

Livewell Southwest

Probationary Period Policy

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Notice to staff using a paper copy of this guidance.

The policies and procedures page of the Livewell Southwest Sharepoint holds the most recent version of this document and staff must ensure that they are using the most recent guidance.

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Document review history

Version No.	Type of change	Date	Originator of change	Description of change
For previous review history please contact the PRVG Co-ordinator.				
1.5	Minor change	September 2019	Workforce Policy Group	Update to references to Declarations of Interest Policy
1.6	Minor Amend	October 2019	HR	Minor formatting amendments
1.7	Extended	February 2020	Head of HR & Staff Wellbeing	Extended
1.8	Minor change	November 2020	HR Admin	Amendment to induction checklist
1.9	Extended	January 2021	HR Admin	Extended
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2.1	Minor change	June 2023	HR	Minor changes to Local Induction Checklist
2.2	Reviewed	January 2025	People Team	Reviewed to aligned to the Employment Rights Bill 2024. Signposting to undertake Toolkits. Correct content page numbers. Additional guidance for LEP. Links to Appendices.
2.3	Minor change	August 2025	People Team	Reference to Preceptorships

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Probationary Period Policy

1. Introduction

- 1.1 Livewell Southwest is committed to support all new employees as they join the organisation. We are also committed to providing the highest quality of care for our service users. To help us do this, all new employees will have a probationary period which allows them time to settle into the organisation, learn the new job and receive the appropriate training.
- 1.2 We will support all new employees as they aim to complete their probationary period successfully.
- 1.3 The purpose of this policy is to outline Livewell Southwest's expectations of a new employee and the process for managing a probationary period.

2. Scope

- 2.1 This policy applies to all newly employed staff, including those recruited within the Livewell Employment Programme (LEP) and Preceptorships. It does not apply to Medical Staff (including Dentists) or Doctors in Training.
- 2.2 In implementing this policy, managers must ensure that all staff are treated fairly and within the provisions and spirit of Livewell Southwest's Equality & Diversity Policy.

3. Definitions

- 3.1 **Probationary Period** – a period of time to allow employees to settle into the organisation, to learn the job and to receive any required training, normally six months. However newly Qualified Social Workers have a standard 12 month Probation Period.
- 3.2 **Induction** – an initial orientation programme that is completed within the first month of employment in the new role.

4. Responsibilities

- 4.1 **Line Managers** – responsible for:
 - Providing the necessary induction support and guidance to enable new employees to understand what is expected of them.
 - Ensuring that all new employees are aware of the standards of behaviour and performance expected in their role.
 - Ensuring that adequate and appropriate support, supervision, training and development is provided for the employee during their induction and probationary period.
 - Ensuring that reasonable adjustments are made to support individuals who have declared themselves disabled.
 - Meeting regularly with the new employee during their probationary period to

ensure that standards are being set and reviewed effectively and in a timely manner.

- Effectively managing any concerns that arise during the probationary period.
- Signing off the successful achievement of the probationary period.

4.2 **Employees** – responsible for:

- Consistently behaving in accordance with Livewell Southwest values and behavioural standards.
- Consistently meeting the requirements of their employment contract.
- Consistently performing effectively in their role.
- Their own health, wellbeing and attendance at work.
- Their own conduct as an employee of Livewell Southwest.
- Their own learning.
- Where appropriate, practising in accordance with their professional body's code of conduct performance and ethics, acknowledging that they are accountable for their own practice.

5. **General Principles**

5.1 The purpose of the probationary period is to allow time for the organisation to assess the work and behaviour of the employee and to determine whether the employee has a long-term future with the organisation.

5.2 In making their assessment, a line manager will consider a number of factors, including whether:

- The employee can consistently demonstrate behaviour in accordance with Livewell Southwest values and behavioural standards.
- The employee can consistently meet the requirements of their employment contract.
- The employee can consistently perform effectively in their role.
- The employee is demonstrating higher than expected sickness absence during the probationary period.
- The employee is the subject of concerns in relation to their conduct during the probationary period.

5.3 The management of such matters as capability and conduct during the probationary period will be carried out in accordance with the Probationary Period Policy.

5.4 Where termination of the contract of employment during the probation period is to be discussed at a probation review meeting, staff have the right to be accompanied by a Trade Union representative or work colleague.

5.5 Employees within the probationary period (or extended probationary period) will not be entitled to access the lease car service or any other salary sacrifice schemes due to the potential financial implications of such arrangements.

5.6 All of the above principles apply to any candidate within the LEP, as will the follow

sections.

6. Local Induction

- 6.1 As part of the induction process, the inducting manager is responsible for ensuring the induction process is completed satisfactorily. The new employee also has a responsibility to ask for further clarity or information where there are queries or doubts regarding particular aspects of working in Livewell Southwest and their department.
- 6.2 A Local Induction Checklist is set out in Appendix A and all items on the checklist must be discussed within the first week and signed under week one. By week four the items on the checklist should be signed to demonstrate an understanding of all items. This acknowledges that a large amount of information may be difficult to retain in the first week.

