

Report to Employment Panel

Agenda
Item:

A.2

Meeting Date: 1st February 2017
 Portfolio: Finance, Governance and Resources
 Key Decision: No
 Within Policy and Budget Framework: YES
 Public / Private: Public

Title: REVIEW OF PROBATION POLICY/ENGAGEMENT POLICY
 Report of: Chief Finance Officer
 Report Number: RD53 /16

Purpose / Summary:

HR policies are continually being reviewed in the light of minor legislative changes, best practice, management roles and contacts within the Council.

The Probation Policy has been reviewed as part of this process and a replacement draft Engagement Policy is appended to this report for consideration by the Panel.

Recommendations:

The Employment Panel is asked to approve the Engagement Policy, as set out in the Appendix of the report, for consultation purposes.

Tracking

Executive:	Not applicable
Overview and Scrutiny:	Not applicable
Council:	Not applicable

1. BACKGROUND

- 1.1 When appointing new employees, it has historically been custom and practice for employers to make any such an appointment subject to a probationary period. The purpose of this is to allow a period of time to make a proper assessment as to whether the new employee does possess the necessary skills and attributes required by the organisation, thus ensuring that the expectations of the organisation are met.
- 1.2 The City Council is no different and, in accordance with the National Joint Council for Local Government Services Conditions of Service, it has historically operated a probation period as a term and condition of employment. The earliest version of the conditions (the Purple Book) reads:

9. Probation

The appointment of every new entrant to the service of an employing authority shall be subject to a term of probation of not less than three or more than six months. At the end of the probationary period and subject to a satisfactory report by the head of the department the officer shall be transferred to the established staff. This rule of probationary service shall not apply to an officer transferred from the service of another authority or from any other service accepted by the employing authority as appropriate to the post to be filled.

- 1.3 Revised Conditions of Service were introduced in 1997 (the Green Book) which, in regard to the probationary period, said “deleted”. It is, however, important to note that if it wished to do so, any particular Council could continue to refer back to the Purple Book. This allowed authorities the flexibility to determine their own probation arrangements from 1997 onwards. It is also important to note that it was always the case that probationary periods did not apply to persons with ‘continuous service’, i.e. those moving within the ‘family’ of Local Government. The idea behind this was that such people would have already served a probationary period at their previous authority and were deemed acceptable. It also encouraged the movement of staff between Councils whilst maintaining their security of employment.
- 1.4 The background of Probation within the City Council is set out above. A thorough review of the Probationary Policy has been undertaken by one of the Council’s HR Advisors as part of a study project for an Institute of Learning & Management qualification. The review has shown that although some different probationary processes were introduced in 2008, there is no record of the appropriate approval from Members having been sought. Members may be reassured to note that no employees have been adversely affected by these changed processes, which in effect applied the probationary period to **all** employees.
- 1.5 Generally, employment practices have changed and more emphasis is put on the recruitment process to ensure that the candidate selected will be right for the

organisation and more focus on providing initial support to ensure candidates have the opportunity to meet expectations. Therefore the recommendation flowing from the review is that is an appropriate time to 'modernise' and refresh our probationary policy to make it more suitable for our needs in the modern business environment.

2. REVIEW AND PROPOSALS

- 2.1. In addition to individual research as part of the review, a staff survey was undertaken and management across the Council took part in organised discussions to provide feedback on existing working practices. Several, clear issues were revealed as regards the current policy:
- The current paperwork is outdated and does not encourage engagement and development;
 - There is no option to reduce probation to 3 months and/or have a probation of 9 months depending on the development required for the role;
 - Week 3 of month 4 - although there is an option to discuss potential options with their Manager and HR, if objectives are not being met, there is no further guidance for the employee or management;
 - There is a buddy system, with little guidance, in the current policy which is not implemented consistently;
 - Use of policy, completion of paperwork and essential training is not being undertaken;
 - Managers lack of understanding regarding the legal standing of probation and the requirement to follow appropriate dismissal processes.
- 2.2. There is no legal reason why an employer cannot have probationary periods for new staff; some would suggest that this is preferable. The purpose of a probationary period is to allow a suitable amount of time in which the employer can assess the new employee. The terms of the probationary period need to be set out in a policy which will be referred to in the contract of employment. It therefore forms part of the employees' terms and conditions.
- 2.3. The ACAS Code of Practice states that the first few weeks are critical to whether an employee becomes a valued member of staff, resulting in them being happy and productive in their work. ACAS advocates fairness in dealing with issues and the use of 3 stages when dealing with capability and/or disciplinary issues. Additionally, good practice would be to develop an induction to suit each role and individual needs.
- 2.4. The proposed, updated and revised policy is attached as **Appendix 1** to this report. It is recommended that the Probationary Policy evolves into an 'Engagement' policy which covers how we properly induct new employees into the Council. The purpose of the Policy is to ensure that new staff feel valued and appreciated as they come to work with us but, importantly, it also ensures that the Council has at its disposal, an

