

**East Kent Hospitals University
NHS Foundation Trust**

POLICY DOCUMENT

New Starter and Probation Policy

Version:	4.0
Author:	Employee Relations Advisor Resourcing Manager Senior Learning and Development Advisor Senior Staff Engagement Advisor
Approving committee:	Staff Committee
Date approved:	02 June 2023
Date ratified by Policy Authorisation Group:	22 June 2023
Date issued:	22 June 2023
Next scheduled review date:	June 2026

Applies to (include subsidiary companies):	
Trust staff (specify groups e.g. clinical/non-clinical):	All Staff
Subsidiaries	No
2gether Support Solutions Ltd. as a service provider (hard and soft facilities services)	No



Includes references to children/young people	No
Includes references to medicines	No

Version Control Schedule

Version	Date	Author	Status	Comment
1	November 2012	Employee Relations Advisor	Archive	New Starters Policy
2	December 2013	Employee Relations Advisor	Archive	New Starters Policy
3	January 2020	Employee Relations Advisor	Archive	Change of Policy Name (previously known as New Starters Policy and New Starter Toolkit)
3.1	October 2021	Head of Employee Relations	Archive	No passing of probation by default (paragraph 8.4.1) Extension of probationary periods now 6 months (paragraph 8.4.3.3) Re-wording of statutory notice provisions (paragraph 8.5.3)
4	April 2023	Employee Relations Advisor Senior Staff Engagement Advisor Senior Learning and Development Advisor Resourcing Manager	Live	Policy wording revised to be more inclusive and reflect the Just and Learning Culture Six month induction framework introduced for all staff new to post

This policy is available in other formats, for example, in large print, Audio and Easy Read on request. Please contact Employee Relations, People and Culture

Policy Reviewers

Name and Title of Individual	Date Consulted
Ethnic Diversity Engagement Network	06.04.2023
Disability Network	06.04.2023
Employee Relations Team	06.04.2023
Equality, Diversity and Inclusion Team	06.04.2023
Learning and Development Team	06.04.2023
LGBTQ+ Staff Network	06.04.2023
Neuro-diversity Staff Network	06.04.2023
Organisational Development Business Partners Team	06.04.2023
People and Culture Business Partners Team	06.04.2023
Resourcing and Medical Resourcing Teams	06.04.2023
Staff Experience Team	06.04.2023
Women's Network	06.04.2023

Name of Committee	Date Reviewed
People and Culture Policy Review Steering Group	25.05.2023
Staff Committee	02.06.2023
Policy Authorisation Group	22.06.2023

Summary of Key Changes from Last Approved Version

Policy wording revised to be more inclusive and reflect the Just and Learning Culture
Six month induction framework introduced for all staff new to post

Associated Documentation

Acting Up and Secondment Policy and Procedure

Disciplinary Procedure

Managers Guidance on Redeployment

New Starter Toolkit

Recruitment and Selection Policy

Sickness Absence Policy

Special Leave Policy

Supporting Performance Improvement Policy

Contents

Section	Page
1. Policy Description	7
2. Introduction	7
3. Definitions	7
4. Purpose and Scope	7
5. Duties.....	8
6. Introduction into the role	9
6.1. Onboarding	9
6.2. Trust Welcome Day.....	10
7. Induction Programme.....	10
7.1. Day One	10
7.2. Week Two	11
7.3. Week Six.....	11
7.4. Month Three.....	11
7.5. Month Five	12
7.6. Month Six.....	12
7.7. Support Needs and Reasonable Adjustments.....	12
7.8. Roles that Require Specific Qualifications / Courses	12
7.9. Acting Up and Secondments.....	13
7.10. Absence during the Induction Programme	13
7.11. Conduct during the Induction Programme.....	13
7.12. Performance during the Induction Programme.....	13
7.13. Notice Periods.....	14
8. Induction Programme for those new to the Trust (Probation)	14
8.1. Probation.....	14
8.2. Extension of Probation	15
8.3. Internationally Recruited Colleagues.....	16
8.4. Maternity / Adoption / Shared Parental Leave within Probation	16
8.5. Transfers within Probation.....	17
8.6. Outcomes of Probation.....	17
8.7. Redeployment.....	17
8.8. End of Probation Review Meeting.....	18
8.9. Right of Appeal.....	19

