



**MINUTES of
FINANCE AND CORPORATE SERVICES COMMITTEE
25 JULY 2017**

PRESENT

Chairman	Councillor D M Sismey
Vice-Chairman	Councillor I E Dobson
Councillors	J P F Archer, P G L Elliott, A S Fluker, M S Heard, Miss M R Lewis, Rev. A E J Shrimpton and B S Beale MBE
Ex-Officio Non- Voting Member	

280. CHAIRMAN'S NOTICES

The Chairman drew attention to the list of notices published on the back of the agenda.

281. APOLOGIES FOR ABSENCE

¹Apologies for absence were received from Councillors Mrs B F Acevedo, M F L Durham. In accordance with notice duly given Councillor R G Boyce was attending as a substitute for Councillor Miss Lewis.

282. MINUTES OF THE LAST MEETING

RESOLVED that the Minutes of the meeting of the Committee held on 14 June 2017 be approved and confirmed.

283. DISCLOSURE OF INTEREST

There were none.

284. PUBLIC PARTICIPATION

No requests had been received.

285. CHAIRMAN'S GOOD NEWS ANNOUNCEMENTS

¹ Minute No. 465 refers

The Chairman referred to the following items:

- Maldon District's Local Development Plan approved by Secretary of State Sajid Javid.
- Work on the Essex Police base at the Council Offices had been completed and the Police will be relocating during the Summer.
- Exam success – Council Accountants have achieved success in recent Association of Chartered Certified Accountants exams.
- The Burnham-on-Crouch Neighbourhood Development Plan Referendum took place last week with 1,432 voting yes.
- External Audit have nearly completed the audit of the Council's financial statement.

286. CORPORATE HEALTH AND SAFETY

Councillor Miss M R Lewis joined the meeting. As Councillor Miss Lewis was in attendance Councillor R G Boyce stepped down as substitute at this point.

The Committee received the report of the Director of Resources reporting corporate health and safety activity for the first quarter to 30 June 2017. A summary by directorate and a description of the reported accidents and near misses were set out in the report. Appendix 1 to the report set out progress with the Health and Safety Action Plan for 2017 / 18.

In response to a question, further information was provided in respect of the Council's procedure for dealing with unacceptable behaviour.

RESOLVED

- (i) that the accident and incident statistics for quarter one be noted;
- (ii) that progress with the Health and Safety Action Plan for 2017 / 18 be noted.

287. HUMAN RESOURCES POLICY AND PROCEDURE

The Committee considered the report of the Director of Resources seeking Members' consideration of proposed changes to the Council's human resources policy 'Probation Policy and Procedure' (attached as Appendix 1 to the report).

The report set out a number of changes that had been made to the Policy. It was noted that agreement to the changes had been reached in consultation with the recognised union, UNISON.

RECOMMENDED that the Probation Policy and Procedure, attached at **APPENDIX 1** to these Minutes, be approved.

288. DISABLED FACILITIES GRANTS

The Committee considered the report of the Director of Customers and Community seeking Members' approval to vary the fees for Disabled Facilities Grants (DFG) in accordance with the recommendation of the Community Services Committee on 4 July 2017.

It was noted that the Council had made good progress in expanding the conventional DFG service and was now looking at how work could be linked with other complementary services to meet Government expectations. The proposed change to fees to align the Council with other Districts would help maintain capacity and subject to agreement by Essex County Council give the ability to top-slice some of the other grant to support the expansion of local services provided. A testimony at Appendix 1 to the report illustrated the positive impact that the Council can have on the lives of some of the most vulnerable local residents.

RESOLVED that in order to make the service sustainable and meeting current and future strategic demands, the increase of Disabled Facilities Grants fees to 15%, be approved.

289. 2016 / 17 BUDGETARY OUTTURN UNDERSPENDS

The Committee received the report of the Director of Resources providing information in relation to the current status of capital projects, why they may not be proceeding as planned and when it was identified that a project may not happen. The report also provided information on the reasons for the revenue outturn underspend position for 2016 / 17.

