TRANSPORT FOR THE NORTH

Probation Policy

EP33 / October 2026

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Version control

Version number	Author/Owner	Approver	Date updated/ reviewed
01	**Head of HR**	**CEO**	**December 2023**
02	**Head of HR**	**SLT**	**October 2026**

1. Purpose

Transport for the North (TfN) recognises that a thoroughand developmental probation process is vital in supporting new and existing employees in the commencement of any new role with TfN.

Our Probation Policy offers a constructive process to allow newly appointed employees to understand the role, the working environmentand TfN's values and behaviours; and to also understand the standards required in the role and to enable them to fulfil those standards in full.

It is recognised that there may be occasions where employees are not suitably matched to the role. The Probation Policy sets-out the mechanism that will be adopted by TfN to identify and manage these situations in an objective, open, fair and consistent way.

2. Scope

This policy applies to all newly appointed employees to TfN and existing employees who are appointed to a new role (both permanent and fixed-term).

This policy does not apply to:

- Agency workers, contractors or consultants
- Employees on an internal secondment (acting-up and/or undertaking additional duties on a temporary basis))
- Secondees from other organisations
- Trainees on placement, who are not employees of TfN.

3. Key Principles

TfN is committed to respecting and valuing the diversity of its workforce. It is committed to ensuring that no-one is discriminated against, disadvantaged or given preference, through membership of any particular group, particularly based on age, disability, gender reassignment, race religion or belief, sex, sexual orientation, marriage and civil partnership and pregnancy and maternity. The policy will therefore be applied equally to all employees irrespective of their background or membership of a particular group.

The first five months of newly appointed employees to TfN and employees who are appointed to new internal roles will be subject to a probationary period.

Line Managers are required to hold regular probation review meetings with all such employees. These will take the form of regular 1-1s at least at one month, three months and five months (final probationary review meeting).

Line Managers must produce a written record of the discussions which have taken place using the Probation Review Form (which is available via the TfN intranet).

There may be circumstances where a decision to fail an employee's probation period can be made earlier than five months. This could relate, for example, to the

employee committing acts of gross misconduct or where inability or lack of competency to carry out the role has been fully established.

The advice of the HR & Skills Team must be sought in these situations and the procedure relating to the non-confirmation of probation as outlined in Section 5 must be followed without exception.

Line Managers should use the principles of reasonableness in managing areas of concern. This requires Line Managers during the probationary period to:

- Clearly define expected role requirements and standards and set reasonable (smart) probationary period objectives
- Provide the employee with an effective induction plan including all necessary support and training to carry out their role to the required standards
- Clearly highlight at the earliest reasonable opportunity any identified deficiency or concern in capability, attendance or conduct to the employee
- Agree with the employee any additional measures to support them to bridge any gap in performance, capability or approach
- Provide the employee with sufficient time to address any gap in performance, capability or approach.

Line Managers must be aware that employees gain statutory protection from ordinary unfair dismissal after six months' service. All probation decisions must be evidence-based, procedurally fair, and compliant with TfN policies, relevant employment legislation and the principles of the ACAS Code of Practice on Disciplinary and Grievance Procedures.

4. Roles and Responsibilities

The roles and responsibilities of all parties within TfN's probationary process are as set out below:

Line Manager	• To create an appropriate induction programme and ensure the new employee completes the required elements • To set objectives and standards of performance and conduct at the earliest possible opportunity • To ensure that expectations, objectives and standards are clearly communicated, measurable and understood by the employee from the outset • To ensure the new employee has completed all necessary training including their mandatory induction • To monitor objectives and standards of performance and conduct throughout the probation process • Provide clear, specific and constructive feedback on performance, conduct and attendance (at each probation review meeting) • Where standards are not being met, to be clear about the required improvement, the relevant timescales, discuss and agree appropriate support or intervention to assist

	improvement (at each probation review meetings) • To seek and take timely advice from HR & Skills team where appropriate • To maintain accurate and timely written records of all probation review meetings and provide copies to the employee and HR & Skills team within five working days of each review meeting • To raise with HR & Skill team any concerns regarding performance, conduct or attendance at the earliest opportunity, rather than waiting for formal review points • To ensure that decisions relating to probation are fair, evidence-based and consistent with TfN procedures
Employee	• To engage fully with their induction, the setting of their objectives and the monitoring of their performance, conduct and attendance throughout the probation period • To complete all necessary training including their mandatory induction • To notify their Line Manager at the earliest opportunity of any statutory leave requests (e.g. Paternity/Parental leave) or health absences, in accordance with TfN's Day 1 statutory entitlement guidelines. • To clarify expectations, standards, tasks, objectives and behaviours with their Line Manager if they are unclear about them • To highlight all relevant issues which may affect their work performance, conduct and attendance to the attention of their line manager • To discuss and respond constructively to any aspects of their performance, conduct or attendance which are considered unsatisfactory (at each probation review meeting) • To undertake any agreed development activity and strive to help improve any aspects of their work, performance, conduct or attendance
HR & Skills Team	• To provide procedural and best practice advice to line managers on the provisions of the policy • To assist Line Managers in drafting correspondence as required • To attend and support procedural related meetings as outlined within this policy

5. Procedure

5.1 Induction and Orientation

Employees new to TfN should complete the corporate induction on commencement of employment with TfN, normally undertaken within their first two weeks.

During their first three months at TfN, all new employees will be expected to complete all mandatory training as detailed and set out in their Induction Plan.

Line Managers should provide employees with sufficient information on the role and the environment in the first two weeks of employment.

