



Code of Practice on Managing New Employees

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1. Managing New Starters

1.1. Aim

This Code of Practice sets out the Authority's procedure for the management of employees in their first nine months of employment with the Authority. Information and guidance is included about what support new employees can expect to receive during this period and how any concerns about performance, conduct or unacceptable levels of absence should be managed.

1.2. Scope

This Code applies to all new employees of the Authority including employees on fixed-term or temporary contracts. All new entrants to the Authority's service, shall be subject to a probationary period of 9 months, except that in relation to persons who are not direct employees of the Authority, but are appointed in the context of the lead borough arrangements, the Authority shall make separate arrangements if it deems that to be appropriate. Separate arrangements may also be made with respect to persons employed as interim officers.

1.3. General Principles/ Policy Statement

All new employees will work with their manager to agree an initial training plan on joining the Authority, which is designed to help them settle into their new role and integrate them into the organisation. It should also help them to perform at their full capacity and meet the requirements of their role as early as possible.

New employees are normally required to serve a 9 month probationary period. Employees on fixed term or temporary contracts of less than 9 months will be considered to be on probation for the full duration of their contract. If their contract is extended, then their probation will be extended in line with this, up to a total of 9 months.

Where there are concerns regarding a new employee's attendance, conduct, performance or general suitability for their role within the Authority, these will be addressed promptly and if appropriate, additional support will be provided to the employee.

1.4. Confidentiality

Any person involved with this or any other Authority people management process is expected to maintain confidentiality at all stages, except as required or permitted by the Code.

Any person who breaches the high standard of confidentiality expected by the Authority may be subject to disciplinary action.

1.5. Purpose of the code

There are benefits to both the individual and the Authority in having thorough induction and probationary processes. A new employee's experiences during their first months with an organisation are very important to ensure that they feel well-integrated into their team and the organisation; they work to their full potential as quickly as possible after they join the Authority; they are engaged and want to stay with the organisation.

Thorough induction and probationary processes help make sure that new employees obtain the information they need at the start of their employment, are clear on what is expected of them and are given the necessary support to achieve this.

1.6. Roles and Responsibilities

Employees are responsible for:

- Understanding the Code and what the Authority expects from them in terms of their performance, conduct and attendance.
- Demonstrating their suitability for their role during the probationary period.
- Seeking guidance from their line manager if they are uncertain about any aspect of their role or what is expected of them.
- Participating in any development and contributing to the identification of any training needs.

General Manager/Deputy General Manager are responsible for:

- Making appropriate preparation for the arrival of a new employee including drafting an induction programme.
- Ensuring new employees are provided with access to the relevant Codes of Practice and that they understand what is expected of them.

- Conducting formal reviews and other meetings with the new employee in a timely manner.
- Dealing with cases where there are concerns about any aspect of a new employee's performance, conduct or attendance in a timely, fair and consistent manner in accordance with the Code.
- Where they consider a new employee should be confirmed in post at the end of the probation period or their probation period extended, consulting and agreeing this with their own manager.
- Preparing a report including a recommendation as to the outcome, to the General Manager, for any case referred to a Probation Assessment Hearing.
- Keeping appropriate records of any discussions concerning performance during the probationary period and of the induction training that has been given.
- Attending relevant training on the Code.

The Clerk or Treasurer is responsible for:

- Adjudicating at Probation Assessment Hearings and deciding on the appropriate outcome. This may include that the employee is to be dismissed.

The Authority's Human Resources ("HR") Advisor – currently Wandsworth Council's HR - is responsible for:

- Providing support and guidance to managers in the conduct of cases under the Code.

2. Induction

Induction is the process by which the new employee is supported to settle into their new role. It may start before the new employee has even started in post; they may wish to be sent information about Authority, key policies or documents they will be working with or information about the Authority's objectives and the key pieces of work they will initially be involved in, for example. By reviewing this information before they start, this can help them feel more confident and at ease during their first weeks of employment.

This code refers predominantly to the elements of induction that a manager would work on with their new employee. This local induction is supported by a half-day induction session including an introduction to key personnel from other organisations working with the Authority. All induction sessions and

meetings will be carried out in person if at all possible but virtual inductions may be necessary on occasion. More information about these can be obtained from the Executive Officer.

It is the General Manager/Deputy General Manager's responsibility to complete the induction.

