



Probation Toolkit

This toolkit is designed to provide managers with practical procedural guidance and DMS hyperlinks to template documents to support them in the management of probation periods. It is also useful for the employee to understand more about how their probation period will be managed, and in particular how any issues that may arise will be dealt with.

This toolkit should be read in conjunction with the [probation policy](#).

Version	Date	Comments
1.0	01/12/2017	

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RELEVANT DMS DOCUMENTS REFERRED TO IN THIS TOOLKIT

Document and Forms	DMS Number
Probation policy and procedure	467238 v2
Probation review form	<u>274598</u>
Objective setting guidance	<u>200892</u>
Template of performance plan	<i>To be added</i>
Template of a probation review meeting	<i>To be added</i>

Template Letters	DMS Number
Invite to First Formal Probation meeting – support staff	<i>To be added</i>
Invite to Second Formal Probation meeting – support staff	<i>To be added</i>
Confirmation of passing probation period – support staff	<i>To be added</i>
Invite to First Formal Probation meeting – operational staff	<i>To be added</i>
Invite to Second Formal Probation meeting – operational staff	<i>To be added</i>
Outcome of First Formal Probation meeting – all staff	<i>To be added</i>
Outcome of Second Formal Probation meeting – all staff	<i>To be added</i>

INTRODUCTION

A probation period is a contractual obligation which forms part of the terms and conditions of employment. All new employees will have a probation period; the purpose is to allow the employee the opportunity to demonstrate that they possess the required skills, knowledge and experience to perform effectively in their role.

Broadly, the good management of an employee's probation period should be about:

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- Objective setting – clarifying expectations at the outset of the process
- Continuous feedback from the line manager to the employee, and vice versa, with regards to development areas and strengths during 1-2-1 review periods
- Measuring progress against the original job description and person specification.
- Regular coaching
- On-going assessment

The length of a probation period will differ depending on an employees' contract:

Employee's role	Length of probation period
Support	6 months
Firefighter	24 months
Combined Fire Control Firefighter	35 months

Although the Service will always endeavour to work with employees to support them to successfully complete their probation period, please note that the Service does reserve the right to terminate the contract of employment of any employee whose qualifications, knowledge and experience does not match the information provided at interview. The Service also reserves the right to terminate an employee's contract of employment at any time should it become apparent during the probation period that the employee is wholly unsuitable for the role, or serious concerns emerge surrounding the employee's conduct. Advice should always be sought from HR in these circumstances.

ROLES AND RESPONSIBILITIES

Line managers

During an employee's probation period, a line manager has a responsibility to:

- Monitor and review employee's progress against objectives set based on their job description / role map.
- Ensure the employee is aware of their own responsibilities throughout the probation period.
- Offer support and guidance to the employee to overcome any difficulties they may have.
- Prepare adequately beforehand all meetings by reviewing employee achievements and outstanding goals.
- Prepare feedback on work completed.
- Seek support and advice as appropriate to be able to best manage the employee through their probation period (see below).



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- Update probation documents and send paperwork to HR where appropriate

Please note that for operational staff, the line management function will be fulfilled by the relevant course leader from Training Centre.

Employees

During their probation, an employee has a responsibility to:

- Attend all probation review meetings.
- Prepare adequately before all meetings by reviewing achievements and outstanding goals.
- Update their probation plan after every review meeting. (The employee's manager will advise if this is relevant. For CFC this will be the log of contact and the Assessment Planning Form).
- Complete any action points agreed with their manager (e.g. training, skills development).
- Highlight any areas of concern to their line manager immediately.

SUPPORT FOR MANAGERS AND EMPLOYEES DURING THE PROBATION PERIOD

Advice, guidance and support is available for both managers and employees during the probation period from a number of sources:

HR Group

The Human Resources Group can offer support and guidance to managers in terms of understanding and implementing the policy and procedure. At the formal stages of the policy the presenting manager and hearing manager will be supported by an HR representative. If you are unsure about any aspect of the probation process, please contact the HR Group.

Please [click here](#) to access the contact details and further information on the HR Department on the intranet.

Training and Development Group

The Training and Development Group can provide information on training for core skills such as BA/BAR, IC and IOC training matters. They may be able to provide you with training suggestions and solutions to issues raised during the probation period.



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Please [click here](#) to access contact details and further information on the Training Group on the intranet.

Occupational Health

Referrals to Occupational Health (OH) should be considered in instances of:

- Persistent short-term absence (to understand if there are any underlying medical reasons).
- Long-term absence.
- Other instances where medical advice may be required, e.g. management of on-going known health issues.
- Concerns regarding an employee's health and wellbeing.

An employee does not have to be absent from work for a referral to take place; therefore it is sometimes advisable to make a referral to OH if a probation issue has arisen. **Click here** to access the relevant form to make a referral to Occupational Health.

Please [click here](#) to access the contact details and further information on Occupational Health.