Appendix 1 to the report provided a summary of key underspends from the 2016 / 17 outturn and a table within the report identified the largest of key budget underspends, categorising the reason. Appendix 2 detailed the capital programme for 2016 / 17 and its position at year end. It was noted that only 67% of the programme had been completed and a table in the report summarised the reasons for project underspends. The report advised that work programmes and capital monitoring procedures had been reviewed to ensure that issues in delivering the capital programme were less frequent and identified at an earlier stage.

In response to a number of questions raised, the Committee was provided with the following information:

- The Corporate Management Team were looking to ensure proper internal controls were in place with regards to budgeting.
- The Council was moving towards a zero based budget for 2018 / 19;
- Supplementary estimates were being stopped where virements could take place;
- Work was ongoing to increase understanding of capital monitoring and being more stringent in what was being approved.
- In respect of capital projects over the last financial year, there had been an overspend on the St. Cedds budget but in respect of the ongoing revenue contracts each contract had an allocated contracts manager and it was reported that these had not cause any ongoing issues in the last financial year.

Reference was made to the need for accountability from the Corporate Leadership Team as well as Group Managers, reporting to Members where delivery may not be possible.

RESOLVED that the contents of the report and proposed remedial actions, be noted.

290. BUDGETARY CONTROL (APRIL - JUNE 2017)

The Committee received the report of the Director of Resources providing Members with key financial information on the progress to date against the approved budget over the period 1 April – 30 June 2017.

The report detailed the variance analysis for the following areas:

- Revenue Budgets (as shown in Appendices 1 and 1A to the report);
- Vacancy savings (as shown in Appendix 2 to the report);
- Agency expenditure;
- Major Sources of Income;
- Capital Projects (as shown in Appendix 3 to the report);

It was noted that current financial performance was within the approved budget limits. Capital projects were progressing, with further projects to start within the Council's parks and open spaces and the Director of Customers and Community had reviewed resources to ensure estimated delivery times were achieved.

RESOLVED that the contents of the report be noted.

291. SUPPLEMENTARY ESTIMATES AND VIREMENTS

The Director of Resources reported that there were no supplementary estimates or virements to report for this period.

292. EXCLUSION OF PUBLIC AND PRESS

RESOLVED that under Section 100A (4) of the Local Government Act 1972 the public be excluded from the meeting for the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in Paragraph 1 of Part 1 of Schedule 12A to the Act, and that this satisfies the public interest test.

293. MILLFIELDS CARAVAN PARK, BURNHAM-ON-CROUCH

The Committee considered the report of the Director of Resources updating Members on the negotiations for the lease at the Millfields Caravan Park, Burnham-on-Crouch following the meeting of this Committee on 26 April where it was requested that subject to a directors personal guarantee for a minimum period of ten years a new lease be offered to Birch Leisure Parks Ltd.

The report provided background information regarding the lease and detailed the result of discussions between Officers, Essex Legal Services and Birch Leisure Parks (and

their advisors). Members' attention was drawn to a table in the report which set out two options for consideration. It was clarified that as well as the Leader and Deputy Leader of the Council other Members had attended the meeting with Birch Leisure Parks.

Councillor A S Fluker proposed that the Council agree option one as set out in the report. This proposal was duly seconded.

In response to a number of questions the Council's Legal Advisor provided the Committee with additional information which included details regarding:

- the planning application to be submitted;
- the process if planning permission was not granted;
- the proposed lease commencement dates and rent provisions;
- the process if the company were to go into administration;
- the designation of the site as a holiday park.

The Chairman then put the proposal in the name of Councillor Fluker to the Committee and upon a vote being taken this was agreed.

RESOLVED that a new lease for the Millfields Caravan Park, Burnham-on-Crouch be offered to Birch Leisure Parks Limited subject to option one as detailed in the report.