appropriate policy which allows it to, fairly but quickly, cease the employment of those employees, new to local government, that do not come up to the required standard. Members should note that persons already employed in Local Government (including both those being appointed from outside of the Council and also internal transfers or promotions) will remain subject to the usual rules of employment which apply to conduct, capability, etc. but not the quicker dismissal route proposed by the Engagement Policy. **Members and all consultees are specifically requested to comment on these proposals with the options and a series of questions set out on page 11 of the Policy.**

- 2.5. The Engagement Policy will ensure consistency across the Council and it is hoped that the inclusion of a workforce development plan will aid the setting of targets leading to improved performance. The use of workplace buddies and mentors will assist new employees to develop into their roles. The proposed Engagement Policy has been developed in accordance with ACAS Codes of Practice and updates our working practices to be in line with current procedures.
- 2.6. The introduction of a structured framework to be used when an employee is new to Local Government and those changing roles or being promoted within the Council will aid engagement and development of employees, allowing management to have an understanding of actual issues to be addressed and giving them the support to deal with these in a positive and timely manner. The changes represent a supported introduction to the Council incorporating expectations of a Council employee with proactive early intervention when those expectations are not met.

3. CONSULTATION

- 3.1. Informal consultation with Unions started in May 2016 as a representative from Unison and GMB has been fully involved in the development of the Engagement Policy and the deletion of Probation.
- 3.2. Formal consultation to take place with staff and union representatives during February/March 2017.

4. CONCLUSION AND REASONS FOR RECOMMENDATIONS

- 4.1. The Employment Panel is asked to approve adoption of the proposed new policy in order to ensure engagement and development of employees within current legislation in the Council, for consultation purposes with both Union representatives and employees.

5. CONTRIBUTION TO THE CARLISLE PLAN PRIORITIES

- 5.1. The Engagement Policy exists to provide managers and employees with a clear framework in which to handle issues in a fair and consistent way. Secondly, instil confidence in the public on the process for managing high expectations and performance expected of Council employees

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**Appendices Appendix 1 – Engagement Policy
attached to report:**

Note: in compliance with section 100d of the Local Government (Access to Information) Act 1985 the report has been prepared in part from the following papers:

CORPORATE IMPLICATIONS/RISKS:

Corporate Support and Resources – Not applicable

Community Services – Not applicable

Economic Development – Not applicable

Governance and Regulatory Services – It is important that the Council maintains up to date employment policies. As this will be a change to staff terms and conditions it will need to be subject to consultation as explained within the body of the report.

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Engagement Policy
Guidance Notes and Procedures

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Introduction

Understanding the value of settling a new employee into their role in an organised structured programme is a vital role as part of taking on an employee. Time and money is spent on the recruitment so it is worth working hard to ensure the new recruit is welcomed, ready to contribute and want to stay.

This policy is to assist all new recruits whether internally or externally appointed to engage, support and develop employees within Carlisle City Councils vision and values. Furthermore this will include casual, agency, employees changing roles or returning to work.

The type of job involved and whether the employee is new to the Council will determine how much investment is needed in the process. HR Advisory Team will be pleased to advise on any points and will be available to assist managers and employees regarding the process and completion of relevant forms.

Part 1 – Policy

1.1 Purpose

New employees come to the Council full of expectation and enthusiasm and an effective programme of engagement will help to ensure that employees settle in well, and gain an understanding of the Council and its policies, procedures and culture as early as possible. It also gives them a full opportunity to become effective and motivated team members.

