

PROBATIONARY PROCEDURE

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Probationary Procedure

1. Introduction

The aim of a probationary period is to allow the Line Manager to objectively assess whether or not a newly appointed employee is suitable for the role. It is also an opportunity for the employee joining the Council to assess whether or not they feel the role is a suitable fit for them.

The probationary period is important to ensure that the employee:

- Understands and fulfils the requirements of their new role.
- Makes a valued contribution to the Council.
- Achieves the required standards within this set period of assessment.

It is the Council's policy that all new employees are subject to a probationary period of three months, to provide the opportunity to assess whether the employee is competent to perform the duties of their job. Probationers are appointed on the basis that following successful completion of their probationary service, their appointment will be confirmed in accordance with the terms of their contract.

It is important that the employee's induction during their probationary period provides them with the necessary information and guidance, including relevant training and feedback to undertake their job effectively. This procedure provides a framework for formal assessment of the employee during the probationary period.

The procedure, together with the Council's induction programme, is designed to enable the employee to meet the required standards of their post during their probationary period. Where, however, the employee cannot complete the probationary period satisfactorily, it provides a process for the termination of employment.

2. Scope

This procedure applies to all employees including those on short term contracts of employment, where they are new employees to the Council. Casual employees are not affected by this probationary policy as their employment should, by its nature, not be continuous but rather on an 'as and when' required basis.

Where an existing Council employee moves into a different role, managers should seek advice from the People Team before confirming whether a probationary period applies. Existing employees with continuous service will not normally be subject to a new probationary period unless this is expressly provided for contractually. Where a formal probationary period does not apply,

managers may use an appropriate review period or the Council's relevant employment procedure, depending on the circumstances.

3. Legislative Background, Employment Rights and Conditions of Service

This Probationary Procedure should be read alongside the employee's contract of employment, written statement of employment particulars and the Council's relevant policies and procedures. A probationary period is a contractual assessment period and does not remove, reduce or delay statutory employment rights that apply from the start of employment, including protection from discrimination, whistleblowing detriment, automatic unfair dismissal grounds, statutory notice, statutory sick pay where eligible, annual leave and national minimum wage entitlement.

Legislation and guidance relevant to this procedure includes, but is not limited to:

- Employment Rights Act 1996
- Equality Act 2010
- Employment Relations Act 1999, including the statutory right to be accompanied at relevant hearings
- Employment Rights Act 2025, including anticipated changes due to take effect from 1 January 2027, subject to commencement regulations, which are expected to reduce the qualifying period for ordinary unfair dismissal protection from two years to six months and reduce the qualifying period for requesting written reasons for dismissal to six months
- ACAS guidance on probation periods and the ACAS Code of Practice on Disciplinary and Grievance Procedures, where the matter concerns misconduct, poor performance or a grievance.

Managers must apply this procedure consistently and fairly, taking account of the individual circumstances of each case. Particular care must be taken where concerns may be linked to disability, pregnancy, maternity, other protected characteristics, health conditions, whistleblowing, trade union activity or the exercise of statutory rights. In such cases, advice should be sought from the People Team before any formal outcome is reached.

4. Responsibilities

4.1 Employee Responsibilities

It is the responsibility of all employees to:

- Ensure that they are clear on what is expected of them during any probationary period, for example, the required job outputs or standards of performance.
- To complete the required corporate induction training and read/accept key policy documents (within the first 2 weeks), which are recorded on iTrent.

- Ensure that they complete any mandatory e-learning courses during the probationary period.
- Ensure their Line Manager is notified of any support or training which they require to perform their duties effectively.

4.2 Line Manager Responsibilities

It is the responsibility of all Line Managers to:

- Monitor an employee's performance and progress during the probationary period and record this through the iTrent system at the appropriate intervals.
- Ensure that the employee has time to complete their induction, corporate mandatory e-learning and policy acceptance on iTrent.
- Ensure that the employee is properly informed at the start of their employment about what is expected of them during the probationary period.
- Plan regular 1:1 meetings and provide regular feedback to employees about their performance and progress. This includes documenting and discussing any concerns as soon as they arise.
- Ensure that the employee receives the support and training required to perform their role effectively.
- Identify an employee from within the team to act as an informal buddy/mentor, to provide support to the probationary employee.
- Seek support from the People Team where needed.