9.	Policy Development, Approval and Authorisation	19
10.	Review and Revision Arrangements	19
11.	Policy Implementation.....	19
12.	Document Control including Archiving Arrangements.....	20
13.	Monitoring Compliance	20
14.	References	20
15.	Appendices	20
	Appendix A – Procedure During End of Probation Review	
	Meetings and Appeal Hearings.....	21
	Appendix B – Equality Analysis (EA)	23
	Appendix C – Policy Implementation Plan	26

1. Policy Description

- 1.1. East Kent Hospitals University NHS Foundation Trust (the Trust) is dedicated to ensuring you are welcomed into the Trust via the onboarding process and this policy outlines how you will be appropriately supported during your induction.

2. Introduction

- 2.1. As a Trust, we will ensure that we embrace our NHS People Promise by being a cohesive team and supporting colleagues to always be learning. This policy is designed to be part of your journey every time you start a new role in the Trust by providing an effective structure that encourages you to become acclimatised to your new team and learn how to excel in your new role.
- 2.2. Your line manager will form part of the support network that facilitates this alongside other support available to you.

3. Definitions

- 3.1. OCSE – This is the Nursing and Midwifery Council’s Objective Structured Clinical Examination which forms part of the application to be placed on their register to practice Nursing within the United Kingdom.
- 3.2. Onboarding – This is the process of welcoming and integrating an individual into the Trust and their team as a new employee.
- 3.3. Probation – This is the period of time at the beginning of an employee’s employment with the Trust in which an assessment takes place to determine capability and suitability to the role.
- 3.4. TUPE - Refers to the Transfer of Undertakings Protection of Employment Regulations which outline protection of rights as an employee when transferring to a new employer.

4. Purpose and Scope

- 4.1. The Trust is conscious that you are keen to become productive as quickly as possible and are looking forward to being fully integrated within your team and this policy has been designed to structure the support you will need to achieve this.
- 4.2. This structure contains key milestones and events that form your first few months in post.

- 4.3. This is applicable to all Agenda for Change employees who are both new to the Trust and progressing their career internally, regardless of whether your new role is substantive or for a fixed term.

5. Duties

5.1. Employee Responsibilities

- 5.1.1. Attending the Trust Welcome Week when new to the Trust;
- 5.1.2. Completing your local induction programme with your line manager;
- 5.1.3. Completing your statutory, mandatory and essential training;
- 5.1.4. Meeting any reasonable objectives within the deadlines set;
- 5.1.5. Identifying to your line manager, at the earliest opportunity, any difficulties you may be experiencing or any additional training / support needs you may have;
- 5.1.6. Demonstrating the Trust's We Care Values and Behaviours.

5.2. Line Managers

- 5.2.1. Contacting you prior to starting the Trust Welcome Week or within your first week in your new post if you are on the Internationally Recruited Nurses induction programme, to confirm arrangements to meet them and your new team as well as discussing any support / reasonable adjustments you may need;
- 5.2.2. Completing your local induction programme with you robustly, including enabling your statutory, mandatory and essential training to be completed within the first six weeks;
- 5.2.3. Assigning you with a 'buddy' as part of your support network;
- 5.2.4. Fairly and consistently monitoring and managing performance, behaviours and attendance of all employees in line with this policy and the Supporting Performance Improvement Policy;
- 5.2.5. Providing you with appropriate supervision, one-to-one meetings, guidance on expectation and constructive feedback on your performance during your induction programme;
- 5.2.6. Meeting with you at all structured induction programme review meetings as well as regular informal meetings as part of your support network during your induction programme;
- 5.2.7. Confirming whether or not you have successfully completed your induction / probation programme;

5.2.8. Contacting Employee Relations if there are concerns during your induction programme to seek guidance and support prior to any extension of probation or termination of employment contract.

