



# Probationary Policy

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## POL103 – Probationary Policy

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<b>Linked procedural documents</b>	Reasonable Adjustments Policy Academic Regulations Policy Attendance and Sickness Absence Policy Recruitment and Selection Policy
<b>Dissemination requirements</b>	All Trust employees by intranet
<b>Part of Trust’s publication scheme</b>	Yes

The East of England Ambulance Service NHS Trust (EEAST) has made every effort to ensure this policy does not have the effect of unlawful discrimination on the grounds of the protected characteristics of: age, disability, gender reassignment, race, religion/belief, gender, sexual orientation, marriage/civil partnership, pregnancy/maternity. The Trust will not tolerate unfair discrimination on the basis of spent criminal convictions, Trade Union membership or non-membership. In addition, the Trust will have due regard to advancing equality of opportunity between people from different groups and foster good relations between people from different groups.

All Trust policies can be provided in alternative formats.

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## 1. Introduction

- 1.1 Here at EEAST we recognise that starting a new job can be both a rewarding and challenging time. We want to make sure that when you join us, you are given every opportunity to succeed in your new role.
- 1.2 The probationary period is for you to settle in, get to know the key elements of your job and understand how your skills and experience can be used effectively to achieve the job's requirements. It also gives your manager a way to assess how you are doing so they can help you achieve your full potential.
- 1.3 Your probationary period will be detailed in your Principal Statement of Terms and Conditions of Employment (contract) and will not affect your statutory employment rights.

## 2. Purpose

- 2.1 This policy has been designed to guide and support you during your probationary period, fostering a positive and successful start to your journey with EEAST.
- 2.2 The aim of this policy is to:
  - allow both you and your line manager to assess performance and overall fit within the organisation,
  - ensure you have a clear understanding of your role and responsibilities,
  - support you in attaining the relevant level of competence in your role.

## 3. Scope

- 3.1 This policy applies to all new employees recruited to EEAST, including Fixed Term Contracts. It does not apply to casual or agency workers.

## 4. Duties

- 4.1 The **Recruitment Team** are responsible for sending you a contract that states that your employment is subject to satisfactory completion of a defined probationary period.

**4.2 Line Managers** are responsible for:

- ensuring that this policy is applied consistently and in a way that does not discriminate,
- considering whether any reasonable adjustments are required,
- meeting with you to discuss your role and identify any key areas to ensure you understand what is expected of you in terms of objectives and what your performance will be measured against,
- outline what support and guidance will be provided to help you meet the expected standards,
- meeting with you regularly to ensure that the monitoring and review process is carried out, providing positive and constructive feedback,
- completing your Probationary Period Support Plan,
- confirming outcomes in writing following each probationary review.

**4.3 The Training and Education Managers** (where applicable) have the same duties as line managers at Section 4.2, with the additional responsibilities of:

- liaising closely with the line manager regarding operational assessments,
- referencing and complying with the Academic Regulations Policy,
- handing over your Probationary Period Support Plan to your line manager to continue Probation Review Meetings from the stage it has been completed to.

**4.4 New employees** are responsible for:

- fully understanding the standards of performance, conduct and attendance expected of you during your probationary period and beyond,
- discussing with your line manager any concerns you may have in relation to meeting these standards,

- being fully prepared for your probationary review meetings.

4.5 **Managers, HR and trade unions representatives** are responsible for providing advice and guidance to you on the application of this policy.

## 5. Probationary period

5.1 At EEAST, a probationary period is normally for six months for a permanent contract, or 25% of the length of your fixed term contract period. Your contract will specify whether your employment is subject to a probationary period, its length and any conditions attached to it.

5.2 During the probationary period, your manager will meet with you to give you regular feedback, so you know what is going well and if there are any areas where you might need further training or support.

5.3 Your probationary period will continue until you have received written confirmation of the outcome of your End of Probationary Period Review or Final Probationary Period Review.

5.4 Any sickness absence during your probationary period will be managed in accordance with, and in conjunction with, our Sickness Absence Management Policy.

5.5 A **Probationary Period Flow Chart** is included at **Appendix A**.

## 6. Probationary Period Support Plan

6.1 A **Probationary Period Support Plan (POL103-01)** will be used by your manager to set your objectives and assess your performance. It will enable your manager to evaluate whether you meet the required standards and expectations before confirming your continued employment.

