



University of Essex



Probation Policy and Procedure

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1. Overview

We operate probationary periods for new employees. The aim of the probationary period is to allow both you and your line manager to assess objectively whether you are suitable for the role. During this period, performance and role expectations must be set out clearly, alongside the University's core values.

Regular review meetings should take place. This must include a meeting mid-way through probation to assess progress and at the end of the period to consider whether probation should be confirmed.

Where performance or conduct is not deemed satisfactory, or areas of improvement are identified, this should be made clear to the individual as soon as this is apparent and remedial action / support put in place. If it is considered that probation will not be confirmed, a hearing must be held.

2. Scope and exclusions

2.1 This policy and procedure applies to all Professional Services employees. It does not apply to employees on an academic contract. Separate arrangements apply to academic employees. Employees of the University of Essex Campus Services (UECS) or Wivenhoe House Hotel have their own specific policies and procedures. Where there is not a specific UECS policy or procedure, the University of Essex policy or procedure will apply.

2.2 Additional detailed guidance is available for Academic Heads of Department and Professional Services Line Managers.

Where it has become apparent that the employee has not been honest during the recruitment process, e.g. regarding qualifications or right to work, this is a potential breach of contract which could result in immediate termination of employment. Line Managers should contact People & Culture immediately to discuss the appropriate course of action.

3. Introduction

3.1 Probation provides an opportunity to ensure that new employees are given all the support and guidance they need to settle into the University. This should involve the setting of objectives and having regular reviews. Making the link with the wider strategy is also important - everyone should be clear how their role helps to deliver the University's mission.

3.2 Probation periods range from:

- for permanent professional services staff, twelve months for employees on grades 7-11 and six months for employees on grades 1-6

- for fixed term professional services staff, probation is half the duration of the contract to a maximum of six months where the contract is for six months or more; one month where the contract is for 3-6 months; no probation for contracts of less than three months
- 3.3 If an employee moves to another role within the University, they are then not required to complete a second probationary period unless their previous role was on a contract of less than six months. They must also have completed their first probation period successfully. In this instance, it is still important to ensure the employee is supported through their induction into their new role and a development plan is put in place to aid transition, with regular reviews. Should any concerns be identified by either party, it is important to seek support from People & Culture.
- 3.4 A key element of probation is an initial induction period. Induction is a period of time when a new employee joins the University or an existing employee moves into a new role. During this period employees will be introduced to colleagues and ways of working, allowing them to successfully settle into their new role. New employees must complete a portfolio of online essential training.

4. Objective

- 4.1 The objective of the probation policy and procedure is for probation periods to be completed successfully and to provide a solid basis for future performance:
- new starters must be supported through their probation and given the best opportunity to succeed
 - where performance or behavioural issues arise, support and guidance must be provided with regular reviews taking place
 - where a decision not to confirm probation is considered, this must be undertaken fairly and with the individual given an opportunity to improve

5. Roles and responsibilities

- 5.1 Line Managers are responsible for:
- being actively involved with employees during the period of probation, providing guidance and support
 - providing regular and constructive feedback and discussing development
 - dealing appropriately with issues raised by employees
 - setting out expectations clearly and providing guidance on University values and strategy
 - ensuring that essential training is completed within the first six months of appointment

- addressing any performance and conduct issues promptly so that the individual has an opportunity to take action
- providing information to People & Culture about the progress of probation and whether it should be confirmed

5.2 Employees are responsible for:

- engaging fully with the induction and probation process, including objective setting and reflecting on their development
- Undertaking essential training within six months of appointment
- clarifying expectations and objectives if they are unclear
- raising any issues which may affect their work and performance with their line manager

5.3 People & Culture is responsible for:

- developing and advising on the probation policy
- supporting and advising line managers in managing probation, including with regard to development
- advising and supporting employees to deal with issues related to their employment and probation

6. Procedure

6.1 Line managers must explain clearly what is expected in the role. This covers not only outputs from the job but also covers general behaviours. Alongside the University's essential training, there should be a broader discussion about development needs which might involve additional training, mentoring or coaching.

Non-confirmation of probation

6.2 Review meetings should be held regularly to ensure new employees are getting the support they need and settling in well. A meeting must take place at the midpoint of the probation period e.g. for those on a probation of 6 months a meeting should take place around the 3 month point and for those on a 12 month probation a meeting should take place around the 6 month point. This meeting should:

- check that the Probationer is settling in well and understands their role
- discuss overall performance with an opportunity for the employee to raise questions or concerns

- provide support, mentoring and coaching as needed, including discussion of any development/training needs

6.3 If there are any areas for improvement, these must be discussed at the midpoint meeting and set out afterwards in writing. There are three main aims:

- a clear indication of what is expected with examples
- be clear about timescales. A period of one to three months should be sufficient to ascertain if the required improvements are being made and sustained. There will be a need to take into account how much of the probation period is left and ensure that the probationer is given objectives which allow them to show improvement in this time
- help identify and provide opportunities for relevant training or development that may help the probationer in reaching the expected standard. If necessary, support the management of health or personal problems

6.4 Following the meeting, a summary of discussion must be set out in writing. This ensures that there is no misunderstanding and gives the Probationer clear expectations to work to.

