





ST. PATRICK'S CENTRE (KILKENNY)
KELLS ROAD KILKENNY

Policy Document

POLICY TITLE: Probation Policy

Prepared by: HR Department	Approval Date: 22.06.2020 14.08.2020	Review Date: 22.06.2022 14.08.2022
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Mission Statement

Utilising our resources and skills to provide intentional supports for People with disabilities; enabling them to live full and inclusive lives by contributing and enriching the fabric of their local communities.

SPC partners with external agencies and community services to facilitate
'ordinary lives in ordinary places'

Vision Statement

People supported will live a good life, in their own home, with supports and opportunities to become active, valued and inclusive members of their local communities.


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1 Purpose

- 1.1.The purpose of a probationary period is to ensure an employee is a good fit for the organisation and can fulfil the duties of the role for which they were employed; and that the organisation is a good fit for the employee.
- 1.2.The probation process provides a period of both professional development and time to assess the individuals' compatibility and suitability for the role. It enables the new employees (probationer) to develop, with appropriate guidance and support, the necessary skills to be fully effective within their role and to integrate within their department; whilst also enabling them to understand and assess their own suitability for meeting the required performance standards of their role.
- 1.3.This policy sets out St Patrick Centre's (SPC) approach to probation for new employees, with the aim of ensuring that it meets its commitment to the fair, equal, and consistent treatment of employees with regard to the probationary period.
- 1.4.SPC recognises that a supportive and developmental probationary process is vital to providing an appropriate level of support and training for new employees on commencement of their employment. The use of the probationary period is intended as a constructive process to allow new employees to:
 - Understand St Patrick's Centre; their department; their role and how these fit together.
 - Understand the standards required of them in their new role and to how to reach those required standards.

2 Scope

- 2.1.This policy applies to all newly appointed employees in SPC.

3 Policy Statement

The policy aims:

- 3.1.To ensure that the probationary process is undertaken for all new employees and is applied in a fair and consistent manner within a supportive framework and in line with employment legislation requirements.
- 3.2.To ensure that SPC is provided with an opportunity to assess the skills, capability, conduct and attendance of new employees before ascertaining whether or not to confirm their employment.
- 3.3.A person on probation can be terminated at any stage during the probation if an employee is not performing satisfactorily. The Team Leader/PIC/Manager does not have to wait to the end of the probation period but is expected to apply fair process in accordance with the principles of natural justice.

4 Roles and Responsibilities:

4.1 St Patrick's expects all employees to:

- Carry out their role to the standard that is expected and required for the role and grade.
- Understand the impact of their work performance, conduct and attendance on other colleagues and residents and in the wider SPC.
- Clarify expectations, standards, tasks, objectives and behaviours with their Team Leader/PIC/Manager if they are unclear about them.
- Engage fully in their induction, the setting of their agreed objectives and the management and monitoring of their performance, conduct and attendance through this policy.
- Develop their skills and knowledge to carry out their role to the highest possible standard.
- Promptly bring all relevant issues which affect their work performance, conduct and attendance to attention of their Team Leader /Manager.
- Attend meetings to discuss any aspects of their performance, conduct or attendance which are considered unsatisfactory as requested to do so and respond constructively to any feedback given;
- Cooperate with their Team Leader/PIC/Manager; undertake any agreed development activity and strive to improve any aspects of their work performance, conduct or attendance which are considered to be unsatisfactory.

4.2 Employees can expect St Patrick's Centre to:

- Treat performance, conduct and attendance issues occurring during their probationary period promptly, fairly and consistently across SPC and in line with this policy and procedure.
- Encourage an open dialogue throughout this process, placing an emphasis on supporting the probationer to achieve the required standards.
- Provide probationer clear and constructive feedback on their performance, conduct and attendance, clarifying any aspect which is considered unsatisfactory and give them an opportunity, where appropriate to rectify this.
- Be clear about the required improvement and the relevant timescales.
- Give appropriate support and help with the view to improving their performance, conduct or attendance.

