COLÁISTE CHEATHARLACH
NAOMH PÁDRAIG
CARLOW COLLEGE
ST. PATRICK'S

TITLE: ***PROBATION POLICY***

Effective Date	8 November 2023	**Version**	2.1
			Policy received a minor revision to include the legislative changes related to the EU Directive on Transparent and Predictable Working Conditions; the changes relate to the final review timeframe.
Approved By	Management Board	**Date Approved**	8 November 2023
		Review Date	8 November 2028 *or as required*
Superseded or Obsolete Policy / Procedure(s)		**Owner**	
2 – *Probation Policy* (2 March 2022)		Human Resources	
Policy was reviewed as part of its review cycle. The primary changes to this policy include the addition of inclusive language and dates related to the final probation reviews.			
1 – *Probation Policy* (17 October 2018)			
Initial Issue			

1. Purpose of Policy

The *Probation Policy* at Carlow College, St. Patrick's (hereafter Carlow College) will ensure consistent and equitable treatment of all employees who begin employment with the College. This Policy is drafted in line with the *Terms of Employment (Information) Act 1994, the Unfair Dismissals Acts, 1977-2001 and the Minimum Notice and Terms of Employment Act 1973*. New employees have a clause in their contracts stating that they must satisfactorily serve a probationary period before the appointment is confirmed. The probationary period is for a period of six months. Under the EU Directive on Transparent and Predictable Working Conditions there is a six-month limit on probationary periods. The Directive does allow for a longer probationary period, but only in exceptional circumstances that can be justified by the type of employment or the interests of the employee. The Directive also allows for extensions

to a probationary period if the employee has been absent during their probation. Any such extension should correspond to the length of the absence.

If probation has been satisfactorily completed at the end of the six-months, the appointment is confirmed.

The legal entitlements of Employees will not be affected by the application of this Policy.

The purpose of the probationary period is to:

a) Provide the College with an opportunity to establish the employee's suitability for the role.

b) Provide the new employee with an opportunity to fully discuss and understand the role and to receive feedback on their performance.

If the employee is successful, the College will confirm the completion of the probationary period.

2. Scope of Policy

The probationary period applies to all new employees. The Policy also applies to all employees who change roles within the College. The policy applies to all contracts of employment; i.e. permanent, contracts of indefinite duration, fixed term, and specified purpose contract.

Existing employees who change roles and/or who are promoted within the College whose probation is not successful will return to their previous role and salary.

3. Policy Statement

The primary objective of *Probation Policy* and its procedures is to decide on the suitability or otherwise of an employee for the post to which they were appointed. The *Probation Policy* and its procedures should also help the Line Manager and the employee to progressively identify the strengths and weaknesses of the employee in the post; to identify areas of competence, performance or behaviour which would benefit from training and development; and to help the employee to successfully complete probation.

The *Probation Policy* and its procedures also provides an opportunity for discussion of the employee's future potential and future training/development needs. The College will make every effort to facilitate the satisfactory completion of the probationary period and where training and development are required for the employee to match the job requirements, they should be informed in writing of what they have to do and the timescale for achievement of satisfactory performance.

If, however, work performance is not up to the required standard the College may either take remedial action or terminate employment. Please see below for further information:

1. If the employee has not reached the required standard, the College may either extend the probationary period (only in exceptional circumstances) in order that remedial action can be taken, or the College may terminate the employment.

2. At any stage during the probationary period the College reserves the right to address disciplinary misconduct matters through probationary review assessments[1] In cases of severe misconduct, the College reserves the right to terminate the contract with notice,

[1] Please see our *Disciplinary Policy* for further information.

if it thinks that the severity of the action warrants it. The College will be fair in the application of such discretion.

Any continuous period of absence of four weeks or more will suspend the probationary period until the employee returns to work. Notice periods to be given by either party during the probationary period will be one month.

An employee has the right to be accompanied by either a work colleague or trade union representative at any formal meeting relating to this Policy.

Roles and Responsibilities

4.1 Line Manager Responsibilities

a) Ensure that the staff member is properly inducted into the department and has the necessary resources and support to fulfil the role.

b) Set and agree the objectives for the duration of the probation period.

c) Identify training needs.

d) Line Managers are responsible for monitoring the probation process and procedures for all new hires.

e) Line Managers are responsible for ensuring that the Probation assessments are carried out within the relevant time-lines.

f) Line Managers are responsible for ensuring that they work collaboratively with Human Resources throughout the process.

g) The Line Manager should seek advice from Human Resources whenever an employee's performance/conduct gives cause for concern.

a) The Line Manager is responsible for helping the employee to establish their suitability for the job.

b) Conduct regular probationary review meetings and have relevant information to hand.

c) Provide honest and constructive feedback to the employee.

d) Be specific and clear about performance.

e) Listen to the employee's point of view and take account of any concerns they may have.

f) Re-establish expectations on an ongoing basis.

g) Line Managers in consultation with Human Resources are expected to provide the recommendations for either successful completion of the probationary period/ unsuccessful completion of the probationary period or if extension of the probation is required.

h) Adhere to the Probation Policy and its subsequent policies and procedures.

