



**Derbyshire
Police and Crime
Commissioner**

*Protecting Communities,
Fighting Crime*



Derbyshire Constabulary

POLICE STAFF PROBATIONARY PERIOD GUIDANCE

POLICY REFERENCE 06/169

This guidance is suitable for Public Disclosure

Owner of Doc: Head of Department, Human Resources

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1. Guidance Identification Page

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None			

Security Classification: NOT PROTECTIVELY MARKED
Disclosable under FOI Act: YES
Guidance to be published on Intranet YES
Guidance to be published on Force Website YES

2. Legislative Compliance

This document has been drafted to comply with the principles of the Human Rights Act. Proportionality has been identified as the key to Human Rights compliance, this means striking a fair balance between the rights of the individual and those of the rest of the community. There must be a reasonable relationship between the aim to be achieved and the means used.

Equality and Diversity issues have also been considered to ensure compliance with the Equality Act 2010 and meet our legal obligation in relation to the equality duty. In addition, Data Protection, Freedom of Information and Health and Safety Issues have been considered. Adherence to this policy or procedure will therefore ensure compliance with all relevant legislation and internal policies.

3. Guidance

3.1 Aim of the Probationary Period

The aim of this guidance is to: -

- Outline the probationary procedure;
- Explain how the review process will work;
- Explain the appeal process; and
- Explain the formal action procedure.

Employees who have completed their probationary period in a previous role as a police staff member will not be covered by these guidelines but by the Police Staff Disciplinary and Unsatisfactory Attendance and Unsatisfactory Performance Procedures if the individual is not making sufficient improvement in the new role.

The probationary period provides for staff to demonstrate by performance, attendance and conduct that they are suitable for the role to which they have been appointed.

During the probationary period, the member of staff should be regularly monitored in a representative range of duties appropriate to the role and should perform at a fully satisfactory standard for a member of staff of their level of experience and training. Attendance and conduct must also be satisfactory in accordance with the requirements expected of the role. If performance, attendance or conduct falls below the required standard and it is evidenced that training and support have been provided but insufficient improvement has been attained or can be expected, the probationary period may be extended or employment terminated, dependent upon the circumstances of each case.

3.2 Staff Who Must Complete Probation

This guidance applies to: -

- All police staff newly appointed to Derbyshire Constabulary conditional or provisional basis (full and part time);
- New entrants on temporary or fixed term contracts.

4. Probationary Period Timescales

The probationary period is six months with the exception of CMCC staff, PCSOs and Detention Officers when it is 9 months to allow for the formal training and assessment period. The details of the length of probationary period must be detailed in the advertisement, at interview and in the contract of employment.

During the period of probation line managers should assist staff to develop the necessary skills, competencies, motivation and attitudes which will enable them to successfully complete their probation. The main objectives are to: -

- (a) Provide induction into duties to be undertaken and standards required, ensuring that appropriate guidance and training are given.
- (b) Give help and encouragement in adapting to a new working environment.
- (c) Apply the procedures in a fair and consistent manner.
- (d) The early identification of any problem areas if the required standards are not being met and undertake the necessary actions to assist in improvement.
- (e) In necessary, apply fair and effective procedures, which may lead to the termination of the appointment of staff who are unable to meet the required standard.

Should a member of staff not be successful in completion of the training course and the continuation of employment is dependent upon this, employment may be terminated. The requirement to pass the course will be detailed in the contract of employment. There may be the opportunity for a member of staff to re-take the course and in such cases, extension of probation should be considered.

Where a member of staff is absent on maternity or special leave (e.g. unpaid/parental leave) or absence through an injury on duty, for more than 3 months, a commensurate adjustment will be made to the probationary period).

Where there is an indication that an employee will exceed two periods of sickness in a six month period or one significant period of absence, consideration must be given to extending the probationary period and a letter to improve performance should be issued. Individual circumstances may be considered, for example, if the member of staff is absent following an injury on duty. It may be necessary to refer the member of staff to Occupational Health or the Employee Assistance Provider. Advice from HR should be sought.

5. Conditional Health Appointments

Where a new member of staff is appointed on a conditional contract for health reasons, successful completion of the probationary period does not change the terms of the appointment or the requirement for review on health grounds. Consideration must be given to the Equality Act 2010. Employees who may be deemed to have a disability which may impact upon their suitability to undertake the role should be identified by Occupational Health at the pre-employment screening stage in order that any necessary adjustment may be made.

