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RECRUITMENT AND SELECTION

PROBATIONARY PERIOD PROCEDURE

INTRODUCTION

1. New employees of the Vale of Glamorgan Council are employed on a probationary period at the start of an employment contract. This procedure will apply to all new employees of the Council whether employed on a permanent or temporary basis.

PURPOSE

2. The purpose of this procedure is to ensure a framework for the monitoring of performance and making provision for supporting improvement in the initial months of the employment contract. The procedure is designed to reflect the following principles: -
 - a. To ensure a fair, systematic and consistent approach to the enforcement of the procedure irrespective of grade or status.
 - b. A right of appeal for an employee whose contract is terminated during the probationary period.

EXCLUSIONS

3. The procedure does not apply to: -
 - * Elected Members
 - * Employees presently employed by the Council, unless an existing probationary period is still in force
 - * School based teaching and ancillary staff
 - * Agency staff who are not contractually employees of the Council
 - * Employees transferring from other Local Government Authorities under TUPE arrangements.

KEY PRINCIPLES

4. All offers of employment are subject to completion of a nine months probationary period. In exceptional circumstances this may be extended following consultation with Human Resources. Where an employee transfers between posts within the Council within the first nine months of employment the probationary period will continue in the new post.
5. Temporary employees appointed for less than nine months will be on a probationary period for the duration of the temporary employment. Should employment become permanent the probation period will not exceed nine months from commencing in the appointment where a satisfactory performance has been achieved. If the temporary employee accepts a different post following the initial temporary engagement a separate probation period will apply.
6. Both corporate level induction and service area induction will be provided to all new permanent employees during their probationary period. Temporary employees should be encouraged to attend, subject to duration of temporary employment and service requirements. The probationary period procedure should be referred to at the section induction to ensure that the employee has received a copy of the procedure.
7. Corporate Inductions are held bi monthly and are provided by the Organisational Development Team.
8. Necessary training and support to cover the duties and responsibilities of the post together with ongoing monitoring and feedback will be given to employees during the probationary period.
9. Relevant reasonable adjustments will be made for employees with disabilities to ensure that they can carry out the responsibilities of the post. Any reasonable adjustments required will not adversely affect the decision regarding the suitability of the candidate for the post. The employee's performance will not be adversely judged by the failure to carry out any aspect of the post as a result of delay in a reasonable adjustment being made, and this will not be counted against any employee in relation to flexibility, health record and sickness absence.
10. Employees will be made aware of the standards of performance that are expected of them.
11. Informal feedback and formal assessments of the probationary period to be provided at set intervals. It is essential to keep records and written documentation of progress, training provided, and formal assessments etc.

12. Following nine months satisfactory probation period the employee to be advised accordingly in writing.
13. Copies of the procedure will be available from the Council's StaffNet, from HR Business Partners or line manager/employing Operational Manager.
14. The normal duration of the probationary period is nine months however if an employee is deemed unsatisfactory before the end of this period dismissal can take effect within the nine months. Dependant on circumstances this period may be extended.
15. An employee's contract of employment may only be terminated after confirmation from the employing Head of Service/Director following consultation with the relevant HR Business Partner within Human Resources.

PROCEDURE

16. During the probationary period monitoring of performance and feedback will be provided by a combination of informal and formal management processes and assessments.
17. The employee must be given at least two days notice of any meeting regarding the probationary period.
18. Once completed copies of assessment forms VOG 16, 17 and 18 are to be returned to the Directorate HR Business Partner for monitoring purposes and for placement onto the employee's personnel file.

Informal Assessments

19. Informal assessment of an employee's performance should be continually undertaken by the line manager, including discussions with the employee. The discussions should be a twoway process, during which the employee should be encouraged to discuss any problems encountered, whether it be work related or personal issues. Records should be kept of any problems being encountered, so that evidence is available in the event of an unsatisfactory performance at the end of the probationary period. Ideally following the first six weeks of service, **Assessment Form [VOG 16]** should be completed and copy returned to the directorate HR Business Partner for monitoring purposes and for placement onto employee's personal file.
20. The way in which the work performance and conduct is assessed will vary depending on the responsibilities of the job. Throughout all areas of assessment managers must be aware of policies which accommodate for parental/carer responsibilities and absences due to disability or pregnancy related absence. Assessment will include the:

