



Probationary Policy

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Probationary Policy

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Probationary Policy

The East of England Ambulance Service NHS Trust has made every effort to ensure this policy does not have the effect of unlawful discrimination on the grounds of the protected characteristics of: age, disability, gender reassignment, race, religion/belief, gender, sexual orientation, marriage/civil partnership, pregnancy/maternity. The Trust will not tolerate unfair discrimination on the basis of spent criminal convictions, Trade Union membership or non-membership. In addition, the Trust will have due regard to advancing equality of opportunity between people from different groups and foster good relations between people from different groups. This policy applies to all individuals working at all levels and grades for the Trust, including senior managers, officers, directors, non-executive directors, employees (whether permanent, fixed-term or temporary), consultants, governors, contractors, trainees, seconded staff, homeworkers, casual workers and agency staff, volunteers, interns, agents, sponsors, or any other person associated with the Trust.

All Trust policies can be provided in alternative formats.

Probationary Policy

Contents

Paragraph		Page
1.	Introduction	6
2.	Purpose	6
3.	Duties	6
4.	The role of the line Manager	7
5.	The role of Human Resources	8
6.	The role of the Employee	8
7.	Assessments	9
8.	Probationary Period Review Procedure	9
9.	Satisfactory Performance	11
10.	Unsatisfactory Performance	11
11.	Annual Leave	12
12.	Extension to Probationary Period	13
13.	Authority to Act	13
14.	Custody of Documents	13
15.	Appeals	14
16.	Policy Review	14
Appendices		
Appendix A	Invite to Probationary Period (select First, Second or Third) Review	15
Appendix B	Outcome of Probationary Period First Review	18
Appendix C	Outcome of Second Probationary Period Review	20

Probationary Policy

Paragraph		Page
Appendix D	Outcome of Third Probationary Period Review	22
Appendix E	Final Probationary Period Review Invite	24
Appendix F	Outcome of Final Probationary Period Review	25
Appendix G	Probationary Period Action Plan Agreement	27
Appendix H	Equality Impact Assessment	32

Probationary Policy

1. Introduction

1.1 In order to maintain and improve the quality of its service, the East of England Ambulance Service NHS Trust aims to recruit, train and promote candidates, irrespective of age, disability, gender, race, ethnic or national origin, sexuality, class, religion/faith, or any other factors which may cause disadvantage.

1.2 This Probationary Period policy is intended to:

- a)** Provide a framework within which new recruits are expected to show by their performance, conduct, attendance and timekeeping that they are suitable for the post to which they have been appointed.
- b)** Set out a corporate approach to monitoring all employees during the probationary period.
- c)** Clarify the duties and responsibilities of those involved in the monitoring process.
- d)** Support employees in attaining relevant levels of competence.

It should be made clear that failure to meet the requirement of this policy could lead to the termination of your employment.

2. Scope

2.1 The probationary period policy applies to all externally recruited employees. Trust appointed apprentices are subject to the terms and conditions of the apprenticeship arrangements, however any issues related to conduct and behaviour will be managed under this policy. This policy does not apply to agency workers and external contractors. This policy should be applied in conjunction with the Trust's Recruitment and Selection policy /procedure, EDI policies, Academic Regulations policy, Disciplinary policy and the Capability policy.

3. Principles

3.1 During the probationary period the employee is expected to

Probationary Policy

demonstrate their suitability for the post through satisfactory conduct, performance, attendance, timekeeping, successful completion of the appropriate training course/s and attendance.

3.2 All monitoring of employees during their probationary period must be carried out in an objective manner to pre-determined criteria to ensure equality and fairness across the whole Trust.

3.3 The provisions of the probationary period policy and the criteria against which employees are to be assessed should be discussed at the beginning of the probationary period. This should be incorporated into the induction programme by the appropriate Line Manager in accordance with the criteria set out in 3.2 above.