The General Manager/Deputy General Manager should set time aside on the new employee's first day so that they can welcome them to the team and organisation, pass on key information, complete the Health and Safety Induction and answer any questions. They should also introduce the new employee to their immediate colleagues and arrange for them to be shown the key features of their work location.

All new staff should have a meeting with their manager within their first week of employment to agree an induction plan, which should include the following:

- Any further health and safety.
- Introductions to other colleagues, contractors staff and, if appropriate, a series of meetings with key contacts.
- Relevant documents that the new employee should read or be aware of including access to relevant Codes of Practice.
- Discussion of any training and development needs to be addressed during the probation period i.e., equality, diversity and inclusion training.
- An introduction to the computerised and paper-based systems they will be working with.
- An introduction to the working practices of their team including, for example, key performance indicators.

3. Probation

3.1. Expectations during the probation period

3.1.1. Performance

Work objectives should be set for the probationary period and expected standards of work performance made clear to the employee. These objectives may be day-to-day work responsibilities in line with the job description for the

role or may be longer term project work. They should test the full range of responsibilities wherever possible. There should be a balance of training, where necessary, and job tasks that the employee will begin to work on straight away.

3.1.2. Conduct

All employees, including those in their probation period, are expected to act in line with the Authority Code of Conduct for Employees. Further information about expectations regarding employee behaviour is included in the Authority Disciplinary Code of Practice. While any concerns regarding the conduct of employees in their probation period would be considered under this Code for Managing New Employees, they are expected to act in line with the principles of the disciplinary code.

3.1.3. Attendance

During the probation period, the new employee is expected to demonstrate a satisfactory level of attendance. The levels of sickness absence that will normally trigger further action under the code are 3 or more episodes or a total of 5 or more FTE days.

3.2. Addressing concerns through day-to-day management

Where concerns arise during the probationary period regarding the employee's performance, conduct or attendance, these should be addressed at the earliest possible opportunity. With minor issues, the line manager should clearly explain their concerns, the standard expected of the employee and the improvement required.

If there are more serious concerns, please refer to paragraph 3.8 below.

3.3. Review meetings

Formal Review meetings should be held with the employee at 1 month, 3 months, 6 months and 9 months into their employment. At these review meetings, the employee's performance against objectives should be discussed, as well as any concerns about their conduct or attendance.

Where the employee's performance is at an acceptable level considering their length of tenure in the role, they should be congratulated for this. Where there

are minor concerns regarding performance, conduct or attendance, these should be discussed with the employee.

The line manager should give the employee clear information about where they consider the employee is failing to meet the required standard, what actions need to be taken by the employee to improve their attendance, conduct or performance to an acceptable standard. Any further support or training needs should also be identified. Regarding minor concerns about performance, the line manager should ensure that objectives are clearly explained and are reasonable given the employee's work experience and length of service.

Where an employee's sickness absence is approaching a sickness trigger, this should be discussed with them. They should be reminded of the level of sickness absence that is considered acceptable. The employee should be reminded that if their performance, conduct and attendance do not meet the standards required by the Authority, their probation may be extended or they may be required to attend a Probation Assessment Hearing (see paragraph 3.8).

A record must be made of all formal review meetings held under the Code.

Probationary review meetings are not intended to replace normal one-to-one or other supervision meetings. These should also be held with new employees, in line with Authority policy and/or the normal practice applicable to colleagues in the same team.

3.4. Confirmation of successful probation

Where at the end of the 9 month probationary period the line manager considers that the employee has reached the level of performance, conduct and attendance required, they should confirm this with their own manager and then write to the employee.

3.5. Performance Related Pay

Employees in scope of Performance Related Pay (PRP) must have successfully completed their probation period by the end of the performance year (31st March) in order to be considered for PRP for that year.

3.6. Addressing concerns during probation

When considering whether the employee should be confirmed in post, the probationary period extended or a referral to a Probation Assessment hearing for a decision to be made regarding their future employment, a full picture of the employee's record should be considered, including performance, conduct and attendance. Where there are concerns regarding attendance, the reason(s) for any absences should be carefully considered and if appropriate, the employee should be referred to Occupational Health. If the employee's sickness absence has reached a trigger level but the manager nonetheless wishes to confirm them in post, this must first be discussed and with the Authority's HR Advisor and the General Manager.

3.7. Extending the probationary period

Where the line manager considers there are minor concerns regarding the employee's performance, conduct or attendance, which have not been rectified following normal management during the probation process, but that these are likely to be rectified if given a short extension to the probation period, the line manager may extend it by up to 3 months, in consultation with their line manager and HR (LB) Adviser.

