



## PROBATION POLICY

### POLICY STATEMENT

1. From the moment a member of staff joins Jesus College it is important that they are welcomed and receive a comprehensive induction to their workplace, colleagues and the duties and responsibilities of their job.

The Probation Policy and associated procedures are part of the induction to Jesus College. The probationary period is for both the employee and the College to decide whether the employee is suitable for the job to which they have been appointed.

### PURPOSE AND SCOPE

2. The Probation Policy enables the College and new employees to assess the skills and knowledge required to perform the duties of the new role to a satisfactory standard.
3. The policy provides new employees with:
  - an understanding of how performance will be assessed during the probation period;
  - a framework for consistently monitoring and receiving feedback on their performance; and
  - an understanding that the consequences of consistently failing to meet the required standards is likely to be dismissal from the College.
4. This policy applies to all new College employees (including staff on a fixed term contract) with the exception of:
  - Agency workers
  - College lecturers; and
  - The Principal and Fellows of the College.

### PRINCIPLES

5. The following principles apply:
  - 'Performance' in this policy refers to attendance, work performance and conduct. During the probationary period, any performance or conduct issues will be managed under this policy;
  - Probation is for a period of six months (this includes employees previously contracted through an employment agency);
  - Probation will only be extended in exceptional circumstances;
  - managers will monitor progress and assess performance on a regular, basis;

- Any employee who fails to reach the required standards of performance will be advised of the areas of concern and where appropriate given an opportunity to improve performance whilst being made aware of the consequences if they fail to do so;
- Jesus College may terminate employment at any time during the probationary period as a result of unsatisfactory performance, conduct or unacceptable levels of sickness absence;
- Employees on probation are not normally eligible to apply for other roles in the College until they have successfully completed their probation.

## OUTCOMES

6. The outcomes to be achieved from the successful application of this policy are:
- employees achieve full performance in their role quickly and effectively;
  - employees who fail to achieve satisfactory performance will have their appointment terminated in accordance with the probation procedure.

## MONITORING AND REVIEW

7. Human Resources will monitor decisions made under this Policy for fairness and consistency.
8. A formal review of this policy will take place every 3 years, or sooner if there is a business need or legislative change.
9. This policy does not form part of employees' terms and conditions of employment and may be subject to change at the discretion of management.

## Probation Procedure

### 1. Probationary Review and Assessment Meetings

- 1.1 Managers and employees should work together to ensure that they have regular meetings; and that the employee is fully inducted into Jesus College.

Ideally all members of staff who are on probation should have a mid (month 3) probation meeting in order to discuss progress and a further meeting before month 6 to identify whether performance is on track.

- 1.2 The purpose of probation meetings is to:
- establish progress on work targets or projects set;
  - review performance (conduct, work performance, attendance);
  - provide constructive feedback, identifying good practice and development needs;
  - identify training or development needs;
  - identify whether any support is needed;
  - give clear, constructive feedback on any areas of concern, backing this up in writing, along with appropriate guidance.

Any concerns about an employee's performance must be discussed with the Director of Human Resources at the earliest opportunity. Action to address performance concerns should be commenced as soon as they are identified.

- 1.3 Mid probation meeting:  
At the mid probation meeting the manager must be very clear about the areas where performance is strong and those where improvement is necessary. Following the meeting, these should be noted and a copy sent to the employee.
- 1.4 Final probation meeting:  
Before month six the manager must reach a decision on whether to confirm completion of probation. The Final Probation Review and Assessment Report should be completed, signed and sent to the Human Resources Assistant.

### 2. Managing performance during probation

- 2.1 The manager must address any performance or other concerns at the earliest opportunity, clearly outlining their expectations for the future and offering appropriate support or guidance to help achieve improvement to the required standard. Managers must be clear about any failings and the level of performance or behaviour change required. The manager should consider at any time whether it is appropriate to set a plan to support improvement. A plan should **not** exceed two months.
- 2.2 There may be occasions where a plan to improve performance is not appropriate, for example, misconduct or significant performance failings, to the extent that continuation of probation is not appropriate. In these cases the matter should be discussed immediately with the Director of Human Resources. This will normally lead to a Formal Probationary Hearing.