Welfare Advisor

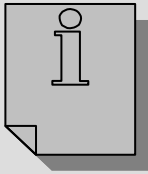
CFRS employs a Welfare Advisor to support its employees and managers. If you have any concerns or issues from a welfare perspective, you may contact the Welfare Advisor on 07900 267923.

Employee Assistance Programme (EAP)

Employees and managers may also find the Employee Assistance Programme (EAP) helpful. The EAP is in place to provide access to confidential information and counselling, and is designed to help employees deal with problems, whether big or small, personal or work related. The EAP can also provide support to managers who are dealing with a difficult or sensitive issue at work.

Employees can contact the independent EAP service 24 hours a day, 365 days a year and as many times as you feel necessary. Most issues can be resolved via the Helpline Support or via on-line information. However, if employees need more specialist support there is a facility where they can be referred for face-to-face counselling support for up to 6 sessions. The EAP can be contacted via the telephone helpline on 01489 553000, or by visiting the website **<http://eap.rightcorecare.co.uk>**.

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Hints and tips for managers

- Always consider if there are any underlying issues affecting the individual's performance.
- Make sure you are aware of the support mechanisms for both your employees and yourself as a manager.

RECORD KEEPING

Notes should be taken of what is discussed at every stage of the probation process; a copy should be forwarded to the Human Resources Group to add to the employee's PRF for all formal hearings.

Review meeting notes provide the evidence that appropriate support and coaching has been provided by the line manager

Records should include:

- Action plans and objectives set
- Relevant information given to the employee indicating the required conduct/behaviour
- Records of progress, feedback obtained and given, support mechanisms put in place etc.

Accurate and detailed notes of what is discussed between the line manager and the employee at each stage of the process demonstrate that both parties have discharged their responsibilities properly. This can be particularly important if it becomes necessary to proceed to the formal probation process (see below).

A dedicated note taker will normally be present at any Formal Probation meeting, to capture a record of the meeting.

EMPLOYEES WHO ARE CONSIDERED DISABLED

It is important to understand that the Service has particular obligations towards employees considered disabled to make 'reasonable adjustments', where premises or working practices put a disabled employee at a substantial disadvantage to others.



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Why is it important to consider reasonable adjustments during the probation period?

As part of the recruitment process you should be aware if your new starter is considered disabled under the Equality Act (2010), and you should have received guidance on what reasonable adjustments they may require. You should discuss this appropriately with your employee during your initial probation meeting (see below), to ensure you have properly understood and met the employee's needs.

What if you suspect that an employee has an undisclosed disability?

The Service encourages all applicants to declare any disabilities that they may have at the application stage, so that we can ensure we are able to best support them.

However, if an employee is underperforming and you suspect that they may have an undisclosed disability then it is important to discuss this with them in case this is the reason for their underperformance. If this is the case then it is likely that you will need to refer the employee to Occupational Health to obtain further guidance on how best to support them.

Reasonable adjustments in the formal probation process

Reasonable adjustments may well apply to all meetings held with the employee as well as reasonable adjustments to premises or day-to-day working practices. This can include investigatory meetings, and the right to bring a companion to such meetings if the companion's presence at the meeting would help overcome a substantial disadvantage caused by the employee's disability.

A more flexible approach should also be taken when deciding what kind of companion should be allowed to accompany a disabled employee at a formal meeting, e.g. an employee with a learning difficulty or long term depression may want to be accompanied at a meeting by a family member or a friend, and this should be carefully considered by employers and permitted in the majority of cases unless such a refusal can be justified.

More guidance about reasonable adjustments and how to support employees who are considered disabled

More information and guidance can be found in the [Disability Support Policy and Reasonable Adjustment Procedure](#).

You can also speak with the Service's Equality and Inclusion Advisor or the HR Group if you require any more information or advice.



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GIVING EFFECTIVE FEEDBACK

It is important to give good quality feedback at all stages of the probation period.

The purpose of feedback is to give information on performance in an honest, supportive way, so that the employee recognises areas of strength and areas for development, and is encouraged to develop their own solutions to any problems that may arise during their probation period.

Good quality feedback will give every employee the best opportunity to meet their objectives and if necessary to improve their performance.

How should feedback be given?

Constructive feedback should be given throughout the probation period through two-way communication between line manager and employee.

This should initially be given as verbal feedback as written feedback alone does not give the other person a real opportunity to engage in two-way communication and, more often than not, results in misunderstandings.

Once feedback has been given verbally, it is important to make a note of the feedback given and any agreed actions resulting from the feedback, as part of the on-going record of someone's performance in their probation period.

What are the key points when giving feedback?

In order to give good quality feedback, you should give consideration to the following:

- It is essential to prepare to give feedback in advance, making sure you are certain of what you want to say, why you want to say it and anticipate the likely reaction so that it is easier to achieve the desired outcome.
- Do not give feedback in an emotional state as this is more likely to result in this being more negative than intended.
- Although it is advisable for feedback to be given as soon as possible after the event, it must be given in a setting that respects the sensitivity of the issue and individual.
- It is important that you own the feedback you give so that is framed in terms of your own observations rather than the complaints or comments of others.
- Objective feedback is preferable as it outlines the factual consequences of a person's actions and can be backed up with specific examples.
- Check understanding and acceptance of what has been said. Asking "How does this sound?" encourages a response without pressure to give a particular answer.