The purpose of the policy is to help promote and guide the employee alignment to the Council vision and core values by providing the tools, resources, and information necessary to welcome, direct and train employees. It is designed to complement existing induction processes while providing the framework necessary to help employees become productive and confident as soon as possible, including job specific needs.

1.2 Aim

The aim of the policy and procedure is to engage employees with the Council's vision and core values; ensuring that they have clear understanding of their role; and are provided with necessary support and training within policies and procedures that have legal standing.

To achieve this aim it is important that employees feel that:

- there will be job development opportunities to fulfil their potential within the Council;
- they can perform at their best - this requires a working environment with the necessary resources, where colleagues pull together and managers are supportive;
- they are encouraged to suggest ideas; and
- their contribution is recognised and fairly rewarded.

The benefits to both the Council and the employee if this policy is completed successfully are:

- Decreased turnover;
- Decreased anxiety;
- Decreased recruiting and training costs;
- Increased productivity;
- Increased employee morale; and
- Increased positive employee commitment.

Throughout this document it makes reference to suitable time for development and training to be made for the postholder to fulfil their job role. The times in the document are guidance and may be extended depending on the circumstances of the employee or specific job role in question. If in doubt of what is a reasonable period of time please contact the HR Advisor Services Team.

1.3 Scope and Application

This policy applies to all temporary and permanent employees of the Council that are newly recruited, transferring to new posts or returning to work.

Managers must ensure that anyone for whom they are responsible completes the engagement policy process, as appropriate, to their particular circumstances and role.

For example, tailored induction would be necessary for casuals, agency staff, contractors, volunteers, and work experience students. Further advice on the needs of these groups can be obtained from HR Advisory Service Team.

1.4 Risks

The risk of not applying this policy would depend on the nature of the role and the impact of the postholder's unsuitability for that role but would include the additional cost of recruitment and/or employees in roles suffering low morale whilst not understanding their job roles.

1.5 Confidentiality

All documents created as part of this process will be stored confidentially in line with normal Personnel procedures and stored on an employee's personnel file.

1.6 Individual Responsibilities

Employee

- To attend, and participate in all meetings.
- To, collaboratively, confirm objectives and reach the desired performance standard.
- To complete all mandatory training and other development or training highlighted in your Workplace Development Plan.
- To gain an understanding of the Council's vision and core values and your role within these.
- To aim to fulfil your full potential within the Council.

Manager

- To understand the process and arrange all meetings, development and training required in a timely fashion.
- To allocate a buddy or mentor appropriately.
- To tailor the Workplace Development Plan to ensure employee and job specific.
- To be clear for the reasons of development and training needs as required.
- To have specific instances/ examples where performance has or has not been at the desired standard.
- To, collaboratively, confirm objectives to engage the employee's to gain and understanding of the Council's vision and core values and their role within these.
- To maintain regular support and contact.
- To monitor progress and performance regularly explaining the implications if the expected standards are not met.
- To consult HR Advisory Service at appropriate points and certainly prior to any formal disciplinary or investigation action being taken.

HR Advisory Service

- Provide appropriate advice and guidance to managers and employees ensuring a consistent application of the Council's Engagement Policy and linked policies and procedures.
- Attend Workplace Development Plan meetings to support managers and employees, when deemed necessary, and prior to moving onto either a capability or disciplinary linked policy.
- Ensure that legal requirements and City Council guidelines are adhered to.
- To monitor and update the policy and procedures.

A representative from the HR Team may be in attendance at any stage of the process.

1.7 Links to other Policies

Induction

New Starter Line Manager Guidance

Redeployment

Appraisals

Performance Enhancement

Absence Management

Disciplinary

Capability

Officer Code of Conduct

Family Friendly Policies, Guidance and Procedures

Part 2 – Guidance and Procedure

2.1 Pre-Arrival Preparation

2.1.1 Prepare a welcome letter

A welcome letter helps new employee's feel valued and welcomed. This letter is prepared for the manager's signature informing the new employee of his or her start date and tips to prepare for the first day at the Council.

A buddy or mentor would be appointed depending on level or role being appointed to. All employees are to be designated a buddy unless they are responsible for line management in which case a mentor will be appointed.

An example welcome letter can be found at [Appendix A](#).

When choosing a buddy consider that the aim of the buddy at work can make a huge difference to the speed at which new recruits manage to settle into the role, the department and the organisation. Just knowing there is someone there to listen who is genuinely interested in helping them can make new staff members feel supported.