The line manager should hold a meeting with the employee to outline their concerns, providing evidence where appropriate, and hear the employee's responses. The line manager should make their decision about whether to confirm the employee in post or extend the probationary period.

In exceptional cases, where information comes to light in this meeting that gives the line manager more serious concerns about the employee's suitability for their role, they may decide to refer the case to a Probation Assessment Hearing.

A decision to extend the probationary period should only be made where it is considered that the employee is likely to be able to improve their performance, conduct or attendance to the required level within the extension period. Consideration should take account of the level of development and support provided to this point, whether improvements have recently been made and the reference information provided from previous employers regarding their performance, conduct and attendance in previous roles.

If there are any serious concerns about the employee's suitability for the post in terms of their performance, conduct or attendance, the line manager should discuss these with a HR Adviser (LB), particularly where these may lead to an extension of the employee's probationary period or a referral to a Probation Assessment Hearing for a decision to be made regarding their future employment.

3.8. Probation Assessment Hearing

A referral to a Probation Assessment Hearing may be made at any time during the probationary period whenever it is considered appropriate. It is not the case that the new employee will be allowed necessarily to complete the full probationary period before a decision regarding their future employment is made.

In cases where the line manager considers the employee's performance is not at an acceptable level considering their length of tenure in the role and is unlikely to meet this standard within an extended probationary period or the probationary period has already been extended or there are other serious concerns about the new employee's performance, conduct or attendance at any stage during the probationary period, the case should be considered at a Probation Assessment Hearing. The recommendation is likely to be that the employee will be dismissed. The hearing will be chaired by the General Manager.

A Probation Assessment Hearing should also be arranged to consider any instances of potential gross misconduct. In such instances and in consultation with the HR (LB) Adviser, consideration should be given to suspending the employee from work pending the date of the hearing. Suspension will only be considered where there are no appropriate alternative options available and will be agreed in consultation with the General Manager and Head of Human Resources (LB).

In making their decision, the General Manager should take into account the full picture of the employee's performance, conduct and attendance. Consideration should also be given to other relevant factors such as the level of training and support provided to this point, whether improvements have recently been made and the reference information provided from previous employers regarding the employee's performance, conduct and attendance in previous roles.

3.9. Preparation for the Hearing

Where it is agreed between the line manager, the General Manager and a representative from the Authority's Human Resources Advisor (LB) that the case will be progressed to a Probation Assessment Hearing, the employee shall be informed in writing of the date, time and place for the hearing, giving at least 5 clear working days' notice. In this letter they will be informed of their

right to be represented by either a work colleague or a Trade Union representative. They will also be given a copy of the report by the line manager. This will be delivered by hand to the employee or sent by email or courier if the employee is not at work.

The employee should be advised that, if they wish to submit any documents, statements or other written evidence for consideration by the Adjudicating Officer then they should do so at least 48 hours before the Hearing.

Where it is not possible to arrange this meeting within the 9 month standard probation period the line manager will write to the individual to inform them that it will be administratively extended until a meeting can be held.

3.10. Conduct of the Hearing

- i. The facts of the case shall be reported in writing by the line manager and taken as read by the Adjudicating Officer. The line manager may present a short oral report highlighting the key facts of the case.
- ii. The employee and any representative shall be given the opportunity to ask questions of the officers concerned.
- iii. The Adjudicating Officer and Head of Human Resources (LB) or nominee shall ask questions to establish the facts of the case.
- iv. The employee and any representative shall then put his/her case to the Adjudicating Officer and explain any mitigating circumstances.
- v. The officer presenting the case shall be given the opportunity to ask questions of the employee and/or representative.
- vi. The Adjudicating Officer and Head of Human Resources (LB) or nominee shall ask questions as necessary.
- vii. The Adjudicating Officer may adjourn a hearing in order to allow further evidence to be produced or for any other purpose required by the particular circumstances.
- viii. The officer presenting the case shall sum up followed by the employee or their representative.
- ix. The Adjudicating Officer will then adjourn the hearing to consider their decision. The Head of Human Resources (LB) or nominee will be present whilst the Adjudicating Officer deliberates their decision.
- x. The Adjudicating Officer shall then take such action as is appropriate in the circumstances.

- xi. The employee and any representative shall then be informed of the decision.

