



PROBATION POLICY

This document details the policy of Cambridgeshire and Peterborough Fire Authority (the Authority) as implemented by Cambridgeshire Fire and Rescue Service (the Service/CFRS). It replaces all previous policy documents, Service Management and Administration Orders and forms relating to this subject. Its content is based on legislation, nationally and locally agreed terms and conditions and good practice.

This document is effective from **DATE** and should be read in conjunction with the **Probation Toolkit (DMS #)**, which provides practical guidance and template documents to support the management of probation issues.

Neither this document nor the **toolkit** can be expected to cover every possible eventuality that may arise in relation to the management of probation issues, and both managers and employees are expected to take a reasonable approach, and seek further advice from the Human Resources Group where necessary. Questions relating to procedure should be addressed to your line manager.

This policy will be reviewed as and when required to reflect business requirements and legislative changes.

Version history

Version	Date	Comments
#DMS 359873 v1	14/01/2015	Non-Uniformed Employees
#DMS411943 v1	August 2016	All employees

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POLICY STATEMENT AND SCOPE

Cambridgeshire Fire and Rescue Service (CFRS) is committed to the effective management of performance at work to ensure the efficient provision of services and the safety and wellbeing of employees and the public.

This policy is designed to help line managers to objectively assess the capabilities of an employee throughout the probation period, and to determine whether or not they meet the required standards in relation to performance, conduct and attendance, and therefore if they are suitable for continued employment.

All appointments at CFRS will be subject to a probation period in line with their terms and conditions of employment. This policy applies to all new employees and includes those that have been appointed following a period of working through an employment agency.

All matters relating to unsatisfactory performance, conduct and / or attendance will be managed through this policy whilst the employee remains in their probation period.

This policy does not apply to existing CFRS employees who move posts, unless in exceptional circumstances, where an employee has moved into a different role whilst within their probationary period. Please note that employees are advised to discuss any potential internal moves with their line manager before applying to any advertised vacancies, as in most circumstances employees in their probationary period will not be able to apply for advertised posts unless they are in the last two months of a six month fixed term contract.

KEY PRINCIPLES

As defined by ACAS, the aim of the probationary period is to ensure that new employees are provided with sufficient opportunity to demonstrate that they possess the required skills, knowledge and experience to perform effectively in their role.

The length of the probationary period will be dependent on an employee's role within the organisation and will be set out in their terms and conditions of employment. For more information regarding specific timescales, please refer to the **toolkit**.

It is the responsibility of the direct line manager to make arrangements to meet with an employee early on in their employment to fully communicate their expectations, ensure the requirements of the role (based upon the job description) are clear, and agree specific objectives that will apply during the probation period. For employees within an operational role, the management



of the probation period will be the responsibility of the relevant course leader from Training Centre.

The line manager must meet with the employee on a regular basis throughout the probation period to review performance, conduct and attendance, provide the employee with the opportunity to comment, and/or discuss their perspective on these areas and how they feel they have settled into the organisation, and identify any potential issues.

Any concerns that a line manager may have regarding performance, conduct or attendance must be communicated to the employee at the earliest opportunity, and not delayed until the end of the probation period.

If during an employee's probation period it is suspected or established that the employee does not have the qualifications, experience or knowledge that he/she claimed to have at the time of recruitment, the line manager should contact the HR Group to discuss further. If evidence suggests that the employee mislead the Service or misrepresented their abilities in any way, the organisation will reserve the right to terminate the contract of employment.

Line managers must ensure that they give full consideration as to whether or not the employee meets the required standards of the role and is suitable for continued employment.

In circumstances where there are concerns with an employee's performance, conduct and/or attendance, it may sometimes be appropriate to extend an employee's probationary period. The line manager should seek advice from the HR Group and consider if there is genuine evidence to believe that the employee is likely to achieve the required standard within the extended timeframe.

Should it become apparent during the probationary period that an employee is wholly unsuitable to perform within their role, or there are serious concerns surrounding performance, conduct or attendance Cambridgeshire Fire and Rescue Service (CFRS) reserves the right to dismiss an employee at any time during the probationary period.

Once the probation period has been successfully completed the relevant probationary form should be sent to the HR Group, who will then write to the employee to confirm them in post following the successful completion of their probationary period, and advise of any revised notice periods in line with the employee's terms and conditions of employment.

PROBATION PROCEDURE FLOWCHART

The flowchart on the following page summarises the key steps of the employee probationary process and the responsibilities of those involved in the process are also shown.



The flowchart gives an overview of the procedures to be followed - more detailed guidance to support this flowchart can be found in the following sections and in the **toolkit**.