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- Observe non-verbal behaviour to determine if the employee is feeling okay about the feedback and that a positive climate has been maintained.
- Avoid comparing one person with another as it is neither useful nor helpful and can lead to conflict within the work environment.
- Help the employee to come up with their own plans and goals to improve their performance to improve the chance of leaving a positive impression and to help the employee to take ownership.
- Focus on giving feedback the employee can use to improve their performance and avoid information overload.
- Any feedback about underperformance should focus on the performance issues (e.g. lack of knowledge, inappropriate behaviour etc.) and not personality.

GENERAL MANAGEMENT OF THE PROBATION PERIOD (all employees, not just those who may be underperforming during their probation period)

This section sets out in broad terms how to properly manage the probation period for all employees (not just those who may be underperforming during their probation period).

Specific information is given for staff in different parts of the organisation as appropriate.

Initial probation meeting – operational staff including Combined Fire Control

What is the purpose of this meeting?

This is an informal welcome meeting and the goal of it is to explain the standards required of the employee, introduce them to their mentor and the IPDS system, explain to them how their progress will be monitored and how regularly IPDS will be reviewed, introduce them to the requirements of their role map to enable them to fulfil their contract of employment.

When should this meeting take place?

The initial meeting should be conducted by the employee's line manager / relevant course leader from Training Centre as soon as possible after commencing employment with the Service, and ideally in the first one to two weeks as part of their induction.



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Where should this be conducted?

This meeting should be conducted privately, away from any distractions to ensure that the line manager and employee are not interrupted.

How should the meeting be conducted?

This is an informal meeting.

Does the employee have a right to be accompanied?

The employee does not have the right to be accompanied at these meetings, because this is an informal process.

Initial probation meeting – support staff

What is the purpose of this meeting?

The goal of the initial review meeting is to explain the standards required of the employee and set objectives based on their job description / role map to enable them to fulfil their contract of employment.

Objectives should be SMART (see the [**Objective Setting Guidance**](#) for more information), and should reflect expectations regarding standards of work performance, conduct and attendance. It is important to determine appropriate support, training and guidance needed to bridge gap between existing knowledge and skills and the level required to perform the role.

Objectives should be clear and relevant to the role so that they are understood by the employee who can explain how they will achieve them over the course of their probation period.

You should also ensure that the employee is aware of the expectations upon them to meet their objectives and how you will guide and support the employee to achieve them in full by the end of their probation period.

When should the initial review meeting take place?

The initial meeting should be conducted by the employee's line manager as soon as possible after commencing employment with the Service, and ideally in the first one-two weeks as part of their induction.



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Where should this be conducted?

This meeting should be conducted privately, away from any distractions to ensure that the line manager and employee are not interrupted.

How should the meeting be conducted?

The initial meeting will cover the following:

- Explain fully the probation procedures to be followed.
- Clarify the everyday duties and responsibilities of the new employee in line with their terms and conditions of employment and their job description / role map (providing them with a copy).
- Identify and put in place ways to address any training and development requirements – this could comprise mentoring, in-house training, external training courses (where necessary), etc.
- Agree dates for monthly informal progress meetings and formal review meetings.
- Document the details of the meeting on the Probation Review Form. A DMS reference or a hard copy should be sent to HR so that this can be stored on PRF

Line managers should make sure that timescales for objectives are conveyed to the employee, and that the employee is clear about what they need to achieve by the first interim review meeting and ultimately the objectives they need to meet by the end of their Probation Period.

What other activities may be helpful at this stage?

The goals set at this initial meeting should be supplemented with a number of other activities to ensure the employee can successfully complete their probation period.

- Employees could create a probation plan that will enable them to outline their progress against all their objectives and explain how they intend to achieve any outstanding goals. This can include references to ongoing work projects and training agreed with their line manager.
- Monthly informal review meetings should explore progress and ensure all achievements and progress are documented.
- Regular confidential one-to-ones so that the employee has the opportunity to highlight problems early and overcome any concerns they may have regarding meeting their objectives.



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All meetings should aim to provide, as appropriate:

- constructive feedback
- support/ guidance
- identification of how well training and coaching has been at helping to meet objectives set.

Does the employee have a right to be accompanied?

The employee does not have the right to be accompanied at these meetings, because this is an informal process.

Interim progress meetings / 1-2-1's - operational, CFC and support staff

The employee's progress should be regularly monitored throughout the probation period to ensure both line manager and employee are aware of progress being made, and to highlight any achievements or any performance issues in a timely manner. Good quality feedback given during these regular review meetings can motivate an employee to give their best and help them to fully settle into their new role.