5.3. Care Group Senior Management and Corporate Management Team Responsibilities

5.3.1. Ensuring all managers understand the importance of employees completing all aspects of the Trust Welcome Week and induction programme;

5.3.2. Ensuring monitoring of compliance takes place in their areas and that any non-compliance is followed up.

5.4. Chief Executive and Trust Board Responsibilities

5.4.1. Ensuring that there is a framework in place for the identification of requirements for induction and supporting the workforce to provide safe care for patients;

5.4.2. Chief Executive (or their nominated deputy) attending and championing the Trust Welcome Day.

5.5. The People and Culture Team Responsibilities

5.5.1. Completing the onboarding process outlined within this policy and the Recruitment and Selection Policy up to booking you onto the Trust Welcome Day;

5.5.2. Providing guidance on the induction / probation programme to you and your line manager, including decisions on extension of probation or termination of the employment contract;

5.5.3. Notifying subject matter experts, as required, to ensure you are booked onto relevant training;

5.5.4. Reviewing the arrangements and requirements for the Trust Welcome Day and local induction on a regular basis;

5.5.5. Working with managers to ensure the Trust complies with legislative requirements and good employment practice.

6. Introduction into the role

6.1. Onboarding

6.1.1. The Trust's Recruitment and Selection Policy outlines the initial stages of your onboarding once an offer of employment has been provided to you. As part of this process you will have been given access to the New Starter Portal (<https://view.pagetiger.com/new-starter-portal>) which commenced the

orientation process so you were able to start to familiarise yourself with the Trust.

6.1.2. This is a central platform designed to maximise your experience as a new member of the Trust and is comprised of the following:

6.1.2.1. Overview of the Trust;

6.1.2.2. Our vision, mission and values;

6.1.2.3. Our culture;

6.1.2.4. Pre-employment check information and guidance;

6.1.2.5. Guidance, contacts and link to complete Occupational Health checks;

6.1.2.6. Essential paperwork requiring completion before they start;

6.1.2.7. An overview of the Welcome Week;

6.1.2.8. Outlining our Local Induction.

6.2. Trust Welcome Day

6.2.1. Once you have been given a date to commence employment with the Trust you will be allocated a Trust Welcome Day place which will be your first day of employment. If you are joining the Trust in a clinical role then you will also be placed onto additional role-specific training within your first week.

6.2.2. If you have been employed with the Trust previously and departed less than a year ago or you have had an agreed employment break of less than 12 months then you do not need to attend the Trust Welcome Day.

6.2.3. If you are joining the Trust via TUPE legislation you will need to attend the Trust Welcome Day.

7. Induction Programme

7.1. Day One

7.1.1. Your first day in your new role will focus on acclimatising you to your new working environment and meeting your new colleagues (both within your immediate team and the wider workforce). Your line manager will spend time with you so as to go through your local and site orientation before taking you through your new starter handbook (which can be found on Staff Zone). This should include a review of any adjustments you may require if you have a long-term health condition or a disability as defined under the Equality Act 2010.

7.1.2. They will inform you of what your first week will look like and who you will be working with so as to become familiar with your surroundings and the role. They may also allocate you a 'buddy' to work alongside as your immediate support network.

7.2. Week Two

7.2.1. Your second week is when your line manager will issue you with the core objectives designed to assist you in learning the fundamental elements of your new role and understanding the Trust's expectations. These objectives will form the main structure of your induction plan alongside completing statutory, mandatory and essential to role training.

7.2.2. Your line manager should check in with you regularly during your first few weeks as part of your support network and enables you to speak candidly with them regarding orientation or additional support you may require.

7.3. Week Six

7.3.1. Your sixth week in your new role is when your line manager will formally meet with you to review how you are progressing towards achieving your induction objectives, via feedback / discussion, and review any support that may need to be altered or added to your support network.

7.3.2. If your line manager has any concerns, such as the accuracy or speed of your progress, attendance or conduct, then this should be discussed with you during your regular conversations but this meeting is also an opportunity to discuss these and identify what support or training may be necessary to help you.

7.3.3. This discussion will be logged in your new starter handbook as a record of the conversation summary for you and your line manager.

7.4. Month Three

7.4.1. Your third month in your new role is when your line manager will formally meet with you to review how you are progressing towards achieving your induction objectives and review any support that may need to be altered or added to your support network. It is also an opportunity to identify and discuss any additional development needs you may have

7.4.2. If your line manager has any concerns, such as the accuracy or speed of your progress, attendance or conduct, then this should be discussed with you during your regular conversations but this meeting is also an opportunity to discuss these and identify what support or training may be necessary to help you.