6. Responsibilities during the Probationary Period

6.1 Shared HR Service Centre

The Shared HR Service Centre (SHRSC) will ensure that the appointment details contain the correct information relating to the period of probation.

A copy of the role profile and job overview for the role will be forwarded to Occupational Health together with details of the successful applicant for the purpose of pre-employment screening.

A copy of the Authority (ACE) to amend establishment relating to the appointment must be sent to the relevant HR Officer for monitoring purposes.

The SHRSC will confirm the contract in writing at the satisfactory completion of the probationary period as confirmed by the Head of Department/Divisional Commander or notifies the member of staff of the probationary extension period.

6.2 Occupational Health

The Unit will ensure that the details of the successful applicant are matched with the relevant role profile. This will assist in determining, through screening if the applicant is fit to undertake the duties of the post.

Any advice in respect of the applicant's ability to undertake the duties of the role should be documented with copies to the line manager and appropriate HR Officer particularly if the condition of the applicant falls within the Equality Act 2010. This will assist in the identification of support during the probationary period in order to assist with successful completion or if any reasonable adjustments should be made.

Occupational Health may be able to assist staff, line managers and the HR Officers where a member of staff has problems that may impact upon work performance. Probationers should be reminded of the services of Occupational Health and the Employee Assistance Provider during reviews, should performance not be satisfactory.

6.3 Line Managers

The Line Manager will receive notification via GATEWAY portal that the new member of staff's probation review is approaching. Probationary Review dates (depending upon job role) are as follows: -

Probationary Period	First Review	Second Review	Final Review
6 months	2 months	4 months	5 months
9 months	3 months	5 months	7 months

Form P-001-F001 Police Staff Probation Review must be completed and electronically submitted. This can be found on the Home Page of SHRSC Development and then in the Probation button.

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Overall responsibility of monitoring, assessing and evidencing performance and progress during the period of probation lies with the line manager. The line manager should ensure that: -

- (a) The member of staff understands the requirements of the probation;
- (b) The PPF role profile should be discussed and agreed and an Action Plan completed within 2 weeks of commencement of employment. There should be a clear link between the review of progress and the competencies and activities contained in the PPF role profile/PDR. It is important that any induction includes discussion about how the role contributes to Divisional/Departmental strategies and the Force vision.
- (c) Action Plans should be objective, realistic and measurable and assessment and development should be a continuous process. The PDR is designed to facilitate ongoing discussion and a review and action plans should link into this process.
- (d) Once priorities and objectives have been set the member of staff will be monitored and progress assessed on an ongoing basis.
- (e) Evidence of both good and poor performance/attendance is gathered as evidence of progress. This is an important stage when considering extensions to service. If at any stage a line manager considers an individual's performance or conduct could be affected by a medical condition or disability, they must seek advice from their respective HR Officer.
- (f) The member of staff receives training relevant to the role. Line managers must ensure that approved training is completed within the probationary period. There may be occasions when approved training courses are not available during the 6 or 9 month probationary period. In these circumstances, the probationary period will be extended accordingly but it is advised should not exceed 12 months.
- (g) The member of staff is given a representative range of tasks to ensure the action plan is met.
- (h) Progress reports must be submitted promptly, failure to do so may result in the employee's contract being confirmed although there have been performance issues.
- (i) Progress is discussed on a regular basis, at least in line with the submission of progress reports.
- (j) Contact with the relevant HR Officer at an early stage for advice should a member of staff not be making satisfactory progress. Once form P001-F-001 is submitted the HR Officer **must** be copied into the submission e-mail, particularly if it is highlighted that the employee has made insufficient improvement and will require an extension to probation. The HR Officer will then liaise with the line manager to discuss the requirements of the extension to probation and approve the extension. The SHRSC will then write to the member of staff confirming the length of probation, but it is additionally important for the HR Officer to write detailing the length of probation and also the areas where the standard of improvement is needed in order for the employee to successfully complete their probation period.

It is the responsibility of the line manager to provide support and encouragement to the member of staff to ensure that satisfactory progress is made and maintained. In addition, that the member of staff receive adequate supervision.

6.4 HR Department

The HR Officer will liaise with the line manager to assist in providing advice and guidance. Where health or disability issues arise during the probationary period, the HR Officer will assist the line manager with referral to Occupational Health.

The HR Admin team will monitor the submissions of the probation reports in respect of new starters and overdue reports will be brought to the attention of the respective HR Officer.