There being no further items of business the Chairman closed the meeting at 8.05 pm.

D M SISMEY
CHAIRMAN

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Probation policy and procedure

July 2017



MALDON DISTRICT
COUNCIL



Maldon District Council
Probation policy and procedure

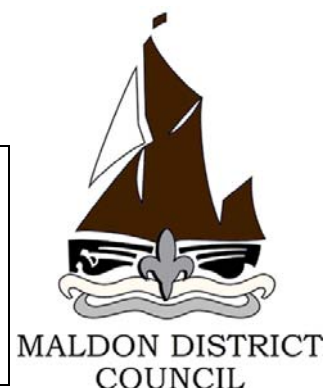
Document Control Sheet

Document title	Probation policy and procedure
Summary of purpose	The purpose of this Policy and procedure is to provide information and guidance for employees of Maldon District Council on the Council's Probation process. To provide a framework to judge the suitability of an employee, to discuss any shortcomings and agree action to help the employee achieve the required standards.
Prepared by	HR
Status	Final Approved by Finance and Corporate Services Committee 25.07.17
Version number	4
Approved by	
Approval date	Revised July 2017
Date of implementation	May 2012. Revised November 2015 and July 2017.
Review frequency	
Next review date	As required by legislative changes
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Validity Statement

This document is due for review by the date shown above, after which it may become invalid. Users of the strategy or policy should ensure that they are consulting the currently valid version of the document.

If you would like this information in large print, Braille or another language, please contact Human Resources.



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Section One – Policy and Procedure Overview

1 Policy Statement

Maldon District Council seeks to promote good employment relationships and practices, and this policy aims to ensure that all new employees, who are new to the employment of the Council, have a probationary period during which they will be introduced to the main duties and responsibilities of their post and the performance standards expected of them.

The purpose of this policy is to ensure that there is a fair and systematic approach in place to ensure expected standards are established and understood, performance is monitored, with areas of improvement addressed, and employees are given appropriate training and support to meet these standards.

The probation procedure should be used as a tool to ensure that employees are given every opportunity to prove their suitability for the post to which they have been appointed.

The Council's standard period of probation is 24 weeks. Extensions to the probationary period may exceptionally be given if this is appropriate.

Employees dismissed during their probation period will be given one month's notice in line with the Terms and Conditions of Employment.

Where an employee exceeds the Council's set Key Performance Indicator target for sickness during their probationary period, a meeting will be held to discuss options which may include extension of probation or dismissal.

This policy is mandatory for all Managers to undertake and follow with all new employees as directed by Human Resources.

2 Procedure Overview

- 2.1 The Council's standard period of probation is six months.
- 2.2 Assessment reviews will take place at 4 weeks, 12 weeks and a final assessment review at 24 weeks. Progress reviews may happen in the intervening time, for new employees
- 2.3 The outcome of the probation period is either:
 - To confirm the appointment of the new employee.
 - To extend the employee's probation period if the circumstances warrant this extension. An extension may be implemented in circumstances where the employee's performance during probation has not been entirely satisfactory but it is thought likely that an extension to the probationary period may lead to an improvement, or where the employee or line manager has been absent from the workplace for an extended period during probation, for example. The extension can only be for a further 3 months, thereafter a decision needs to be made as to whether to dismiss or confirm the appointment.

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- To dismiss the employee if an employee's performance while on probation has been unsatisfactory despite support and it is thought unlikely that further training or support would lead to a satisfactory level of improvement. A decision to dismiss may be taken at any time during the probation period if this is considered appropriate.
- To dismiss the employee because they have behaved inappropriately or have breached their contract of employment through breaching the councils policies and procedures.
- To dismiss the employee due to unacceptable levels of absence due to sickness during the probation period; the Council's Key Performance Indicator target will be considered.