If, after reading this document and the toolkit in full, managers require further support and guidance they should contact the HR Group.

FLOWCHART TO BE CREATED AND ADDED

RESPONSIBILITIES OF THE LINE MANAGER

It is the line manager's responsibility to manage and support the employee during their probationary period. It is important to ensure that there is consistency and that the employee has a main point of contact throughout their probation period.

The process for managing the probation period is dependent on the employee's role and training requirements; for more information please see the **toolkit**. It is important to remember that special considerations will need to be taken when arranging performance review meetings for employees within an operational role and for those that are based at training centre with a role that requires assessments and/or intensive training, where specific objectives will be set in line with the Phase 1 and Phase 2 assessments.

It is recommended that the line manager makes arrangements to meet with the employee during the first two weeks of employment to establish performance, conduct and behavioural expectations. This meeting could be an extension of a regular one-to-one meeting, or the line manager may prefer to arrange a separate meeting.

The line manager should normally set objectives that will apply for the duration of the probationary period, and discuss any training or other support that may be required to enable the employee to be able to meet the expectations of the role and the objectives set. For guidance on setting SMART objectives see [DMS # 200892](#).

PROBATIONARY REVIEW PROCEDURES

Line managers are required to evaluate an employee's performance, conduct and attendance on a frequent basis throughout the probation period, in order to best support the employee, and in order to be able to promptly identify any issues concerning the employee's ability to meet the required standards of the role

It is good practice for the line manager to arrange each probationary review meeting in advance. This will give the employee plenty of notice that a review meeting will be taking place, and will provide both the line manager and employee with time to fully prepare for each stage of the probationary review process.



Allowing sufficient time to conduct a probationary review meeting is key at each stage of the process, as this will help ensure that a productive meeting takes place with the full engagement of the employee.

Probationary review meetings should take place in an environment that is private and away from disruptions. It is important that the employee has the full attention of the line manager and that no interruptions take place unless absolutely necessary.

The discussion that takes place during a probationary review meeting should be balanced, giving positive feedback on key achievements and recognition for areas in which the required standard is being reached alongside discussing in detail any areas where further training or coaching may be required. Line managers should encourage a two-way conversation, ensuring that meetings also provide the employee with the opportunity to feedback on aspects of their role, and how they feel that are settling into the organisation.

It is essential that the line manager keeps a clear record of the employee's performance, conduct and attendance at each stage of the probationary review process, to include any updated or amended objectives.

The specific process which the line manager is required to follow when recording the details of the probationary review meeting will be entirely dependent on the role of the employee as outlined in the **toolkit**.

EXTENSION OF PROBATIONARY PERIOD

In circumstances where there are concerns with an employee's performance, conduct or attendance, and therefore their suitability for continued employment, it may sometimes be appropriate to extend the probationary period.

Before any consideration to extend a probationary period can be made, it is essential that the direct line manager has sufficient **factual** evidence to support the reasons as to why an extension should be considered.

The evidence to support an extension to a probation period will depend entirely on the role of the employee, but the overarching principal is that the line manager should be able to clearly demonstrate the areas where performance, conduct or attendance is of concern. Furthermore, the line manager must genuinely believe that with additional training or coaching, the employee will reach the required standards within the extended timeframe.

The line manager must seek advice from the HR Group, and the decision to extend a probation period should be made at least 4 weeks prior to the end of the original probationary period. Where it is decided to extend an employee's probationary period, the HR Group will set out the terms of the extension in writing. Please see the **toolkit** for more guidance.



Extensions to the probation period should not be granted if there is substantial evidence to support a belief that it is unlikely that the employee will reach the required standards of the role. Extending the probation period would be unfair on the employee and would only delay the inevitable termination of employment.

DEALING WITH PERFORMANCE, CONDUCT OR ATTENDANCE ISSUES DURING THE PROBATIONARY PERIOD

It is essential that any identified performance, conduct or attendance issues are dealt with promptly during the probation period, are substantiated with evidence, and clearly communicated to the employee at the earliest opportunity. By tackling identified issues and communicating performance concerns as and when they occur, the employee will be explicitly clear about any areas where improvement is needed.

Addressing any performance, conduct or attendance concerns should **not** be left until the end of the probationary period; they should be addressed in a timely fashion as they arise, through normal probationary review meetings. If sufficient progress is not being made, or if there are significant concerns, the line manager should seek advice from the HR Group about calling the employee to attend a formal probationary review meeting.

Please refer to the **toolkit** for more guidance.