3.4 The period of probation will normally be six months to enable adequate levels of competence to be achieved.

3.5 New employees on a temporary appointment will be on probation for 25% of the length of their contract. Line Manager's discretion should be used in such circumstances with advice from Human Resources for consistency prior to any decision made.

3.6 Issues relating to performance and conduct in respect of newly recruited employees on probation will initially be dealt through the probationary period policy. and transferred to an appropriate policy, if required.

3.7 At all stages of the probationary period assessment procedure the employee will have the right to be accompanied by a recognised trade union representative or an appropriate work colleague.

4. The Role of the Line Manager/Training and Education Senior Team

4.1 Line managers are responsible for issuing all correspondence on all aspects of performance, as and when necessary.

Probationary Policy

4.2 Where the monitoring and review process has been delegated, the Line Manager will maintain close contact to ensure that the process is carried out.

4.3 The Training and Education Senior Management Team will liaise closely with the Line Manager with regarding operational and/or Control staff assessments. No employee should be confirmed as satisfactory if, where applicable, they have not been assessed as competent in accordance with the Learning and Development Policy.

4.4 The Training and Education Senior Management Team will inform the payroll provider at the end of any successful/unsuccessful probationary period by completing a HR2a (staff changes form) or a HR3 (leavers form) as appropriate. This must be submitted to the HR Department in accordance with the Trust's payroll provider deadlines.

4.5 Where a new employee's employment contract is to be terminated following failure during qualification training the relevant training Lead should seek advice from the HR Department who will assist with the process to terminate the employment contract.

4.6 During the probationary period, issues relating to performance/attendance/capability should be discussed with the appropriate HR Advisor.

5. The Role of Human Resources

5.1 It is the role of the Human Resources department to provide HR advice to the employee and the relevant Line Manager/ Training and Education Senior Management Team.

6. The Role of the Employee (Probationer)

6.1 The employee has an obligation to make themselves aware of their personal responsibilities in completing their probationary period in line with Principle 3.1 of this policy.

7. Assessments

7.1 In order to determine whether required levels of competence and skills are being achieved, regular assessments will be carried out as follows:

- a) For operational posts, in accordance with the training programmes associated with the post as set out by the Training and Education Senior Team.
- b) For all other posts, in line with the plan and objectives as discussed between the Line Manager and the employee.

7.2 As a minimum requirement a formal assessment should be carried out after the first month and then at least every three months and a formal record of the discussions, including any action plans agreed, should be kept. Please see section 10 for an outline of the procedure.

8. Probationary Period Assessment Procedure

Where appropriate more frequent meetings may be held, at the request of the line manager or probationer. As a minimum the timeframes below should be followed.

8.1 First Probationary Period Assessment

- a) At the end of the first month of employment, the Line Manager / Training and Education Senior Team should invite the employee to a probationary period assessment explaining the purpose and possible outcomes (Appendix A).
- b) Discuss with the employee any aspect of attendance, timekeeping, performance or conduct which are satisfactory and those that need improvement.
- c) Confirm the standards required and be clear on where an employee is falling short. Complete the Probationary Period Action Plan Agreement in (Appendix G)

Probationary Policy

- d) Give assistance and arrange training or adjustments where necessary.
- e) Discuss appropriate reasonable adjustments taking into consideration any requirements under equalities legislation. If this is applicable seek advice from HR and Occupational Health.
- f) Advise the employee that if no substantial improvement is made within the agreed timescales, it may result in further action under the Probationary Period Policy
- g) Confirm the discussions and agreed action plan / targets together with the next review timescales in writing (appendix B). This would usually be within three months, however depending on the specific requirements discussed it could be appropriate to agree lesser timescales.

