

SESLHD PROCEDURE COVER SHEET



Health
South Eastern Sydney
Local Health District

NAME OF DOCUMENT	Employee Probation Period
TYPE OF DOCUMENT	Procedure
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LEVEL OF EVIDENCE	National Safety and Quality Health Service Standards: Standard 1 – Clinical Governance NSW Health Policy Directive PD2023_024 - Recruitment and Selection of Staff to the NSW Health Service
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FORMER REFERENCE(S)	N/A
EXECUTIVE SPONSOR	Director, People and Culture
AUTHOR	Human Resources, Employee and Industrial Relations
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FUNCTIONAL GROUP(S)	Workforce Operations
KEY TERMS	Probation, probationary period
SUMMARY	The procedure contains detailed information about the process to be followed by managers and employee during an employee's probationary period. It also includes practical tools and resources to assist in the process for conducting and finalising probationary periods.

COMPLIANCE WITH THIS DOCUMENT IS MANDATORY

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1. POLICY STATEMENT

South Eastern Sydney Local Health District (SESLHD) is committed to providing and maintaining a workplace that reflects the CORE values of Collaboration, Openness, Respect and Empowerment.

The primary objective of the procedure is to assist managers with setting clear performance and behavioural expectations for new employees, as part of their 6 month probationary review period.

2. BACKGROUND

The purpose of the probationary period is to offer support and guidance to new employees of NSW Health Service, so there is a clear understanding of the requirements of their role along with offering the necessary support to achieve the required standard during the initial period of employment. At the same time, it provides SESLHD with an opportunity to assess the performance and future potential of the employee before deciding to either confirm or discontinue the appointment.

Who does the procedure apply to?

New employees appointed to SESLHD are required to complete a 6 month probationary period, with the exception of:

- Casual employees.
- Existing NSW Health Service staff regardless of whether their new role is in the same Health organisation or elsewhere in NSW Health.
- Employees re-entering the NSW Health Service after an absence of less than two years.
- Employees engaged on a temporary contract of 13 weeks or less.
- Any trainee programs that already contain their own progress assessment processes (including Junior Medical Officers).

Employees re-entering the NSW Health Services after an absence of two or more years will be subject to a probationary period of 6 months.

Probation periods may be extended beyond 6 months, subject to appropriate approval by the Director, People and Culture. A probation period will not exceed 12 months.

For both fixed-term and continuing appointments, a probationary period only applies to the initial period of a person's employment at SESLHD.

In the event that a casual employee with less than 6 months service commences as a temporary or permanent employee, a probationary period will apply.

At the start of the probation period, it is the responsibility of the manager of the department/unit to ensure a probation plan is implemented, although day-to-day responsibility and monitoring can be delegated to a Line Manager. Where this is in operation, the Department/Unit Head must be kept informed of progress and issues as they arise and have oversight of the probationary period documents.

The successful applicant must be advised that they will be subject to probation review during and at the end of the probation period.

3 DEFINITIONS

For the purposes of this procedure the following definitions apply:

Letter of Offer	A letter offering employment to a prospective employee.
Confirmation of employment	The process used to end a probation period and appoint an employee permanently to the workforce.
Merit	The extent to which an individual has abilities, aptitude, skills, qualifications, knowledge, experience and personal qualities relevant to carry out the role in question.
Probation period	A set period of time during which the employer assesses the suitability of the employee.

4 RESPONSIBILITIES

4.1 Employees will:

- Discuss with their manager at an early stage if they require any support of development or are experiencing difficulty in attaining the standard of performance required.
- Familiarise themselves with this procedure and participate fully at all stages of their probation period.
- Work with their manager to establish goals and objectives.
- Work towards achieving expectations.
- Act on feedback as required.
- Provide feedback to their manager in relation to performance matters including:
 - Seeking further clarification of expectations if in doubt of requirements; or
 - Advising their manager of any concerns relating to the achievement of expectations as they arise during the probationary period.

4.2 Line Managers will:

- Set clear performance expectations.
- Monitor performance.
- Provide support when needed.
- Take appropriate action if the new employee does not meet the performance expectations set during the probation period.
- Seek Human Resources advice and/or the advice of a more senior manager if there are any concerns with any new employee's probation at the earliest opportunity.