During these meetings, the line manager and employee should refer to the employee's probation plan and make a note of what has been achieved, what is still to do and, if appropriate, where there have been difficulties in making progress toward meeting the objectives set. This should be recorded for future reference at informal progress meetings and the next scheduled review meeting.

Interim progress meetings should take place as often as needed, but it is recommended that they should be held at least on a monthly basis. Managers can choose whether to combine interim review meetings with normal 1-2-1's (where the focus of the discussion will be more on day-to-day matters), or to hold separate meetings.

It is acknowledged that due to the format of the new recruits training for Combined Fire Control and Wholetime, employees will not be able to have 1-2-1's with their manager until they join their watches. However, provisions should be put in place to ensure that there is a regular catch up with someone who can take the place of their line manager so that any potential issues can be resolved early on in their employment and welfare/support is in place as appropriate. This will normally be the relevant course leader from Training Centre / Combined Fire Control Training Manager.



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Probation interim review meeting(s) - operational, CFC and support staff

What is the purpose of this meeting?

The purpose of the meeting is to give the line manager and employee the opportunity to review progress towards meeting the requirements of their job description / role map.

What should be discussed at this meeting?

Line managers should clearly outline to the employee the areas where they have met / are meeting their objectives in addition to any areas where improvement is required. Clear guidance and support should be offered to enable the employee to improve their performance and meet these objectives.

When should this take place?

For Support staff the interim review meetings should take place as per the timescales for probation review meetings (see below).

For Operational staff these meetings will occur post the key milestone assessments which usually take place at 6, 12 and 18 months.

Where should these meetings be conducted?

This meeting should be conducted privately, away from any distractions to ensure that the line manager and employee are not interrupted.

How should the meeting be conducted?

The line manager should collate all of the evidence from the informal progress meetings held so far, if applicable management discussion records should also be collated, and use this to address all of the essential and desirable criteria in the job description or role map as appropriate.

For operational staff, the line manager should also refer back to the key milestone assessment and review the outcomes and discuss any support that may be required following these.

The line manager should:

- provide positive feedback on achievements
- recognise the areas in which an employee is meeting required criteria
- discuss areas where standards are not being met.



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The employee should have a chance to talk about how well they feel they have performed in relation to each aspect of their role and any concerns they may have. The line manager can then give feedback on each of their points based on their own observations and feedback from other sources (team members, internal managers, fire service stakeholders).

The result of this meeting is that the line manager should be able to gauge which aspects of the job have already been achieved, those which require further development and if there are any areas of serious concern. It is important for a line manager to ensure that aspects of the job that have already been achieved are sustained throughout the probation period.

If there are a number of areas which require further development or areas of serious concerns, advice should be sought from HR immediately.

However, it is important that any issues regarding an employee's performance have been addressed with the employee in person before this meeting takes place. The employee should not be surprised if they are not meeting the standards of their job description / role map by the time of their interim review meeting.

You should ensure that you document the details of the meeting on the Probation Review Form for future reference. A DMS reference or a hard copy should be sent to HR so that this can be stored on PRF.

Does the employee have a right to be accompanied?

The employee does not have the right to be accompanied at these meetings, because this is an informal process.

24 month assessment – operational staff

This is the final assessment for operational members of staff and therefore will form their final probation assessment. If this assessment is passed then the employee will normally have passed their Phase 2 'In Development' phase and will become a Phase 3 'Competent' Firefighter. This will be authorised by the Head of Group and confirmed in writing by the HR Group.

However, in cases where an operational member of staff has entered the formal stages of the Probation process prior to their 24 month assessment, then a final formal review meeting is required before the employee can be deemed as having passed their Phase 2 'In Development' phase (even if the 24 month assessment has been successfully passed). This is to ensure that all issues have been fully and properly addressed, and it should take place as soon as reasonably practical following the 24 month assessment.



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35 months: Completion of Workbook 3 – Combined Fire Control staff

This is the final assessment for combined fire control firefighters. If this workbook is completed then the employee will normally have passed their Phase 2 'In Development' phase and will become a Phase 3 'Competent' Firefighter (Control).

However, in cases where a member of Combined Fire Control staff has entered the formal stages of the Probation process prior to their 35 month assessment, then a final formal review meeting is required before the employee can be deemed as having passed their Phase 2 'In Development' phase (even if Workbook 3 has been successfully completed). This is to ensure that all issues have been fully and properly addressed, and it should take place as soon as reasonably practical following completion of Workbook 3.

Probation final review meeting – support staff

What is the purpose of this meeting?

The purpose of the meeting is to give the line manager and the employee the opportunity to confirm the requirements of the job description have been met, or to set an extension to the employee's probation period if required (see below). Any proposed extension to the probation period must be made in consultation with the HR Group.

When should this take place?

The final review meeting should take place a minimum of a month before the end of the contractual probation period.

Like the interim review meeting(s) it is important that any issues regarding an employee's performance have been addressed with the employee in person before this meeting takes place. The employee should not be surprised if they have any outstanding objectives.

Where should this be conducted?

