

PROBATIONARY POLICY

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Version	Date	Owner	Summary of Changes
V1.0	17.05.2016	HR/OD Officer	<ul style="list-style-type: none"> New policy

Approvals	RAC 17.05.2016
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1. Introduction

- 1.1 This policy applies to any employee who is taking up their first appointment with Children’s Hearings Scotland (CHS), whether it is a temporary or permanent appointment. The Probationary Policy does not apply where staff are promoted or take up alternative roles within CHS.
- 1.2 A probationary period enables both parties in a Contract of Employment to assess the suitability of an individual to the role and the organisation, and to enable members of staff to be trained in CHS’ working methods and procedures.
- 1.3 The purpose of a probationary period is to enable the organisation to assess the skills, conduct, capability and attendance of an individual before deciding whether or not to confirm the appointment. CHS is committed to providing clarity of expectation, reasonable training and support needed for new employees to meet the required standards during their probationary period.

2. Policy

- 2.1 All new employees to CHS are subject to the Probationary Policy.
- 2.2 The probationary period is usually six months but may be shorter dependent on the length of the contract.
- 2.3 A probationary report must be completed no later than five months after the employee’s start date and discussed with the employee.
- 2.4 A formal Probationary Interview should be arranged where an issue has been identified and no improvement is apparent by the fifth month.

2.5 Where no improvement is apparent at the end of the probationary period, an employee will be dismissed with one week's notice.

3. Procedure

3.1 Probation is an element of performance management and as such, the development, performance and progress of employees should be kept under review throughout the probation period.

3.2 Managers should hold regular supervision meetings with the new employee during the probationary period and ensure that the employee is clear about their role, purpose, specific objectives and progress to date. Records of these meetings should be kept and referred to.

3.3 An appointment may be confirmed after three months if the line manager is satisfied that all elements of performance and attendance have met the expectations outlined at the start of the probationary period. Line managers should send a Probationary Report with clear recommendations to the Depute Chief Executive/Chief Executive who will consider the recommendations, with Human Resources advice, prior to finalising any substantive offer of employment.

3.4 Throughout the probationary period, the line manager should discuss the Probationary Report with the employee to ensure the employee has the opportunity to comment on and improve their performance where an area of weakness has been identified.

3.5 Where a need for improvement has been identified and discussed with the employee and no improvement is apparent, a formal Probationary Interview should be arranged by the manager as soon as reasonably possible and no later than the fifth month following the employee's start date.

3.6 The employee should be advised in writing of the interview giving a brief description of the deficiencies, which will be fully discussed during the interview.

3.7 The Line Manager, HR Adviser and the employee will be present at the interview. The employee has the right to be accompanied at this interview if they wish.

3.8 The outcome of the formal probationary interview must be confirmed in writing to the employee including reference to the areas for improvement and the proposed course of action.

3.9 If the performance is unsatisfactory but is likely to become satisfactory within a reasonable timescale, an extension to the probationary period may be considered and should not exceed three months.

- 3.10 If performance remains unsatisfactory at the end of the probationary period (whether extended or not), or earlier where there is significant concern about performance, behaviours or attendance, the employee will be dismissed with one week's notice.
- 3.11 It is important that the period of notice does not cause continuous service to exceed six months (unless an extension has been agreed) otherwise the employee cannot be dismissed under the Probationary Policy.
- 3.12 The Probationary period is intended to offer the employee the opportunity to consider if CHS is the right employer for them. If the employee decides that they wish to end their employment during the Probationary period, then they are required to provide one week's notice.

4. Appeal

- 4.1 The employee has the right to appeal against a decision to extend the probationary period or a decision to dismiss under the Probationary Policy. The employee must submit their appeal in writing to the HR Shared Services Manager within five working days of the decision. The HR Shared Services Manager will make the necessary arrangements for the appeal to be heard by an appropriate manager. The probationary period will be extended up to the date of the appeal hearing.

5. Temporary Employees

- 5.1 Where temporary employees are appointed to permanent posts within six months with no break in service, they will continue to be subject to this Probationary Policy.
- 5.2 Where a fixed term contract has an end date, the contract will end irrespective of the length of the probation served.
- 5.3 Where there has been a break in service between employment contracts (whether temporary or permanent) then the normal probationary period applies to each period of employment.