4.3 Human Resources Business Partners and Employee and Industrial Relations team will:

- Communicate the implementation of this procedure, ensuring updates are incorporated in a timely manner.

- Support employees and managers to understand this procedure and provide training as required.
- Advise managers on the fair and consistent implementation of this procedure.

4.4 General Managers / Directors will:

- Review and endorse any decisions in relation to the probation period of an employee.

4.5 Director, People and Culture will:

- Ensure that mechanisms are in place for the overall implementation, monitoring and revision of the procedure.
- Review and determine requests to extend an employee's probation period for a period beyond 6 months but not exceeding 12 months.

4.6 Chief Executive will:

- Make a final decision in regard to discontinuing the employment of a new employee on the basis of an unsatisfactory probation period.

5. PROCEDURE

5.1 Probation process

Throughout the probationary period, the Line Manager is responsible for carrying out regular 1:1 meetings with the new employees.

There will be at least five probation period meetings. The meetings will take place as follows:

- Step 1 - Initial meeting (within the first week of commencement)
- Step 2 - First review meeting (at 4 weeks)
- Step 3 - Second review meeting (at 8 weeks)
- Step 4 - Third review meeting (at 16 weeks)
- Step 5 - Final review meeting (at 22 weeks)

The purpose of each meeting is to review the new employee's conduct and work performance over the 6-month probationary period so that a decision can be made about the employee's continued employment.

The manager must complete a Probation Report (**refer to Appendix 1: Part B**) at each meeting.

Although the probation period is for 6 months, employment can be terminated at any time if:

- Following an appropriate investigation, a new employee is found to have committed an act of misconduct; or

- There is a serious performance/competency issue, for example that could harm and put at risk; patients, service quality, other staff or the probationary employee.

In such cases, the Line Manager should contact the appropriate Human Resources Business Partner for advice.

Step 1: Initial Meeting (within the first week of commencement)

The Line Manager and new employee discuss and clarify performance expectations within the first week of commencement of employment. At the initial meeting, the Line Manager and employee should set and discuss a Probation Plan (**Appendix 1: Part A**).

The Line Manager should explain to the new employee:

- The required performance standards against the requirements of the role.
- Conduct and behaviour in line with [NSW Health Code of Conduct](#) and Core Values.
- Absence/attendance and time keeping.
- Additional learning and development opportunities/other support required.
- That satisfactory performance against the set goals and objectives and the position description is to be achieved for the probationary appointment to be confirmed.

Step 2: First review meeting (at 4 weeks)

The Line Manager will invite the new employee to a review meeting to discuss the employee's progress. The meeting should allow the Line Manager and employee to review the employee's performance during the first 4 weeks in the role.

Key areas to focus on include:

- Performance standards against the requirements of the role.
- Conduct and behaviour in line with NSW Health Core Values.
- Absence/attendance and time keeping.
- Additional learning and development opportunities/other support required.
- Progress on the completion of local induction, statutory and mandatory training.
- Any other issues that may be affecting the employee's standard of work, and performance.

During this meeting the Line Manager and the employee complete the Probation Report – 8 weeks (**Appendix 1: Part B**). The report should contain a summary of the employee's achievement of set performance goals and any areas they may need to focus on during the remainder of the probation period.

Step 3: Second review meeting (at 8 weeks)

This meeting should follow the same format as the first review meeting. The manager should complete the Probation Report – 8 weeks (**Appendix 1: Part B**).

The manager and employee should have a strong indication if the employee is meeting the performance expectations of the role and the likelihood of continuation of the employment.

If there are serious concerns about the employee's performance the Line Manager should contact the relevant Human Resources Business Partner for advice as soon as possible.

Step 4: Third review meeting (at 16 weeks)

This meeting should follow the same format as the first review meeting. The manager should complete the Probation Report – 16 weeks (**Appendix 1: Part B**).

By the end of the second review meeting the manager and employee should have a strong indication if the employee is meeting the performance expectations of the role and the likelihood of continuation of the employment.