This meeting should be conducted privately, away from any distractions to ensure that the line manager and employee are not interrupted.

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How should this meeting be conducted?

The line manager should collate all of the evidence from the progress meetings held so far and use this to address all of the essential and desirable criteria in the job description or role map as appropriate.

There should only be consideration given to an extension if there is evidence to suggest that the employee will meet the expectations outlined in their job description / role map in the new timescales set. The evidence for this will be documented in previous informal progress and formal review meetings.

In the event the employee has successfully met their objectives, this should be confirmed to the employee verbally. They should also be notified that they will receive confirmation in writing.

You should ensure that you document the details of the meeting on the Probation Review Form for future reference. A DMS reference or a hard copy should be sent to HR so that this can be stored on PRF.

Does the employee have a right to be accompanied?

The employee does not have the right to be accompanied at these meetings, because this is an informal process.

Probation review meetings - timescales

Wholetime/On-Call	
Scheduled meetings	Timescale
Initial	Post initial recruits Training course
6 month meeting	Following the 6 month assessment
12 month meeting	Following the 12 month assessment
18 month meeting	Following the 18 month assessment
Final	Meeting Following Phase 2 Development - End of 24 Month Assessment
	Decision to retain, extend probation, move to capability or dismiss by 24 months
Formal	Probation Review Meeting.

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Combined Fire Control	
Scheduled Reviews	Timescale
Initial	Meeting first 1-2 weeks of employment
Interim	1-2-1 feedback following 3 week assessment paper
Interim	1-2-1 feedback following 6 week end of course & practical Control Room exam
Interim	1-2-1 feedback following Post Four Tours (4-6) on Watch assessment
Interim	Monthly 1-2-1 feedback during completion of Workbooks 1-2
Final	Meeting following completion of Workbook 3 by 35 months
	Decision to retain, extend probation, move to capability or dismiss by 35 months
Formal	Probation Review Meeting.

Support	
Scheduled Reviews	Timescale
Initial	Meeting first 1-2 weeks of employment
Interim	Meeting at 1 months employment
Interim	Meeting at 3 months employment
Final	Review meeting 4 weeks prior to 6 months employment
	Decision to retain, extend probation or dismiss by 6 months
Formal	Probation Review Meeting

Please note that in all cases, the decision to retain an employee or whether to progress them to the Formal Probation Review stages, should be made by the line manager before the Final Review Meeting; having considered all the evidence of the employee's performance to date.

Why are the timescales different for different contract types?

The reason for the longer probation periods for operational and Combined Fire Control staff is that their rolemaps require demonstration of specific technical



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skills over a long period of time to ensure they can perform their roles effectively without supervision.

What are the legal implications of probation periods longer than 24 months?

When an employee has completed 24 months of continuous employment, they acquire employment rights under the Employment Rights Act (1996). One of these employment rights is the right to claim unfair dismissal.

In all cases managers should treat employees fairly when managing probation issues, and follow the probation policy and procedures properly. However, you should be particularly mindful that employees with 24 months or more continuous service may be able to claim unfair dismissal if any probation issues are not properly and fairly managed.

Completion of probation period – support staff

What is the process?

Prior to the six month deadline, the line manager should arrange a meeting with the employee to review their probation over the six months (or longer if they have had their probation period extended). The meeting should be broken down into two parts, with the first looking back and reviewing the previous six months and the second looking forward.

The meeting should review how the probation period has gone, the objectives that were set at the beginning of the employees employment and the employee's progression through these objectives.

New objectives should be set (if necessary), and any future training/development needs should be identified.

At this point, probation should be being confirmed as any issues should have been dealt with satisfactorily before this point.

However should any issues be unresolved and/or are a cause for concern then the manager should move into the formal process, if this has not already commenced. Seek further advice from the HR Group.

The manager should then complete the [Final Probation Report form](#) and send to the HR Group so that it can be confirmed in writing to the employee that they have passed their probation period.



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What should be done by the line manager at this stage?

The line manager should inform the employee verbally that they have successfully completed their probation period and complete the final probation review form and the probation report and send this onto HR.

What should be done by HR at this stage?

HR will write to the employee to confirm that they have successfully completed their probation period and send the employee a copy of their probation report.

HR will then save all paperwork to the employee's PRF

Completion of probation period – operational staff (wholetime and on-call)

What is the process?

Key milestone assessments are undertaken throughout the probation period. These consist of 6 and 18 month assessments undertaken on station by the Watch Commander together an IPDS progress check. These are verified by the Station Commander on station through observation.

In addition Training Centre will undertake 12 and 24 month key milestone assessments. Notification of pass or failure will be sent to the Watch Commander.

At the 24 month point, following successful completion of the 24 month assessment, probation should be being confirmed as any issues should have been dealt with satisfactorily before this point.

However should any issues be unresolved and/are a cause for concern then the manager should move into the formal process, if this has not already commenced. Seek further advice from the HR Group.

What should be done by the management team at this stage?