3 Scope of this Policy

3.1 This procedure applies to all Council employees, except:

- Officers employed under the JNC for Chief Executives and the JNC for Chief Officers Conditions of Service.
- Existing employees who have six months continuous service with the Council and have already successfully completed a six month probationary period are exempt from the probation policy. Existing employees in this instance will be managed in their new role through the Performance Management Framework using the tool Performance Conversations.
- This policy does not apply to those employees who have been redeployed or moved internally to a new post within the Council unless the employee is new to the Council and is already subject to the Probation policy and procedure.

3.2 All new appointments to the Council will be subject to the successful completion of a 24 week probationary period regardless of any previous local government service.

3.3 Employees engaged on fixed term/temporary contracts of six months or less are not subject to a probation period, although they would be required to serve a probation period if offered a permanent contract. Managers should give serious consideration to requiring employees to serve a probationary period if there is a likelihood that the fixed term/temporary contract will be, or is, extended beyond the initial six month period. Employees engaged on fixed term/temporary contracts for more than six months are required to undertake probation. Following completion of probation they will be given confirmation of their fixed term appointment.

4 Links to other Policies/Procedures

- 4.1 There may be a need to operate another policy while the probation procedure is being followed. These procedures will normally run simultaneously however, consideration may be given to suspending one of the procedures following consultation with Human Resources.
- 4.2 Other procedures to follow may include:
- Induction Policy and Procedure
 - Managing Attendance Policy and Procedure
 - Managing Organisational Change
 - Improving Performance Policy and Procedure
 - Performance Management Framework

Section Two – Procedure

1 Roles and Responsibilities

1.1 Line Managers are expected to:

- Ensure that the employee is properly informed at the start of his/her employment about the standards expected during probation
- Ensure the Council's Core Values are fully explained and how they relate to our every day work
- Properly monitor a new employee's performance and progress during the probationary period addressing any areas of improvement as early as possible
- Diary all assessment review meetings at the outset of the probation period
- Provide appropriate training, support and guidance to the employee during the probation period
- Follow the probation policy and procedure correctly and undertaking all assessment reviews to the timescales set
- Notify Human Resources of the employee's progress by completing the formal review forms and raising any issues or concerns, seeking relevant advice, guidance and support

1.2 Employees are expected to:-

- Take responsibility for demonstrating their suitability for the role during the probationary period by undertaking the duties and responsibilities of their role to the agreed standards
- Abide by all of the Council's policies and procedures
- Identify any learning and development needs and discuss with the line manager
- Identify any areas of difficulty/improvement needed and discuss with the line manager
- Attend work unless they are not well enough to do so
- Comply with the reporting sickness absence procedure; Managing Attendance Policy & Procedure
- Inform their line manager if they have a disability should this disability affect their ability to fulfil their role or maintain regular attendance should this not have already been disclosed on the medical questionnaire completed at recruitment stage.
- Advise their line manager if they are taking medication which may impair their ability to undertake their duties

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1.3 Human Resources will:

- Provide advice and guidance in the operation of this policy, attending meetings as appropriate
- Issue appropriate letters to the employee in accordance with the line manager assessment process
- Maintain accurate sickness absence data and provide details of sickness absence and management information to assist managers in undertaking their role
- Provide assistance to Managers in using the Performance Management Framework, Performance Conversations for existing staff that have already completed six months satisfactory probation period.

2 The Procedure

Progress Meetings

- 2.1 The process of probation should include regular progress meetings between the line manager and the employee.
- 2.2 These meetings should be held regularly throughout the probation period and will allow the employee's performance and progress to be monitored.
- 2.3 Progress meetings should be planned and scheduled at the outset of the employee's employment. At each meeting, the manager should aim to:
 - highlight areas where the employee is doing well;
 - explain clearly and in precise terms any areas in which the employee is falling below the required levels;
 - explore the possible reasons for any failure to meet the required standards;
 - discuss and agree whether or not any specific training or coaching is required;
 - discuss any other relevant matters such as timekeeping, attendance, general conduct or attitude;
 - invite the employee to comment on issues such as the extent to which he or she has integrated into the team/service and how well he or she is getting on with colleagues; and
 - give the employee an opportunity to ask questions or raise concerns about any aspect of his or her employment.