4.3 Team Leaders/PICs/Managers are expected to:

- Create an appropriate on boarding programme and ensure the new employee completes the required element.
- Sets objectives and standards of performance at the earliest possible opportunity normally within a week of the employee commencing employment or commencing in a new role (known as the Probation Agreement) and to monitor these objectives and standards through

the probationary process. This includes conducting 3 month and a 6-month review and regular one to one meetings. The probation form is to be used as a guide to discuss suitability for the role. The form must be signed by the Team Leader/PIC/Manager and the employee.

- Each employee will be formally reviewed at least twice during the 6 month probationary period, areas to be reviewed will include
 - ability
 - performance
 - attendance
 - conduct
 - suitability for the role
- The first probationary review should be conducted 3 months after the employees start date but this may occur earlier than the 3-month period where the new employee is having difficulty achieving the expected performance standards in his/her new role.
- The second review should be conducted at 6 months after the start date. If necessary probationary meetings may be held more regularly where deficits in performance are being observed. A record of each probationer's review meeting will be prepared and issued to the probationer.
- Encourage an open dialogue with the probationer throughout the process, placing the emphasis on supporting the probationer to achieve the required standards.
- Provide clear, specific and constructive feedback on performance, conduct and attendance, praising good standards and identifying where instances fall below required standards.
- Identify issues in relation to performance, conduct and/or attendance and meet the probationer at the earliest opportunity to discuss any issues. The Team Leader/PIC/Manager must be clear about the required improvements, the relevant timescales and must discuss and agree appropriate supports or interventions to assist improvement.
- Seek advice from Human Resources as appropriate.
- Manage all new employees in line with this policy and procedure.

5 Terms of employment during the probationary period:

5.1. During their probationary period employees will be subject to all the terms and conditions of their contracts of employment;

- Where an employee resigns during their probationary period their contractual notice period will apply.
- Any employee who is experiencing performance difficulties within their probationary period will be dealt with under the Probation Policy & Procedure.
- In the case of misconduct any employee within their probationary period will be dealt with under the Probation Policy & Procedure and not under St Patrick's Disciplinary Policy. SPC reserves the right to invoke the statutory dismissal process in cases of serious misconduct.

- Where there are sickness/absence issues during the probationary period this will be dealt with under the Probation Policy & Procedure and not under St Patrick's absence protocol.
- A sick pay scheme is available to all employees with over six months service/and who have satisfactorily completed their probation period.

6 Absence Process:

6.1. To ensure equitable treatment of all new employees any leave of absence such as maternity leave, paternity leave, long term disability related absence, holidays or absences due to illness will not count towards completion of probation. Any pausing of probation should be discussed with the employees with advice from HR. Any such pausing will be confirmed in writing along with details such as revised timelines.

7 Dealing with underperformance:

7.1. Performance improvement processes must be implemented where it is considered that a probationer is not performing his/her duties to the expected standard and as such can be instigated at any stage of the probationary period. In particular, these processes should be applied if it is considered that in the absence of any improvement there are performance issues which could lead to a recommendation that the appointment of the probationary employees should be extended or not continued.

7.2. The primary purpose of the performance achievement process is to bring about a sustained improvement and to ensure that the employee/s has adequate opportunity to achieve this. In such cases it is important that SPC has provided adequate warning and has taken appropriate steps to communicate;

- the areas in which improvement is required
- the targets set for that improvement to be demonstrated and sustained
- has provided appropriate support and supervision
- has regularly monitored progress against the set objectives

7.3. The Team Leader/PIC/Manager will discuss performance issues with the employees and indicate where performance is below required standards. It is the responsibility of Team Leader/PIC/Manager to ensure that the employee is aware of the areas in which improvement is required. The Team Leader/PIC/Manager shall also seek to identify any support or guidance which can be provided to assist with an improvement in performance. Specific performance improvement targets will be set, after discussion with the employees, along with a timescale for such improvements to be demonstrated.

7.4. Where performance is below required standard, or there are other issues for concern, the employees should be advised at the earliest possible stage including specific task or behavioural examples.

