

<u>Policy Title</u>	<b>NCG Probation Policy</b>
<u>Policy Category</u>	Compliant
<u>Owner</u>	Executive Principal (People & Culture)
<u>Group Executive Lead</u>	Chief Executive Officer
<u>Date Written</u>	August 2023
<u>Considered By</u>	N/A
<u>Approved By</u>	Executive Board
<u>Date Approved</u>	August 2023
<u>Equality Impact Assessment</u>	The implementation of this policy is not considered to have a negative impact on protected characteristics and an assessment was carried out on 17/09/21. This policy is available in alternative formats, if required.
<u>Freedom of Information</u>	This document will be publicly available through the Groups Publication Scheme.
<u>Review Date</u>	August 2026
<u>Policy Summary</u>	The purpose of this policy is to provide a framework within which a colleague's suitability for the role is managed fairly, consistently and promptly.

<u>Applicability of Policy</u>	<u>Consultation Undertaken</u>	<u>Applicable To</u>
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>	
September 2021 (reviewed August 2023)	4 – Induction information has been updated to reflect the new materials available.
	7 – Invitation letter will include details of our Employee Assistance Program.

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

<b>Equality Impact Assessment</b>	<b>Judgement</b>	<b>Explanatory Note if required</b>
<b>EIA 1 - Does the proposed policy / procedure align with the intention of the NCG Mission and EDIB Intent Statement in 2.0?</b>	Yes	
<b>EIA 2 - Does the proposed policy / procedure in any way impact unfairly on any protected characteristics below?</b>		
<b>Age</b>	No	
<b>Disability / Difficulty</b>	No	
<b>Gender Reassignment</b>	No	
<b>Marriage and Civil Partnership</b>	No	
<b>Race</b>	No	
<b>Religion or Belief</b>	No	
<b>Sex</b>	No	
<b>Sexual Orientation</b>	No	
<b>EIA3 - Does the proposed policy / processes contain any language / terms / references / phrasing that could cause offence to any specific groups of people or individuals?</b>	No	
<b>EIA4 - Does the policy / process discriminate or victimise any groups or individuals?</b>	No	
<b>EIA 5 - Does this policy / process positively discriminate against any group of people, or individuals?</b>	No	
<b>EIA 5 - Does this policy / process include any positive action to support underrepresented groups of people, or individuals?</b>	No	
<b>EIA 6 - How do you know that the above is correct?</b>	The above has been reviewed in line with NCG's mission and EDIB statement.	

## 1. Scope and purpose of policy

This policy does not form part of a colleague's contract of employment and does not confer any contractual rights. It applies to all NCG colleagues, who are employed either on a permanent or temporary basis and who are within their probationary period.

## 2. Introduction

The purpose of this policy is to provide a framework in which probationary periods are managed fairly, consistently and objectively to assess a colleague's suitability in their role. The probationary period commences on the first day of a colleague's employment and the duration 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 a colleague changes role or is promoted (therefore not new to the organisation) and they have already successfully passed a probationary period, their suitability for the new position will instead be managed in accordance with NCG's Performance Management policy.

Where a colleague has successfully passed their probationary period, and a performance concern relates to long-term absence or an underlying health condition, this will be managed in line with the NCG Sickness Absence Policy.

Where a colleague has successfully passed their probationary period, and there are concerns as a result of carelessness, negligence or misconduct, this will be managed in line with the NCG Disciplinary Policy.

#### **4. Induction**

At the start of the probationary period, the manager will incorporate a colleague's induction into the process. This will ensure the colleague is fully integrated into NCG.

A Job Induction booklet is available to support the managers and new colleagues with structuring the induction, including a checklist, signposting to any relevant company policies, procedures and necessary development, including mandatory training.

The manager should also ensure information such as the job description and an overview of the department are accessible, along with the setting of role specific objectives which will be reviewed regularly to support the colleague during their probation period.

In addition, all new colleagues will be invited to attend a People Induction session which will be delivered locally by a designated member of the P&D team.

An effective Induction should familiarise the new colleague with information about their working environment, facilities and NCG Strategy, Mission, Culture and Values.

**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 meeting's, which as a minimum should take place every 4 – 6 weeks.

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

- Conduct; behaviours, compliance with internal rules, policies and procedures;
- Performance; lack of subject and pedagogy knowledge, understanding, aptitude, skill or experience;

- Attendance; time keeping and time lost due to absence;
- Unsatisfactory / outstanding mandatory training.

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.

### **6. Formal probation procedure**

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

For colleagues undertaking an educator role, where there are concerns with the quality of education and learners not receiving the required level of education, this will be managed alongside the NCG TLA Policy.

### **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 and details of how to access our Employee Assistance Program.

Meetings may be held face to face or virtually through relevant business software, such as, Microsoft Teams. Colleagues will be given notice of how the meeting will

be conducted. If the meeting is to be held virtually, the importance of privacy will be stated and confirmed before the meeting commences.

## **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 colleague's 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 People & Development 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 and 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 one to one meeting's, for the duration of the probationary period. If no further issues arise the colleague will be 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 during this time.
- The colleague may be dismissed 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 dismissal where this is the outcome. 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. If an appeal is not made within 7 calendar days, it will be assumed that the colleague accepts the decision.

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.

The purpose of the appeal is to consider any of the following raised by the colleague;

- Any new evidence provided.
- Specific appeal reasons.
- Procedural matters.
- Whether the outcome was appropriate.

Following the appeal meeting, the outcome may be:

- The original decision is upheld.
- The original decision is overturned.
- The colleague's 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 facilitated by the manager to assist the colleague throughout the process.