4.2 Staff Responsibilities

a) Ensure that the expectations and duties of the role are understood, and seek clarification from their Line Manager when necessary

b) Understand the overall work objectives/duties.

c) Identify and discuss any training needs they may have and agree how these may best be addressed.

d) Adhere to the Probation Policy and procedures and any new relevant policies.

4.3 Human Resources Responsibilities

a) The role of Human Resources (HR) is to ensure fair and consistent application of the Probation Policy and its procedures.

b) Human Resources will notify the Line Manager of the requirement for a probation review in advance of the due date for the completion of the probation.

c) They will provide advice and guidance, as necessary, at all stages of the probation process.

d) Human Resources are responsible for all Probationary documentation and reviews.

e) All probationary documentation will be placed on the employee's personnel record in Human Resources.

4. Associated Documentation

- Appendix 1: Probation Procedures
- Appendix 1.2: Probation Review Form
- Appendix 1.3: Performance Improvement Plan

5. Referenced Policies

- *Performance Management and Development Policy*
- *Sickness Absence Management Policy*
- *Disciplinary Policy*
- *Grievance Policy*
- *Code of Conduct Policy*

A number of other Policies are currently in development which will be released through the quality assurance process to support (and in conjunction with) this Policy. All new employees should ensure to keep abreast of policy development within the College and speak with their Line Manager and Human Resources should they have any questions.

Senior Managers, Line Managers are to ensure that all staff are made aware of this Policy and its related practices and procedures, including other policies either currently available on the staff portal or policies that are at developmental stages.

6. Monitoring and Review

The Policy will be formally reviewed on an annual basis by the HR Office to reflect any legislative changes. Staff will be informed through regular email communication and through the staff portal regarding any updates to same. It will undergo a formal review every five years from the date of approval.

Appendix 1: Probation Procedures

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Probation Procedures

1. Introduction

During the course of the Probation Period, the Line Manager is required to complete at least two reviews of performance. They are as follows:

1. First Probation Review
2. Final Probation Review

2. Probation Review Steps

1.	Week 1 Meeting	Line Manager and Employee meet (Induction/Objectives setting
2.	First Probation Review	This is done at eight weeks of the employees' employment.
3.	Final Probation Review	This is done at five months of the employee's employment.

2.1 Guidelines for Staff and Managers

1. Introduction

The effectiveness of the probation period and reviews can be significantly improved by open dialogue between the Line Manager and the employee. Therefore, it is essential that both the Line Manager and the employee prepare adequately for probation reviews and regular dialogue.

2. The first Probation Review Meeting – tips

This meeting should provide the employee with an opportunity for further understand:

- The aims of the department/function
- The skills and competencies that are expected.
- The breadth of working relationships that will be necessary to fulfil the role.
- Any identifiable training needs.
- Any additional on the job training.
- The employee should understand and know their progress to date.
- Discussion and resolution of any performance problems.
- Clarification of expectations.
- Identification of any necessary support.

- Agreement of action plan and next meeting, where applicable.

3. Managing underperformance

Issues of under-performance should be discussed by the manager with the employee in the first instance and appropriate action agreed. If a problem persists, the manager, following consultation with Human Resources, should hold a meeting with the employee, outlining expectations and specifying where performance is unacceptable. Following this meeting, the manager will give the employee a written summary of the meeting, including a clear action plan and timescale. This can be done by utilising the *Performance Improvement Plan (PIP)* (Appendix 1.3). It is essential that the manager communicates to the employee the consequences of failing to improve. This must be clearly outlined to the employee and documented appropriately.

3.1 Week 1: Induction and Objective Setting

At the induction meeting held within the first week, the Line Manager or their designate will:

a. Clarify the duties, responsibilities, and objectives of the employee in line with the job description;

b. Explain how objectives and performance will be monitored and measured and how frequently this will be done;

c. Identify and provide relevant training (this may include attendance at internal/external courses or on the job training), where applicable;

d. Agree and set dates for a first review and final review to be completed within the probationary period.