Final probation review

6.5 Towards the end of the probation period, usually around one month before, the line manager should meet with the employee to review progress and performance. The line manager will receive a prompt notification from the People Manager system to remind them of this. If probation is completed successfully, this meeting can form the basis of future development discussions.

6.6 Where the decision is taken to confirm probation, People & Culture must be informed so that written confirmation can be provided.

Extension of probation period

6.7 If performance does not meet expectations at the end of the probation period, one option is to extend probation. A probation period can only be extended for a minimum of four weeks and a maximum of 12 weeks. This should not be done as a matter of course but where:

- there has been significant progress but not sufficient to confirm permanency and it is considered likely that the required standard will be met with further time
- performance problems have only just become clear and this is the first time that the issue has been discussed, or where there is some uncertainty as to whether expectations have been sufficiently clear

- 6.8 A probation period may also be extended if there has been extended sick leave or other leave such as maternity. In this instance, the probation period may be put on hold and restart when the employee returns to work.
- 6.9 The extension to the probation period should be agreed in writing. It is crucial that the Probationer is kept under review for the period of the extension. Objectives must be set – this may be re-clarifying what has already been agreed or a Personal Improvement Plan may be used. The objectives and or support provided must be discussed and reviewed regularly.

Non-confirmation of probation

- 6.10 Employees must be treated fairly and given relevant support and opportunity to improve. If there is a possibility that probation will not be confirmed and the individual dismissed, the following procedure must be observed.
- The matter is discussed with People & Culture to ensure consistency of approach.
 - The Probationer must be given notice (of not less than seven calendar days) of the hearing in writing covering:
 - the date, time and venue of the hearing
 - the concerns about their performance
 - any relevant documents
 - the possible outcomes under the probation policy and procedure
 - that they may be accompanied at the hearing by a workplace colleague or trade union representative (if they are a member of a trade union)
 - a copy of the probation policy and procedure.
 - The hearing will be chaired by the line manager and a representative of People & Culture will also attend.
 - Hearings should be arranged or rearranged to take account of authorised leave or absence e.g. attendance at a conference. The employee is also entitled to offer an alternative time and date so long as it is reasonable and has regard for the availability of the line manager hearing the case. It must fall before the end of the fifth working day following the day originally proposed.
 - If the employee does not attend the hearing, the reason must be ascertained, if possible. If the circumstances were beyond the employee's control e.g. illness, another hearing should be arranged. If the hearing is rearranged and the employee fails to attend for a second time, without good reason, the case will be considered and a decision made in the employee's absence.

Appeals

- 6.11 Appeals against dismissal at the end of probation must be made within 10 working days of the date of the dismissal letter and addressed to the Director of People & Culture.
- 6.12 In the interests of responding to an appeal equitably and fairly, both the appellant's case and the respondent's case will be presented at the appeal hearing and both parties will have the opportunity to ask questions or seek clarification. It is in the interest of the appellant to make their points sufficiently clear and concise to enable the grounds for appeal to be fully understood.
- 6.13 The letter of appeal will be reviewed by the Chair to determine, whether there are sufficient grounds for it to go to a full hearing. If they decide there are insufficient grounds the appeal will be dismissed. If there are sufficient grounds for appeal, the case will proceed to an appeal hearing.
- 6.14 The appeal will involve a review of the decision already made in relation to the grounds for appeal i.e. to determine if the previous decision was fair, consider whether there were any factual or procedural errors and consider the reasonableness of the decision.
- 6.15 Appeals will be heard by the next level of management usually the Head of Section. Advice on procedure should be taken from People & Culture.
- 6.17 The appeal hearing will review the decision taken at a previous stage. New evidence can only be presented at the appeal stage if there are exceptional reasons why such evidence or witnesses were not produced earlier and/or that it is necessary in the interests of fairness.
- 6.18 The appeal hearing should normally take place within 10 working days of the appeal being lodged. People & Culture must give notice (of at least five working days) of the appeal hearing in writing to the employee, covering:
- who will hear the appeal
 - the date, time and venue of the hearing
 - the possible outcomes
 - the right to be accompanied by a workplace colleague, a trade union representative (if they are a member of a trade union) or an official employed by a trade union.
- 6.19 All parties should make every effort to attend the appeal on the date scheduled. If there are exceptional circumstances, the appeal may be re-arranged for a different date, but the appellant and respondent should be aware that this may cause delays in the process and undue anxiety in resolving the matter promptly. The employee is entitled to offer an alternative time and date so long as it is reasonable, including having regard to the availability of the senior employee hearing the appeal. It must be within five working days of the date originally proposed. Should either party not be able to attend the re-arranged date, decisions may be made in their absence on the basis of the information available.

6.20 The University will inform the employee of the final decision as soon as possible, usually within 10 working days of the appeal hearing. After this there will be no further right of appeal.

7. Equality impact assessment

7.1 The University has conducted an Equality Impact Assessment on this policy and is satisfied that its application should not result in a differential and negative impact on any groups of employees identified under the Equality Act 2010.

8. Monitoring

8.1 The People, Culture and Inclusion Advisory Group (PCIAG) will monitor the impact of this policy.

9. Related university policies and procedures

- [Capability procedure](#)
- [Disciplinary procedure](#)
- [Grievance procedure](#)
- [Flexible working policy](#)

10. University sources of information

- Health and wellbeing
- [Your induction at Essex](#)

Document Control Panel

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