6.2 As part of your local induction, you and your manager should meet to agree SMART objectives to be met during your probationary period:

- Specific
- Measurable
- Achievable

- Realistic and
  - Time-based.
- 6.3 Your Probationary Period Support Plan must be updated at each probationary review meeting including the final meeting, and you will be sent a copy for your records.

## 7. Probationary Review Meetings

- 7.1 The probationary review meetings will be a two-way confidential discussion to:
- identify where there are areas of positive performance,
  - identify any areas of concern,
  - identify and discuss any targets or actions, including those set from any previous review meeting(s),
  - discuss any additional training and/or support to help you achieve your objectives.
- 7.2 There should be at least three probationary review meetings, which will usually be:
- a first probationary period review at the end of your first four weeks,
  - a second probationary period review at the end of your first three months, **and an**
  - End of Probationary Period Review before the end of your first six months (**see Section 8**).
- 7.3 The timing of the meetings may be brought forward and/or additional review meetings arranged at your line managers discretion, when required.

**You can ask a work colleague or a trade union representative to attend the meeting with you.**

- 7.4 For each probationary review meeting, your manager will:
- send you an invite using the **Probationary Review Invite Letter Template (POL103-02)**. This letter will explain the purpose of the meeting and possible outcomes.
  - Send you an outcome letter using the **Probationary Review Outcome Letter Template (POL103-03)**, and an

updated copy of your Probationary Period Support Plan, usually within seven calendar days of the meeting.

#### 7.5 **If you are recruited to a new role**

If you are recruited to a different role within EEAST during your probationary period, the length of the original probationary period will continue and the responsibility to complete your Probationary Period Support Plan and Probationary Review Meetings will transfer to your new manager.

### 8. **End of Probationary Period Review**

8.1 At the end of your probationary period, you will be invited to attend an End of Probationary Period Review.

8.2 At this meeting your line manager will review the Probationary Period Support Plan and assess whether you are carrying out your role effectively. If your manager has any concerns about your performance, conduct or attendance levels they should give you the opportunity to discuss these in the meeting before making a decision.

**For consistency, advice must be sought from an HR representative prior to any decision being made when managing unsatisfactory performance.**

#### 8.3 **Satisfactory Probationary Period Review**

If your performance, conduct and/or attendance levels is assessed to be satisfactory in all areas, your line manager will confirm the successful completion of your probationary period during the meeting.

#### 8.4 **Unsatisfactory Probationary Period Review**

If your line manager still has concerns about your performance, conduct and/or attendance levels, and the outcome of your probationary period has been deemed as unsatisfactory, the two potential outcomes are:

- an extension of your probationary period (**see Section 9**) or
- to proceed to a Final Probationary Period Review Meeting (**see Section 10**).

- 8.5 Your line manager will confirm in writing the outcome of your End of Probationary Period Review using the **End of Probationary Review Outcome Letter Template (POL103-04)**.

## 9. Extension of Probationary Period

- 9.1 Where you are not performing to a satisfactory level, but it is considered that a further period of probation will help improve performance, conduct and/or attendance levels, your line manager may decide to extend your probationary period.
- 9.2 If it is decided to extend your probationary period, we will only extend it once, for a minimum of 8 weeks and a maximum of 6 months.
- 9.3 In all cases where your probation is extended, the following must be discussed at your End of Probationary Period Review meeting and confirmed in writing:
- the reason for the extension,
  - the specific improvement required,
  - any assistance/training necessary,
  - the period of the extension (to be determined by your Line Manager),
  - any reasonable adjustments required.
- 9.4 At the end of your extended probationary period, you will be invited to attend a further End of Probationary Period Review Meeting. At this meeting, your line manager will review the Probationary Period Support Plan and assess whether you are carrying out your role effectively.

**For consistency, advice must be sought from an HR representative prior to any decision being made when managing unsatisfactory performance.**

### 9.5 Satisfactory Extended Probationary Period Review

If your performance, conduct and/or attendance levels is assessed to be satisfactory in all areas, your line manager will confirm the successful completion of your probationary period during the meeting.

## 9.6 **Unsatisfactory Extended Probationary Period Review**

If your line manager still has concerns about your performance, conduct and/or attendance levels, they will escalate to a more senior manager for further review at a Final Probationary Period Review Meeting (see Section 10).