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Formal Assessment Reviews

- 2.4 Whilst these regular progress meetings will be held during the probation period, formal assessment reviews should be held at the following intervals:
- Formal 4 week review
 - Formal 12 week review
 - Formal 24 week review (final assessment review unless extension of probation is needed)
- 2.5 During these formal assessment meetings the line manager should discuss with the employee their performance against the standards expected, identify additional support and learning and development needed and plan for the next review meeting. The probation assessment forms at Appendix 1 should be used to record this discussion and a copy given to the employee.

Area of Improvement Identified

- 2.6 If there are areas of improvement identified, the probation performance improvement plan at Appendix 2 should be completed by the line manager, in discussion with the employee, and a copy given to the employee. This should indicate what should be done, by whom, how and in what timescale so that the employee will be aware of what is expected of him or her by the time of the next review. These forms should be discussed at each subsequent review meeting.

Sickness during Probationary period

- 2.7 Employees are required to comply with the reporting sickness absence procedure during the probationary period, detailed with Managing Attendance Policy & Procedure. Sickness absence records are maintained by the Human Resources department and will be provided to the line manager.
- 2.8 Employees may be dismissed due to unacceptable levels of absence due to sickness during the probationary period. Where an employee exceeds the Council's set Key Performance Indicator target for sickness during their probationary period, a meeting will be held to discuss options which may include extension of probation or dismissal.
- 2.9 Whilst the Managing Attendance Policy & Procedure does not apply to employees who are in their probationary period, (as the issue of attendance will be addressed within the probation monitoring period), probationers must comply with the notification requirements detailed within it and managers must continue to apply the policy's principles of good attendance management.

Early Dismissal during Probationary Period (prior to 24 week assessment meeting)

- 2.10 It is the Council's policy to allow the employee to complete the designated period of probation rather than terminating employment before the probation has come to an end. This is to give the employee a full opportunity to come up to the required standards. However, if there is clear evidence, before the 24 week assessment meeting, that suggests the employee is unsuitable for the role, and appropriate support has been provided to the employee to meet the required standard, the line manager should consult Human Resources. One of the options will be early dismissal before the 24 week assessment meeting.

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- 2.11 A meeting will be arranged with the employee. The line manager will chair this meeting.
- 2.12 The purpose of this meeting is to review the employee's performance and come to a decision about their continuing employment.
- 2.13 The employee has the right to be accompanied by a recognised trade union representative or a work colleague where appropriate. Human Resources will also attend this meeting. Five working days' notice of this meeting should be given to the employee if possible however for serious offences within the first two months the meeting could take place immediately.
- 2.14 Employment may be terminated at any stage during the probationary period, on the employee giving or receiving one months' notice in line with the Terms and Conditions of Employment.

Irregularities discovered during the Probationary Period

- 2.15 If, during an employee's probation, it is suspected or established that the employee does not have the qualifications, experience or knowledge that he/she claimed to have at the time of recruitment, the matter will be discussed with the employee to establish the facts. If the evidence suggests that the employee misrepresented his/her abilities in any way, a meeting will be held with the line manager. The employee will have the right to be accompanied by a recognised trade union representative or work colleague and Human Resources will also be in attendance. The outcome of this meeting may be that the Council will terminate the employment with immediate effect (giving one week's pay in lieu of notice or their notice period as determined by the line manager. The employee will have the right to appeal against this dismissal in writing.
- 2.16 If the employee is an existing employee who has been transferred or promoted into a different role, the Council's Managing Capability and Under Performance Policy must be followed in full.