7.4.3. This discussion will be logged in your new starter handbook as a record of the conversation summary for you and your line manager.

7.5. Month Five

7.5.1. Your fifth month in your new role is when your line manager will formally meet with you to review how you are progressing towards achieving your induction objectives and how close you are having these signed off as being successful.

7.5.2. If your line manager has any concerns, such as the accuracy or speed of your progress, attendance or conduct, then this should be discussed with you during your regular conversations but this meeting is also an opportunity to discuss these and identify what support or training may be necessary to help you.

7.5.3. This discussion will be logged in your new starter handbook as a record of the conversation summary for you and your line manager.

7.6. Month Six

7.6.1. Your sixth month is when your line manager will meet with you to complete the induction programme and conduct your first appraisal (which can be found on Staff Zone) in line with the Trust's Appraisal Policy for Agenda for Change Staff. These objectives will be set for the remainder of the leave year so that it synchronises with the yearly appraisal cycle that runs from April through to March.

7.7. Support Needs and Reasonable Adjustments

7.7.1. As part of your induction into the role there may be situations in which you require some additional support or reasonable adjustments. This could be for several reasons, such as having a disability or a long-term health condition. If this is the case then it is important that you highlight this to your manager so they are aware of what support you need and can work with you to implement this so as to make your induction as productive as possible.

7.8. Roles that Require Specific Qualifications / Courses

7.8.1. There are certain roles that require the completion of a specified qualification or course during the probation period, this should be detailed in the employee's contract of employment, but could include:

7.8.1.1. Professional registration;

7.8.1.2. Preceptorship for Newly Qualified Nurses;

7.8.1.3. Care certificate for Healthcare Assistants.

7.8.2. In these circumstances some induction objectives may be structured around these competencies.

7.9. Acting Up and Secondments

7.9.1. If you are starting your new role as part of a secondment or acting up then your time in the role will be on a fixed term basis. This may mean the timeframes outlined in this section for acclimatising and learning the role will need to be altered to fit within the duration of your time spent in a fixed term post.

7.10. Absence during the Induction Programme

7.10.1. Absences from work during the induction programme will be managed in accordance with the Trust's Special Leave and Sickness Absence policies. If you are absent during this time we acknowledge that this can have an impact upon your learning and achievement of the objectives outlined within your induction programme.

7.10.2. The Trust is committed to ensuring all employees have a fair opportunity to reach the required standard for their role. Line managers are expected to adjust the induction programme accordingly if your absence from work has an impact upon this so as to appropriately support you in your new role.

7.10.3. If you are new to the Trust section 8 of this policy outlines an additional level of support available to you.

7.11. Conduct during the Induction Programme

7.11.1. The Trust is committed to ensuring all employees abide by the Trust values and the People Promise. Your line manager will help familiarise you with this as part of your induction programme. If you fall short of his standard within your induction programme then this will be managed in accordance with the Just and Learning Culture outlined within the Trust's Disciplinary Policy.

7.12. Performance during the Induction Programme

7.12.1. This policy outlines how you will be introduced to your new role whilst supporting you to achieve the standard required. We recognise that everyone learns and develops at different speeds. Some people may need additional support. If you do need additional support to achieve the required standard during your induction programme then the Trust's Supporting Performance Improvement Policy outlines how this will be done.

7.12.2. If you are new to the Trust section 8 of this policy outlines an additional level; of support available to you.

- 7.12.3. If you are having difficulties due to having a long-term health condition or a disability as defined under the Equality Act 2010 then you and your line manager can seek further advice from other sources such as Occupational Health, Employee Relations or the external organisation Access to Work.

7.13. Notice Periods

- 7.13.1. The Trust recognises that there are rare occasions in which a role is not the right fit for an employee and they may choose to change roles (whether that be within the Trust or with another employer). The employment contract issued to all employees outlines the notice period required to provide to the line managers.
- 7.13.2. If an employee has worked less than 4 weeks then neither the employee or the employer is required to give notice, the employment can be terminated with immediate effect.
- 7.13.3. If the reason for termination of employment is because they were unsuccessful in their probation period (outlined in section 8 of this policy) then an employee is only entitled to the statutory notice period. The notice period given by the Trust will be in line with the statutory timescales, which for employees with less than one years' service is one week.