Further guidance on selection of a buddy and their role can be found on the intranet <[click here](#)>.

When choosing a mentor consider someone who demonstrates themselves as an experienced and trusted adviser. The mentor will have the opportunity to use their experience and knowledge in a facilitative manner to support the development of the mentee. However, the responsibility for making things happen and putting plans into action remains with the mentee - not with the mentor.

Further guidance on selection of a mentor and their role can be found on the intranet <[click here](#)>. To obtain more information about Mentors for Service Managers please contact organisationaldevelopment@carlisle.gov.uk.

2.1.2 Prepare an email announcement for team

An email to the team and other relevant employees or teams will ensure that all are aware of the new face and be able to introduce themselves using the person's name. The team will also be able to store the correct spelling of their name for future reference!

An example email announcement can be found at [Appendix B](#).

2.1.2 Prior to arrival Checklist

A checklist has been provided at [Appendix C](#) to assist the manager with arrangements prior to arrival.

2.2 Workplace Development Plan

All essential training and policies are highlighted on Appendix D Workplace Development Plan checklist for development [<click here>](#) and [<click here>](#) for Health & Safety New Employees First Day Checklist and here for the Induction Policy and Process Sign off sheet [<click here>](#).

A template is supplied for discussion meetings (1:1/6 weekly intervals) [<click here>](#) and Workforce Development Plan [<click here>](#). These are to be placed on the employees personnel file and therefore a copy should be emailed to personnel&payroll@carlisle.gov.uk.

This will assist and ensure the line manager and employee fully understands the performance standards, roles, responsibilities and expectations. When continued throughout the year with regular communication and feedback between line manager and employee this will encourage a higher level of performance.

As these are of benefit to both the line manager and employee you may wish to continue them to be part of your 1:1's and/or appraisals. Continuation of documentation will not need to be placed on the personnel file. However, the line manager is responsible for these being securely locked away and kept in line with the Data Protection Act 1998 (further details and guidance can be found on the intranet [<click here>](#)).

Line managers should be aware that having an open-door policy and encouraging employees to share any ideas that they have for improving operations, strategy or culture will assist in ensuring employee success.

Minimal workplace development plan meetings that are considered a requirement under the Engagement Policy are detailed below. It may be appropriate for many roles within the Council to be signed off from 3 months, 6 months or 9 months depending on the amount of training and development that is required for that specific role. Managers should discuss the appropriate timescale with their HR advisor.

Day 1	The minimum required regarding health & safety and payroll requirements
Week 1	A meeting should have taken place with the employee to develop and start the work plan attached to this policy.
Month 1	Sign off Induction Sign Off Sheet. Complete a 1:1 discussion form and progress and further develop the individuals personal workforce development Plan
Month 3	Complete a 1:1 discussion form and progress and further develop the individual's personal development Plan. Touch base with your designated HR Advisor prior to sign off.
Month 6	Complete a 1:1 discussion form and progress and further develop the individual's workplace development Plan. Touch base with your designated HR Advisor prior to sign off.

Note: Any issues that arise and continue should be clearly identified by Month 3 and HR will advise on the necessary policy to follow with regard to capability or conduct.

2.2.1 Setting standards and objectives

Generally speaking, all individual objectives should derive from overarching organisational objectives or goals. However, there may be some specific personal development objectives for each person. In most cases, these will still link into the directorate's strategy. It may be helpful to remember that, in handling performance most objectives come from reflection and analysis around:

- problems;
- processes;
- practices; and
- people.

With standards and objectives:

- employees understand clearly what performance is required of them (what they are being paid to do or achieve);
- short-term development activities can be precisely targeted;
- feedback on performance and behaviour can be more precise; and
- performance is likely to improve.

Without standards and objectives, or with poorly defined ones, none of these benefits are realised:

- confusion sets in;
- performance is diluted over too wide a range of activities due to lack of focus; and
- relationships suffer.

Below is an example that clearly distinguishes between standards and objectives.

Let's say a receptionist currently answers the telephone within 10 rings, and you agree that three rings would be better for customer care. You might agree that he or she will reprioritise the work to answer the phone within three rings over a certain timescale. Once that objective is achieved, you might agree three rings as a standard to be maintained.