### 3. Failure to meet the required standard during probation

- 3.1 Failure to reach a satisfactory standard within the probationary period may result in dismissal. The College reserves the right to dismiss on the basis of unsatisfactory performance/conduct during probation without recourse to its full disciplinary/capability procedures.

- 3.2 If, following the implementation of a plan to support improvement, the manager continues to have concerns about performance they should meet with the employee, without delay, to discuss their concerns. At the meeting, if there are no justifiable contributory reasons for the continued poor performance, the manager should advise the employee that they will be forwarding a summary of the meeting to their Head of Department and that termination of employment is possible.
- 3.3 The manager should prepare a written record of the discussion, which they should copy to the employee, and send it to their Head of Department and to the Director of Human Resources.

#### **4. Formal Probation Hearing**

- 4.1 If concerns are identified a Formal Probation Hearing must be held, and a decision taken, before the end of probation date is reached. Where there is a possibility that this deadline may not be met, the manager must immediately inform the Director of Human Resources. In such circumstances it may be appropriate to notify the employee that briefly, and exceptionally, probation will be extended.
- 4.2 The Hearing Manager (Head of Department) will invite the employee, in writing, to a formal meeting to discuss the concerns. The letter should:
- give the employee at least five working days' notice of the Hearing;
  - advise the employee that they have the right to be accompanied by a workplace colleague;
  - enclose any documentation to be considered at the Hearing; and
  - set a timescale by which the employee should send any written submissions to the Hearing Manager.
- 4.3 At the Hearing, the Hearing Manager will:
- explain the purpose of the Hearing;
  - set out the case in relation to overall performance or conduct issues, referring to any documents that support the case.
  - invite the manager to provide any additional explanation/evidence either in writing or in person (as necessary);
  - give the employee an opportunity to ask any questions;
  - give the employee an opportunity to state their case and to respond to the concerns raised;
  - summarise the main points and check that there is nothing further that the employee wishes to be considered.

#### **5. Decision**

- 5.1 There are four possible outcomes following a Formal Probation Hearing:
- dismissal with notice;
  - dismissal without notice;
  - extension of probation - only permitted in very exceptional cases following consultation with the Director of Human Resources (the employee will be notified in writing of any extension, including the length of the extension); or
  - confirmation in post.
- 5.2 The Hearing Manager will confirm the decision, in writing, ideally within five working days of the Hearing, setting out the reasons for the decision. Included with the letter will be a copy of the meeting notes and if appropriate, details of their right to appeal.

- 5.3 Where dismissal is the outcome of a Formal Probation Hearing, the employee may be asked to leave with immediate effect. If appropriate, they will receive pay in lieu of notice and any accrued, but unused, holiday entitlement.
- 5.4 In exceptional circumstances, for example suspected gross misconduct, the employee may be suspended pending a formal Hearing. Suspension is a precautionary measure and is not an indication of the outcome of the Hearing. Any decision to dismiss on the basis of gross misconduct may be without notice, such a decision may only be taken by a Head of Department, and only after consultation with the Head of Human Resources.

## **6. Appeal**

- 6.1 An employee/former employee who is unhappy with the outcome of the Formal Probation Hearing may appeal, in writing, within five working days of receiving the decision letter. This appeal letter should set out the full grounds for appeal.
- 6.2 An appeal will usually be considered at an Appeal Hearing but in some cases it may be considered on a paper only basis. The appeal will generally only consider the following:
- Whether there were any procedural failings and the way in which these may have affected the merits of the case;
  - Whether the decision reached was reasonable and supported by the information gathered; or
  - New information, not available at the time of the decision, which has come to light.
- 6.3 The Appeal Managers decision should be communicated within five days of the Appeal Hearing (ten days from date of appeal, if consideration is on written submission only).
- 6.4 An Appeal Decision letter should include:
- the outcome of the appeal and the reasons for the decision;
  - any actions agreed to resolve the situation if the appeal is upheld; and
  - a reminder that there is no further appeal.

## **7. Sickness absence**

- 7.1 During the probationary period, sickness absence trigger points are:
- five working days; or
  - three separate occasions of absence; or
  - a pattern of absence emerges.
- 7.2 These trigger points indicate an unacceptable level of attendance during probation. If an employee's level of attendance reaches these points, the manager must address this with the employee and make an appropriate reference in the Probationary Review and Assessment Report. Poor attendance may result in a recommendation not to confirm the appointment or to extend probation.