The Head of Group must sign off the successful completion of the probation period and the line manager can then inform the employee verbally that they have successfully completed their probation period.

The Head of Group will notify HR and any associated paperwork should be sent to HR.



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What should be done by HR at this stage?

Having received confirmation of the successful completion of the probation period from Head of Group, HR will write to the employee to confirm that they have successfully completed their probation period and inform them that they are being moved to competent rate of pay.

HR will then save all paperwork to the employee's PRF.

Completion of probation period –CFC

What is the process?

Key milestone assessments are undertaken throughout the probation period. These are primarily completion of Workbooks 1, 2 and 3.

At the 35 month point, following completion of Workbook 3, probation should be being confirmed as any issues should have been dealt with satisfactorily before this point.

However should any issues be unresolved and/or are a cause for concern then the manager should move into the formal process, if this has not already commenced. Seek further advice from the HR Group.

What should be done by the management team at this stage?

The Head of Group must sign off the successful completion of the probation period and the line manager can then inform the employee verbally that they have successfully completed their probation period.

The Head of Group will notify HR and any associated paperwork should be sent to HR.

What should be done by HR at this stage?

Having received confirmation of the successful completion of the probation period from Head of Group, HR will write to the employee to confirm that they have successfully completed their probation period and inform them that they are being moved to competent rate of pay.

HR will then save all paperwork to the employee's PRF.



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MANAGING A PROBATION ISSUE - INFORMAL STAGE

From time to time an employee's performance may not meet the expectations outlined at interview and it is important for the line manager to identify this with the employee at the earliest opportunity, to allow them the opportunity to improve their performance prior to the end of their probation period.

Examples of probation issues may include not meeting the objectives that have been set, poor timekeeping, poor sickness record etc. It is important that any of these issues are dealt with under the Probation policy rather than sickness, capability or disciplinary policies.

Managers should normally seek to address any issues informally, through the giving of good quality constructive feedback and discussion with the employee at regular interim review meetings.

However, a failure to satisfactorily address issues informally may warrant moving to the Formal Probation Review stages. A more serious issue may also warrant immediate referral to the formal process. Managers should always seek advice and guidance from HR before proceeding to the Formal Probation Review stages.

FORMAL PROBATION MEETING STAGES

This section sets out how to properly manage the formal probation meeting stages, when underperformance has not been satisfactorily addressed at the informal stage, or when underperformance is deemed sufficiently serious enough to move straight to the formal stages.

Specific information is given for staff in different parts of the organisation as appropriate.

When to move to the Formal process

There may be many reasons why an employee fails to meet the standards that are required during their probation period but are likely to fall into one of two categories:

- Performance - this could constitute failing required assessments for Operational and Fire Control staff, or persistent underperformance for support staff, with insufficient level of improvement.
- Attendance - it may be that the member of staff has been off on long term sick leave or maternity leave which will mean that they have not have had



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to opportunity to meet the objectives/requirements set for them during the course of their probation period.

Wholetime/On Call Staff

Wholetime/On Call staff can move into the formal stage at any point throughout their probation period. It is likely that this would be triggered by failure to complete or pass assessments usually at either 6, 12, 18 or 24 months, however this could be as the result of any other formal assessment.

Combined Fire Control staff

Combined Fire Control staff can move into the formal stage at any point throughout their probation period, although it is likely that this would be triggered by failure to complete or pass the critical assessments from the relevant workbooks.

Support Staff

It is unlikely that support staff will be required to pass any assessments during their probation period and so any issues should be identified as part of the probation progress meetings/one to one meetings.

If there is sufficient support offered and these objectives are still not met then the decision can be made to move into the formal process.


Invite to Formal Probation meeting

If it is decided that the matter should move to the formal stages, an employee must receive written notice of the meeting within the following timescales:

- 7 calendar days' notice for a First Formal meeting
- 10 calendar days' notice for a Second Formal meeting

These notice periods are only required for a formal meeting.

Please use the appropriate template letter:

- First Formal Meeting - Notification of Meeting (*hyperlink to template document to be added*)
-  Second Formal Meeting - Notification of Meeting (*hyperlink to template document to be added*)



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Guidance on bundles for Formal Probation meetings

In preparation for formal meetings a “bundle” of documentation should be prepared and provided to all of the attendees of the meeting.

This bundle should be provided to the employee in the following timescales:

- Minimum 7 days in advance of the meeting for a First Formal meeting
- Minimum 10 days in advance of the meeting for a Second Formal meeting

It is the line/presenting manager’s responsibility to compile the bundle of information and provide it within the above timescales. The HR Group will support the manager in completing this.

What should be included in the bundle of supporting documents for a Formal Probation Meeting?

The bundle should include all documents that are relevant to the probation issues being heard at the meeting, and all documents that are included should be referred to by the line manager in their presentation at the meeting (see below).

The bundle would be expected to contain the probation review meeting notes including any development plans, records of 1-2-1 meetings/progress meetings as well as any evidence of the probation issue(s) e.g. documented feedback, evidence of errors, assessment paperwork etc.