5. Principles

5.1 During the probationary period, Line Managers will provide training, support and tools to help new employees to learn and develop in their roles to the required standard.

5.2 Line Managers will monitor performance and will meet regularly on a 1:1 basis with the employee to provide feedback and guidance.

5.3 The Council has a standard probationary period of three months. Line Managers may extend the standard probationary period by up to one month where the employee has partially met the required standard, or where further time is reasonably required to assess performance, conduct, attendance, suitability, training completion, health-related matters or the effectiveness of support and reasonable adjustments. Any extension must be supported by a clear business reason and confirmed in writing, setting out the required improvement, support to be provided, timescales and potential outcomes.

5.4 If, during the probationary period, it is suspected or established that an individual does not have the qualifications, experience or knowledge that they claimed to have at the time of recruitment, the matter will be discussed with the individual to establish the facts before any decision is made. The People Team will provide support and advice in this instance. Where the individual is an existing employee who has been appointed to a different role and is not subject to a new probationary period because of continuous service, the

matter will be considered under the Council's relevant policy, which may include the Disciplinary Policy Rules and Procedures.

5.5 Decisions under this procedure must be evidence-based, proportionate and supported by appropriate records, including review notes, objectives, feedback, support offered, reasonable adjustments considered and any agreed action plans.

6. Probation Process

6.1 Throughout the probationary period, Line Managers will monitor and record relevant matters, including:

- The employee's performance including the quality of their work, progress with training, and building relationships.
- Conduct.
- Timekeeping.
- Sickness absence and overall attendance.
- Demonstration of the Council's values and behaviours.

6.2 Regular 1:1 meetings should take place throughout the probationary period. Line Managers should address concerns as soon as they arise, rather than waiting until a formal probation review. Notes of 1:1 meetings, agreed actions and support offered should be documented.

6.3 Where concerns relate to performance, conduct, attendance or suitability, Line Managers should explain the concerns clearly, give the employee an opportunity to respond, identify any support, training or reasonable adjustments that may be required, and set clear expectations for improvement. Any improvement plan should include measurable objectives, timescales, review dates and the potential consequences if the required improvement is not achieved.

6.4 Where concerns may relate to sickness absence, disability or another health-related matter, managers must consider whether occupational health advice, reasonable adjustments, phased support or other appropriate measures are required before progressing to a formal outcome.

6.5 This procedure is intended to support the fair assessment of suitability during the probationary period. Where concerns arise that may be more appropriately addressed under another Council procedure, including but not limited to disciplinary, capability, sickness absence, safeguarding, fraud or whistleblowing procedures, advice must be sought from the People Team. The Council reserves the right to use the most appropriate procedure depending on the nature and seriousness of the concerns.

7. Objective Setting & Induction

Line Managers should invite the new employee to a welcome meeting during the first week. During this meeting, the Line Manager will set clear objectives

and targets to help the employee understand the standards expected during the probationary period. The Line Manager should also confirm any induction requirements, mandatory training, key policies and sources of support.

8. First Probation Review – One Month

8.1 The First Probation Review should take place after the first month in post. This is the initial opportunity to review the employee's progress against objectives and performance in the role.

8.2 A minimum of one 1:1 meeting should have taken place prior to this meeting. The Line Manager can discuss any initial concerns they have, or that the employee has, at this early stage to support progression towards the objectives and expected standards of performance.

9. Mid-Probation Review – Two Months

9.1 The Mid Probation Review should take place at two months and is an opportunity for the employee and Line Manager to have a more in-depth discussion and review performance.

9.2 Consideration should be given to the relevance and progress of the current objectives and changes agreed if required. Regular 1:1 meetings should have taken place throughout the two-month period.

9.3 During the Mid Probation Review Line Managers will ensure that they:

- Provide feedback from colleagues or other managers who work alongside the employee.
- Assess the employee's performance, capability and suitability for the role.
- Discuss any concerns about the individual's work performance or conduct.
- Amend or update objectives where necessary.
- Discuss whether an extension to the probationary period may be appropriate, where further time is needed to assess improvement. Advice should be sought from the People Team before any extension is confirmed.