3.2 The First Probation Review

a. The first formal assessment will take place at eight weeks. Human Resources will notify the Line Manager of the requirement for a probation review four weeks in advance of the due date for the completion of the probation.

b. Line Manager reviews relevant documentation.

c. Line Manager sets up the Review meeting with the employee.

d. Line Manager fills in the *Probation Review Form* (Appendix 1.2) insofar as it can be completed in advance of the meeting.

e. Line Manager gives the form to the employee. This must be done one week in advance of the meeting.

f. The Line Manager holds the Probation Review meeting with the employee.

g. Both parties should complete the comments and sign the form.

h. Both the Line Manager and employee retain a copy of the form for their own records.

i. The Line Manager submits the original form to Human Resources.

3.3 Review of unsatisfactory performance following the First Probation Review

While an employee endeavours during the probationary period to ensure their suitability for the job, there is a corresponding obligation on the College to draw any work performance issues to the employee's attention to help the staff member to improve and to give the employee a set time during which improvements will be monitored. Appropriate training will be provided if required.

It is the Line Manager's responsibility to deal with underperformance specifying where performance is unacceptable and outlining the consequences for the employee of failing to reach the required standard.

If at the first Probation Review, unsatisfactory performance is identified, the Line Manager will liaise with Human Resources to consider and recommend an appropriate course of action.

Such action(s) could include but may not be limited to:

a. Monthly assessment of the individual for the remainder of their probation.

b. Extension of the probationary period for a limited time and with defined objectives.

c. The above will be done by setting and agreeing a *Performance Improvement Plan (PIP)* (Appendix 1.3). The Line Manager will consult with HR on the Performance Improvement Plan prior to meeting with the employee.

d. Explain the consequences to the employee if required level of performance is not achieved.

e. Set and agree a timeline to follow up and meet to discuss progress.

f. The Performance Improvement Plan should be completed and signed by the Line Manager and the employee.

g. A copy of the Performance Improvement Plan should be sent to Human Resources for record purposes. Both the Line Manager and employee should retain a copy for their own records.

h. Termination of the contract.

An employee can raise an issue under the College's Grievance Policy and Procedures at any stage during the probationary period.

3.4 Final Probation Review Meeting

The final review should take place within five months of the probationary period start date. The same process as above will apply. Please follow guidelines as set out above.

Please note that the options available at the final review meeting are:

A. Confirmation of appointment

If the employee's performance during probation is satisfactory, Human Resources will confirm the appointment at the end of the probationary period and issue a letter to the employee to this effect.

B. Termination of appointment

The Line Manager should first contact Human Resources to seek further advice at this stage. Human Resources in consultation with the Line Manager will write to the employee formally noting the outcome of the probation and provide formal notice of termination of employment.

It is essential that all Line Managers ensure that all probations are completed for their teams. Please note that any incomplete probations will be addressed through the Line Management structure of the College.

It is essential to note that any of the aforementioned steps, does not preclude regular informal meetings being held between the employee and Line Manager to review progress.

Appendix 1.1: Probation Review Form

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Probation Review Form

This form is for use in Staff Assessment during probation. Line Managers are requested to conduct three assessments.

1. **Week 1** Line Manager and Employee meet (Induction/Objectives setting Meeting).

2. **First Probation Review** This is done at eight weeks of the employees' employment.
3. **Final Probation Review** This is done at five months of the employee's employment.

The Line Manager conducts an initial meeting with the Employee in their first week. Then the first probation review meeting takes place at eight weeks with the final Review Meeting at month five. Please be advised that subject to contract lengths, the probation time period may be shorter. Human Resources will advise the Line Manager of same.

The final assessment will confirm that the employee has fulfilled their contractual obligations and is performing satisfactorily.

This Probation Review Form should be completed and returned to the Human Resources Office.

Confidential			
Section 1			
Employee Name:		**Date of Review:**	
Employee Role Title:			
Start Date:			
Manager Name/Title:			
Please indicate below as appropriate:			
Induction Meeting (Week1) ☐ **First Assessment (8 weeks)** ☐ **Second Assessment (5 months)** ☐			
Section 2 – Work Performance/Achievements			
Please answer all questions as fully as possible giving relevant details where appropriate. Please also indicate any difficulties or other contributing factors which may have impeded performance (e.g. family illness, lack of adequate resources, etc.).			
Objectives (please refer to the job description and any other agreed objectives	Achievements		
1.			
2.			

3.	
5.	
6.	
7.	
8.	
9.	
10.	

To what degree has the Employee:

1. Shown initiative and adaptability in discharging their assigned duties?
2. Shown a willingness and ability to relate to others?
3. Shown promise by their work and enterprise of continuing development in the post?
4. Performed in accordance with contract?
5. Performed in accordance with directions/instructions?
6. Engaged in continuing professional development within the post?

