

Guidance

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TfL guidelines for managing probation

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1 Purpose

The aim of the probationary period is to provide support for probationers to ensure they settle into their new role effectively. It also provides an opportunity to sort out any early difficulties and training issues. It is important to be consistent and equitable in managing probationers to avoid potential allegations of discrimination. Should the probation period not be satisfactory, this guide outlines a fair process for ending a probationer's employment.

2 Scope

These guidelines have primarily been written for managers who have recruited staff to be employed by TfL, Docklands Light Railway Limited, Rail for London Limited, London Bus Services Limited, London Buses Limited, and Victoria Coach Station Limited who are on TfL employment contracts (Pay bands 1-5 and Directors). If you are a manager of someone who is employed by London Underground or is in an operational grade of Surface Transport please seek specific advice.

An HR Representative will provide specialist advice on individual cases where it is evident that the probationer may not successfully complete their probation period. They should be contacted at the earliest opportunity by calling HR Services on auto

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3 The probationary period

A probationer is someone who is new to the company. For most positions in TfL, the first six months after the date upon which their period of continuous employment began will be regarded as probationary unless specified elsewhere in the terms and conditions of employment. The Company may extend this by up to a further three months by notifying the probationer in writing. The probationer's written statement of terms and conditions should always be referred to when reviewing their probation, in case there are any special clauses added. The probationary period does not apply to internal promotions or transfers although you should ensure that these employees are given reasonable support especially early on.

For most positions, should either party wish to end the employment during the probationary period, then one week's notice will be required on either side, except in cases of summary dismissal for gross misconduct. As the manager you will assess and review the probationer's overall work performance, conduct and attendance. The Company's Attendance at Work, Discipline at Work and Performance Improvement policies will not apply and the procedure outlined within these guidelines should be used to address these issues with probationers. If dismissing a probationer the Statutory Dismissal Procedure must be followed and this is outlined further in paragraphs 5.3 and 6.

During the probationary period, you should make sure that:

- All probationers receive induction in accordance with the current TfL procedures. This should include attending the TfL induction programme. Details of this can be found on Source

- In addition to this, managers should carry out local induction to help probationers settle into their new roles
- Any appropriate training takes place at the earliest opportunity
- Probationers are made aware of the required behaviours and level of performance and attendance, and provided with reasonable support during the probationary period to help achieve them.

4 Managing probation

It is important that you manage probation on the basis of an individual's performance, conduct and attendance. Make sure that you measure performance against the job description and the targets you have set.

It is important that you avoid basing your decisions on:

- One instance - if someone does something particularly good or bad, you may find yourself allowing the impression you gained at the time to influence your judgement of them in the future. Make sure you have evidence to support your judgement.
- Recent events - you need to avoid reviewing a person favourably or unfavourably based solely on recent events. Make sure you look at performance, conduct and attendance over the whole period.
- Personal relationships - don't let your relationship at the personal level affect your judgement – judge it solely on performance, conduct and attendance.

5 The probation review process

In the first month, you should clarify the expectations and set performance, conduct and attendance standards. During the whole of the probationary period you should have regular quality conversations during one to one meetings with the individual, during which you should highlight areas of strength or progress. You should also provide feedback on performance, conduct, attendance and any areas where an individual is falling below expected standards. It is important that, at the end of the probationary period, there should be no surprises, particularly if the expectations are not being met.

5.1 Review meetings

The aim of the meetings is to support the probationer and to help them to reach the standards you have set. They should be a constructive experience in which you recognise the probationer's progress so far and highlight any areas for improvement. Probationers do not have the right to be accompanied at any review meetings. It is recommended that key points of discussion and actions are made by you and shared with the probationer.

Review meetings will normally take place at weeks 12 and 20. However, you will need to use your judgement and may need to bring these meetings forward if there are particular concerns. In cases of serious misconduct or poor performance you

may, where it is not possible to give guidance, need to immediately follow the steps outlined in paragraph 6.

5.2 First review meeting

In most cases there should be a review meeting after approximately 12 weeks.

During the first review, probationers should be given the opportunity to discuss their performance and any other issues which impact on their employment. If any areas of performance, conduct (including timekeeping) and attendance, are causing concern, this should be specified, along with any appropriate support or training to be given to assist them in achieving the required standards.

At the end of the meeting, clear targets should be set for the next review period. It is important that if there is cause for concern, the probationer should be told that failure to improve could result in their employment being terminated before or at the end of the probationary period.