Documentation provided by the employee

An employee can also provide a bundle of information they will refer to in the meeting, and this should be provided to the advisor to the hearing manager at an agreed time prior to the meeting. This information must be provided to all of the parties present at the hearing to give all an opportunity to review the documents.

See Appendix 1 for an example contents page for a probation meeting bundle, showing the sort of information to be included.

The Formal Probation meeting

What is the purpose of this meeting?

The purpose of this meeting is to establish whether the employee has received appropriate guidance and coaching throughout their probation period and whether they will be able to increase their skills, knowledge or performance to enable them to successfully fulfil their role.

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What level of manager chairs the meeting?

Level of meeting	Level of hearing manager – Grey Book employees	Level of hearing manager – Support employees
First Formal meeting	Group Commander	Head of Group/ Group Commander
Second Formal meeting up to dismissal (and action short of dismissal)	Area Commander/ Director	Director/ Area Commander

What are the employee's rights during the meeting?

As this is a formal hearing, the employee has the right to be accompanied by a work colleague or Trade Union representative (see below for more information).

What are the roles and responsibilities of those who are in attendance at the meeting?

Please see Appendix 2 for information on the roles and responsibilities of those present at the meeting, and the order of proceedings.

The employee's right to be accompanied at a Formal Probation meeting

The right to be accompanied arises when an employee is invited to attend a formal probation meeting, and the employee "reasonably requests" to be accompanied at that meeting by a trade union representative or fellow worker.

The employer must allow the employee to be accompanied to a Formal Probation meeting.

A 'reasonable request'

The ACAS Code of Practice provides some guidance on what is deemed a 'reasonable request', stating:

"it would not normally be reasonable for employees to insist on being accompanied by a companion whose presence would prejudice the hearing nor would it be reasonable for an employee to ask to be accompanied by a companion from a remote geographical location."

Each request should however be dealt with on a case by case basis.



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Choice of companion

The companion should be someone who is either:

- An official of a trade union whom the union has certified in writing as having appropriate experience of, or as having received training in, acting as a worker's companion at hearings;
- A Service work colleague of the employee.

More flexibility in the choice of companion may be appropriate in cases where the employee is considered disabled (see above or seek further advice from HR).

The role of the companion at the meeting

The companion has a right to address the Formal Probation meeting (including presenting the employee's case, summing up, and responding on the worker's behalf to any view expressed at the hearing) and to confer with the employee during the meeting.

The companion has no right to answer questions on the employee's behalf or to act in a way that prevents the Service from expressing their case.

The ACAS Code of Practice suggests that it is good practice to allow the companion to participate as fully as possible in the meeting.

The meeting manager will outline the role of the companion at the start of the hearing.

Inappropriate conduct from the companion during the meeting

If during the meeting the companion is attempting to act in a way which is disruptive or which is unnecessarily prolonging the meeting or making it difficult to obtain meaningful or proper answers from the employee the meeting manager will intervene.

If appropriate the meeting manager can stop the meeting, explain to the employee the problems that have arisen in respect of the conduct of the companion, and adjourn the meeting for a short time to enable the employee and the companion to discuss matters.

If matters are not resolved then the hearing manager can terminate the meeting and take steps to rearrange it. The employee would be invited to nominate a different companion.



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Requests to postpone a Formal Probation meeting due to non-availability of the chosen companion

If the employee's companion is unable to attend the proposed meeting date the employee should be asked to suggest another date, the new date must be reasonable, and normally not more than 7 calendar days after the date originally proposed.

This 7 day time limit may be extended by mutual agreement between the parties.

No more than one postponement may be requested except in exceptional circumstances.

Witnesses at a Formal Probation meeting

Any witnesses present at a Formal Probation meeting do not have the right to be accompanied to either the investigation meeting or the hearing.

More information on the roles and responsibilities of witnesses at the Formal Probation meeting can be found in Appendix 2.

Potential outcomes of a Formal Probation meeting

The potential outcomes of a Formal Probation Meeting are as follows:

No further action – If there is sufficient evidence it may be decided by the meeting manager that the employee is in fact fulfilling the requirements of their role / probation period and therefore no further action is required.

Extension – It may be decided by the meeting manager that the employee has a justifiable reason for not having met the requirements of the probation period and if so, then their probation period could be extended (usually for no longer than three months). See below for more information.

Move to Capability (operational staff only) – Operational staff who have completed their contractual probationary period but who have not yet been signed off as being fully competent will be managed in accordance with the [Capability policy and procedure](#) as appropriate.



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Dismissal – If the meeting manager determines that there is no justifiable reason for not having met the requirements of the probation period and it is genuinely believed that the employee cannot / has not demonstrated an ability to fulfil the requirements of the role, it may be decided to dismiss the employee. See below for more information.