8.2 *Second Probationary Period Assessment*

- a) Before the end of the third month (sooner if improvement is identified as a requirement in the first probationary period assessment), Invite the employee as per procedure at the first assessment (Appendix A), explaining the purpose and potential outcomes.
- b) Carry out the assessment, discussing the targets/action plan previously agreed and the employee's progress since the last meeting.
- c) If progress is satisfactory, identify and confirm the next agreed action plan / targets in writing (appendix C). Confirm the timescales, this would usually be within three months' time however depending on the specific requirements discussed it could be appropriate to agree lesser timescales.
- d) If progress is unsatisfactory, identify and specify the areas requiring improvement within the action plan with clear timescales, targets and guidance addressing the areas requiring improvement.

8.3 *Third Probationary Period Assessment*

Probationary Policy

- a) Again, invite the employee (appendix A) explaining the purpose and potential outcomes.
- b) Carry out the review, discussing the targets/action plan agreed and the employee's progress since the last meeting.
- c) If progress is satisfactory, confirm the requirements have been met and a HR2a form needs to be completed and submitted, see section 9 for further details.
- d) If progress is unsatisfactory, explain where the employee has failed to meet the action plan / targets agreed and a final probationary period assessment will be held to discuss their continued employment. Confirm the discussion in writing (Appendix D). See section 10 for further details.
- e) For promoted staff, with more than one year's employment any issues in relation to competence to perform the role will be dealt with in accordance with the Trust's capability policy. Any issues in relation to attendance will be dealt with in accordance with the sickness absence management Policy.

9. Satisfactory Performance and Attendance

9.1 When performance and conduct is assessed to be satisfactory in all areas, it will be confirmed to the employee in writing.

10. Unsatisfactory Performance and Attendance

10.1 If it has been identified that there is a need for improvement, a final probationary period assessment may need to be set up. The Line Manager/ Training and Education Senior Management Team should discuss their concerns with a senior manager and Human Resources.

- a) For all staff, it will be necessary to arrange this formal meeting at no later than five months service. Line Manager's discretion should be used when to arrange a formal meeting in such circumstances where newly appointed staff are on a temporary appointment of less than twelve months. Advice

Probationary Policy

from Human Resources for consistency prior to any decision made must be sought.

- b) Invite them to a final probationary period assessment, explaining the purpose and possible outcomes. (Appendix E)
 - Their employment may be terminated or
 - Their probationary period is extended under the provisions of Extension to Probationary Period, located at section 12 of this policy.
- c) The meeting should be chaired by a Trust appointed senior manager with the authority to dismiss, who will be advised by a representative from the Human Resources department. The Line Manager will be required to present the relevant information at the meeting
- d) The employee will be offered the right to be accompanied by a Recognised trade union representative or an appropriate work colleague.
- e) The outcome of the meeting should be confirmed in writing (appendix F), if the employee is dismissed they should be given the right to appeal.

10.2 Where there is sickness absence during the probationary period, the Trust's normal sickness management process will apply.

10.3 Where there are serious concerns of gross misconduct, which breaches the Trust values and behaviours, or brings the Trust into disrepute, including legal breaches, during any stage of the probationary period, this may lead to a summary dismissal.

11. Annual Leave

11.1 For the management of Annual Leave during the probationary period, the Trust's normal Annual Leave procedures will apply,

12. Extension to Probationary Period

12.1 In some exceptional cases it may be appropriate to extend the probationary period. Such cases may include circumstances where the individual has not been performing satisfactorily but it is considered that a further period of probation will help improve performance/conduct.

12.2 In all cases where probation is extended the following must be discussed at formal meeting with the individual and confirmed in writing: -

- a) The reason for the extension.
- b) The specific improvement required.
- c) Any assistance/training necessary
- d) The period of the extension (to be determined by the relevant Line Manager)

12.3 A system must be set up by the relevant Line Manager to monitor progress during the period of extension.

13. Authority to Act

In normal circumstances, authority to act will be as follows: -

- Substantive positions of Agenda for Change Band 8c or above
- Seconded managers in roles attracting AfC Band 8c or above (who have gone through the normal/full recruitment and selection process). This does not apply to those on development opportunities
- Substantive band 8b post holders with the agreement of the joint SPF chairs

14. Custody of Documents

14.1 The documents used as part of the assessment of staff during and at the probationary period should be retained on the employee's personnel and training file.