7. Managing the Probationary Period

- 7.1 The line manager will discuss their expectations through a Personal Development Plan (PDP) or Individual Learning Plan for Preceptees within 4 weeks of starting with the organisation (see Appendix B). Within the six month probation period the line manager will conduct at least one midway review meeting, normally between 12 and 16 weeks, as a minimum.
- 7.2 At the end of the six month probationary period, there should be a final meeting for the manager to advise the employee whether they are performing satisfactorily or whether any further training or other action is recommended.
- 7.3 Performance against the employee's job description and person specification should form the basis of the review, together with any competency framework.

8. Concerns during the probationary period

- 8.1 Although a review date will be set during the induction process, it is important that any concerns are brought to the attention of the employee when they arise so that the employee has an opportunity to address those concerns.
- 8.2 If a line manager has concerns about a new employee's performance, they should arrange a meeting with the employee to express those concerns. The meeting should be held in private, and notes must be taken. If problems persist and/or targets or actions are agreed as a result of the meeting, these should be confirmed in writing to the employee, and review meetings may be brought forward accordingly.

9. HR Support

- 9.1 A manager who has concerns about the progress of a new member of staff should raise this at the earliest opportunity with the HR People Team Representative for advice and guidance.

10. Confirmation of Probationary Period

- 10.1 If performance and behaviour are satisfactory, the line manager should write a short letter confirming the appointment (see Appendix C). If not, the line manager should either extend the probationary period or terminate it.

11. Extension to Probationary Period

- 11.1 Where an employee has failed to make the required progress, a manager may, extend the probation by a further period, but no more than three months. This should only be taken where some progress has been made and the expectation is that, with additional time, the employee will be able to perform satisfactorily.

12. Terminating Employment during the Probationary Period

- 12.1 It will be usual for employees to successfully complete the full probationary period. The length of time has been set to allow employees to settle into the organisation, to learn the new job and to receive any required training.
- 12.2 Termination of the contract of employment may occur at any time during the probation period.
- 12.3 Employees have the right to be accompanied by a Trade Union representative or work colleague to the probation review meeting where termination of their contract is to be considered.
- 12.4 The employer may terminate the contract of employment with one weeks' notice. This notice period may be paid in lieu of notice i.e. notice period would be paid rather than worked. No decision to terminate the probationary period should be communicated to the employee before HR advice has been taken.
- 12.5 The employee may give notice to end their employment as per their contractual notice period.
- 12.6 Notice of termination will be given in writing and will include the right of appeal against the decision.

13. Appeals against a decision to terminate the probationary period

- 13.1 Employees have a right of appeal against the decision to terminate their probationary period, and therefore their contract of employment. Appeals must be made in writing, setting out the grounds for appeal, no later than five working days after the receipt of the termination letter.
- 13.2 Appeals must be made in writing to the Deputy Director of People and Professionalism at Livewell.HR-Livewell@nhs.net stating the reasons for the appeal. This must be within five working days of the decision to terminate the probationary period being confirmed in writing.

- 13.3 The purpose of an appeal meeting is to review the decision to terminate the probationary period and consider:
- Why the employee considers the decision unfair or unreasonable; and
 - The rationale and justification of the decision to dismiss.
- 13.4 The lodging of an appeal will not suspend the notice of dismissal.
- 13.5 The manager hearing the appeal will arrange a meeting at which the employee may be accompanied by a Trade Union representative or work colleague.
- 13.6 Where an individual or their representative cannot attend the appeal meeting, it will be rescheduled once within 5 working days of the original date.
- 13.7 In the event that either the employee or their representative fails to attend the re-scheduled appeal meeting, it will proceed in their absence. A decision will be made based upon the evidence available.
- 13.8 The decision of the manager hearing the appeal is final.
- 13.9 The manager hearing the appeal will confirm the outcome in writing to the employee, with a copy to the employee's representative, normally within five working days of the hearing.
- 13.10 The manager hearing the appeal may uphold or overturn the decision of the line manager. Where the decision is overturned the employee will be reinstated to their role. Where time remains within the 6 month probationary period, the employee will continue to be managed in accordance with this policy. Where the 6 month probationary period has expired, the employee will be deemed to have successfully passed their probation.

14. Retrospective Action

- 14.1 An employee who has not had an end of probation review by the 6 monthly date of their appointment, will be deemed to have been confirmed in their appointment irrespective of performance or behaviour. It is therefore incumbent upon the line manager to ensure that an end of probationary review meeting is arranged in good time, taking into account commitments such as annual leave. There may be exceptions e.g. when a probationary meeting has been arranged and the employee is absent due to sickness, and the meeting cannot be rescheduled before the end of the six months. If a manager is absent due to sickness and the sickness is likely to go beyond the end of the probation, the managers manager or another appropriate manager must carry out the review.

All policies are required to be electronically signed by the Lead Director. Proof of the electronic signature is stored in the policies database.

The Lead Director approves this document and any attached appendices. For operational policies this will be the Head of Service.

The Executive signature is subject to the understanding that the policy owner has followed the organisation process for policy Ratification.

Signed: Director of People and Professionalism

Date: 23rd April 2025