

<b><u>Policy Title</u></b>	<b>NCG Probation Policy</b>
<b><u>Policy Category</u></b>	Compliant
<b><u>Owner</u></b>	Director of People and Development
<b><u>Group Executive Lead</u></b>	Chief Executive Officer
<b><u>Date Written</u></b>	April 2019
<b><u>Considered By</u></b>	N/A
<b><u>Approved By</u></b>	Executive Board
<b><u>Date Approved</u></b>	June 2019 / Review date extended: May 2021
<b><u>Equality Impact Assessment</u></b>	The implementation of this policy is not considered to have a negative impact on protected characteristics and an assessment was carried out on 26 April 2019. This policy is available in alternative formats, if required.
<b><u>Freedom of Information</u></b>	This document will be publically available through the Groups Publication Scheme.
<b><u>Review Date</u></b>	July 2021
<b><u>Policy Summary</u></b>	The purpose of this policy is to provide a framework within which a colleagues suitability for the role is managed fairly, consistently and promptly.

<b><u>Applicability of Policy</u></b>	<b><u>Consultation Undertaken</u></b>	<b><u>Applicable To</u></b>
Carlisle College	Yes	Yes
Professional Services	Yes	Yes
Kidderminster College	Yes	Yes
Lewisham College	Yes	Yes
Newcastle College	Yes	Yes
Newcastle Sixth Form College	Yes	Yes
Southwark College	Yes	Yes
West Lancashire College	Yes	Yes

<b><u>Changes to Earlier Versions</u></b>	
<b><u>Previous Approval Date</u></b>	<b><u>Summarise Changes Made Here</u></b>
N/A - 1st Edition of Document	

<b><u>Linked Documents</u></b>	
<b><u>Document Title</u></b>	<b><u>Relevance</u></b>
NCG Code of Professional Conduct	Linked Policy
NCG Disciplinary Policy	Linked Policy
NCG Performance Management Policy	Linked Policy
NCG Sickness Absence Policy	Linked Policy

## **1. Scope and Purpose of Policy**

This policy applies to all NCG colleagues who are employed either on a permanent or temporary basis and are within their probationary period.

## **2. Introduction**

The purpose of this policy is to allow managers to fairly, consistently and objectively assess a colleague's suitability in their role during their probationary period. The probationary period commences on the first day of a colleague's employment and the duration of the probationary period is defined in their individual terms and conditions of employment.

## **3. Referral to an alternative policy/procedure**

Where any issues (i.e. conduct, performance, attendance related) arise when a colleague is in their probationary period, this will be managed in line with the NCG Probation Policy.

Where any issues (i.e. conduct, performance, attendance related) arise and a colleague has successfully passed their probationary period, these will be managed in line with the relevant NCG policy.

## **4. Probationary period**

A probationary period is a defined length of time at the start of a colleague's employment, where they are reviewed by the manager to ensure their suitability for the role and whether the role is suitable for them.

Every colleague has a responsibility to achieve a satisfactory standard level of performance, attendance and conduct. During the probationary period, the manager will coordinate the colleague's induction into their new role and department. This will include any relevant company policies, procedures and any necessary training and development, including mandatory training. The manager will set objectives specific to the role, which will be reviewed regularly to support the colleague to successfully pass their probation period.

## **5. Informal management of issues in probation period**

During a colleague's probationary period, their manager will support them through discussions as part of regular one to one meetings, which should usually take place every 4-6 weeks.

During the probationary period, where issues arise, the manager will highlight what they expect from the colleague, set clear objectives and both colleague and manager will jointly determine if support or training is required to help the colleague achieve and maintain the expected standard. Examples of these issues may be:

- Conduct; behaviours, compliance with internal rules, policies and procedures;
- Performance; lack of knowledge, understanding, aptitude, skill or experience;
- Attendance; time keeping and time lost due to absence;
- Unsatisfactory / outstanding employment checks; criminal record check, qualifications, medical clearance and unsatisfactory references;
- Unsatisfactory / outstanding mandatory training.

## **6. Formal Probation procedure**

Where expected standards are not achieved following informal discussions, or where the concerns are deemed significant enough, a manager may invite a colleague to a formal probationary review meeting to review the probationary period, which may have an impact on the colleagues continued employment.

Where there are no issues during a colleague's probationary period, or issues have been satisfactorily resolved, the manager will meet with the colleague to confirm successful completion of their probation.

## **7. Invite to a formal probationary review meeting**

Reasonable notice of a formal probationary review meeting will be given in order to prepare. Normally this will be 7 calendar days, unless otherwise agreed.

Timeframes may be adjusted at the discretion of the manager to allow sufficient time for the provision of alternative formats of documents to be made available.

The invite to the meeting will confirm that the formal procedure is being implemented, the date, time and venue of the meeting and confirm any entitlements (i.e. the right to be accompanied) and the possible outcome as a result of this procedure. Colleagues will also be provided with any relevant documentation.

## **8. Right to be accompanied**

At formal meetings, colleagues have the right to be accompanied by a trade union representative or an NCG colleague.

The chosen companion will be allowed to address the meeting, respond on the colleagues behalf to any view expressed and sum up the case on their behalf. However, the meeting is essentially between the colleague and the manager, and is the colleague's opportunity to provide further details, so

any questions put directly to the colleague should be responded to by them and not their companion.

Colleagues should make every effort to attend. If the colleague or their companion cannot attend a meeting at the date or time arranged, they should let the manager know as soon as possible and within reason agree an alternative date and time. If a colleague fails to attend without explanation, or fails to attend a rescheduled meeting, the meeting may take place in their absence.

If a colleague has disclosed an underlying health condition, suffer from a chronic illness or disability, the manager will consider requests for a non-participating health care provider to be present during formal meetings.

## **9. Note Taking & Recording**

Other colleagues attending the meeting will include a note taker and may involve a member of the HR team.

Recording equipment cannot be used at any time during meetings. Non-verbatim notes will be taken during the meeting and colleagues will be provided with a copy of the notes from their meeting. The colleague or their representative are welcome to take their own notes.

## **10. During the formal meeting**

At the meeting, the manager will outline the concerns, give the colleague the opportunity to respond and provide any background information or mitigation they would like taking into consideration. The manager will summarise what has been discussed and adjourn the meeting before making a decision regarding the outcome.

## **11. Outcomes following the formal probationary review meeting**

Following the formal probationary review meeting the outcome may be:

- The manager will continue to provide support and guidance through the colleague's regular 1:2:1 meetings, for the duration of the probationary period.
- The colleague is confirmed in post (at the end of the probationary period).
- The colleague's probationary period may be extended and the manager will continue to provide support and guidance.
- The colleague's employment will be terminated with notice. In the case of conduct issues, their employment may be terminated without notice if the issue is deemed as gross misconduct.

Please note, a colleague may be invited to attend more than one formal probationary review meeting during the entirety of their probationary period where issues continue, or new concerns arise. For the above outcomes, additional support may also be applicable i.e. training, or coaching.

Where applicable, the manager will take due consideration of occupational health advice before determining any probation outcome. Therefore, it is imperative that colleagues disclose any underlying health conditions, chronic illnesses or disabilities early on in any process.

The outcome will be confirmed in writing outlining any next steps, where appropriate. If the outcome is dismissal, the colleague will be notified of their legal right of appeal.

## **12. Right of Appeal**

Colleagues have the right to appeal against the outcome of a formal sanction. They should appeal in writing to the person identified in the outcome letter, stating the full grounds of their appeal within one calendar week of receipt of the outcome letter.

Any appeal should be exercised under the relevant policy rather than raising a grievance under the NCG Grievance Policy.

A manager will be appointed and a further meeting will be held to discuss the appeal. The colleague will have the right to bring a companion in line with other formal meetings. As the appeal meeting is formal, the same principles will apply to that of other formal meetings with regards to the meeting invitation, rights, attendees, responsibilities and expectations.

Following the appeal meeting, the outcome may be:

- The original decision is upheld
- The original decision is overturned
- The colleagues position is reinstated where redeployment or dismissal was deemed too severe

The outcome will be confirmed in writing outlining any next steps, where appropriate. The appeal manager's decision is final and there is no further right of appeal.

## **13. Variations to this policy / procedure**

This procedure is intended as an overview of how to manage probationary periods, however, it may need to be adapted to suit the needs of each situation. On occasions, it may not be appropriate to follow each of the stages in turn or in the timescale suggested. Regardless of the stage at



which this procedure is started, support will be offered and implemented to assist the colleague throughout the process.