15. Appeals

15.1 Employees have the right to appeal against dismissal. They should submit their case in writing to the Director of Workforce within 14 calendar days of the date of dismissal.

15.2 Employees will be offered the right to be accompanied by a Recognised trade union representative or appropriate work colleague to any meeting organised to consider the appeal.

16. Policy Review

16.1 This policy will be reviewed on a yearly basis or amended in the light of new employment legislation and/or relevant case law or if a significant issue arises with its operation.

Appendix A



Address
Tel Number
Date

Private and Confidential

Dear NAME,

Ref: Probationary Period (select First Second or Third) Review

For first (pick the applicable paragraph and delete the bold header)

Further to your successful appointment with the Trust I write to invite you to attend the above meeting in line with the probationary period policy.

The purpose of the meeting will be to discuss your progress in relation to all the requirements for your post. This includes aspects of performance and/or conduct such as task completion or timekeeping. Please come prepared to discuss areas of your work, with examples, where it is considered you are already meeting expectations and additionally, areas to consider for further support and development.

Where areas do need further development or improvement I will ensure that you are clear on the standards required and we will agree what actions are needed to give you the opportunity to reach them, formulating them into an action plan containing clear targets (if appropriate).

We will discuss any necessary further assistance and/or training as required.

For second

Further to your first probationary period review on (insert date)

Probationary Policy

we agreed to review your progress in relation to your probationary period and any targets set.

The purpose of this meeting is to further discuss your progress in all requirements for your post. Please come prepared to further discuss areas of your work with examples, where it is considered you are now meeting expectations and additionally, areas to consider for further ongoing support and development.

We will discuss the any targets/action plan previously agreed, your progress since the last meeting, any barriers that you feel have prevented you from reaching a satisfactory level in all aspects considered.

Should an action plan have been agreed following your first probationary review meeting we will review this and identify any differing levels of support that may assist you to improve in the relevant areas required within the timeframes set.

For Third

Further to your second probationary period review on (insert date) we agreed to review

your progress in relation to any targets set. In line with probationary period policy If you meet all expectations in role at this stage I will be able to confirm to you that the requirements of your probationary period have been met and complete and submit the relevant HR2a form that substantiates your role within the Trust. This will bring your probation period to a successful conclusion.

However, If you have probationary period action plan in place and your progress is insufficient despite having targets and timeframes set I will explain to you the areas in which you have not met full expectations. Following this a final formal probationary period review meeting will be arranged to discuss your continued employment.

For All

The meeting has been arranged as per the below details:

Probationary Policy

Date: (insert date)

Time: (insert time)

Venue: (insert place)

If you have any queries or concerns regarding this letter or the meeting please do not hesitate to contact me.

Yours sincerely

(insert name)

(Insert Title)

(insert email)

CC: HR

Appendix B



Address
Tel Number
Date

Private and Confidential

NAME
ADDRESS

Dear NAME,

Ref: Probationary Period First Review - Outcome

Thank you for attending your probationary period review on (insert date). I write to confirm our discussion (and the action plan targets agreed – **delete if this was not required**).

We discussed your progress in relation to all the requirements for your post including aspects of performance and/or conduct and agreed the areas you were performing well in and reaching performance expectations in.

Include or delete as applicable:

Having discussed the standards required we agreed what actions are needed to give you the opportunity to reach the required level of performance, formulating them into an action plan (see attached) which contains clear targets (if appropriate) and details of any necessary further assistance and/or training as required.

We agreed that the action plan will be monitored over a 2 month period during which you will continue to receive support through your line manager and any relevant identified training to achieve the various areas within the action plan.

Probationary Policy

We will be meeting again to review this in your second probationary period assessment, which will be held prior to the end of the third month of your probationary period in approximately 2 months' time. If there is a requirement to meet earlier than this should any issues arise then you will be notified that an earlier meeting is to be arranged.

Yours sincerely

(insert name)

(Insert Title)

(insert email)

CC: HR

Appendix C



Address
Tel Number
Date

DATE

Private and Confidential

NAME

ADDRESS

Dear NAME,

Ref: Second Probationary Period Review - Outcome

Thank you for attending your probationary period review on (insert date). I write to confirm our discussion and **the action plan targets agreed – delete if not applicable**.

We discussed your progress in relation to all the requirements for your post including aspects of performance and/or conduct and agreed the areas you were performing well in and reaching performance expectations in.

Having discussed the standards required we agreed what actions are needed to give you the opportunity to reach the required level of performance formulating them into a revised action plan (see attached) which contains clear targets (if appropriate) and details of any necessary further assistance and/or training as required.

We agreed that the action plan will be monitored over a further 2 month period during which you will continue to receive support through your line manager and any relevant identified training to achieve the various areas within the action plan.

Probationary Policy

We will be meeting again to review this in your third probationary period assessment, which will be held prior to the end of the fifth month of your probationary period, in approximately 2 months' time. If there is a requirement to meet earlier than this should any issues arise then you will be notified that an earlier meeting is to be arranged.

Yours sincerely

(insert name)

(Insert Title)

(insert email)

CC: HR

Appendix D



Address
Tel Number
Date

Private and Confidential

NAME

ADDRESS

Dear NAME,

Ref: Third Probationary Period Review - Outcome

Thank you for attending your probationary period review on (insert date). I write to confirm our discussion **and the action plan targets agreed. - delete if not applicable**

Satisfactory (Choose appropriate section and delete the bold header)

We discussed your progress in relation to your probationary period performance **and the action plan and targets set at the previous Meeting – delete if not applicable**. I advised that I was happy with the standards you had achieved and discussed ... (give any further detail on slight improvement needed or where good work has been shown)

I write to confirm that you have successfully completed your probationary period.

Your probationary period will continue to be monitored to the end of your 6 month period (insert end date) and as long as you continue to meet the standards we expect from you in the way that you currently are then I am able to confirm to you that the requirements of your probationary period have been met and I

Probationary Policy

will complete and submit the relevant HR2a form that substantiates your role within the Trust and brings your probation period to a successful conclusion. However, if there is a deterioration in any of these standards prior to the date above this may result in a further meeting under the probationary policy.

I thank you for your efforts during this period and wish you continued success in your role.

Unsatisfactory

We discussed your progress in relation to the action plan and targets set at the previous meeting. I advised that you had not met the standards required for performance within your role,

Of the areas specified for improvement in your probationary period action plan you have not made satisfactory improvement and as previously discussed this has now resulted in a final probationary period review being required. The dates of this final assessment will be communicated shortly. I must remind you that this meeting could result in the termination of your contract of employment.

Yours sincerely,
(insert name)

(Insert Title)
CC: HR

Appendix E



Address
Tel Number
Date

DATE

Private and Confidential

NAME

ADDRESS

Dear NAME,

Ref: Final Probationary Period Review Invite

Further to our last meeting on (insert date), you are required to attend a meeting to be held in the presence of (insert titles and Managers name and HR reps name) at (insert venue) on the following date and time. (insert line manager's name) will also be in attendance.

Date: (insert date)

Time: (insert time)

The purpose of the meeting is to discuss your probationary period reviews during your employment with East of England Ambulance Service NHS Trust. This meeting could result in the termination of your contract. Please note that if you do not attend and do not contact to make alternative arrangements a decision may be made in your absence.

You may be accompanied by a Recognised trade union representative or appropriate work colleague if you wish.

Yours sincerely
(insert name)

(Insert Title)

CC: HR

Appendix F



Address
Tel Number
Date

DATE

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NAME

ADDRESS

Dear NAME,

Ref: Final Probationary Period Review – Outcome

Thank you for attending the meeting held on (insert date) in the presence of (insert attendees and job titles). I write to confirm the outcome.

We discussed the previous meetings held under the Probationary Period Policy and the progress you have made in relation to the action plans and targets set.

(INSERT ANY FURTHER DETAIL OF ANY CONVERSATION YOU HAD AT THIS POINT REGARDING THE ABOVE)

I confirm that the decision was taken to terminate your contract of employment on the grounds of capability for failing to meet the standards required during your probationary period.

In accordance with current legislation, you are entitled to (insert number) weeks' notice and you will be paid in lieu of notice. This makes your termination date (insert date)

The termination of your contract of employment is a dismissal, and you have the right of appeal to the Trust against this decision. Should you wish to execute this right, you should submit your appeal in writing to the Human Resources Department, at

Probationary Policy

(address), clearly stating your grounds for appeal within 14 calendar days of the date of this letter.

Yours sincerely

(insert name)

(Insert Title)

CC: HR

Probationary Policy

Appendix G

Probationary Period Action Plan Agreement

Employee name: _____ Manager name: _____ Date: _____ Indicate one: 1st Review 2nd Review
 Review 3rd Review

Purpose: The purpose of this action plan agreement is to identify performance areas where further support and development are required for the employee during their probationary period to demonstrate their suitability for the post through satisfactory conduct, performance and timekeeping. This agreement sets the clear action steps for improving performance to a standard of "Fully Meets Expectations." Every effort will be made to provide support necessary for the successful completion of the employee's probationary period. Items contained in this plan are subject to modification under several circumstances (see below). If additional performance issues arise, further action, up to and including invite to a formal meeting to discuss unsatisfactory performance can result. The form is completed by the Manager with input from the Employee.

1. Create a plan for performance improvement:

Areas for Improvement (AFI) Skill, task and/or behaviour to focus on	Performance Standard This is the expectation of the skill, task and/or behaviour including frequency of the position	Action Steps What the employee will do to improve performance	Goals, Timeline & Measurement for Accomplishment Milestones and dates for the plan, including how success will be measured	Manager Follow-up Comments & Progress Status E.g. what the employee had done to improve performance. List date of follow-up, progress status towards goals, measurements and further action steps needed

Probationary Policy

Areas for Improvement (AFI)	Performance Standard	Action Steps	Goals, Timeline & Measurement for Accomplishment	Manager Follow-up Comments & Progress Status

2. Probationary Period Action Plan Agreement:

- **New Probationary Review Plan**
- Overall Performance has consistently been sustained at “Fully Meets Expectations”
- Overall Performance currently is at “Partially Meets Expectations” and needs to continue to sustain in met areas and improve in areas indicated in the Action Plan Agreement
- Overall Performance is not to “Fully Meets Expectations” or “Partially Meets Expectations”. Additional time and/or training and support are required to reach sufficient progress
- Insufficient progress and/or a standard of “Fully Meets Expectations” or “Partially Meets Expectations” has not been met: Should it be determined sufficient improvement has not been made despite additional time and/or training and support advise employee of any final corrective action agreed and/or arrange/discuss formal probationary review meeting and potential outcomes
- Final Corrective Action: **OR**
- Employee was previously notified that the next step will be a formal meeting where termination of employment may occur if performance has not improved

Probationary Policy

3. Upcoming Review Checkpoints Agree the date of next checkpoint to review progress. Informal meetings/discussions may also occur on a periodic basis prior to the next review date.