- 7.5. The Team Leader/PIC/Manager will provide feedback and reasonable support in order to help the employees to reach the required standard. This will be documented in the probation form and filed in the employees file.
- 7.6. Similarly the Team Leader/PIC/ Manager should advise Human Resources (HR) of any concerns at the earliest possible stage. HR will provide guidance and support to Team Leaders/PICs/Managers on how best to manage the situation.
- 7.7. A series of review meetings between the employees and the Team Leader/PIC/Manager will be scheduled to allow regular monitoring of progress against the agreed objectives.
- 7.8. The employees will be advised that if he/she fails to achieve the performance improvement targets and to demonstrate a sustained improvement then his/her employment may not be continued, or the review period may in exceptional circumstances be extended by a period of up to a maximum of 9 months. Any such circumstances will be confirmed in writing along with details of the required improvement in performance and the arrangements for monitoring and assessing progress against these agreed objectives along with the details of any support or guidance that will be provided. Reviews will take place in accordance with the timeline discussed at the meeting.
- 7.9. If the Team Leader/PIC/Manager deems the progress and performance of employees to be insufficient to recommend continuation of employment, then he/she will consult with Human Resources.

8 Representation:

- 8.1. Employees have the right to be accompanied by a colleague or trade union representative at formal meetings where dismissal is a possible outcome and at appeal hearings, following a decision to dismiss.

9 At the End of Probation/Extended Probation:

- 9.1. The Team Leader/Manager is required to make a recommendation prior to the end of the probationary period on:
- Whether the individual has successfully completed probation and will be offered continued employment. Where the final probation form recommends continued employment, HR will issue a letter to the employee/s to confirm successful completion of the probationary period.
 - Whether the probationary period should be extended. Following this probationary procedure should ensure sufficient information is available to reach a sound decision to confirm or terminate an appointment.
 - Where it is deemed necessary to extend the probationary period to allow for further development, the probationer (employee) must be notified in writing prior to the end of the initial 6-month period. The probationary period may be extended up to a maximum of 9 months. The employees will be advised in writing as to the reasons for the extension, the period during which these concerns must be addressed and the consequences of

failing to do so. Failure to successfully pass probation may result in employment being terminated.

- Whether the individual has not successfully completed probation which could ultimately lead to the termination of their employment contract. The normal expectation is that all new employees will successfully pass their probation. Where the probation form recommends the probation has not been successfully completed and therefore employment may be terminated, the employees will be given no less than one week's notice or as stated in the terms of employment and the Minimum Notice Act. This must be communicated in writing prior to the end of the probation period.

9.2. The following process will apply;

- The Team Leader/PIC/Manager and a representative from HR will hold a meeting with the employees to advise him/her of the recommendation and the reasons for it.
- The purpose of the meeting will be to discuss the probation recommendation and to allow the employee the opportunity to respond to the issues raised in the probation reports and the recommendation.
- Following this meeting, the HR Manager or any other assigned member of Senior Management will review the recommendation and any new evidence presented at the meeting and, after due consideration will confirm a final decision in writing to the employee. There are two outcomes possible as a result of the meeting.

9.3. The decision to dismiss is confirmed.

- A letter will include information regarding: the reasons for the dismissal, the date on which the employment will terminate, payment arrangements and the details of the arrangements to follow should he/she decide to appeal e.g. to whom to appeal

9.4. The probationary period may be extended up to a maximum of 9 months.

- A letter will include information regarding: the reasons for the extension, the date on which the probation will end, and arrangements details for further probation reviews during the extended probationary period. Details of the Appeal process should also be included.
- St Patricks Centre reserves the right to make payment in lieu of notice in the event of termination.

10 Appeals Process:

- 10.1. The probationer may appeal the decision in writing within seven calendar days from date of written notice of the decision to dismiss, stating the grounds on which the appeal is based.
- 10.2. Human Resources will arrange a formal meeting to hear the appeal, as far as reasonably practical within seven calendar days from receipt of appeal letter.
- 10.3. The appeal is not a rehearing of the original meeting but rather a consideration of the specific area with which the employee is dissatisfied with in relation to the outcome of the meeting. Therefore, unless the Appeal Manager determines that new evidence has a bearing on the whole appeal, The Appeal Manager will confine discussions to those specific areas rather than reconsider the whole matter afresh.
- 10.4. At the appeal meeting the documentary evidence made available at the original meeting will be made available for reference purposes. The Appeal Manager may also seek further information about the case from the employees. Where appropriate the probationer will have the opportunity to comment on any new evidence arising during the appeal. All new evidence will have been disclosed in advance according to timescales agreed for the case.
- 10.5. As the purpose of the appeal is not a reconsideration of all matters, it is the responsibility of the employees to state the case and bring to the attention of the Appeal Manager all relevant documentary evidence that should be considered.
- 10.6. Based on the appeal case presented and the associated evidence, the Appeal Manager may either; uphold the grounds for appeal or reject the grounds for appeal.