10. Final Probation Review – Three Months

10.1 The Final Probation Review is an opportunity to review the employee's overall performance, conduct, attendance, progress against objectives and suitability for the role during the probationary period. The Line Manager should consider the evidence available, feedback already provided, any support or training offered, any reasonable adjustments required and the employee's response before deciding the outcome.

10.2 Where the likely outcome may be an extension of probation or referral to a Probation Hearing, the manager should seek advice from the People Team before the decision is confirmed and ensure that the employee understands the concerns, the evidence relied upon and the potential next steps.

Review	Time Period	Purpose
Induction and Objective Setting	Week 1 and 2	Line Managers will set objectives for their new employees, and they will undertake the corporate induction and mandatory e-learning.
First Probation Review	1 month	The first formal probation review will be held by the Line Manager to review initial progress against objectives, discuss any concerns and identify any support or training required.
Mid-Probation Review	2 months	The formal mid-probation review provides an opportunity for a more in-depth discussion, including progress against objectives, any support required and, where appropriate, early notification that an extension may be considered.
Final Probation Review	3 months	The final formal review and action either: • Successfully complete probation. • Extend by one month. • Refer to Probation Hearing.

11. Probationary Period Outcomes

There are three possible outcomes from the Final Probation Review Meeting:

- The individual has met the expectations during the probation period, and their appointment is confirmed.
- The individual has partially met expectations during the probationary period, and the probationary period is extended by up to a maximum of one month, with clear objectives, timescales and support confirmed in writing.
- The individual has not met the expectations during the probation period and will be invited to a Probation Hearing meeting to consider the possible termination of employment.

12. Probation Hearing and Termination of Employment

12.1 Where an individual has not met expectations during the probationary period, or following a probationary extension, the individual will be invited to a Probation Hearing to consider the appropriate outcome. Possible outcomes may include confirmation of employment, a further period of support where contractually permissible and appropriate, an extension within the limits of this procedure, or termination of employment.

12.2 The employee will be given reasonable notice of the Probation Hearing, the reason for the hearing, the relevant information to be considered and the possible outcomes, including where termination of employment is a potential

outcome. The employee has the right to be accompanied at the meeting by a trade union representative or workplace colleague.

12.3 The Probation Hearing will normally be chaired by the Line Manager or another appropriate manager with authority to determine the outcome, supported by an advisor from the People Team. The hearing manager will consider the employee's performance, capability, conduct, attendance and suitability for the role, as relevant. The employee will be given a fair opportunity to respond to the concerns, comment on the evidence, raise any mitigating circumstances and identify any support needs or reasonable adjustments.

12.4 Before deciding the outcome, the Line Manager should consider whether the employee has partially met expectations and whether a further extension, additional support, training, reasonable adjustments or alternative action would be appropriate.

12.5 Where the outcome is termination of employment, the employee will be informed as soon as reasonably practicable and the decision will be confirmed in writing. The Council will give the appropriate contractual or statutory notice, whichever is greater. Dismissal without notice will only apply where this is justified by the circumstances, for example in cases of gross misconduct, and in accordance with the employee's contract, relevant Council policies and applicable law.

12.6 The confirmation of Termination of Employment letter will include the following information:

- The reasons for the termination of employment.
- The date on which the employment will terminate.
- The right to appeal.
- Any notice arrangements, final pay arrangements and arrangements for outstanding annual leave, where applicable.

12.7 If the dismissal is 'with notice', the notice period will be as stated in the employee's contract of employment.

13. Appeals Process

An employee has the right to appeal against the outcome of the Probation Hearing. The appeal should be submitted in writing within the timescale set out in the Council's Appeal Procedure, clearly stating the grounds of appeal. The employee will be given reasonable notice of the appeal meeting and has the right to be accompanied by a trade union representative or workplace colleague. Where possible, the appeal will be heard by a manager who has not previously been involved in the decision and who is of appropriate seniority.