8. Induction Programme for those new to the Trust (Probation)

8.1. Probation

- 8.1.1. If you are new to the Trust your induction programme will also form your probation period. The probation period uses the induction programme to introduce you to the role and the Trust whilst supporting you to achieve the standard required in the role. Successful achievement of the probation period will mean you are confirmed in post and inclusion within the yearly appraisal cycle.
- 8.1.2. All progression within the induction programme will be discussed between your line manager and you during regular meetings and conversations as outlined in section 7.
- 8.1.3. The standard required for all employees in their role includes (but is not limited to) the following areas:
- 8.1.3.1. Attendance;
 - 8.1.3.2. Trust values;
 - 8.1.3.3. Conduct;
 - 8.1.3.4. Qualifications / training

- 8.1.3.5. Performance.
- 8.1.4. If any issues / difficulties arise in these areas during this period then this should form part of the regular induction discussions and support conversations between your line manager and you.
- 8.1.5. Your line manager will adapt your induction programme to support you to achieve the standard required of the role. This could be in the form of additional support and training or a revision of your objectives in the form of an improvement programme.
- 8.2. Extension of Probation**
- 8.2.1. There may be occasions in which achievement of the required standard is not possible within the standard six-month probation period. In these circumstances an extension may be given to you to provide additional time and support. This can occur at any point within your probation period.
- 8.2.2. If your line manager believes this to be appropriate for you then they must first seek advice from Employee Relations before any decision is made. Your line manager would then meet with you to discuss this so you understand why this additional support is being given to you and what it involves.
- 8.2.3. Extensions to probation periods cannot exceed six-months (so the probation period is a total of 12 months in duration) and must be confirmed in writing to you outlining the following:
 - 8.2.3.1. What support is being implemented for you and the reasons why;
 - 8.2.3.2. The new objectives that form this support in the Probation Improvement Programme Form, which can be found on Staff Zone;
 - 8.2.3.3. The new end date of your probation period.
- 8.2.4. Reasons for an extension to a probation period may include (but is not limited to):
 - 8.2.4.1. Awaiting a new OSCE exam date after being unsuccessful with the first or second exam;
 - 8.2.4.2. Moving to a new role before successfully passing the probation period;
 - 8.2.4.3. Informing your line manager of the intension to commence maternity leave during the probationary period;
 - 8.2.4.4. Difficulty in achieving all the objectives set out in the induction programme.

8.3. Internationally Recruited Colleagues

- 8.3.1. If you are joining the Trust as an Internationally Recruited Nurse from outside the United Kingdom then your induction will be in line with the Induction Programme for Internationally Recruited Staff which outlines a set induction programme for the first 6 weeks that prepares you for your OSCE.
- 8.3.2. This is part of a wider array of support that will be offered to you by the International Recruitment Team and wider Trust including: pastoral support, a community group for you to join on social media and well-being support services.
- 8.3.3. If you have not passed your OSCE within 6 months, the Trust will automatically extend the probationary period instead of considering termination of employment.
- 8.3.4. You will have a total of 8 months to pass your probationary period. If you have not passed the OCSE within 8 months, the Trust may have to consider termination of employment either because you have failed the probationary period or because you may no longer have the legal right to work in the United Kingdom. You will not be treated as passing your probationary period unless you have passed the OCSE.

8.4. Maternity / Adoption / Shared Parental Leave within Probation

- 8.4.1. If you or your partner become pregnant during your new role's induction programme please see the Trust's Parent Policy for how the Trust is able to provide appropriate support to you.
- 8.4.2. If you choose to adopt a child during your new role's induction programme please see the Trust's Parent Policy for how the Trust is able to provide appropriate support to you.
- 8.4.3. Should you be new to the Trust your induction programme will also form your probation period as per section 8.1. If your maternity / adoption / shared parental leave commences before your probation period is confirmed as successful your line manager will discuss with you an extension to the probation period in line with section 8.2 of this policy.
- 8.4.4. This extension will be for an appropriate duration after you return from maternity / adoption / shared parental leave. This is to ensure you receive a fair opportunity to achieve the objectives that form part of your probation period once you have returned from maternity / adoption / shared parental leave.