*As your probationary period has already been extended once there is not an option to extend again at this stage (see Section 9.2)*

9.7 Your line manager will confirm in writing the outcome of your End of Probationary Period Review using the **End of Probationary Review Outcome Letter Template (POL103-04)**.

## 10. **Final Probationary Period Review**

10.1 The Final Probationary Period Review will usually be held within four weeks of your End of Probationary Period Review Meeting.

10.2 The meeting will be chaired by a senior manager, who should be either:

- a substantive manager (Agenda for Change (AFC) Band 8c or above).
- a seconded manager (AFC Band 8c or above, who has gone through the normal/full recruitment and selection process). This does not apply to managers who are covering an 8c role as a development opportunity.
- a substantive AFC Band 8b manager, with the agreement of the joint chairs of SPF.

10.3 Your line manager will share your Probationary Period Support Plan and any other relevant information with you and the meeting chair 14 calendar days before the meeting. They will also attend to present the probationary information, and an HR representative will attend to provide HR advice.

**You can ask a work colleague or a trade union representative to attend the meeting with you.**

10.4 During the meeting the meeting chair will:

- review the probationary information, including your Probationary Period Support Plan,
- consider the reasonableness of the performance targets which have been set and whether these have been clearly communicated to you,
- consider whether a reasonable level of training and support has been provided,
- assess whether you are carrying out your role effectively in relation to your performance, conduct and/or attendance levels,
- consider the seriousness of any performance concerns, and whether you have had sufficient opportunity to improve, and adequate consideration at review meetings,
- consider any reasonable adjustments in place,
- let you know their outcome, which will be either the:

1. **Successful completion of your probationary period**

If your performance, conduct and/or attendance levels is assessed to be satisfactory in all areas, the meeting chair will confirm the successful completion of your probationary period during the meeting.

2. **Termination of your contract of employment**

If your performance, conduct and/or attendance levels have fallen significantly short of the standard expected, and where all reasonable support has been provided, the meeting chair will terminate your contract of employment at this stage.

10.5 You will be sent a Final Probationary Period Review Outcome letter within seven calendar days of the meeting, on a **Final Probationary Period Review Outcome letter template (POL103-06)**.

10.6 In the event of dismissal during your probationary period, the outcome letter will confirm:

- how to access support,

- that you will receive payment in lieu of your contractual notice period, unless the dismissal is for gross misconduct, for which there is no payment in lieu of notice,
- that you can appeal the decision,
- the name of the person you should appeal to, the date you should complete this by, and your reasons for appealing.

## 11. Appeal

- 11.1 If you believe your Final Probationary Review was not handled correctly, or you feel the reasons for the dismissal were unfair or unjustified, then you could decide to submit an appeal.
- 11.2 You can appeal in writing, providing your reasons for the appeal, by emailing the Director of People Services within seven calendar days of receiving the outcome (dismissal) letter.
- 11.3 Upon receipt of your appeal, the HR representative will arrange and invite you to an appeal meeting, which will be held within 28 calendar days of receipt of your appeal. The meeting will not be a re-hearing of the case, unless for example, new information is provided that was not available at that time, which is likely to impact the decision.
- 11.4 The appeal meeting will also be attended by:
- a more senior manager (who has not been involved in your case before) who will chair the meeting,
  - the senior manager (meeting chair) who made the decision at your Final Probationary Period Review Meeting.
  - an HR representative, to provide HR support to all present.

**You can ask a work colleague or a trade union representative to attend the appeal meeting with you.**

- 11.5 During the meeting, the appeal manager will:
- invite you to explain your reasons for the appeal, and why you feel that the original decision was not appropriate,

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- ask the dismissing manager to provide a background to their decision to dismiss at the Final Probationary Period Review Meeting,
- decide whether the decision was reasonable in light of all the circumstances and that a fair process was followed,
- confirm whether your appeal has been upheld, or not upheld, and the reasons for this.

11.6 If the appeal manager needs further information to make a decision, they will mutually agree a date and time to deliver their outcome.