Formal 24 Week Review – Final Assessment Review

- 2.17 At the end of the probationary period, the manager should conduct a "final progress review" of the employee's performance and suitability for the job.
- 2.18 It is extremely important that the final review meeting is held on or before the end of the agreed probationary period. If the meeting does not take place by this date, technically the employee's appointment will be confirmed by default.
- 2.19 The final review will allow both the line manager and the employee to:
 - identify and discuss any areas in which the employee requires further training or development;
 - discuss standards achieved;
 - check how the employee feels about his or her employment in general; and
 - explain how performance will be managed in the future.

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Satisfactory Completion of Probation

- 2.20 If the employee's performance is satisfactory, the line manager should complete the probation 24 week/final assessment review form and the manager and employee should sign the form and return to Human Resources who will issue a letter of confirmation of appointment to the employee.

Unsatisfactory Completion of Probation

- 2.21 If the employee's performance has not been to the standard required, the line manager should discuss the matter with Human Resources in the first instance.

Extension of Probationary Period

- 2.22 It may be appropriate to extend the employee's probation period and this will be at the Council's discretion. This will be limited to one extension and the total period of extended probation will usually be no longer than three months.
- 2.23 An extension may be implemented in circumstances where the employee's performance during probation has not been entirely satisfactory but it is thought likely that an extension to the probationary period may lead to an improvement, or where the employee or line manager, for example, has been absent from the workplace for an extended period during probation.
- 2.24 Before extending an employee's probationary period, the line manager will consult with Human Resources. If an extension to the probationary period is agreed, the Council will confirm the terms of the extension in writing to the employee, including:
- the length of the extension and the date on which the extended period of probation will end;
 - the reason for the extension and, if the reason is unsatisfactory performance, details of how and why performance has fallen short of the required standards;
 - the performance standards or objectives that the employee is required to achieve by the end of the extended period of probation;
 - any support, for example further training, that will be provided during the extended period of probation; and
 - a statement that, if the employee does not meet fully the required standards by the end of the extended period of probation, his/her employment will be terminated.
- 2.25 If the employee has not fully met the required standards by the end of the extended probationary period, his/her employment will be terminated in accordance with the procedure below.

Ending Employment in the Probationary Period

- 2.26 If following the completion of the probation assessment, an employee's performance continues to be unsatisfactory, and either an extension of probation is not appropriate, or an extension of probation has been given and performance standards are still unsatisfactory, it may be necessary to terminate employment.

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- 2.27 If during the probationary period serious issues are brought to the attention of the line manager it may be appropriate to terminate the employment with immediate effect.
- 2.28 Before a dismissal can take place the line manager needs to get agreement with a Group Manager.
- 2.29 A meeting will be arranged with the employee. The line manager will chair this meeting.
- 2.30 The purpose of this meeting is to review the employee's performance during the probation period and come to a decision about their continuing employment.
- 2.31 The employee has the right to be accompanied by a recognised trade union representative or a work colleague. Human Resources will also attend this meeting. Five working days' notice of this meeting should be given to the employee.
- 2.32 Where the employee is dismissed, the period of notice to be served during the probationary period is one months' notice.

Appeals

- 2.33 The Council's Disciplinary Procedures and Appeal arrangements do not apply during the probationary period.

Existing employees

- 2.34 Employees that have already completed six months satisfactory probation with the Council are exempt from this policy. The Manager will in this instance follow the direction of the Performance Management Framework setting SMART objectives, identifying competencies and holding Performance Conversations with the employee, in line with the new position held by the employee for a period of six months.
- 2.35 Where the employee is failing to meet the objectives set, advice should be sought from Human Resources. Like the probation procedure, the Council would expect that satisfactory completion of a clear Performance Conversation, agreed with the employee at the outset is completed within the six month period and provided to Human Resources as evidence of this. Managers failing to comply with this could result in disciplinary action being taken against them.
- 2.36 Should the employee not meet with the expectations of the position, the Improving Performance Policy and Procedure will be followed.

3 More Information

- 3.1 For more information please contact Human Resources.