NHS
Surrey Downs
Clinical Commissioning Group

Probationary Policy

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Approving Committee	Remuneration and Nominations Committee
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Version History

V.	Date	Status and/ or amendments
1.0	29/7/2016	Approved by Remuneration and Nominations Committee

Improving care together across Surrey Downs

Equality statement

Surrey Downs Clinical Commissioning Group (Surrey Downs CCG) aims to design and implement services, policies and measures that meet the diverse needs of our service, population and workforce, ensuring that none are placed at a disadvantage over others. It takes into account the Human Rights Act 1998 and promotes equal opportunities for all. This document has been assessed to ensure that no-one receives less favourable treatment on grounds of their gender, sexual orientation, marital status, race, religion, age, ethnic origin, nationality, or disability. Members of staff, volunteers or members of the public may request assistance with this policy if they have particular needs. If the person requesting has language difficulties and difficulty in understanding this policy, the use of an interpreter will be considered.

Surrey Downs CCG embraces the six staff pledges in the NHS Constitution. This policy is consistent with these pledges.

Equality analysis

This policy has been subject to an Equality Analysis, the outcome of which is recorded below.

		Yes, No or N/A	Comments
1.	Does the document/guidance affect one group less or more favourably than another on the basis of:	No	
	Age Where this is referred to, it refers to a person belonging to a particular age (e.g. 32 year olds) or range of ages (e.g. 18 - 30 year olds).	no	
	Disability A person has a disability if s/he has a physical or mental impairment which has a substantial and long-term adverse effect on that person's ability to carry out normal day-to-day	no	

	activities.		
	Gender reassignment The process of transitioning from one gender to another.	no	
	Marriage and civil partnership In England and Wales marriage is no longer restricted to a union between a man and a woman but now includes a marriage between a same-sex couple. Same-sex couples can also have their relationships legally recognised as 'civil partnerships'. Civil partners must not be treated less favourably than married couples (except where permitted by the Equality Act).	no	
	Pregnancy and maternity Pregnancy is the condition of being pregnant or expecting a baby. Maternity refers to the period after the birth, and is linked to maternity leave in the employment context. In the non-work context, protection against maternity discrimination is for 26 weeks after giving birth, and this includes treating a woman unfavourably because she is breastfeeding.	no	
	Race Refers to the protected characteristic of Race. It refers to a group of people defined by their race, colour, and nationality (including citizenship) ethnic or national origins	no	
	Religion and belief Religion has the meaning usually given to it but belief includes religious and philosophical beliefs including lack of belief (e.g. Atheism). Generally, a belief should affect your life choices or	no	

	the way you live for it to be included in the definition		
	Sexual orientation Whether a person's sexual attraction is towards their own sex, the opposite sex or to both sexes	no	
2.	Is there any evidence that some groups are affected differently?	no	
3.	If you have identified potential discrimination, are there any exceptions valid, legal and/or justifiable?		Surrey Downs CCG equality and diversity policy
4.	Is the impact of the document/guidance likely to be negative?	no	
5.	If so, can the impact be avoided?	n/a	
6.	What alternative is there to achieving the document/guidance without the impact?	Yes	
7.	Can we reduce the impact by taking different action?	Yes	

For advice in respect of answering the above questions, please contact the Corporate Office, Surrey Downs CCG. If you have identified a potential discriminatory impact of this procedural document, please contact as above.

Names and Organisation of Individuals who carried out the Assessment	Date of the Assessment
Pollymarch Mather, PPE Manager, Surrey Downs CCG	20th of July 2016

1. Introduction

All new staff appointed to posts within Surrey Downs CCG, undertake a probationary period of a six months' duration. This is to allow both the CCG and the employee time to assess suitability for the role in practice.

1.2. This procedure is designed to provide a framework for managing staff in probationary periods and thus to enable the CCG to support them as much as possible in reaching the required competence for the role.

1.3. The principles of the CCG Disciplinary and Performance Policy, Grievance and Dignity at Work and Absence Management Policy apply to all employees.

However, this Probationary Policy will override certain elements of those policies during probationary periods to the extent that there is an inconsistency between the policies.

2. Purpose and scope

2.1. To clarify the procedure that will apply to new members of staff during their probationary period.

2.2. To outline the framework for managing individuals in the event that the employee does not reach the required standard within the designated time frame, despite the efforts of the CCG and individual. The procedure allows for either party to terminate the contract of employment without full use of the CCG disciplinary procedures

2.3. To outline the framework for managing staff during the probationary period in order to undertake the role and thus fulfil the requirements of the employment contract.

2.4. This procedure applies to all staff within their probationary period, with Surrey Downs CCG.

3. Probationary Periods of notice

3.1. The length of probationary period within the CCG will be a six months period.

3.2. The exact length of the probationary period will be confirmed in the individual's conditional offer letter and contract of employment.

3.3. During the probationary period, either the CCG or employee will be required to give two weeks' notice if they wish to terminate the contract of employment.

4. Managing staff during probationary periods.

4.1. Line managers must closely monitor and support employees during probationary periods. This will enable managers to identify any initial problems and facilitate as much support as possible for staff in fulfilling the requirements and competencies of their role.

4.2. Managers should be monitoring progress against agreed performance objectives drawn from the job description and against the core competencies of the role.