In summary, an objective is a target that requires a degree of effort to achieve. It can be likened to the destination of a journey.

A standard is a level or norm below which staff should not fall. It can apply to performance (for example, management accounts are distributed within 'n' days of each month end) or to behaviour (for example, customers will be greeted with an agreed phrase).

To ensure goals are achievable, understood and within timescales use the SMART goals acronym:

S	pecific and stretching	Well defined/Clear to anyone that has a basic relevant knowledge
M	asurable	Know if the goal is obtainable and how far away completion is/find out when you have achieved your goal
A	chievable	agreement what the goals should be
R	levant	within availability of resources, knowledge and time
T	imed	enough time to achieve the goal/not too much time, which can affect performance.

Where standards and objectives are not satisfactorily met a discussion should take place to discuss reasons and agree actions to be completed. [Discussion Meetings 1:1](#) and [Workplace Development Plan](#).

Failure to improve following appropriate levels of support may result in formal action, please refer to the designated HR advisor for guidance and support.

2.2.2 What support resources are required

When discussing support and resources required assisting in the development of an employee it is best tailored to each employee and service area.

There is a very broad scope of training and support to assist.

Training

- group sessions with a trainer;
- learning on the job;
- attending conferences/specific courses;
- networking and shared learning with peers;
- reading publications and textbooks;
- online activities; and
- NVQ, college and/or university courses.

Individuals have differing learning styles, therefore be open-minded when planning and agreeing training. Please contact organisationaldevelopment@carlisle.gov.uk for further support and guidance.

Support

- coaching;
- mentoring;
- project supervision to promote professional and personal development;
- team meetings;
- 1:1 meetings with line manager;
- informal or formal peer support.

Details of coaching <[click here](#)> and guidance on mentoring <[click here](#)> can be found on the intranet.

Further support and guidance please contact your designated HR Advisor.

3. Consultation on application of settling in policy to staff

All employees will be subject to the new engagement policy as this is the preferred way to integrate them into the Council. Previously, the Probationary Policy only applied to those new to Local Government. Those with 'continuous service' were deemed to have served their probationary period at their previous employer. Those with continuous service were subject to usual processes and procedures prior to dismissal. Those new to Local Government, subject to the need for proper management and performance plans) were able to be dismissed more quickly at the end of their first six months (or such other stipulated period)

In considering the revised Engagement Policy, the Council is interested to receive views on the most suitable way to proceed:

- a. Should the engagement policy apply equally to all persons whether they are new to Local Government or not? This would mean that all employees, both with continuous service and those new to Local Government would be subject to the full capability/conduct regime before dismissal.

OR

- b. Should the engagement policy apply to all staff for the purposes of assimilating them into the organisation but retain the discretion of the Council to apply the abridged dismissal power for those new to local government? In other words, those moving from another Council will immediately have 'full' protection as per every other member of staff. Those entering local government for the first time will be subject to an initial six month period of assessment before they gain such 'full' protection.

Whichever method was used, a defined process would be used by virtue of which, with HR assistance, the relevant manager would be required to engage with the staff member, discuss performance and clearly outline the standards required. It would only be with the underpinning management regime that any decision to dismiss could be taken.

Finally, the probation policy contained provision for the council to extend the probation period in appropriate circumstances. The Council therefore invites views on:

- c. Should the Council retain the right to extend the settling in (previously regarded as probationary period) if the Manager, after properly managing the new staff member during the initial period, feels this would be of benefit?

Consultation responses will be considered and taken into account when finalising the wording of the policy.

Policy review Schedule

POLICY SCHEDULE	
Policy title	Engagement Policy Guidance Notes and Procedures
Policy Location	K:\Personnel Documents\Policies, Procedures & Guidance
Policy owner (Directorate)	HR Advisory Service
Policy lead contact	HR
Approving body (SMT)	Employment Panel
Date of approval	1 st February 2017
Date of implementation	1 st April 2017
Version no. (amendment date)	V1.1
Related Guidelines, Procedures, Codes of Practice etc.	Induction New Starter Line Manager Guidance Redeployment Appraisals Performance Enhancement Absence Management Disciplinary Officer Code of Conduct Family Friendly Policies, Guidance and Procedures
Review interval	2018

Version Control:

Revision date	Issue No.	Summary of Changes