If there are serious concerns about the employee's performance the Line Manager should contact the relevant Human Resources Business Partner for advice as soon as possible.

Step 5: Final review meeting (at 22 weeks)

During this meeting any performance and development goals that were set at the first review meeting will be evaluated and discussed together with the overall performance of the employee. An assessment should be made as to whether the employee has met the required performance expectations.

This meeting will have one of two outcomes:

Outcome One – Confirmation of employment

The employee should be told that they have now successfully completed their probationary period and be given a copy of the completed Probation Plan and Reports and issued with the successful completion of 6 month probation period letter (**Refer to Appendix 2: Confirmation of appointment letter**).

OR:

Outcome Two – Discontinuation of employment

A decision to recommend discontinuation of an employee's employment can be made when the manager is of the view that the employee's performance is unsatisfactory taking into account any performance and development goals set, action plans developed, and meetings held during the 6 month probation period.

6. DISCONTINUATION OF EMPLOYMENT

Discontinuation of employment during probation occurs where an employee is assessed as not meeting performance and conduct expectations. Decisions to recommend termination of employment during probation need to be made in consultation with the appropriate Human Resources Business Partner and in accordance with NSW Health and SESLHD policies.

Decisions about whether or not the employee has been successful should not be left until the end of the probation period (i.e. at 6 months).

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Where the Line Manager has formed the view to recommend that employment is discontinued, the Line Manager in consultation with the Employee and Industrial Relations team must seek approval on such recommendation from the CE. **(Refer to Appendix 3: Brief seeking approval from CE to discontinue the employment).**

Where discontinuation of employment is being considered, an Employee and Industrial Relations Consultant should attend the final review meeting wherever possible.

The employee may be accompanied by a support person during this meeting, such as a colleague, union member or other support. The role of the support person is to observe the discussions and provide support to the employee.

7. FINAL DECISION

Following approval from the Chief Executive the manager will:

- Confirming employment – The manager will issue a confirmation of appointment letter **(Appendix 2)**; or
- Discontinue employment – Following approval the Chief Executive will issue a discontinuation of employment letter.

Where employment is discontinued, the effective date of termination cannot be retrospective, and the employee must be provided with notice or pay in lieu of notice in accordance with the applicable industrial agreement.

8. EXTENSION OF PROBATIONARY PERIOD

In exceptional circumstances, the probationary period may be extended beyond 6 months to a maximum of 12 months. Possible reasons for extension include lengthy absences preventing an assessment of performance; or allowing time for requested performance improvements or skills to be developed.

Requests to extend a probation period past 6 months must be submitted to the Director, People and Culture, in writing for approval. Written advice informing the employee of the extension must be provided prior to the date of the nominal expiry date.

9. REFERENCES

- [NSW Health Policy Directive PD2023_024 - Recruitment and Selection of Staff to the NSW Health Service](#)
- [NSW Health Code of Conduct](#)

10. RETENTION OF RECORDS

Records will be retained in accordance with *State Records Authority of NSW General Retention Disposal Authority – Administrative Records, GA28*.

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11. DOCUMENTATION

- [Template Probation Report and Plan](#)
- [Template Confirmation of Appointment Letter](#)

12. AUDIT

- Review and monitoring of discontinuation of employment cases
- Annual reporting

13. VERSION AND APPROVAL HISTORY

Date	Version	Author and approval notes
March 2019	DRAFT	Initial draft
March 2019	DRAFT	Listed on Draft for Comment
April 2019	DRAFT	Final version incorporating feedback approved by Director Workforce Services.
May 2019	DRAFT	For tabling at next Executive Council meeting for approval.
June 2019	1	Endorsed at June 2019 Executive Council meeting.
November 2020	1.1	Minor review - Manager Workforce Operations – updated contact details, change from Workforce Services to People and Culture and updated email address on appendix 2. Approved by Executive Sponsor. Processed by Executive Services prior to publishing.
24 January 2024	2.0	Major review to incorporate changes to NSW Health Policy Directive - PD2023_024 Recruitment and Selection of Staff to the NSW Health Service . Probation periods now up to six months with option to extend. Approved at Executive Meeting.
26 July 2024	2.1	Hyperlinks to appendix 1 and 2 added following publication