4.3. During probationary periods, the onus is on the line manager to ensure that the individual undertakes an induction course, is introduced to the main responsibilities of their post, the performance standards expected of them, and the context of their work. Managers must ensure that staff have completed the following periods of training, ideally within the first two months of commencing in their post:

1) Corporate induction

2) Other relevant statutory/mandatory training

4.4. Managers will meet with employees regularly during the probationary period, at least at the end of each four-week period. The purpose of these meetings is to monitor progress, identify any concerns or issues, and identify relevant support mechanisms which should be put into place. Meetings will be recorded; along with a record of any supportive action taken.

4.5. If any problems or issues are identified, or if the employee is not meeting the expected standards required of them by the CCG, managers should meet with the employee more regularly. The purpose of these meetings is to identify and put into place any training or support to help the employee in reaching the expected standards. Assistance may be sought from the HR Department as required.

4.6. The probationary period review meeting form should be used to record probationary review meetings, along with details of any supportive action taken. An agreed copy of this will be retained on the individual's file in the HR Department and a copy provided to the individual.

4.7. The Absence Management Policy applies to staff during their probationary period. However, during the probation period the standards of attendance as outlined within the sickness policy may be amended (eg pro-rata) to reflect the shorter time period.

4.8 Managers will need to ensure employees are given the opportunity to declare and discuss any barriers that may face them during the probational period, covering areas that fall under protected characteristics or circumstances that may affect the ability to complete their probation period. Employees should also inform their line managers of any barriers as soon as they are aware.

5 Completion of probationary periods

5.1. It is envisaged that in most circumstances, individuals will be able to reach the required standards, with appropriate guidance and support, during their probationary period. Unless the employee is informed otherwise within the probationary period, they will be deemed to have reached the required standard for the role and will progress onto their substantive contract with no further action required. Confirmation will be sent to the employee from the HR Department to confirm they have reached the required standard and passed their probation.

5.2. In some cases, it is recognised that despite the efforts of both the CCG and the individual, the employee will not be suitable for the role for which they were employed. In this case, the CCG may consider two options during the probationary period, as outlined below in section 6.

5.3. In considering whether an employee can meet the requirements and suitability for the role, the following may be considered. Please note this list is not exhaustive.

1) Attendance and timekeeping
2) Conduct and behaviour
3) Capability
4) Commitment
5) Organisational values

6 Dismissal during, or extension of, probationary period

6.1 Where the manager feels that, even with support in place, the employee cannot meet the standards required for the role, or cannot pass any element of mandatory training, the employee's continued employment will be duly considered. This means that the decision to terminate the contract of employment during the probationary period can be made at any time in these circumstances.

6.2. The formal hearing will take place at which the appropriate line manager or Independent manager (with the authority to dismiss) and HR representative will comprise the panel.

6.3. The employee should usually be given five calendar days notice of the formal hearing.

6.4. The manager responsible for managing the probationary period will present his/her account of the employee's progress during their probationary period to the hearing panel.

6.5. To support their case, the line manager will collate the probation review meeting notes, action plans, training records, attendance records, pre-employment checks and any other information relevant to the case. (Note that all 1-1 documentation should be signed by both parties). The employee can also collate any documents the feel relevant however this should not be new evidence and the line manger must have previously viewed the documentation.

6.6. The relevant concerns will be outlined, and the staff member will have the opportunity to respond to those concerns before a decision is made.

6.7. Individuals will be given the opportunity to be represented by a staff side representative or work companion at the hearing. Individuals will be responsible for arranging this representation, and the CCG encourages staff to exercise this right.

6.8. The outcome of the meeting will be confirmed to the employee in writing within five working days.

6.9. In exceptional circumstances, the CCG may wish to consider extending the probationary period. This will be appropriate where concerns have been identified but these appear to be resolved, and a further period of probation seems appropriate to ensure this. It may also be appropriate where through the probationer's sickness or other authorised absence, it has not been possible to fully assess performance.

6.10. This further period of probation will be outlined in writing to the employee within five working days. The following will also be confirmed in writing;

- The length of the extension
- The reasons for the extension
- Any assistance or training that will be given during the extension period
- The performance standards expected; the way performance will be monitored, and the potential outcomes of a failure to meet expectations following the extension.

6.11. Probationary periods should not normally be extended for more than three months. Further monitoring should take place as outlined above at section 4, and the principles of this Procedure will continue to apply during any further period of probation.

7 Appeals

7.1. Employees wishing to appeal against the final decision should give notice of appeal.

7.2. Appeals should be lodged within 7 days, in writing to the named HR representation. The notice of appeal should clearly outline the grounds for appeal and include any additional supporting information the employee wishes to be considered.

7.3 Appeal hearings will usually take place within two weeks of receipt of the appeal.

7.4 Where possible, the appeal hearing will be conducted by another manager at the same level or more senior and who has not been previously involved in the case. A member of the Human Resources Department will also usually be present.

8 Associated documentation

This policy should be read in conjunction with the CCG's Disciplinary Policy, Grievance and Dignity at Work and Absence Management Policy.

Documents relating to the policy are

- Probationary period review meeting document
- 1 -1 template document
- 1-1 Guidelines