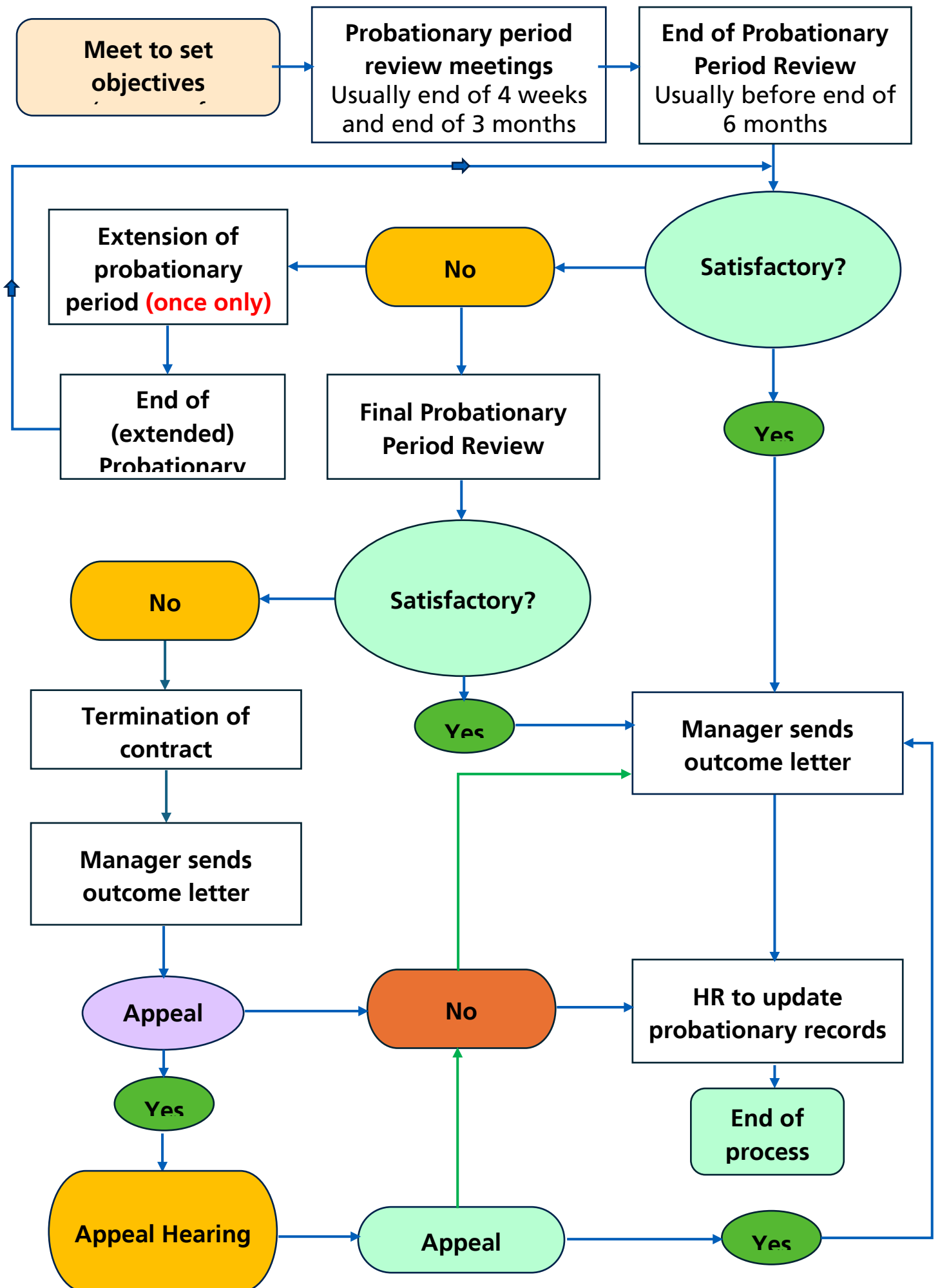
11.7 You will receive an outcome letter within seven working days of the meeting or agreed outcome date. This timescale may be extended where this is mutually agreed.

11.8 The decision from the appeal manager will be final.

## 12. Policy review

12.1 This policy will be reviewed on a 3-yearly basis or amended in light of new employment legislation and/or relevant case law, or if a significant issue arises within its operation.

## Appendix A – Probationary Period Flowchart



## Appendix B – Probationary Period Summary

### 1. Start of Employment

- Meeting with manager as part of induction process to set objectives using the Probationary Period Support Plan.