6.5 UNISON

UNISON is able to provide advice, guidance and support to UNISON members of police staff during their probationary period.

Members of staff who are subject to an extension of the probationary period and monitoring of performance should be given the opportunity to have a UNISON representative or a work colleague to support them at meetings and reviews.

7. Equality Act 2010

Should a member of staff be appointed who falls within the terms of the above Act, Occupational Health and Diversity Advisor may be consulted to advise on reasonable adjustments which may be needed in order to successfully complete the probationary period. UNISON should also be consulted in order to provide support to the member of staff (as appropriate).

Employees who fall within the provisions of the Act may not be able to carry out the full range of duties normally appropriate to the role but will still be expected to reach a satisfactory standard in those duties undertaken.

The range of duties to be undertaken should be agreed between the employee and the line manager at the commencement of employment so these may be monitored.

8. Probation Reports

Progress during probation should be reviewed through a process of regular review meetings and completion of progress reports as detailed with a formal recommendation at the final review. The PPF Role Profile should be used to assist in assessing performance against the core activities and competencies. Review Forms P-001-F-001 should be submitted electronically (e-mail links are provided).

It is essential that these reports are completed and issued by due dates, to ensure fairness to the individual and identify any problems at the earliest opportunity. This is particularly important at the final review stage when the line manager needs to identify and report whether the probation has been satisfactorily completed and that the member of staff is progressing as expected towards the skills and competencies within the Role Profile.

9. Confirmation of Appointment

On receipt of a satisfactory recommendation from the required authorisation level, the SHRSC will confirm appointment, by letter using their 'Confirm to Post' letter.

10. Unsatisfactory Performance during the Probationary Period

Where line managers identify staff who are not performing as required within the role, they should liaise at the earliest opportunity with the relevant HR Officer for advice and guidance.

Stage One

The line manager should gather evidence relating to performance and forward a letter to the member of staff in order to arrange a meeting with the member of staff. The employee may be supported by a UNISON representative or a work colleague of their choice. The areas of performance should be discussed and any reasons for poor performance identified. If appropriate, referrals to Occupational Health and Employee Assistance Provider made and the member of staff informed of the reasons for this.

It should be ensured that the member of staff understands and aware of the standards required of the role and evidence of poor performance should be linked to the original role requirement and action plan.

A structured action plan should be developed and agreed with the member of staff. It should be made clear what is expected and reasonable, attainable targets should be set and the member of staff informed that failure to improve performance could result in the employment being terminated. Review Form P-001-F-001 and copy of the Action Plan should be sent to the relevant HR Officer who will write to the member of staff detailing the length of the extension, the reasons for extension, the actions to be taken and the possible consequences if the required improvements do not occur (see Appendix A).

Consideration should be given by the line manager, together with the member of staff, of any appropriate interventions that may assist in improving performance. Areas to consider may be: -

- any development programmes available;
- mentoring, coaching and training as required;
- staff network support for under-represented groups;
- consideration of any welfare issues that may be impacting on performance;
- consideration of any work-life balance issues that may be impacting on performance.

Regular reviews should be undertaken (weekly/fortnightly as appropriate to the role and problems identified) and formal reports should be prepared on a monthly basis, with a copy to the member of staff and HR Officer.

In certain circumstances an extension of probation may be appropriate. This may be where, at the final review period, the required standard has not been met but it is identified that with further support and training, the member of staff will meet the required standards.

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If probation is extended, this will normally be for a maximum of a further 3 months. Close monitoring and regular reviews should continue to take place with the member of staff and reports submitted on a monthly basis to the HR Officer.

If following the introduction of an action plan, additional training and support it is evidenced that performance has not improved and the member of staff fails to meet the required standard, the line manager should report to the HR Officer and a Stage Two meeting will be arranged.

Stage Two

Where performance has not improved, a meeting will be held with the HR Business Partner and Head of Department/Divisional Commander. A letter confirming the date of the meeting and attendees will be forwarded to the member of staff.

The meeting will consider: -

- copies of all action plans;
- copies of the PPF role profile;
- reports and evidence of unsatisfactory work/performance/attendance;
- copies of supportive interventions that have been implemented;
- copies of any correspondence to the member of staff;
- a decision for either extension of probation or termination of appointment will be made by the Divisional Commander/Head of Department which should be communicated to the member of staff at the meeting and confirmed in writing.

If an employee's performance/attendance while on probation has been unsatisfactory (despite support from the line manager) and it is thought unlikely that further training or support would lead to a satisfactory level of improvement, the employment may be terminated during or at the end of the period of probation.

