending its policies, on all concerned parties regarding Equality, Diversity and Inclusion and records this at SLT meetings in order to demonstrate compliance with Public Sector Equality Duty (PSED).</p>

1. INTRODUCTION

- 1.1 The College's strategic aim is to recruit and retain high quality staff and to invest in a professional workforce, with a focus on Continuing Professional Development in a high-performance culture.
- 1.2 The College fully recognises its responsibility to ensure that all new employees receive appropriate induction and are given whatever reasonable support is necessary and possible. As well as being given relevant information, new employees will be made aware of the duties of the job and standards required.
- 1.3 The probationary period is a period of continuous review which is used to assess new employees' ability, aptitude and conduct, and to induct, train and advise employees on their duties and responsibilities. It is also an opportunity to assess the post holder's potential.
- 1.4 This procedure applies to the Principal and Senior Post Holders as defined in the Articles of Government of the College. References to section numbers are to the numbered sections of the document.
- 1.5 Where the Clerk to the Corporation is a Senior Post Holder, the Corporation shall appoint an appropriate person to fulfil the tasks of the Clerk to the Corporation detailed in this policy.
- 1.6 Time limits, where specified may be altered by mutual agreement between the parties concerned, any agreed variation to be confirmed in writing.

2. GENERAL PRINCIPLES

- 2.1 The probationary review is an important part of the Corporation's induction procedure for Senior Post Holders. During the probationary period, it is important to ensure that a Senior Post Holder is dealt with supportively, fairly and consistently.
- 2.2 This policy and procedure will apply to all newly appointed Senior Post Holders, and existing members of staff who are promoted to senior posts within the College.
- 2.3 This document explains the action to be taken when carrying out probationary reviews.
- 2.4 In cases where a Senior Post Holder finds it difficult to settle into their new role, the Corporation will endeavour to provide support. In the event of any perceived difficulties arising, discussions will take place as soon as possible. These discussions will have the clear intention of satisfactorily resolving any such matters. In this event, support and monitoring facilities will be put in place and continuous assessment of progress will be made.

3. CONTRACTUAL POSITION

- 3.1 All those appointed to a new role as a Senior Post Holder, whether a new recruit or an existing employee, are required to complete a nine month probationary period.

- 3.2 Probationary periods are in place to ensure that the Senior Post Holder's performance in their new role can be assessed so that the appointment can be officially confirmed.
- 3.3 The Principal (or Corporation Chair if the newly appointed person is the Principal or the Clerk to the Corporation if they are a Senior Post Holder) and/or the Senior Post Holder should not hesitate to address any issues at the earliest opportunity.
- 3.4 During the probationary period, the Principal (or Corporation Chair if the newly appointed person is the Principal or the Clerk to the Corporation if they are a Senior Post Holder) is responsible for carrying out regular reviews of progress, including the following:
- Confirming the duties and responsibilities of the post.
 - Identifying clear targets and priorities.
 - Monitoring the progress of the Senior Post Holder.
 - Informing the Senior Post Holder of any problems in the standard of their work and how these should be addressed.
 - Supporting the Senior Post Holder through their induction and probationary period.
- 3.5 The normal appraisal procedure is suspended until the successful completion of the probationary period.

4. PROBATIONARY REVIEW MEETINGS

- 4.1. During the probationary period, the line manager will undertake a total of 3 review meetings with their new employee. These will be carried out at appropriate intervals i.e. at the beginning, middle and towards the end of the probationary period. Review forms (**SEE APPENDIX 1-3**) will be completed to record each discussion. Human Resources (HR) will ensure that both the line manager and member of staff receive confirmation of the probationary review dates. The purpose of these meetings is to provide a forum for both parties to review the employee's performance and identify any ongoing developmental needs if necessary, and also to review or agree an action plan and record any appropriate objectives. Accurate information concerning the progress of a Senior Post Holder in a new role is essential.
- 4.2. The Principal (or Corporation Chair if the newly appointed person is the Principal or the Clerk to the Corporation if they are a Senior Post Holder) must ensure that each time a review meeting takes place, any problems or training needs which need to be addressed are recorded on the probationary review form.
- 4.3 The HR Department will be responsible for monitoring the completion and return of the review forms.
- 4.4 If at any point during the probation review stages, issues of performance or conduct are identified, the line manager must contact the Clerk to the Corporation to register their concerns.**

5. QUALIFICATIONS

- 5.1 If there is a contractual requirement that a newly appointed employee must gain a qualification within a time limit, the line manager will discuss the details of the qualification with the employee during the early stages of their probation, and ensure that they have enrolled for the appropriate course.

6. STAFF CORPORATE INDUCTION ATTENDANCE

6.1 All newly appointed staff are required to attend a Corporate Staff Induction Programme at the earliest opportunity following their commencement date, together with undertaking the mandatory CPD training sessions in Safeguarding, Equality and Diversity, Prevent and Health & Safety.