11 Appendix 1

PROBATION AGREEMENT FORM



Before completing this form, you are advised to read the company's Probation Policy & Procedure

PLEASE NOTE:

You are required to submit a copy of this form to the HR department where the employee's performance during probation is satisfactory. However, you **MUST** submit a copy to the HR department and seek the advice of your HR Manager as soon as possible if difficulties arise during the probationary period which mean that extending the probationary period and/or non-confirming the employee in post are possible outcomes. Non-reporting will result in the assumption that the employee's probation period is progressing satisfactorily.

The Line manager/Team Leader should ensure that the employee is given a copy of this document at each stage of their probation and should retain the original to monitor progress against set objectives at follow-up meetings.

Probation Record

Employee name:		
Job Title:		
Grade:		
Location		
Start Date:		
Line Manager/Team Leader:		
	Date Due	Please tick when completed
Initial Meeting (first week of start date)		
3-month review:		
6month review:		

PART 1: Initial meeting

This section should be completed by the Line manager /Team Leader within a week of the employee commencing their employment.

SECTION A: Objectives

The Line manager/Team Leader should identify specific objectives for the employee (for 3 & 6 months , as appropriate) These will be statements of what should be achieved during the probationary period, including indicators of success and timescales for achievement.

SECTION B: Development Plan

To support the employee in achieving these objectives, the Line manager/Team Leader should identify any training and development needs and specify how and when these needs will be addressed during the probationary period.

Employee's Signature:	
Manager's Signature:	
Date:	

PART 2 – First review (3 months) - a second copy of PART 2 of this form may also be used to conduct a 3-month review with an employee whose probationary period is 6 months)

To be completed by the Line Manager /Team Leader in discussion with the employee.

<i>(please tick)</i>	Improvement required	Satisfactory	Good	Excellent
Job Knowledge				
Quality				
Timeliness				
Productivity				
Execution				
Teamwork				
Initiative				
Attendance				
Overall Evaluation				

If any areas of performance, conduct or attendance require improvement, please provide details below.

Where concerns have been identified, please summarise how these will be addressed during the remaining period of probation.

Summarise the employee's performance and progress over the period

	If NO, what further action is required?	Review Date
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Have the objectives identified for this period of the probation been met?	YES / NO		
Have the training / development needs identified for this period of the probation been addressed?	YES / NO		
Employee's Signature:			
Manager's Signature:			
Date:			

PART 3 – Final Review (6 months)

To be completed by Line Manager/Team Leader in discussion with the employee.

<i>(please tick)</i>	Improvement required	Satisfactory	Good	Excellent
Job Knowledge				
Quality				
Timeliness				
Productivity				
Execution				
Teamwork				
Initiative				
Attendance				
Overall Evaluation				
Have the objectives identified for the probationary period been met?	YES / NO	If NO, please provide details		
Have the training / development needs identified for the probationary period been addressed?	YES / NO			
Summarise the employee's performance and progress over the period				
Is the employee's appointment to be confirmed?				YES / NO
If NO, please provide reasons below and summarise what action has been taken to address any difficulties, which have arisen during the probationary period.				
The employee may provide any comments about their experience of the probationary process here.				
Should the employee's probationary period be extended?				YES / NO

If YES, please provide reasons and, where appropriate, specify any areas of improvement required and how these will be monitored.

Length of the extension (max 3 months):

New Probation Period completion date:

Employee's signature:

Manager's signature & Date

PLEASE NOTE: At the final review meeting, the Line manager/Team Leader should confirm verbally whether the employee has successfully completed their probationary period. **In such cases, a copy of the completed probationary review form should be sent to HR to trigger issuing of the confirmation letter.**