Line Managers should ensure that employees attend all mandatory training and complete any associated on-line training requirements within the prescribed timeframe as set out within the employee's Induction Plan.

Line Managers should set objectives, standards of performance and conduct at the earliest possible opportunity and monitor these throughout the probation process.

5.2 Probationary Review Meetings

Probation review meetings must take the form of 1-1s. It is advised that these meetings should take place monthly, but, as a minimum must be held after one and three months, with the final formal review meeting taking place during the final week of the employee's fourth month at TfN (i.e. shortly before entering their fifth month of employment within role).

It is imperative that probation review meetings are conducted in a timely manner and that any issues relating to performance, conduct, attendance or capability are raised with the HR & Skills team as soon as they are identified.

Line Managers should monitor and review the employee's capability in the role, their attendance and their conduct and note any discrepancies.

Line Managers should seek the advice of HR & Skills Team where any concerns in an employee's performance, attendance or conduct are identified, as soon as possible.

Line Managers should provide employees with constructive feedback regarding their performance in the role, their attendance and their conduct at each meeting.

Areas of concern or gaps in performance should be clearly highlighted to the employee at each meeting and confirmed in writing within the Probation Review Form.

The employee should be provided with the opportunity to respond to each area of concern or gap in performance at each meeting.

If appropriate (in consultation with the HR & Skills Team) a Performance Improvement Plan (PIP) can be put in place, whereby the Line Manager and employee agree measures to bridge the gap in performance or to rectify the capability or conduct. A timeframe for improvement should also be agreed. The Line Manager should provide the employee with a copy of their PIP.

Line Managers should manage concerns during the probation period in line with the principles of reasonableness as outlined in Section 3.

5.3 Confirmation or Non-Confirmation in role

5.3.1 Confirmation

Where the Line Manager assesses that the employee has passed their probation period, they should confirm this verbally to the employee at the 5-month probation review meeting.

On receipt/submission of the completed Probationary Review Form by the Line Manager the HR & Skills team will subsequently arrange to write to the employee confirming that they have passed their probation period and have been confirmed in post.

Note: Successful completion of Probation will not be confirmed automatically. Line Managers must formally complete the probation reviews. Where no record is submitted by month three, the HR & Skills team will escalate this immediately to relevant Senior Leadership Team (SLT) Member for resolution.

5.3.2 Extension to Probation Period

Where the Line Manager is of the view that the employee has not met the required standards but is likely to do so within a reasonable amount of time, the probation period may be extended. Circumstances relating to missed probation review meetings, a change in management, or absence on the part of either party may apply in this situation.

Line Managers must consider reasonable adjustments where performance concerns may be linked to a long-term health condition.

Probation extensions may be granted for up to one month maximum. Regular probation review meetings should take place during the extended probationary period.

Where a Line Manager is minded to extend a probationary period, they are required to consult the HR & Skills team in advance, in order that a member of the HR & Skills team can be present at the subsequent Probationary Review Meeting to support both parties.

At the review meeting itself, it is essential that the employee has the right to respond on all reasons given where it proposed to impose an extension. As such, the Line Manager should only impose an extension having first considered all the facts and taken advice from the HR & Skills team.

Line Managers should confirm probation extensions verbally and in writing to the employee no later than the final (fifth month) probation review meeting, and/or before as soon as practically possible if any concerns are identified earlier within the probationary period.

On receipt/submission of the completed Probationary Review Form by the Line Manager the HR & Skills team will subsequently arrange to write to the employee confirming that their probationary period has been extended, the reasons why and

for how long.

5.3.3 Non-Confirmation in the role

The Line Manager may make a recommendation that the employee is not confirmed in the role. This decision will be subject to acting in a reasonable manner as per the principles in Section 3, and where the Line Manager continues to have concerns about an employee's performance, capability or conduct in the role.

In such circumstances the Line Manager must have first consulted and discussed their recommendation with the HR & Skills team who will arrange for a final probationary review meeting to be held with the employee.

A HR & Skills team member will be present at this meeting to advise on the process. The employee may also be accompanied at the meeting by a trade union representative or a TfN work colleague.

The Line Manager must (via HR & Skills Team) provide a copy of the probation review meeting notes and any other related paperwork they intend to rely on to the employee a minimum of 48 hours (two working days) ahead of the meeting for their consideration.

Where the employee is being recommended to not being confirmed as having passed their probation, the Line Manager should confirm this verbally to the employee at the probation review meeting.

Any decision not to confirm employment must demonstrate:

- a fair reason (capability, conduct, or other substantial reason)
- a fair process (including evidence, opportunity to improve, and employee response)

The Line Manager should liaise with the HR & Skills team, who will issue the letter to the employee confirming this decision. In the case of employees new to TfN (i.e. those with less than six months' continuous local government service), their employment with TfN will terminate with immediate effect. In such circumstances the employee will receive pay in lieu of notice (PILON) in accordance with their statutory/contractual entitlements.

In the case of existing employees (i.e. those with greater than six months' continuous local government service) who have taken up a new role within TfN, the appropriate procedure will thereafter be applied to address the issue, for example TfN's Disciplinary or Performance Improvement Procedure.

6. Appeals

Employees have the right to appeal against the outcome of all probation review meetings. Any such appeal must be submitted in writing to the Head of HR within five working days of receiving written confirmation of the outcome of such meetings stating their grounds for appeal.

Acceptable grounds for appeal are:

- Availability of new evidence

- Undue severity or inconsistency of the decision
- Procedural irregularities
- Insufficient consideration given to evidence or mitigating circumstances

All appeals will be conducted in accordance with the appeals process set out within TfN's Grievance Procedure.

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