8.4.5. Your line manager will also discuss what support you may need in the lead up to your maternity / adoption / shared parental leave whilst your local induction is on-going.

8.5. Transfers within Probation

8.5.1. If you change roles before the end of your induction programme you will receive a new induction programme for the new role. Should you be new to the Trust your induction period will also form your probation period as per section 8.1.

8.5.2. If your new role commences before your probation period is confirmed as successful your line manager will inform the recruiting manager of the need to extend your probation period. Your new line manager will then discuss with you an extension to the probation period in line with section 8.2 of this policy. This is to allow the induction programme for your new role to form the structure of your extended probation period.

8.6. Outcomes of Probation

8.6.1. For most people new to the Trust the induction programme that forms the probation period will lead to you being confirmed in post. However, there are occasions when, despite all the support provided, this is not the case.

8.6.2. Your line manager and you will be having regular discussions and conversations as outlined in section 7. If it is looking like you may not be able to successfully achieve the required standard for the role as outlined in section 8.3 before the end of your probation / extended probation period they will discuss this with after initially seeking advice from Employee Relations.

8.7. Redeployment

8.7.1. One option may be redeployment unless following this process extends employment beyond the 12-month point. If this is relevant then the process for redeployment will follow the guidance contained in the Managers Guide to Redeployment. This may need to be facilitated via a further extension to the probation period in line with section 8.7.

8.7.2. There will only be one opportunity for a trial period during the probation period, unless sufficient time remains to successfully attempt and complete a second process. Occupational Health guidance will be followed where redeployment is being considered as a reasonable adjustment due to an underlying health condition. If such guidance indicates that the employee will not be able to return to work in the foreseeable future, or not be able to maintain a sustained attendance then redeployment will cease to be an option.

8.8. End of Probation Review Meeting

- 8.8.1. If redeployment is not appropriate then an End of Probation Review Meeting will be arranged. It is important to note that, in this situation, the outcome of your probation period will be decided by the chair of the end of probation review meeting. Your line manager will meet to discuss this with you and confirm this information in writing.
- 8.8.2. Confirmation in your role will not take place by default if concerns have been expressed about your ability to achieve the standards required of the role as outlined in section 8.3. You will be deemed to be still in their probation period until such times as an end of probation review meeting has taken place.
- 8.8.3. The end of probation review meeting should take place before the end of the probation / extended probation period. The purpose of this meeting will be to decide:
 - 8.8.3.1. If further support is provided to you in order to achieve the standard required of the role;
 - 8.8.3.2. You are confirmed in post;
 - 8.8.3.3. Your probation ends via termination of employment.
- 8.8.4. In the event of an End of Probation Review Meeting taking place the Trust will:
 - 8.8.4.1. Provide you with reasonable notice of the meeting;
 - 8.8.4.2. Provide you with a document that outlines the areas of your probation that are being reviewed as part of the meeting;
 - 8.8.4.3. Explain your right to be accompanied at the meeting by a trade union representative or workplace colleague;
- 8.8.5. If you are unable to attend and are able to provide a good reason for this, then the meeting will be adjourned to another day. If you are unable to attend this rescheduled meeting then it will occur in your absence unless there are special circumstances mitigating against it. Your companion may attend in such circumstances and will be allowed the opportunity to present your view on the issues being discussed at the meeting on your behalf. This can also be submitted to the panel in writing.
- 8.8.6. The meeting will be chaired by a senior manager and a member of the People and Culture team will be present to advise the hearing officer. The meeting will follow the order described in Appendix A. As soon as possible after the conclusion of the meeting, the meeting chair will convey the decision to you. The decision will be confirmed in writing.