6.2 The HR Department will be responsible for monitoring the induction attendance of staff.

7. SUCCESSFUL COMPLETION OF PROBATIONARY PERIOD

7.1 In order to successfully complete the probationary period, both employment references must have been received for the new member of staff.

7.2 At the completion of the probationary period and confirmation of attendance on the Staff Induction Programme, together with the completion of the mandatory training as above, all paperwork will be submitted to the Clerk to the Corporation (or the Corporation Chair if the Senior Post Holder is the Clerk to the Corporation and a Senior Post Holder or to the Principal if the Clerk is not a Senior Post Holder). The Corporation Chair will write to the Senior Post Holder to confirm that the probationary period has been completed successfully.

8. UNSATISFACTORY PERFORMANCE/CONDUCT

8.1 An employee may be dismissed during their probationary period if their performance/conduct is unsatisfactory. If the line manager has serious concerns about any aspect of the new employee's work performance, then the following procedure must be followed:

- i. If the employee's performance and/or conduct is considered not to be of the required standard, the line manager must discuss the details with the individual as soon as possible, rather than waiting for the next scheduled review meeting. The line manager must explain clearly his/her concerns and how improvements must be made, setting specific measures, criteria and timescales for improvement. All this information should be recorded on an action plan (**SEE APPENDIX 5**) wherever appropriate, and agreed with the employee. A copy of the agreed action plan must also be forwarded to the Clerk to the Corporation, who will then communicate in writing to the Senior Post Holder.
- ii. The implications for failing to meet the requirements must be communicated effectively in the meeting with the Senior Post Holder, i.e. required improvements before completion of probation, withholding of incremental progression, extension of the probationary period, mutual termination/resignation or dismissal.
- iii. The line manager may also increase the frequency of the review meetings from that originally planned, i.e. every two weeks/monthly, to ensure that a regular review and update on the progress being made against the action plan is discussed with the employee.
- iv. If, by the arranged review date, the employee's work has not reached the required standard, a Committee of the Corporation consisting of three members (not including the Staff or Student Members), shall consider the recommendation of the Principal or Corporation Chair as appropriate. Where the Committee decides to terminate the employment of the Senior Post Holder, the Senior Post Holder will be provided with written confirmation of the dismissal and notification of his/her right to appeal to the Corporation against the dismissal.

- 8.2 It is important that when dealing with probationary period problems, that advice is sought from the Human Resources Manager or an external professional at an early stage, to ensure a consistent approach and that correspondence issued is timely, fair and reasonable.

9. RIGHT TO BE ACCOMPANIED

- 9.1 The Senior Post Holder must be informed that s/he has the right to the support of her/his trade union representative or a colleague at any stage during the operation of this procedure.

10. TERMINATION OF EMPLOYMENT AND APPEAL

- 10.1 The procedure for appeal against termination of employment will be undertaken as set out in the Instrument and Articles of Government.

11. APPEAL

- 11.1 The appeal should be made in writing, to the Clerk to the Corporation, within 5 working days of the written notification of dismissal, setting out the full grounds of the appeal.
- 11.2 The Corporation will, as soon as possible (and in any event, within ten working days of receipt of the written appeal), appoint a committee of the Corporation ("the Appeal Committee") The Appeal Committee will not include any member of the Corporation who has been involved with the probationary process, so far, nor any staff or student member. The Appeal Committee will invite the Senior Post Holder to an appeal meeting.
- 11.3 The Senior Post Holder will be entitled to be accompanied at the appeal meeting by a trade union representative or work colleague.
- 11.4 The Appeal Committee will consider the appeal and will be supplied with the documentation relating to the earlier stages of the procedure.
- 11.5 The Appeal Committee's decision will be provided in writing by the Clerk to the Corporation within 5 working days of the appeal meeting. If it is not possible for a decision to be reached within this period, the Clerk to the Corporation will write to the Senior Post Holder on behalf of the Appeal Committee with an explanation for the delay and when the written decision can be expected.
- 11.6 The Appeal Committee's decision will be final and binding.

12. GENERAL GUIDANCE

- 12.1 A line manager can address any serious concerns that they may have about their employee's performance and/or conduct at any stage during the probationary period, rather than wait for the formal review meetings. A verbal discussion alone is insufficient - guidelines given in paragraph 8.1 above must be followed. A flow chart showing an overview of the process is attached (**SEE APPENDIX 5**).

APPENDIX 1

PROBATIONARY REVIEW FORM - 1st REVIEW

This form should be used to record the main points arising from a regular dialogue between a new member of staff and their manager. This will help to ensure new staff to the College are given the training, support and resources to settle quickly and smoothly into their job.