The employee **must** be made aware at this stage of the potential implications of failing to reach a satisfactory level of performance, conduct or attendance, and in particular that this may result in the termination of their employment.

Line managers must keep detailed record of everything discussed at a formal probationary review meeting, and confirm the outcome of the meeting in writing to the employee. Please refer to the **toolkit** for more guidance.

Note that in most situations, it is recommended to hold a first formal probationary review meeting with an employee before progressing to a final formal meeting to consider the employee's continued employment. However, in situations where there is factual evidence of significant unsuitability for continued employment, CFRS reserves the right to proceed immediately to a final formal probationary review meeting. For operational staff, this includes failure to complete mandatory elements of operational training and assessment in the necessary timeframes.

If there is not sufficient progress in an agreed time frame following a first formal probationary review meeting, the line manager should seek advice from the HR Group as to if it would be appropriate to proceed to a second formal probationary review meeting, an outcome of which may be the termination of the individual's employment.

Please see section below headed "Termination of employment" for more information.



SUCCESSFUL COMPLETION OF PROBATION PERIOD

In situations where the line manager is satisfied with the employee's progress throughout their probation period and intends to confirm the employee in post, it is recommended that the final probation review meeting is conducted no less than 4 weeks prior to the end of the probationary period. The HR Group will send a reminder to the direct Line Manager advising that the employee's probationary period is due to expire, and that a formal meeting with the employee must be arranged to discuss their performance throughout the probationary period and suitability for continued employment. A record of the discussion, including any comments from the employee should be made on the probation form, please refer to the **toolkit** for the correct form to use, depending on the employee's role.

The completed form should be signed by the direct line manager and the employee, before being sent to the Head of Group for final approval. The Head of Group should then forward the completed paperwork to the HR Group, who will write to the employee to confirm them in post following the successful completion of their probationary period, and advise of any revised notice periods in line with the employee's terms and conditions of employment.

TERMINATION OF EMPLOYMENT

If an employee's performance, conduct and/or attendance during their probationary period is deemed unsatisfactory, despite additional training, support and guidance from the line manager as appropriate, **and** it is genuinely felt unlikely that further training or coaching would lead to a satisfactory level of improvement within an appropriate timeframe, the line manager should consult with the HR Group to determine if it would be appropriate to hold a formal probationary review meeting to consider if the employee's contract of employment should be terminated.

In most situations, it is recommended that the employee is provided with the opportunity to complete their probationary period in order to ensure that they have been given every reasonable opportunity to meet the required standards of performance, conduct and / or attendance. However, in situations where there is factual evidence that clearly suggests that the employee is wholly unsuitable for continued employment, Cambridgeshire Fire and Rescue Service reserves the right to dismiss an employee at any time during the probationary period.

Line managers must consult with the HR Group before proceeding to a formal probationary review meeting which will consider the possible termination of employment. For more guidance on the procedure to be followed, please refer to the **toolkit**.

The employee must be notified in writing of the details of the formal probationary review meeting and provided with a minimum of 7 calendar days



notice. The employee has the right to be accompanied to a formal probationary review meeting by a Trade Union representative, or a colleague of their choice from Cambridgeshire Fire and Rescue Service.

Because the meeting will consider the employee's possible dismissal, the meeting must be chaired by an Area Commander or a Director.

The outcome of the meeting will be confirmed to the employee in writing within 7 calendar days of the meeting.

APPEAL AGAINST TERMINATION OF EMPLOYMENT

Employees have the right to appeal against the decision to terminate their employment due to a failure to meet expected standards of performance, conduct and / or attendance during the probationary period. An appeal must be made in writing within 7 calendar days of receiving written notification confirming the decision to terminate the contract of employment. However, if there is an unreasonable delay in the employee receiving the written notification, (for example, the employee does not pick up the letter from the post office until two weeks after it was sent) this will not extend the appeal deadline unnecessarily.

The appeal will normally be heard by a higher level of manager than the one who heard the original formal probationary review meeting and who has the authority to amend the original decision if appropriate. Wherever possible, the appeal manager will also be someone who has not been involved in the process to date and who has

The employee must be notified in writing of the details of the appeal meeting (which will be held as soon as is reasonably possible) and provided with a minimum of 10 calendar days notice. The employee has the right to be accompanied to an appeal meeting by a Trade Union representative, or a colleague of their choice from Cambridgeshire Fire and Rescue Service.

For more guidance on the procedure to be followed, please refer to the **toolkit**.

The outcome of the appeal hearing must be confirmed in writing to the employee within 7 calendar days of the meeting.

The decision of the appeal hearing manager is final, and there is no further right to appeal.