The outcome of a Formal Probation meeting must always be confirmed to the employee in writing. Please use the correct template:

- Outcome of First Formal Probation Meeting (*hyperlink to be added*)
- Outcome of Second Formal Probation Meeting (*hyperlink to be added*)

Extending the probation period

The Service reserves the right to extend an employee's probation period at its discretion. This is one of the potential outcomes of a Formal Probation meeting.

What are the lengths of time that a probation period can be extended?

This depends on the training/development needs that are identified. For support staff, it will depend on the size of the development gap identified, and for operational staff (including combined fire control) this will depend on the assessment that the employee has failed and when it is possible for them to be re-assessed.

As a guide, in most cases a probation period will not be extended more than once and for not more than 3 months. This means that the total probation period will not normally be longer than:

- 9 months for support staff
- 27 months for wholetime / on-call staff
- 38 months for Combined Fire Control staff

What steps should be put in place to ensure that the employee can meet the requirements of their role?

An employee should be given every opportunity to be able to pass their probation period and should be given relevant support.

A development plan needs to be put in place to manage the development/training needs of the employee.



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It is important that any additional training needs are identified at this point and that the objectives set should be short term SMART objectives with agreed actions being regularly reviewed.

Confirming the extension to probation period

It is important for the terms of the extension to be set out in writing detailing what is required of the employee during the extension period.

If the employee is dismissed

If an employee is dismissed for reasons of probation, this will usually be dismissal with paid notice.

This means that the employee will be given their contractual/statutory notice period (whichever is greater), and they will also be entitled to any annual leave entitlement which has accrued and not yet been taken.

Managers must decide if it is appropriate for the employee to work their notice period, or to be paid in lieu of notice (HR can advise if the employee's contract specifies the right to payment in lieu of notice). If an employee is required to work their notice period, they may be required to take any outstanding annual leave during their notice period.

Advice and guidance on what is appropriate in the individual circumstances will be given by the HR Group.

The date on which the dismissal takes effect must be confirmed in writing to the employee as part of the letter confirming the outcome of the meeting, and the employee must be told of their right to appeal against the decision to dismiss.

Please [click here](#) to access the appropriate template letter Probation - Notification of Outcome – Dismissal (*hyperlink to be added*)

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APPENDIX 1 – Example contents page for a probation bundle

EMPLOYEE NAME Probation Meeting

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APPENDIX 2 – Roles and responsibilities and order of proceedings at a Formal Probation meeting

By Whom	What action
The meeting manager	<p>Will open the meeting:</p> <ul style="list-style-type: none">• Introduce everyone present• Remind the employee that it is a probation meeting• Explain the possible outcomes of the meeting• Assure the employee the outcome has not been prejudged• Explain the procedure that will be followed• Establish if witnesses are to be called• Establish that the employee is fit and well to take part and understands what is happening• Clarifies any questions raised at this point• Explain that any party can request an adjournment at any time.
The presenting manager	<p>Will present the management case including:</p> <ul style="list-style-type: none">• Stating why the employee has not been meeting expected standards and expectations of the role• Reporting how this was determined by the line manager• Detailing the results of the review of the employee's performance• Calling witnesses to give evidence to support the case
The employee/employee's representative	<p>Opportunity to question the presenting manager on their presentation</p>
The meeting manager	<p>May ask any questions deemed necessary and will point out any deficiencies or inconsistencies in the evidence.</p>
The employee/employee's representative	<p>Will have the opportunity to present their case and will have time to:</p>



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	<ul style="list-style-type: none">• Ask for further details of the shortfall in performance• Refute, explain or justify the alleged evidence where necessary• Call witnesses• Present alternative evidence• Seek an adjournment where necessary
The presenting manager	Opportunity to question the employee's presentation. The trade union representative/companion does not have the right to answer questions on the employee's behalf.
The meeting manager	May ask any questions deemed necessary to ensure the position is understood, probe any mitigation and point out any deficiencies or inconsistencies in the evidence.
Witnesses	Will give their evidence, as far as possible in their own way and may be questioned by those taking part in the meeting.
The meeting manager	<p>Will summarise:</p> <ul style="list-style-type: none">• The main points concerning the issue• The main points raised by the employee• Any matters that need to be checked <p>And then adjourn the meeting to consider the outcome.</p>
The meeting manager	<p>Once a decision is made will reconvene the meeting and advise the employee:</p> <ul style="list-style-type: none">• The decision that has been reached• The reason for the decision• Actions to be taken arising from the hearing• The person responsible for completing any actions arising• The possible consequences of further failure to meet expectations and standards of the role• The right to appeal against any formal decision made• The timescale for the confirmation of the decision in writing



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	The meeting will then be closed.
Adjournments	<p>The meeting will be adjourned:</p> <ul style="list-style-type: none">• If further investigation is necessary• To seek advice or clarification on procedural points• At the reasonable request of anyone present• If the hearing becomes overly difficult• To allow the parties to have a break• If the matter turns out to be more serious than first thought• In order for the meeting manager to consider the outcome.

A note taker will normally also be present at the meeting, to capture a record of the meeting.