3.10.1. Possible outcomes of Probation Assessment Hearing

- Confirmation in post if probationary period is considered to have been satisfactorily completed.
- Extension of the probationary period and postponement of the decision as to future employment until a review meeting is held at the end of the extension (this meeting may be brought forward if appropriate). The employee will be warned that if their conduct, performance and attendance do not meet the required standards during the extension, their employment may be terminated.
- Dismissal with payment in lieu of notice or in cases of gross misconduct, dismissal with immediate effect and no payment in lieu of notice.

The Adjudicating Officer will confirm their decision in writing within 5 working days of the hearing to be delivered by hand or sent by courier. The employee shall be informed of their appeal rights.

4. Appeal stage

4.1. General Principles

The employee can appeal against any action taken at a Probation Assessment Hearing under this Code. Employees should put their appeal in writing to the Head of Human Resources within 10 working days of receiving a letter of confirmation.

Appeals will be arranged as soon as possible.

The appeal will be dealt with impartially and wherever possible with a more senior manager who has not previously been involved in the case.

4.2. Responsibilities

Employees are responsible for:

- submitting their appeal clearly stating the grounds of their appeal.

Managers are responsible for:

- ensuring that all appeals are heard without unreasonable delay.

The Authority's HR Advisor is responsible for:

- providing advice and guidance to the appeal hearing.

Trade Unions are responsible for:

- providing support, advice and representation for employees.

4.3. Preparation for the Appeal

Following receipt of an appeal in writing, clearly stating the grounds of their appeal, the employee shall be notified in writing of the date, time and place of the hearing and shall be given at least five working days' notice.

4.4. Conduct of the Appeal

- The facts of the case shall be reported in writing by the Appropriate Manager and taken as read by the Clerk. The manager may present a short oral report highlighting the key facts of the case.
- The employee and any representative shall be given the opportunity to ask questions of the officers concerned.
- The Clerk and a representative from the Authority's HR Advisor shall ask such further questions as are necessary to establish the facts of the case.
- The employee and any representative shall then put their case in writing and taken as read by the Clerk to explain the circumstances and any other relevant information. The employee may present a short oral report highlighting the key facts of the case.
- The Appropriate Manager shall be given the opportunity to question the employee.
- The Clerk and the representative from the Authority's HR Advisor shall then have the opportunity to question the employee and any witnesses
- The Appropriate Manager and employee shall then both sum up.
- The Clerk and the representative from the Authority's HR Advisor shall then consider the case in private. If it is necessary to recall any party to answer any questions, all the parties shall be recalled. The Clerk shall decide on the outcome of the appeal in all respects on behalf of the Authority as employer.
- All parties shall then be recalled and informed of the decision. The Adjudicating Officer shall confirm their decision in writing by letter, sent

by recorded delivery or by hand to the residence or workplace of the employee. The letter shall confirm the decision and that the decision is final.

4.5. Adjournments

The Appeal Officer may adjourn a hearing in order to allow further evidence to be produced, or for any other purpose required by the particular circumstances. An employee who is seeking an adjournment of the hearing must specify the reason for this. The Appeal Officer will consider the request, taking advice from the Authority's HR Advisor as necessary.

5. Standards

5.1. Representation

Employees are entitled to representation at the formal stages of the process by either a work colleague or Trade Union representative.

5.2. Reasonable Adjustments

The Authority will consider requests for reasonable adjustments for any disabled employees in line with the Equality Act 2010.

5.3. Requests for Postponement

Agreement to requests for postponing meetings or hearings at any stage of the process will be at the discretion of the relevant line or other manager involved in the process. If any requests for postponements are not agreed but the employee fails to attend, the meeting/hearing may proceed in their absence.

5.4. Absence

If the employee is absent due to sickness during any stage of the process, they may be referred to Occupational Health to provide the Authority with information about their fitness to take part in an investigation, attend a hearing or participate in any other way.

5.5. Timescales

The Authority is committed to completing all people management processes within a reasonable timescale and not subjecting the employee to any undue delay. The Investigating and Hearing Officers will keep the employee informed of their estimated timescales and inform them of any subsequent delays or major changes from them.

6. Details of process

Where the Authority wishes to amend this Code, it will consult with staff side with a view to reaching agreement over the proposed changes. Where agreement cannot be reached, the Authority reserves the right to implement the changes by giving employees one month's notice of the new Code.