8.9. Right of Appeal

- 8.9.1. We encourage and support workers who, in good faith, feel that this policy may have been applied unfairly as a result of bias or discrimination, to apply for an independent review of the decision by following the appeal process. You will need to provide written notice of the appeal within fourteen days of being informed of the end of probation review meeting outcome. All formal appeals should be directed to the Trust's Chief People Officer. You will lose your right to appeal if you have not lodged the appeal within this timescale.
- 8.9.2. When lodging an appeal, you should state:
 - 8.9.2.1. The grounds of appeal, which may include any new evidence not presented at the original meeting;
 - 8.9.2.2. Whether or not you are appealing against the outcome.
- 8.9.3. The appeal should follow the order described in Appendix A.
- 8.9.4. The appeal will be heard by a senior manager who has not been involved in the end of probation review meeting decision.
- 8.9.5. Upon completion of the appeal, the senior manager conducting the meeting will convey their decision to you. The decision will be confirmed in writing. The senior manager's decision, on behalf of the Trust, at the appeal is final.

9. Policy Development, Approval and Authorisation

- 9.1. This policy applies to all workers engaged by the Trust, directly employed or otherwise. Employees will be consulted on its content through the Staff Committee.
- 9.2. This policy will be ratified by the Policy Authorisation Group.

10. Review and Revision Arrangements

- 10.1. This policy will be reviewed as scheduled in three years' time unless legislative or other changes necessitate an earlier review.

11. Policy Implementation

- 11.1. Refer to Appendix C
- 11.2. Once agreed by the appropriate Trust ratification group/committee, this policy will replace the old version on the Trust intranet. This will be available on Policy Centre and communicated via Trust News.

12. Document Control including Archiving Arrangements

- 12.1. Archiving of this policy will conform to the Trust's Information Lifecycle and Records Management Policy, which sets out the Trust's policy on the management of its information.
- 12.2. This policy will be uploaded to the Trust's policy management system.
- 12.3. Version 3.1 of this policy, which this document supersedes, will be retained within the Trust's policy management system for future reference.

13. Monitoring Compliance

- 13.1. Compliance with this policy will be monitored by People and Culture via cases escalated to the Employee Relations team.

14. References

- 14.1. ACAS Guidance - Starting staff: induction

15. Appendices

Appendix A – Procedure During End of Probation Review Meetings and Appeal Hearings

The process set out below describes the process for End of Probation Review Meetings. If there is a need for reasonable adjustments for the employee to be able to access the meeting then this should be discussed with Employee Relations in advance so there is time to implement these.

In relation to appeal hearings, the Chairperson of the appeal panel may choose to take the same approach in terms of order of proceedings or, with the agreement of management and staff side, re-arrange the order.

The panel and the People and Culture adviser may ask questions at any time for the purposes of clarification and to ensure a full and thorough investigation of the case.

The following procedures should be observed at all End of Probation Review Meetings:

1. The person leading the meeting (the chair) will introduce the meeting, and explain its purpose and how it will be conducted. The purpose of the meeting will normally be to establish the facts and determine, on conclusion of the meeting, whether the Trust has proper grounds to make a decision regarding the employee's employment with the Trust.
2. The parties present at the meeting will introduce themselves and confirm their respective roles in the meeting. The employee will be entitled to be accompanied, if they wish, by a trade union representative or workplace colleague of their choice (the companion).
3. The chair will state that the meeting is being conducted as part of the Trust's New Starter Policy, and confirm that a written record of the meeting will be made. In certain cases, the Trust may wish with the employee's consent to audio record formal meetings.
4. The chair will state whether any witnesses have been asked to give evidence at the meeting, and if so, who they are.
5. The management representative(s) should state their case.
6. The employee (or their companion) will have the opportunity to question the management representative(s).
7. The panel and the People and Culture representative will have the opportunity to question the management representative(s).
8. Any witnesses whom the Trust has decided to call will be called into the meeting and asked to state their evidence in front of the parties.
9. The employee (or their companion) should state their case.