<p>Meeting date(s):</p> <p>Date _____</p> <p>Date _____</p> <p>Date _____</p>
--

Employee Signature and Date: _____

Manager Signature and Date: _____

Probationary Policy

4. Employee Comments to Probationary Period Plan Agreement:

Employee name: _____ Date: _____

What I will do differently, improve or change in order to attain “fully meets expectations” on my performance:

How I will accomplish the action steps outlined in the Probationary Period Plan:

How I will ensure I am on the right track:

Additional input to my Probationary Period Plan:

Employee Signature and Date:

Manager Signature and Date:

Appendix H Equality Impact Assessment

EIA Cover Sheet																			
Name of process/policy																			
Is the process new or existing? If existing, state policy reference number																			
Person responsible for process/policy																			
Directorate and department/section																			
Name of assessment lead or EIA assessment team members																			
Has consultation taken place? Was consultation internal or external? (please state below):																			
The assessment is being made on:	<table border="1"> <tr> <td>Guidelines</td> <td></td> </tr> <tr> <td>Written Policy involving staff and patients</td> <td></td> </tr> <tr> <td>Strategy</td> <td></td> </tr> <tr> <td>Changes in Practice</td> <td></td> </tr> <tr> <td>Department Changes</td> <td></td> </tr> <tr> <td>Project Plan</td> <td></td> </tr> <tr> <td>Action Plan</td> <td></td> </tr> <tr> <td>Other (Please State)</td> <td></td> </tr> <tr> <td>Training Programme</td> <td></td> </tr> </table>	Guidelines		Written Policy involving staff and patients		Strategy		Changes in Practice		Department Changes		Project Plan		Action Plan		Other (Please State)		Training Programme	
	Guidelines																		
	Written Policy involving staff and patients																		
	Strategy																		
	Changes in Practice																		
	Department Changes																		
	Project Plan																		
	Action Plan																		
Other (Please State)																			
Training Programme																			

Equality Analysis

What is the aim of the policy/procedure/practice/event?

To ensure that all Freedom of Information requests are processed in line with the Freedom of Information Act.

Who does the Policy/Procedure/practice/event impact on?

Race	<input type="checkbox"/>	Religion/ Belief	<input type="checkbox"/>	Marriage/Civil Partnership	<input type="checkbox"/>
Gender	<input type="checkbox"/>	Disability	<input type="checkbox"/>	Sexual Orientation	<input type="checkbox"/>
Age	<input type="checkbox"/>	Gender re-assignment	<input type="checkbox"/>	Pregnancy/Maternity	<input type="checkbox"/>

Who is responsible for monitoring the policy/procedure/practice/event?

What information is currently available on the impact of this policy/procedure/practice/event?

Do you need more guidance before you can make an assessment about this policy/procedure/practice/event? Yes/No

Do you have any examples that show that this policy/procedure/practice/event is having a positive impact on any of the following protected characteristics? No

Race	<input type="checkbox"/>	Religion/ Belief	<input type="checkbox"/>	Marriage/Civil Partnership	<input type="checkbox"/>
Gender	<input type="checkbox"/>	Disability	<input type="checkbox"/>	Sexual Orientation	<input type="checkbox"/>
Age	<input type="checkbox"/>	Gender re-assignment	<input type="checkbox"/>	Pregnancy/Maternity	<input type="checkbox"/>

If yes please provide evidence/examples:

Probationary Policy

Are there any concerns that this policy/procedure/practice/event could have a negative impact on any of the following characteristics.

If so please provide evidence/examples:

Race	<input type="checkbox"/>	Religion/ Belief	<input type="checkbox"/>	Marriage/Civil Partnership	<input type="checkbox"/>
Gender	<input type="checkbox"/>	Disability	<input type="checkbox"/>	Sexual Orientation	<input type="checkbox"/>
Age	<input type="checkbox"/>	Gender re-assignment	<input type="checkbox"/>	Pregnancy/Maternity	<input type="checkbox"/>

Please provide evidence:

Action Plan/Plans – SMART

N/A

Evaluation Monitoring Plan/how will this be monitored?

N/A