



PROBATION

1.0 Policy Statement

1.1 The probationary period is viewed as an extension of the College's recruitment & selection process and recognises the initial period of employment or promotion as unique and requiring special attention by both the employee on probation and the College.

1.2 The probationary period is a specified period of time during which a staff member's overall suitability for a role is formally assessed. Assessment of the individual's suitability for the post to which they have been appointed will be on-going during the probationary period. Probation is intended to be a positive, collaborative process, which provides an opportunity to allow:

- The newly appointed or promoted staff member to integrate into the role and/or organisation;
- For a fair assessment of a staff member's performance, behaviour and overall suitability to the role; and
- For a recommendation in relation to the staff member's suitability for continued employment to be made by the line manager.

1.3 This policy sets out the guidelines and processes to be followed in relation to the application of a probationary period for staff members on appointment and promotion within Mary Immaculate College.

1.4 All policies, guidelines and protocols of Mary Immaculate College, will reflect the College's commitment to the promotion of equality in accordance with law.

2.0 Scope of Policy

2.1 The Probation Policy applies to all staff members on probation, either on a new appointment or on promotion. Internal transfers effected under the Staff Transfer Policy are not subject to a probationary period.

2.2 The policy is without prejudice to all other policies and procedures which may be engaged from time to time by the College.

3.0 Responsibilities

3.1 Each employee on probation has a responsibility to meet acceptable standards of work performance, conduct and attendance, to comply with the provisions of their contract of employment and to fully co-operate with all College policies and procedures, to include the procedures set out in this document. Employees on probation are expected to:

- Understand that the probationary process is an assessment of performance and determines future suitability in the role;

- Understand and accept that the onus is on the employee to meet performance standards and take responsibility for future development;
- Prepare adequately in advance of probation meetings;
- Fully engage with the probation process and respond with feedback;
- Ensure that the expectations and duties of the role are understood, and seek clarification when necessary;
- Understand the overall work objectives / duties;
- Be self-motivating and identify development needs within the context of the role and how they may be addressed as early as possible;
- Attend any training courses that have been identified as a requirement or support;
- Take on board any suggested improvements and apply these improvements.

3.2 Those with responsibility for the management of employees on probation have a responsibility to:-

- Make themselves aware of the contents of this policy;
- Co-operate with the implementation of this policy;
- Ensure employees on probation are aware of what is expected of them in their role within the College;
- Ensure that the work performance and conduct of employees on probation and under their management or supervision is monitored;
- Assist and facilitate staff on probation to reach the required standards where they do not meet those standards;
- Provide or facilitate appropriate interventions such as counselling, training and support for staff members on probation where appropriate and to take advice from the Human Resources Office, where necessary;
- Apply this policy and its procedures in a fair and objective manner.

3.3 The Human Resources Office shall provide a copy of this policy to all staff within 28 days from the date of commencement of employment, and has the responsibility for providing appropriate training and guidance to management and staff in relation to the policy and to provide advice to management and staff in relation to the policy where sought.

3.4 *An tUachtarán* and the Executive Team of the College shall be responsible for the implementation of and adherence to this policy.

4.0 Duration of Probation

4.1 A standard probationary period of six months will apply to new appointments and promotions which, in certain circumstances, may be extended to no more than eleven months in total. Any extensions are at the discretion of the College.

4.2 Where a temporary contract is of less than six months duration, the employment will be probationary for its full duration. If the contract is renewed the probation will continue until the

full six-month probationary period has been completed or the employment has ended, whichever occurs first.

4.3 Where an employee is appointed on a permanent basis to a position they have held on an acting or temporary basis, the probationary period will continue until the full six-month probationary period has been completed or the employment has ended, whichever occurs first. For the avoidance of doubt, where the employee has held a post on an acting or temporary basis for a period of six or more months, a probationary period will not be applicable to permanent appointment to that post.

4.4 In all cases, the probationary period specified in the staff member's contract of employment applies.

5.0 Probation Assessment

5.1 The Line Manager is required to hold regular review meetings with the staff member during the probation period, at which feedback on the staff member's performance and progress should be discussed. These meetings should also be used to set objectives, provide continuous feedback and coaching, and to discuss any learning and development needs that are identified.

5.2 The following principles apply in relation to probation assessment:

- The probation process will normally be managed by the relevant Line Manager, who must be at HEO grade or equivalent or higher.
- The probation assessment process is a mechanism for the Line Manager to assess the performance of the newly appointed or promoted staff member and to regularly communicate that assessment to the employee.
- The process is also a mechanism for the employee to gain feedback on their performance and talk to their manager about their experience of the role to date. This gives an opportunity for discussion on all aspects of the role and whether additional supports or adjustments are required.
- The process should allow for two-way dialogue between the Line Manager and the employee in relation to performance.
- If aspects of the employee's performance are not satisfactory, this needs to be clearly communicated to the employee as early as possible in the process. An opportunity for improvement and reasonable supports should be provided.
- While the employee has a right of reply in relation to the performance assessment, the Line Manager ultimately decides on whether performance standards are acceptable in relation to the requirements of the role.
- The onus is on the employee to perform or to improve performance if required. Failure to do so means the employee is at risk of failing their probation period.
- The onus is also on the employee to bring to the attention of the Line Manager any aspects of the role he/she feels is problematic or any additional supports they may require.