Please Note: It is important to remember that if any areas of concern are raised by either party, it is recorded and includes details of how it is going to be addressed, and if appropriate, an action plan should be completed (see paragraph 7 of the Probationary Procedures). Please attach a continuation sheet if necessary.

Name of Employee:	Job title:		
Start Date:	Buddy:		
Date of Review Meeting:	Period of probation:		
	From:		to:
<p>1. Assessment of employee's progress. Please comment on performance and progress in fulfilling the job role.</p> <p>Please cover these areas: <i>Relationships with colleagues/Quality of work/Development within the role/Embedding their training and constructive feedback/Timekeeping and attendance/Progress within their professional qualification, if applicable/Make reference to the teaching/ training observation report, if applicable</i></p>			
<p>2. Are there any areas in which performance/ conduct/ progress is not satisfactory?</p>			Yes / No
<p>If yes, please state specific areas of difficulty and details of advice, guidance and training provided, attaching an agreed action plan if appropriate)</p>			
<p>*I have informed the employee that failure to improve may lead to dismissal under the terms of the Probation Procedure.</p>			
<p>Please tick to confirm that this has been explained to the employee.</p>			<input type="checkbox"/>
<p>3. What specific work objectives/targets have been set? Please provide details, including timescales for completion.</p>			
<p>4. What ongoing developmental and training needs have been identified and how will they be met?</p>			
<p>5. Has there been any absences between the first day at College and their first probationary meeting? If Yes, please provide details.</p>			

6. Is the member of staff's time keeping in line with their contracted hours of work?			
Signatures: I can confirm that the comments on this form were discussed and agreed at the probationary review meeting.			
Signed (Manager)		Date	
Name (Manger)			
Signed (Employee)		Date	

A copy of this form should be retained electronically, with an electronic copy emailed to Clerk to the Corporation.

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HR to complete:

Copy of signed contract		Received?	Date:
Reference 1 (most recent employer)		Reference 2	
Received?	Date	Received?	Date:

APPENDIX 2

PROBATIONARY REVIEW FORM – 2nd REVIEW

This form should be used to record the main points arising from a regular dialogue between a new member of staff and their manager. This will help to ensure new staff to the College are given the training, support and resources to settle quickly and smoothly into their job, and is part of the induction process

Please Note: It is important to remember that if any areas of concern are raised by either party, it is recorded and includes details of how it is going to be addressed, and if appropriate, an action plan should be completed (see paragraph 7 of the Probationary Procedures). Please attach a continuation sheet if necessary.

Name of Employee:	Job title:			
Start Date:	Buddy:			
Date of Review Meeting:	Period of probation:			
	From:		to:	
<p>1. Assessment of employee's progress to date following on from the first review. Please comment specifically on their performance and progress.</p> <p>Please cover these areas: <i>Relationships with colleagues/ Quality of work/ Development within the role</i></p> <p><i>Embedding their training and constructive feedback/ Timekeeping and attendance/ Progress within their professional qualification, if applicable/ Make reference to the teaching/ training observation report, if applicable</i></p>				
<p>2. Are there any areas in which performance/ conduct/ progress is not satisfactory?</p> <p>If yes, please state specific areas of difficulty and details of advice, guidance and training provided, attaching an agreed action plan if appropriate)</p>			<table border="1"> <tr> <td>Yes / No</td> </tr> </table>	Yes / No
Yes / No				
<p>*I have informed the employee that failure to improve may lead to dismissal under the terms of the Probation Procedure.</p> <p>Please tick to confirm that this has been explained to the employee.</p>				
<p>3. Does the member of staff undertake the roles of responsibilities expected of them in their role?</p> <p>Do they fully understand the details of their job description?</p> <p>Are their working practices fully compliant with GDPR and do they understand these principles?</p>				
<p>4. Progress on, or agreement to work objectives/ targets, including timescales for completion.</p>				

5. What ongoing developmental and training needs have been identified and how will they be met?			
6. Have these separate mandatory training courses been completed?	Yes	No	N/A
• Health & Safety			
• Safeguarding			
• Cyber Security			
• Prevent			
• Equality & Diversity			
• Corporate Induction			
• Fire Marshall			
• First Aid			
• Teaching & Learning Induction			
• GDPR			
• Duty Manager CPD			
If not, please ensure these are booked and completed before the end of the probationary period.			
7. Has there been any absences between the first day at College and their second probationary meeting? If Yes, please provide details.			
8. Is the member of staffs' time keeping in line with their contracted hours of work?			
Signatures: I can confirm that the comments on this form were discussed and agreed at the probationary review meeting.			
Signed (Manager)		Date	
Name (Manger)			
Signed (Employee)		Date	

A copy of this form should be retained electronically, with an electronic copy emailed to Clerk to the Corporation.