Notes of the discussion should be kept. This might include the agreed targets for the next review period, any support/training offered and/or accepted and the agreed timeframe for any improvements. Informal one-to-ones should continue throughout the probation period.

5.3 Second review meeting

Although there may still be regular one to ones, a second review meeting should take place at approximately week 20 or sooner if overall performance, conduct or attendance is not satisfactory. This is particularly important if the first review meeting identified problems that might impact on whether the probation period will be completed successfully.) A reminder to undertake this review will normally be shown under the reminder of dates on the SAP tools homepage.

If there is a performance problem related to a skill or knowledge gap which you believe may still be corrected, then you must ensure that the probationer has access to coaching, training or any other support necessary to develop the skills or knowledge they need. Include details of this in the targets you agree with them. These targets may, if appropriate, form the basis of a development plan, which you should monitor, providing regular feedback. Clearly explain that the consequences of failing to meet the required standards could result in termination of employment at the end of the probationary period or sooner if appropriate. If it is clear that the probationer will not successfully complete the probation period then they should be invited to a meeting as outlined in paragraph 6.

6 Possible outcomes

In addition to the information from the two reviews, you should consider other factors such as how an individual has settled into the role and how they interact with colleagues and customers before making a decision on the outcome of the probationary period.

6.1 Successful completion of probation

In this case, you should contact HR Services who will update the probationer's record to indicate that a successful probation period has been completed and that the probationer is confirmed in post. HR Services will then e-mail you a letter to present to the employee confirming them in post.

There may be instances when a probationer receives a salary increase or grade change on completion of their probationary period. If this is the case you will need to inform HR Services who will then update SAP and confirm the new salary in the probationer's successful completion of probation letter.

6.2 Extending the probationary period

The probationary period can be extended for a period of up to three months i.e. to a maximum of 9 months in total. This option should only be used if the probationer has not quite met the required standards and there is a reasonable expectation that the individual will be able to achieve them within this period of time. It should not be used in cases where there has been a significant shortfall in performance as in these circumstances a short extension is unlikely to be sufficient time to make up the shortfall.

If the probationer's probationary period is extended, you will need to make them aware of what standards need to be met during the extension period and inform them that if there is no improvement their service may be terminated. An extension to the probation period must also be confirmed in writing. Within your letter you should confirm the reason for the extension, outlining the areas where improvements need to be made. If this is the case, you should contact HR Services (by calling 1729 or 0800 0155 071) for advice.

6.3 Unsatisfactory completion of probation

Although this list is not exhaustive, there are four main reasons why a probationer may fail their probation:

- Failed training
- Poor attendance
- Poor performance
- A number of misconduct offences which are not serious in isolation but in total warrant dismissal.

Should any of the above occur you should contact HR Services (by calling [REDACTED] or [REDACTED] in order to be guided to the relevant team.

7 Ending employment

If after the second review meeting the probationer has failed to meet the required standards and there is no likelihood that they will be met by the end of the probation period, their employment may be terminated, and the following Statutory Dismissal Procedure must be used:

- The probationer must be informed in writing that their probationary period has been unsuccessful and be given 7 days notice to attend a meeting to discuss why termination of employment is now being contemplated. The letter should confirm their right to be accompanied by a work place colleague or trades union representative.
- At the meeting, the manager must explain the reasons why termination of employment is being considered, highlighting the issues discussed at the review meetings and allow the individual to comment.
- The meeting should then adjourn to consider what has been discussed and any mitigating circumstances.
- The meeting should be reconvened, and if it has been decided that termination is the appropriate outcome, the individual should be informed. An HR Representative can assist with the termination letter, which will inform the probationer they have a right of appeal within 7 calendar days of having received the termination letter.
- They should also be advised if they are required to work their notice or not.

At this meeting, the probationer has a right to be accompanied by a trade union official or workplace colleague. You can also ask an HR Representative to be present at the meeting to provide advice and guidance, as appropriate.

You will need to contact HR Services to process the service termination.

8 Person accountable for this document

Name	Job title
Terry Deller	Head of Employee Relations

9 Abbreviations

Abbreviation	Meaning
HR	Human Resources

10 Document history

Issue no.	Date	Changes	Author
A1	November 2016	Guidance published in The Management System	
A2	November 2019	Updates to roles and added message around quality conversations (section 5). CR-12014	Adeline Steiner
A3	April 2023	Change of accountable person, no content changes as per CR-17086.	Rob Woolf