- 5.3 The Line Manager is required to conduct a midway review meeting and a final probation meeting and complete standard Probation Assessment Reports thereafter in a fair, objective and timely manner. The Line Manager will provide the staff member with a copy of each progress report.
- 5.4 The final probationary meeting must be held prior to the final progress report being returned to the HR Office by the date indicated on the report. Following the final probationary meeting, the line manager is required to make a recommendation prior to the end of the probationary period as to:
- whether the individual has met the expected standard of performance during probation and will be offered continued employment; or
 - whether the probationary period should be extended; or
 - whether the individual has not met the expected standard of performance during probation, which could ultimately lead to the termination of their employment contract or reversion to a previous grade in a situation where a staff member was promoted.
- 5.5 The Line Manager's recommendation is subject to approval by *an tUachtarán*. In the case of academic staff the line managers recommendation is subject to consultation with the relevant Dean of Faculty.
- 5.6 A Staff member on probation will not normally be permitted to apply for internal transfers or to apply for promotions advertised internally (confined competitions).

6.0 Extension of Probationary Period

6.1 For staff members completing a six-month probationary period, the College reserves the right to extend the probation to no longer than eleven months where it considers it appropriate to do so. Where the final progress report recommends an extension of the probationary period, the staff member will be advised in writing as to the reasons for the extension, the period during which any concerns must be addressed and the consequences of failing to do so, which may include termination of employment.

6.2 In cases where a staff member is absent from work during their probationary period on protective leave such as Maternity Leave, the probationary period will be suspended for the duration of the absence and will be resumed and completed by the staff member on return to work from such absence. This may also apply in other cases where the College is not in a position to fully assess performance due to significant or frequent absence during the probationary period due to illness or other reasons.

7.0 Termination of Employment during Probation

7.1 Where the work performance of an employee who is on probation and has been employed by the College for less than twelve months, is below the standard required of them, the College reserves the right to terminate the employment at its discretion.

7.2 Where the work performance of a probationary employee is below the standard required of them, the staff member will be advised of this by their Line Manager at the earliest possible stage. The Line Manager will provide specific details and examples of the work performance that is below the required standard and will provide feedback and reasonable support in order to help the staff member to reach the expected standard.

7.3 Where the conduct of a probationary employees is below the standard expected of them, the staff member will be advised of this by their line manager at the earliest possible stage. The Line Manager will provide specific details of the alleged misconduct. Where in the opinion of the Line Manager, having consulted with the HR Office, the nature of the misconduct so warrants, a formal meeting will be held with the employee to investigate the alleged misconduct. A course of action will be decided upon on the basis of this meeting which may include further investigation of the alleged misconduct, the issue of a formal warning or, at the discretion of the College, termination of employment.

7.4 The line manager should advise the HR Office of concerns they have about the performance or conduct of an employee who is on probation at the earliest possible stage. A representative from the HR Office will provide guidance and support to line managers on how best to manage the situation.

8.0 Termination of Employment at Completion of Probation

8.1 Where the final progress report recommends termination of employment of a staff member who has been employed by the College for less than twelve months, the following will apply:

- The staff member will be invited to attend a meeting with a member of the senior management team nominated by *an tUachtarán* and a representative from the HR Office to advise them of the recommendation and the reasons for it.
- The staff member will be given the opportunity to respond to the issues raised in the probation reports and the recommendation.
- Following this meeting, the senior manager nominated will consider all information and confirm a final decision in writing.

8.2 The College reserves the right to pay in lieu of notice on termination of employment.

9.0 Reversion to Previous Grade at Completion of Probation

9.1 Where the final progress report recommends the reversion of a staff member to their previous grade due to underperformance in the new role during probation, the following will apply:

- A member of the senior management team nominated by *an tUachtarán*, together with a representative from HR, will hold a meeting with the staff member to advise them of the recommendation and the reasons for it.
- The staff member will be given the opportunity to respond to the issues raised in the probation reports and the recommendation.
- The staff member will be entitled to be accompanied by a work colleague or recognised Union representative at the meeting.
- Following this meeting, the senior manager nominated will consider all information and confirm a final decision in writing.
- Should the decision be to return the staff member to their previous grade, the staff member will have the right to appeal to *an tUachtarán*. Any such appeal should be made in writing within three working days of receipt of notice of probation outcome.

9.2 Where a staff member returns to their previous grade they will do so with the same terms and conditions that they held prior to promotion and at the point on the relevant pay scale which the employee would have been on had they not been promoted. The staff member will return to their previous grade but not necessarily to the post they previously held, as this may have been filled in the interim. This can occur at any stage during the probationary period and will be subject to one week's notice.

10.0 Conflict of Interest

10.1 Where *an tUachtarán* is the line manager of a staff member on probation, the Chairperson of *an tUdaras Rialaithe* will nominate a suitably qualified and experienced person to consider appeals which would otherwise have been considered by *an tUachtarán*.

11.0 Audit and Evaluation

11.1 This policy will be reviewed on a five yearly basis or as required. The Director of Human Resources will initiate the review.

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