- * Quality of work performance
- * Quantity of work
- * Flexibility
- * Customer care
- * Attendance, timekeeping and health record
- * Reliability
- * Relationship with other employees – ability to work as a member of a team
- * Initiative
- * Conduct in the workplace

21. The Line Manager should also ensure that:-

- * The employee receives the appropriate section/division/corporate induction as soon as possible
- * The employee understands the requirements of the job description and person specification
- * Appropriate training and development needs are identified and provided where possible for the employee.
- * All reasonable adjustments are put in place to ensure that disabled employees can carry out the duties and responsibilities of the post
- * Standards of performance and behaviour that are expected, are explained to the employee
- * The employee receives feedback of how the employee is performing within the post, highlighting areas where the employee is doing well but also discuss areas that may need further development
- * Praise is given for good performance
- * In areas where the employee has been performing to an unsatisfactory level, ascertain the reasons why, explain what improvement is expected and advise what support will be given to ensure improvement

Formal Assessments

22. Formal assessments of the employee's performance to be held by the Line Manager at 20 weeks **[VOG 17]** and 32 weeks **[VOG 18]** following the date of appointment by referring to the first report **[VOG 16]**. Copies of completed

forms must be forwarded to the directorate HR Business Partner for monitoring purposes and for placement onto the employee's personnel file.

23. If, after 32 weeks, conduct and performance has been satisfactory, the Manager should forward details to Employee Services on the relevant assessment form **[VOG 18]**.
24. If following informal discussions or at any time during the period of formal assessments the performance and/or conduct of the employee is unsatisfactory the Line Manager will arrange a formal interview, in liaison with Human Resources, to discuss work performance and/or conduct during the probationary period. This would normally take place between 28 and 32 weeks, however it may take place at an earlier or later stage if performance and/or conduct is very unsatisfactory.
25. The employee shall be advised in advance of the reason for the interview and advised that a representative or colleague may also attend.
26. At the interview the Line Manager should: -
 - * Outline the reasons why there are problems with performance and/or conduct
 - * Ascertain why the employee has been performing to an unsatisfactory level
 - * Explain standard of performance and behaviour that is required, what improvement is expected, and by when
 - * Produce action plan to assist achievement of satisfactory performance
 - * Make clear, and line manager to confirm in writing following the interview that a failure to improve performance could result in
 - notice that contract of employment may be terminated prior to the end of the 9 month probationary period in the event that the probationary period has not been satisfactorily performed as determined by the Council.
27. If following the informal and formal assessments and after identifying there is no improvement in performance and/or conduct, and no further extension has been agreed, the contract of employment will be terminated at the end of the 9 month probationary period. However the probationary period, in the event that the employee has not satisfactorily performed the duties and responsibilities of the post as determined by the Council, may be terminated prior to the end of the 9 month probationary period. The decision will be confirmed in writing by Human Resources.

28. An employee may appeal against the dismissal to the Head of Human Resources, in writing, within 10 working days of receipt of the letter of dismissal.

Serious Breach of Discipline

29. In the event of a serious breach of discipline which following investigation and a disciplinary hearing is considered to amount to Gross Misconduct, an employee may be liable to be dismissed without notice.

Appeals against Dismissal following Probationary Period

30. An employee/representative progressing an appeal must state in writing to the Head of Human Resources the full content of the appeal at the point of lodging the initial appeal notification, or within 5 working days of lodging the initial appeal notification.
31. Appeals should be held within 20 working days of receipt of formal notice. The employee may be accompanied by a Trade Union representative or a work colleague.
32. The appeal must be heard by a Chief Officer, who has not been involved previously and who is senior to the officer who dismissed the employee on probationary period. A Business Partner from Human Resources who has not been involved previously must also be present at the appeal.
33. The Chief Officer hearing the appeal may maintain or re-instate the employee to a further probationary period and should give a decision at the meeting or within 5 working days thereafter. The Chief Officer must notify the Head of Human Resources prior to giving a decision.
34. The decision and the reason for the decision must be confirmed in writing to the employee within 10 working days of the meeting [copy of the letter to be sent under separate cover to the Head of Human Resources].

HR Advice

35. Human Resources are a valuable source of information and advice throughout the probationary period.

Monitoring and Review of the Procedure

36. Monitoring of the probationary period of an employee is the responsibility of the line manager, in liaison with the directorate HR Business Partner. Monitoring of this procedure is the responsibility of Human Resources. Basic

statistics will be retained [in accordance with the Data Protection Act] for monitoring purposes.