### 2. Review Meetings

- First Review: (Usually end of four weeks)
- Second Review: (Usually end of three months)
- End of Probationary Review: (Usually before the end of six months)

### 3. End of Probationary Review Outcomes

- Satisfactory: Manager confirms successful completion in writing, HR to update probationary records (the process will end)
- Unsatisfactory: two possible actions:
  - Extension of Probationary Period (only once).
  - Proceed to Final Probationary Period Review.

### 4. Extended Probationary Review

- Further review at the end of extension.
- Outcomes:
  - Satisfactory: Manager confirms successful completion in writing, HR to update probationary records (the process will end)
  - Unsatisfactory: Proceed to Final Probationary Period Review (cannot extend again).

### 5. Final Probationary Period Review

- Outcomes:
  - Successful Completion: confirmed in writing
  - Termination of Employment; Confirmed in writing with appeal rights.

### 6. Appeal Process:

- Employee can appeal dismissal within seven calendar days.
- Appeal meeting held within 28 days.
- Decision is final.

## Appendix C

### Equality Impact Assessment

<b>EIA Cover Sheet</b>	
Name of process/policy	Probationary Policy
Is the process new or existing? If existing, state policy reference number	Existing (POL103)
Person responsible for process/policy	HR
Directorate and department/section	People Services
Name of assessment lead or EIA assessment team members	HR Policy Subgroup
Has consultation taken place? Was consultation internal or external? (please state below):	Internal consultation through HR Policy Subgroup members
The assessment is being made on:	<ul style="list-style-type: none"> <li>• Written policy involving staff and patients</li> <li>• Changes in practice</li> </ul>

**Equality Analysis**

What is the aim of the policy/procedure/practice/event?

**This policy aims to support employees during their probationary period, allowing both them and their line manager to assess performance and overall fit within the organisation, ensure they have a clear understanding of their role and responsibilities, and to support them in attaining the relevant level of competence in their role.**

Who does the policy/procedure/practice/event impact on?

- Race X
- Religion/belief X
- Marriage/Civil Partnership X
- Gender X
- Disability X
- Sexual orientation X
- Age X
- Gender re-assignment X
- Pregnancy/maternity X

Who is responsible for monitoring the policy/procedure/practice/event?

**HR**

What information is currently available on the impact of this policy/procedure/practice/event?

**Having reviewed and updated the policy and completed a full consultation process, no negative impact was raised, and with the evidence available there is no negative impact.**

Do you need more guidance before you can make an assessment about this policy/procedure/ practice/event? **No**

Do you have any examples that show that this policy/procedure/practice/event is having a positive impact on any of the following protected characteristics? Yes/No, if yes please provide evidence/examples:

- Race
- Religion/belief
- Marriage/Civil Partnership

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Gender

Disability

Sexual orientation

Age

Gender re-assignment

Pregnancy/maternity

Please provide evidence:

**This policy is designed to be inclusive of all new employees during their probationary period.**

Are there any concerns that this policy/procedure/practice/event could have a negative impact on any of the following characteristics? Yes/No, if so, please provide evidence/examples: **No**

Race

Religion/belief

Marriage/Civil Partnership

Gender

Disability

Sexual orientation

Age

Gender re-assignment

Pregnancy/maternity

Please provide evidence:

**Having reviewed and updated the policy and completed a full consultation process, no negative impact was raised, and with the evidence available there is no negative impact.**

**Action Plan/Plans – SMART**

Specific

Measurable

Achievable

Relevant

Time Limited

**Evaluation Monitoring Plan/how will this be monitored?**

Who – see Monitoring Table

How

By

Reported to

Appendix D - Monitoring Table

What	Who	How	Frequency	Evidence	Reporting arrangements	Acting on recommendations	Change in practice and lessons to be shared
<p>Audit of employee experience, and that the policy and procedure is being applied consistently, fairly, and accurately for all new employees during their probationary period.</p>	<p>Head of HR People Partnering / Business Excellence Team.</p>	<p>Monitor GRS, ESR and ER Tracker data</p>	<p>Annually</p>	<p>Number of Final Probationary Review Meetings held and/or grievances / appeals received in relation to the probationary policy and procedure</p>	<p>Reported to and discussed at People Committee where required</p>	<p>Head of HR People Partnering and the Business Excellence Team will address any actions or changes required.</p>	<p>Any change in practice will be identified and:</p> <ul style="list-style-type: none"> <li>• process updated with HR People Partnering team</li> <li>• HR People Partnering / line manager training implemented</li> <li>• policy updated where required</li> </ul>