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APPENDIX 1 - PROBATION PLAN AND REPORT

<p>PART A: This Probation plan outlines the agreed performance and development expectations of the employee during their probation period.</p> <p>This section should be completed during the first week of the employee’s probationary period.</p> <p>Instructions:</p> <p>It is the Manager’s responsibility to implement a probation plan.</p>			
Employee Name		Employee Number	
Position Title		Employment Status	<input type="checkbox"/> FT <input type="checkbox"/> PT
Department			
Manager			
Date of commencement			
Date of Initial Meeting:			
Part A - Items for discussion at initial meeting		Agree	
Manager to provide an overview of the departmental and clarify expectations of the role		<input type="checkbox"/>	
Key Accountabilities	I am clear on what is expected of me in my role based on the key accountabilities/challenges and other requirements outlined in the Position Description.	<input type="checkbox"/>	
CORE Values	I am aware of the NSW Health CORE Values and agree to uphold them in my role (refer to CORE Values section below).	<input type="checkbox"/>	
Code of Conduct	I have read, understood, and agree to abide by the NSW Health Code of Conduct and all relevant policies (including health documentation) and procedures.	<input type="checkbox"/>	
<p>Part B – Probation Report Formal follow-up meetings and Probation Reports should be made after 4 weeks, 8 weeks, 16 weeks, and 22 weeks.</p> <ul style="list-style-type: none"> At each probation meeting complete the Probation Report in the section below. Informal discussions and catch-ups do not need to be recorded on this form. Include any important feedback and changes to the performance and development plans in the comments section for each probation report. At the final review meeting , the manager should verbally confirm whether or not the employee has successfully completed their probationary period. The Line Manager should follow this up in writing 			

with a letter to confirm the decision. EAP Services should be offered to employees at any stage .

Stages	Performance (delete as applicable)	Comments
Probation Report at end of 4 weeks	Meets requirements	
	Requires Development	
Employee Signature:		Date:
Manager Signature:		Date:
Probation Report at end of 8 weeks	Meets requirements	
	Requires Development	
Employee Signature:		Date:
Manager Signature:		Date:
Probation Report at end of 16 weeks	Meets requirements	
	Requires Development	
Employee Signature:		Date:
Manager Signature:		Date:
Probation Report at end of 22 weeks Remind the employee of EAP Services	Meets requirements	
	Does not meet requirements	
Employee Signature:		Date:
Manager Signature:		Date:

Copies must be retained by the manager and employee.

Where the employee has successfully completed their probationary period, the completed Probation Plan and Report should be fully signed, and a copy provided to SESLHD-EmployeeRecords@health.nsw.gov.au for recoding in the employee's employment record.

APPENDIX 2 – [Confirmation of appointment template letter](#)

Ref: Txx/xxxxx

PRIVATE AND CONFIDENTIAL

[Insert: Employee name]
[Insert: Postal address]
[Insert: Postal address]

Dear <insert salutation + surname>

Re: Confirmation of Appointment – Six (6) Month Probationary Period

I refer to your letter of offer dated [insert date] and the probationary period referred to in same.

In reference to PD2023_024 Recruitment and Selection of Staff, NSW Health – Six Month Probation Period, South Eastern Sydney Local Health District's (SESLHD) confirms you have successfully completed the probationary period. You are now offered ongoing employment for position [insert title of specifics of role and recruitment identification].

Your employment commenced on [insert date] and the manager has undertaken orientation, monitored your performance and provided feedback during your probationary period. It is confirmed that you have achieved the performance indicators that were outlined in your Probation Plan and met South Eastern Sydney Local Health District's (SESLHD) performance expectations. If you have not already developed a Performance Development Plan with your Manager, please discuss this further with them.

If you have any queries in relation to this matter, please contact your manager.

The terms and conditions of employment set out in your original letter of offer will continue to apply to your ongoing position.

Thank you for your contribution and to SESLHD.

Yours sincerely,

[Line Manager Name]
[Line Manager Job Title]

Date:

CC. SESLHD-EmployeeRecords@health.nsw.gov.au