A formal decision must be made at the last review date (5 or 7 months depending on length of probation) or within the time limits if the probationary period has been extended and the member of staff informed of the recommendation.

Stage Three – Appeal Procedure

An employee has the right of appeal against the decision to dismiss by way of a written submission to the Head of HR within 7 working days of receipt of their letter of dismissal.

The Head of HR will review the file and liaise with the line manager and HR Business Partner, if necessary, within 14 working days. The decision will then be made as to whether the dismissal will stand or if a further extension of probation is required. The decision will be communicated in writing to the member of staff.

11. Monitoring and Review

This guidance is the responsibility of the Head of Department, Human Resources and will be reviewed on a two yearly basis.

TEMPLATE LETTER - IMPROVE PERFORMANCE

Dear

I refer to your meeting on.....with..... when discussion took place in respect of your performance/conduct/attendance. At the meeting

(You were given a copy of your sickness record, pointing out that you have been absent on..... occasions.)

You were reminded that it is a condition of your probation that you are required to attain and maintain a satisfactory standard of performance/conduct/attendance in your role of.....

Your probation has been extended by months in order that you are able to make the required standard.

You were informed that your performance/conduct/attendance will be monitored with effect from..... and that regular review meetings to review progress will be undertaken with your line manager.

It was agreed that the following areas require improvement and an action plan has been agreed with you;

In order to assist you, you will receive the following support/training;

If, following the above, you do not meet and maintain the required standard, consideration will be given to terminating your employment with the Derbyshire Constabulary.

You may, if you wish, discuss this matter with your UNISON representative. I would also remind you of the services of our Employee Assistance Provider, CiC.

Yours sincerely

HR Officer/Business Partner

TEMPLATE LETTER - INVITATION TO STAGE ONE/STAGE TWO MEETING

Dear

I refer to your appointment to the on and the requirement of your contract of employment to attain and maintain a satisfactory standard of performance within your probationary period.

Following review it has been identified that you have not yet achieved a satisfactory level of performance/attendance/conduct in the following areas ;

In view of this a Stage One/Stage Two meeting has been arranged. The meeting will be with..... on..... At.....

At this meeting the panel will consider all relevant information around your performance/attendance/conduct and determine whether an extension to your probation should be considered (or for Stage Two meeting – whether an extension to probation should be considered or whether your employment should be terminated.

I have enclosed for your retention copies of the relevant documentation which will also be supplied to the panel.

You have the right, if you wish, to be accompanied by your UNISON representative or work colleague.

Yours sincerely

HR Officer

TEMPLATE LETTER - FOLLOWING STAGE ONE MEETING

Dear

I refer to the Stage One meeting held under the Police Staff Probation Guidance on with in respect of your conduct /performance/attendance.

You were reminded that it is a condition of your probation that you are required to attain and maintain a satisfactory standard of conduct and attendance in your role and in view of

Determine detail of issues arising

the panel has made the decision to extend your probation by..... months. Your probationary period will now end on.....

You were informed that your conduct/performance/attendance will be monitored with effect from the date of the meeting, and that regular review meetings to review progress will be undertaken with your line manager.

The panel have determined that the following areas require improvement ;

An action plan will be discussed with your line manager and implemented in respect of the above.

In order to assist you, you will receive any further training as required.

If, following the above, you do not meet and maintain the required standards of performance, conduct and attendance, consideration will be given to terminating your employment with the Derbyshire Constabulary.

Yours Sincerely

HR Officer

TEMPLATE LETTER - FOLLOWING STAGE TWO MEETING

Dear

I refer to the Stage Two meeting held under the Police Staff Probation Guidance on with in respect of your conduct /performance/attendance.

You were reminded that it is a condition of your probation that you are required to attain and maintain a satisfactory standard of conduct and attendance in your role and in view of

Determine detail of issues arising

the panel has made the decision to extend your probation by..... months. Your probationary period will now end on.....

You were informed that your conduct/performance/attendance will be monitored with effect from the date of the meeting , and that regular review meetings to review progress will be undertaken with your line manager.

The panel have determined that the following areas require improvement ;

An action plan will be discussed with your line manager and implemented in respect of the above.

In order to assist you, you will receive any further training as required.

If, following the above, you do not meet and maintain the required standards of performance, conduct and attendance, consideration will be given to terminating your Employment with the Derbyshire Constabulary.

Yours Sincerely

HR Senior Business Partner