10. The management representative(s) will have the opportunity to question the employee and their companion.
11. The panel and the People and Culture representative will have the opportunity to question the employee and their companion.
12. Any witnesses whom the employee has decided to call will be called into the meeting and asked to state their evidence in front of the parties.
13. The management representative(s) shall have the opportunity to sum up, if they so wish.
14. The employee (or their companion) shall have the opportunity to sum up, if they so wish. The employee (or their companion) shall have the right to speak last.
15. In their summing up, neither the management(s) nor the employee or their companion may introduce any new matter.
16. The panel may at their discretion, adjourn the meeting in order that further evidence is acquired by either party or for any other reason.
17. When the panel is satisfied that the management representative(s) and the employee (and/or their companion) have completed their case, and that no further information is required, the panel will adjourn to consider their decision in private.
18. Parties will only be recalled to clear points of uncertainty. If one party is called then the other should also be present. Witnesses may also be recalled where further evidence is required.
19. Following an adjournment, a decision will be made as to whether the allegations have been substantiated sufficiently (if a conduct issue is in question) and if the employee's probation is confirmed or terminated.
20. When the decision has been reached, the meeting will normally be reconvened and the decision given verbally to the employee. This decision will then be confirmed in writing within seven calendar days.

Appendix B – Equality Analysis (EA)

An Equality Analysis not just about addressing discrimination or adverse impact; the policy should also positively promote equal opportunities, improved access, participation in public life and good relations.

Person completing the analysis

Job title	Employee Relations Advisor
Care Group / Department	Corporate Functions
Date completed	06.04.2023
Who will be impacted by this policy?	<input checked="" type="checkbox"/> Staff (EKHUFT) <input type="checkbox"/> Staff (Other) <input type="checkbox"/> Service Users <input type="checkbox"/> Carers <input type="checkbox"/> Patients <input type="checkbox"/> Relatives

Assess the impact of the policy on people with different protected characteristics

When assessing impact, make it clear who will be impacted within the protected characteristic category. For example, it may have a positive impact on women but a neutral impact on men.

Protected characteristic	Characteristic Group	Impact of decision Positive/Neutral/Negative
e.g. Sex	Women Men	Positive Neutral
Age	This policy applies to all equally regardless of age	Neutral
Disability	This policy applies to all equally regardless of disability	Positive
Gender reassignment	This policy applies to all equally regardless of gender reassignment	Neutral
Marriage and civil partnership	This policy applies to all equally regardless of marriage and civil partnership status	Neutral



Pregnancy and maternity	A fair approach has been taken for those who commence maternity / adoption / shared parental leave during their probation period. Signposting towards the Parents Policy is also included regarding the support available	Positive
Race	A fair approach has been taken for those who commence probation as part of the internationally recruited staffing programme as they are more likely to be of ethnic minority in origin	Positive
Religion or belief	This policy applies to all equally regardless of religion or belief	Neutral
Sex	This policy applies to all equally regardless of sex	Neutral
Sexual orientation	This policy applies to all equally regardless of sexual orientation	Neutral

If there is insufficient evidence to make a decision about the impact of the policy it may be necessary to consult with members of protected characteristic groups to establish how best to meet their needs or to overcome barriers.

Has there been specific consultation on this policy?	The staff networks, Equality, Diversity and Inclusion Team and the Reasonable Adjustment Working Group were consulted with a request for feedback. The feedback received was actioned.
Did the consultation analysis reveal any difference in views across the protected characteristics?	Advice received has been considered and incorporated into the formulation of the policy.

Disability Protected Characteristic

We need to ensure that we meet the Accessible Information Standard (AIS) which aims to support people with a disability, sensory loss or impairment to receive information they can understand and any communication support they need.

For more information, go to:

[Accessible information standard \(AIS\) for East Kent Hospitals staff](#)
[Understanding accessible information - NHS England](#)

Mitigating negative impact: Where any negative impact has been identified, outline the measures taken to mitigate against it.	N/A
---	-----

Conclusion: Advice on the overall equality implications that should be taken into account by the policy approving committee.	
--	--

Appendix C – Policy Implementation Plan

To be completed for each version of policy submitted for approval.

Policy Title:	New Starter and Probation Policy
Version Number:	4.0
Implementation Lead:	Chief People Officer

Staff Groups affected by policy:	Agenda for Change
Subsidiary Companies affected by policy:	None
Detail changes to current processes or practice:	Policy wording revised to be more inclusive and reflect the Just and Learning Culture Six month induction framework introduced for all staff new to post
Specify any training requirements:	None
How will policy changes be communicated to staff groups/ subsidiary companies?	Available on Policy Centre and communicated via Trust News