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HR to complete:

Copy of signed contract		Received?	Date:
Reference 1 (most recent employer)		Reference 2	
Received?	Date	Received?	Date:

FINAL PROBATIONARY REVIEW FORM

This form should be used to record the main points arising from a regular dialogue between a new member of staff and their manager. This will help to ensure new staff to the College are given the training support and resources to settle quickly and smoothly into their job, and is part of the induction process.

Please Note: It is important to remember that if any areas of concern are raised by either party, it is recorded and includes details of how it is going to be addressed, and if appropriate, an action plan should be completed (see paragraph 7 of Probationary Procedures). Please attach a continuation sheet if necessary.

Name of Employee:	Job title:		
Start Date:	Buddy:		
Date of Review Meeting:	Period of probation:		
	From:		to:
<p>1. Summarise the employee's performance and progress over the period</p> <p>Please cover these areas: <i>Relationships with colleagues/ Quality of work/ Development within the role</i></p> <p><i>Embedding their training and constructive feedback/ Timekeeping and attendance/ Progress within their professional qualification, if applicable/ Make reference to the teaching/ training observation report, if applicable</i></p>			
Are there any areas in which performance/ conduct/ progress still remaining unsatisfactory?		Yes / No	
If yes, please attach a copy of the updated agreed action plan which provides details of where the employee has not reached the required work standard).			
<p>2. Does the member of staff undertake the roles of responsibilities expected of them in their role?</p> <p>Do they fully understand the details of their job description?</p> <p>Are their working practices fully compliant with GDPR and do they understand these principles?</p>			
<p>3. Progress on, or agreement to work objectives/ targets</p>			
<p>4. Outline the progress made with meeting any developmental/ training needs previously identified.</p>			

Have these separate mandatory training courses been completed?				Yes
5. Safeguarding		No	N/A	
• Keeping Children Safe in Education 2022 (Including Sexual violence and sexual harassment)				
• Prevent				
• Health & Safety				
• Cyber Security				
• Equality & Diversity				
• Corporate Induction				
• Fire Marshall				
• First Aid				
• Teaching & Learning Induction				
• GDPR				
• Duty Manager CPD				
• Please note that probationary periods cannot be finalised until these are completed.				
Have you signed and returned a copy of your contract of employment to HR?				
6.				Yes
		No		
Please note that HR will not be able to complete your probation, without a signed copy of your contract.				
7. Has there been any absences between the first day at College and their final probationary meeting? If Yes, please provide details.				
8. Is the member of staffs' time keeping still in line with their contracted hours of work?				
Signatures: I can confirm that the comments on this form were discussed and agreed at the probationary review meeting and I can also confirm that: (please tick)				
a) I will be recommending the successful completion of the probationary period				
OR				
I have ongoing concerns regarding the employee's performance/conduct and therefore I am unable to confirm the successful completion of the probationary period at this stage. (The line manager must refer the situation to HR for further advice)				
b) Signed (Manager)				
Signed (Employee)		Date		
Signed (Principal/Chair)				
HR – confirmation that references have been received:		Date		

A copy of this form should be retained electronically, with an electronic copy emailed to Clerk to the Corporation.

PERFORMANCE ACTION PLAN

Appendix 4

Name: Directorate/ Department: Date: Time:

Issue	Action required	Review date	Evidence presented	Date of completion of action or reasons for non-completion	Further action required

This Action Plan will be reviewed on..... (date)

Signed (Manager): **Date:**

Signed (Employee): **Date:**

PROBATION PROCEDURE FLOWCHART OF PROCESS**First Review**

- 3 months – Senior Post Holder



- If performance satisfactory, confirm details in writing on the review form
- If performance is not satisfactory:
 - Immediately contact HRM for advice
 - Set specific measures and criteria for improvement, details confirmed on an action plan
 - Establish training and support measures
 - Set timescales for improvement

**Second Review**

- 6 months - Senior Post Holder



- If performance satisfactory, confirm details in writing on the review form
- If performance is not satisfactory:
 - Immediately contact HRM for advice
 - Set specific measures and criteria for improvement, details confirmed on an action plan
 - Establish training and support measures
 - Set timescales for improvement **OR**
 - Provided sufficient improvement has been achieved a further review date should be set and confirmed in writing

**Third Review**

- 9 months – Senior Post Holder



- If performance satisfactory confirm details in writing on the review form
- If performance is not satisfactory either:
 - Recommend to the Principal/Chair to issue notice of termination and arrange formal review hearing **OR**
 - Only in exceptional circumstances seek to extend the probation period – PERMISSION REQUIRED FROM PRINCIPAL/CHAIR

**If probation extended**

- Confirm in writing and set timescale for further improvement to be made
- Further action plan to be issued to employee confirming all relevant details

Formal Review Hearing

- Employee given 3 days written notice of hearing date
- VP to chair the hearing
- VP to consider if every reasonable step has been taken to assist employee to reach required standard of performance
- If employment to be terminated – details confirmed in writing with right of appeal