7. Engaged on research towards the advancement of their subject (where applicable)? (Academic Staff Only)
8. Discharged the teaching, supervisory, assessment and tutorial work assigned? (Academic Staff Only)

Section 3 – Personal Suitability (Time Keeping / Absence)	
1. Number of days absent to date – Certified Sick	
2. Number of days absent to date – Un Certified Sick	
3. Has the Employee demonstrated good Time-Keeping	**Yes No**

Please expand your responses here, giving as much detail as possible and indicating, where appropriate, any steps taken to correct/improve the employee's performance (i.e. performance relating to attendance and absenteeism / timekeeping).
(if necessary use an additional page for comments)

Section 4 – Personal Development (Opportunities)
10. What opportunities have been given to the employee to attend training (if applicable i.e. in-house training) and what advantage has he/she taken of them?
11. What continued advice and help towards improvement were offered to the employee?
12. What warning(s) of inadequacies, if any, has it been necessary to give? (Such communications should normally be in writing - attach copies to this document).

14. What are the employee's personal development needs now?
15. What action do you propose to meet these needs and what timescale is involved?

Section 5 – Summary of Assessment
Please provide a summary of the assessment interview. In the case of the final assessment, please confirm that the employee has fulfilled their contractual obligations and is performing satisfactorily.

Manager **Name:**	**Manager Signature:**
Date:	**Date:**
Employee Name:	**Employee Signature:**
Employee Date	**Date:**

Section 6 – Training/Support Required		
Development needs/supports identified during probation Action agreed before next meeting:		
Action	**Who is responsible**	**Date (by when)**
e.g. attend induction e.g. attend a training course / buddy / mentoring / access to systems that will aid the employee.	Employee Manager	Insert the date here

Section 7 – Acknowledgment and Signatures	
Please confirm that the contents of this probation review form have been discussed and agreed with the employee.	☐ **Yes**
Line Manager Name: **Line Manager Signature:**	**Date:**
Employee Name: **Employee Signature:**	**Date:**

FOR HUMAN RESOURCES USE ONLY	
Include this form in the employee's file: ☐	
HR Contact Name: **HR Contact Signature:** **Date:**	

Appendix 1.2: Performance Improvement Plan (PIP)

COLÁISTE CHEATHARLACH NAOMH PÁDRAIG
CARLOW COLLEGE ST. PATRICK'S

Performance Improvement Plan (PIP) Confidential	
Employee Name:	
Job Title:	
Manager Name:	
Date:	

The purpose of this Performance Improvement Plan (PIP) is to notify you that your work performance has been and is currently at an unsatisfactory level, identify serious areas of concern in your work performance, reiterate **Carlow College, St. Patrick's** expectations, and allow you the opportunity to demonstrate improvement and commitment in your work performance.

Areas of Concern:
1.
2.
3.
Observations or Previous Discussions:
1.
2.
3.

Please continue to next page

Improvement Goals/Behaviours and Tasks: ***These are the goals related to areas of concern to be improved and addressed:**	
1.	
2.	
3.	
4.	
Resources: Listed below are resources available to you to complete your Improvement activities (may include other people's time or expertise, funds for training materials and activities, or time away from usual responsibilities.)	
1.	
2.	
3.	
4.	
Management Support: Listed below are ways in which your manager will support your Improvement activities.	
1.	
2.	
3.	
Expectations: The following performance standards must be accomplished to demonstrate progress towards achievement of each Improvement goal:	
1.	
2.	
3.	

Follow-up Updates: You will receive feedback on your progress at your weekly supervisory meetings.	
Week 1:	
Week 2:	
Week 3:	
Week 4	
Week 5	
Week 6	
Week 7	
Week 8	
Week 9	
Week 10	
Week 11	
Week 12	

Timeline for Improvement, Consequences & Expectations:

Effective immediately, you are placed on a 90-day PIP (this time line may be amended at the Colleges' discretion). During this time, you will be expected to make regular progress on the plan outlined above. Failure to meet or exceed these expectations, will result in disciplinary action, up to and including termination. Furthermore, failure to maintain performance expectations after the completion of the PIP may result in additional disciplinary action up to and including termination.

Should you have questions or concerns regarding the content, you will be expected to follow up directly with your Line Manager.

Line Manager and Employee will meet again as noted above to discuss the Performance Work Improvement Plan.

Acknowledgement	
Employee Signature:	Manager Signature:
Employee Name (Print):	Manager Name (Print):
Date:	Date: