



## Managing Police Staff Probation Periods Policy (Surrey and Sussex) (1183/2024)

### Abstract

This policy and procedure details Surrey Police and Sussex Police's approach to managing probation periods for police staff.

Any further queries, advice and support regarding this policy should be directed to the People Resolution Centre (PRC) in the first instance. If appropriate, the PRC will escalate to the People Business Partner, who will make contact with the line manager and offer further advice and guidance.

### Policy

#### 1. Introduction

1.1 All police staff employed by Surrey Police and Sussex Police will undertake a period of probation upon commencing their employment. This policy and procedure are intended to support line managers by providing clear and simple instructions for managing new employees during their probation period.

#### 2. Scope

2.1 This policy and procedure apply to police staff in their probationary period. It does not apply to police officers, volunteers, or agency workers.

#### 3. Policy Statement

3.1 Policies and associated guidance should inform decision making which should consider organisational values, professional judgement (on the context and circumstances of each situation) and 'policing principles'. Decisions and subsequent action taken should be proportionate, legitimate and ethical as informed by the National Decision Model (NDM).

### Procedure

#### 1. Purpose of a Probationary Period

1.1 A probationary period is a trial period. It enables both the individual and their line manager time to objectively assess where the individual needs support and further development. The line manager is able to observe that the individual demonstrates the appropriate attributes and behaviours for the role and be confident that they will be able to accomplish all aspects of the job description in a reasonable timeframe. Only once the probationary period is successfully completed and signed off is the continued

employment of the individual formalised. Please also refer to the Probation Process Flowchart.

## **2. Length of Probation**

2.1 The length of probation for individuals new to the organisation is role-specific and will be detailed on the individual's contract of employment. The majority of staff will have a 6-month probationary period, however there will be some staff who have a probationary period of up to 18 months, this is to recognise the training and/or professional accreditation that is required for these roles. A list of roles that have a probation period of longer than 6 months and up to 18 months will be maintained by the Recruitment and Attraction team.

2.2 Should a line manager feel that a probation period of longer than 6 months and up to 12 months is required for a role e.g., due to the length of the training required, then they should liaise with their People Business Partner and submit a business case to the People Services Senior Management Team for approval.

2.3 In exceptional circumstances where a candidate brings considerable previous experience in post (e.g., service in a similar role with another Police Force), it may be possible to reduce a 12-month probation period to 6 or 9 months (it should be noted that the minimum probation period for a new joiner is 6 months and this cannot be reduced even if their previous experience is extensive). This decision should be made by the line manager, seeking advice from People Services as appropriate. Managers are advised to complete a National Decision-Making rationale in these circumstances and should ensure this is sent to the People Resolution Centre (PRC) for inclusion on the individual's personal file.

2.4 There will not be a requirement for a further period of probation should an individual change their role internally after completing their probationary period, although Surrey Police may require a 6-month introductory assessment period in the new role, and this will be discussed with the individual at the time of making an offer.

2.5 Any concerns when a new role has been undertaken would then be managed through the Attendance Management Policy (Surrey and Sussex) (950), Performance and Gross Incompetence Management Policy (Surrey and Sussex) (1228) or Police Staff Disciplinary Policy (Surrey and Sussex) (797) policies as appropriate.

2.6 Police staff may not apply for another internal role until they have successfully completed their probation period. The only exceptions to this will be in relation to a protected characteristic e.g. caregiving responsibilities or disability and must be authorised by the Head of Resourcing, Talent and People Performance.

## **3. Police Community Support Officer (PCSO) Probation**

3.1 All PCSOs joining Surrey Police and Sussex Police will be required to undertake an Apprenticeship qualification. Due to the extensive initial training associated with the Apprenticeship this role has a 12-month probation period.

3.2 If not already held at point of entry, all PCSO apprentices must successfully complete Level 2 Functional Skills qualifications in Maths and English as well as a Level 4 Diploma

in Community Policing Practice. The successful completion of Level 2 Functional Skills is a national requirement of all Apprenticeships in England and Wales. Failure to achieve Level 2 Functional Skills in Maths and English is likely to result in dismissal.

3.3 The PCSO Probation consists of 2 stages:

An initial 12-month probation period to assess suitability for role, organisational fit and confirm acceptable standards of attendance and performance. Line managers should conduct regular performance assessment meetings during this 12-month period and assess progress against the apprenticeship portfolio as well as ensuring the above standards have been met. Line managers should ensure they are closely linked in with the PCSO's Professional Development Assessor to ensure sufficient progress is being made and that they have a complete picture of the PCSO's performance and conduct.

Successful completion of the PCSO's End Point Assessment (EPA); In the majority of cases an EPA will be completed between months 13-15 of employment. Should the PCSO be unable to pass their EPA this will be managed through the Fixed Term Contract Process i.e. the individual's contract of employment will be brought to an end.

3.4 Line managers requiring further guidance on managing the PCSO probation period should seek advice from the PRC in the first instance.

## **4. Responsibilities**

### **4.1 Line manager responsibilities:**

- Manage staff in a fair, consistent, and pro-active manner, keeping them informed of their progress and managing any concerns immediately.
- Provide structure in the probationary period, ensuring standards and expectations of what is required within the role are made clear to the individual
- Provide the individual with all necessary training, development, and support, including workplace adjustments for those with disabilities
- Arrange and conduct regular one-to-one performance assessment meetings, these should form part of the individual's regular Focus conversations.
- Confirm appointment, extend probation, or refer to Formal Unsatisfactory Probation Meeting / Unsatisfactory Probation Review Meeting for Serious Misconduct or Fixed Term Contract Process.
- Document the performance and progress of the individual. All documentation and records must be kept up to date.

### **4.2 Individual responsibilities:**

- Fully participate in induction and any training or development that is provided within the probationary period which will outline the standards of Surrey Police and Sussex Police.
- Attend the workplace as scheduled.
- Engage in the regular one-to-one performance assessment and Focus meetings arranged by the line manager.

- Ensure that they make their line managers aware of any workplace adjustments they feel will allow them to do their role successfully; where appropriate the individual should supply relevant supporting evidence e.g., Adjustment Passport, medical report, or educational psychologist report.
- Identify with the line manager any training, development, or support which the individual feels are necessary to help them to fulfil the requirements of their role.
- Raise concerns with the line manager in a timely manner.
- Demonstrate their suitability to the role they have been appointed to, meeting the range of duties set out in their job description.
- Demonstrate the required conduct and behaviour in accordance with standards and values of Sussex Police or Surrey Police.

## **5. Audio Recording**

5.1 The use of audio recording by an electronic device (e.g., mobile phone etc.) will not be permitted during any informal or formal workplace meetings between an individual and their manager(s). However, if an individual requests this as a requirement for a workplace adjustment in the context of disability, as defined by the Equality Act 2010, this may be considered.

5.2 Any covert recording of any meeting or private discussions during a meeting adjournment is also strictly prohibited and will be considered a conduct issue.

## **6. Employee Support**

6.1 Their line manager is an individual's first point of contact. However, additional welfare support can be helpful for individuals and is available through a number of routes including the Surrey Police Inclusion Team, Sussex Police Diversity and Inclusion Team, Unison Surrey, Unison Sussex the Staff Networks and the Employees and Volunteers Assistance Programme.

## **7. Performance Assessment Meetings**

7.1 Performance Assessment meetings should be held at regular intervals throughout the individual's probationary period, a minimum of every two months. Holding regular review meetings helps the development of the individual and enables the concerns of either party to be identified and rectified at an early stage. The purpose of performance assessment meetings is to:

- Assess progress and provide feedback.
- Highlight positives, strengths, and successes.
- Discuss, and enable as appropriate, any support needed.
- Clarify standards and expectations of what is required within the role and as a member of the police service.
- Offer guidance / correction for areas requiring development.
- Provide opportunity for communication of any concerns.

- Make clear any consequences of not meeting the required standards.

7.2 Significant discussions should be documented, and a copy given to the individual.

Performance Assessment Meetings can be mentioned in the individual's Focus recording, but no sensitive details should be divulged.

### **7.3 Performance Assessment Meetings (Surrey Only).**

Upon joining Surrey Police, performance assessment meetings are held at 2-month intervals between the individual and the line manager. The review meetings are based upon the Competency and Values Framework (CVF) and ensure that an individual has full support during their probationary period.

All reviews are documented using the relevant forms; 2/4-Month Performance Assessment Form and 6-Month Performance Assessment Form.

N.B. To take account of the additional training that Contact Centre Officers, Force Control Room Operators and Police Enquiry Officers are required to undertake the reviews for these roles are set at 6 months, 9 months, and 12 months. These reviews should be documented using the 6, 9 and 12-Month Performance Assessment Form. This form should also be used for other roles that have a 12-month probation period (e.g., PCSO) in addition to the above form if necessary.

## **8. Workplace Adjustments**

8.1 In accordance with the provisions of the Equality Act 2010, there is a legal requirement to make workplace adjustments to enable individuals with disabilities to continue working. Adjustments may include flexibility around the time scales and attendance levels given within the probationary assessment process, where this is reasonable.

8.2 Managers must familiarise themselves with information about managing disability in the workplace which may be found in the Disability Guidance Toolkit.

## **9. Successful Completion of the Probationary Period**

9.1 If the individual is successful in their probationary period, having met the required standards of the role, the line manager must ensure their documentation is updated to this effect as outlined below:

### **Notification of successful completion of Probation**

A letter must be sent from the first- or second-line manager to the individual confirming that they have passed their probation. A copy of this letter should be emailed to PRC Surrey / PRC Sussex for their records. Please refer to Successful Completion of Probationary Period Letter.

## **10. Concerns within the Probationary Period**

10.1 Unsatisfactory performance, attendance or conduct is an inability or failure to perform the duties of the role that an individual is currently undertaking to a satisfactory standard. It includes, but is not limited to:

- Failure to demonstrate the [Code of Ethics](#) / Police Staff Standards of Professional Behaviour (police staff – Sussex).
- Not engaging with the public appropriately and/or not demonstrating a positive attitude towards the public.
- Inability to meet the standards of capability required for the role e.g., with reference to the skill, aptitude, and pace of work.
- Failure to submit work of a sufficient standard and/or in a timely manner for development portfolios.
- Failure to meet the requirements of National Apprenticeship programmes e.g., failure to achieve educational qualifications and/or submit work for a portfolio.
- Inability to establish good working relationships.
- Failure to attend work without a valid reason and/or to contact line management.
- Unacceptable levels of attendance including persistent and repetitive absence and/or lateness.
- Being arrested and/or the subject of a criminal investigation.

10.2 Employees in their probation period are not subject to the Attendance Management Policy (Surrey and Sussex) (950), Performance and Gross Incompetence Management Policy (Surrey and Sussex) (1228) or Police Staff Disciplinary Policy (Surrey and Sussex) (797) (although similar principles will apply, and so line managers may find the guidance helpful). Such concerns will be managed within the probation process.

10.3 Any performance, attendance or conduct concerns should be addressed as early as possible, identifying any potential causes of the concerns. Any support required should be discussed and agreed as soon as possible.

10.4 If it is unlikely that the individual will meet the required standards within their probation period, contact the PRC for advice and guidance. Failure to achieve the expected standards will result in a Formal Unsatisfactory Probation Meeting and may result in termination of employment.

#### **10.5 Unsatisfactory Performance.**

If there are concerns about the individual's performance during their probationary period, this should be addressed, and support provided as early as possible. The line manager should discuss this with the individual to identify if there are any underlying reasons for this (for example, a training issue or a pre-existing medical condition) and to determine if there is any support that can be given to help improvement. It is important to explain to the individual the impact of their unsatisfactory performance. If these concerns continue, the line manager should consider inviting the individual to attend a Formal Unsatisfactory Probation Meeting. An outcome of this may be termination of employment.

#### **10.6 Unsatisfactory Attendance.**

Where a concerning pattern of absence is identified, the line manager should discuss this with the individual to identify if there are any underlying reasons for this and to determine

if there is any support that can be given to help improvement. Ensure that any workplace adjustments are considered that will improve the attendance of the individual if the individual has or is likely to have a disability, for example an uplift in relation to sickness absence. It is important to explain to the individual the impact of their non-attendance. If, during the probationary period, the individual exceeds more than two occasions of sickness absence and/or 6 days or more in a rolling 6-month period (pro-rated for part time workers and/or the length of probation period), or where a pattern of absence warrants it, consider if the employee should be invited to attend a Formal Unsatisfactory Probation Meeting. An outcome of this may be termination of employment.

### **10.7 Support Plans.**

In circumstances where it is anticipated that support may resolve concerns, a support plan should be issued. The support plan must include details of the impact of the sickness absence and/or performance and/or conduct concerns on service delivery, the team, the department, and the Force. It should clearly detail what improvements are required and what support can be given by the Force and line manager to achieve this.

### **10.8 Unsatisfactory Conduct.**

#### **Minor misconduct(s).**

If it is agreed between the line manager and the PRC that a minor misconduct issue has occurred, it should be addressed by the line manager as it arises and should be documented. If the concerns persist despite intervention and support, the procedure stated above for Unsatisfactory Performance should be followed and the individual should be invited to attend a Formal Unsatisfactory Probation Meeting. An outcome of this may be termination of employment. Minor misconduct probationary dismissals will not be included on the Barred List see Frequently asked questions on the barred and advisory lists ([publishing.service.gov.uk](http://publishing.service.gov.uk)).

#### **10.9 Allegations of more serious misconduct(s).**

The line manager must, in the first instance, speak with the People Business Partner who may link in with a Casework within People Services and refer the case to the Professional Standards Department (PSD). The teams are Force-specific and can be contacted by emailing PSD. PSD will undertake a severity assessment of the serious misconduct and will determine whether, if found, its seriousness would warrant inclusion on the Barred List. When undertaking the severity assessment PSD will also decide if they should conduct the investigation themselves or pass to the individual's line manager. Several factors will be taken into consideration when making this decision such as whether a criminal investigation is also ongoing or likely to proceed and if the investigation will require specialist resources that only PSD have access to. If PSD do undertake the investigation themselves, they will keep the individual's line manager informed throughout and hand over the investigation to the line manager when complete.

In either case a proportionate investigation will be undertaken which will be documented. In the event of an arrest and/or criminal investigation, Surrey Police or Sussex Police may choose to terminate employment for that reason and prior to the conclusion of any criminal matters. If necessary, the individual should be invited to attend a Formal Unsatisfactory Probation Meeting where the matter will be discussed. (There is no

requirement to hold an Informal Performance Assessment Meeting). An outcome of this meeting may be termination of employment with notice. Dismissal in these circumstances must be advised to PSD for inclusion on the Barred List.

#### **10.10 Resignation whilst under investigation for serious misconduct.**

For serious misconduct, where an individual resigns prior to the outcome of the Formal Unsatisfactory Probation Meeting, Sussex Police and Surrey Police reserve the right to determine a post-employment outcome and where dismissal would have been the outcome, the individual will be included on the Barred List, subject to any review finding. Between the period of resignation and determination of the post-employment outcome, the individual may be placed on the Advisory List. For such circumstances, PSD must be consulted.

- The information contained within this paragraph must be explained to the individual.
- The individual will be given the opportunity to have the decision reviewed and they must send this request to the Head of PSD within 5 working days.
- Full details of the process can be found in the Invitation to / Notification of Post - Employment Unsatisfactory Probation Review Meeting.

#### **10.11 Suspension.**

There may be occasions when it is appropriate to suspend an individual on full pay at the start of a misconduct investigation, or subsequently at any stage in the period up to a formal Unsatisfactory Probation Meeting. Suspension is a neutral act which will not prejudice the outcome of any investigations or continued employment.

For cases of potentially serious misconduct, the Head of PSD or their Deputy from the respective Force will discuss potential suspension and alternatives to suspension with a member of the Chief Officer Group (COG). Where suspension is appropriate a member of COG will give authority to suspend.

### **11. Required Standards Not Met – Informal Review Meeting.**

11.1 Where the individual experiences problems during their probationary period and it is evident that they are not meeting the required standards, the line manager should meet with the individual to discuss their concerns, re-set their expectations, and give them the support needed to improve.

As appropriate to the circumstances, discussion should include:

- Any problems identified, and any possible causes of them.
- What aspect of their work, attendance or minor misconduct is considered unsatisfactory – what standards have not been met.
- The expectations of the improvements required.
- What guidance / support / training / workplace adjustments will be provided to help the individual (including signposting to Staff Networks for extra support).

- A Specific, Measurable, Achievable, Relevant, Timely (SMART) support plan with objectives, timescales, and the impact of the concerns on the organisation.
- An early warning of the possible consequences if improvement is not made – i.e., unsatisfactory probation meeting, potentially leading to probation extension or termination of employment.

11.2 The line manager should continue to monitor the individual's progress, providing feedback, support, and encouragement to help them to improve.

11.3 At this stage, the line manager may also consider whether formally extending the probationary period would be helpful, and this must be discussed with the PRC before extending in the formal stages. Please see section 13 for more information on extending probationary periods.

11.4 If an issue has been assessed as serious misconduct by PSD, there will be no informal review meeting and the individual's line manager will progress directly to the procedures required for a Formal Unsatisfactory Probation Meeting.

## **12. Required Standards Not Met – Formal Unsatisfactory Probation Meeting**

12.1 If, after constructive informal review meetings regarding performance, attendance or minor misconduct, the individual's performance is still unsatisfactory or a serious misconduct issue has arisen, the first line manager should arrange a Formal Unsatisfactory Probation Meeting. This meeting should be chaired by a member of the Local / Departmental Leadership Team of at least the rank of Chief Inspector or police staff equivalent. The individual has the right to be accompanied by a trade union official, certified union representative or a colleague who works for the Force.

12.2 Please refer to either the letter inviting the individual to the Formal Unsatisfactory Probation Meeting or Unsatisfactory Probation Review Meeting for Serious Misconduct. The individual should be given at least five working days' notice of the meeting.

12.3 A report documenting evidence should be collated and provided with the letter. This should include:

- A summary of what has been discussed in previous meetings.
- A copy of any support plans used.
- A summary of what support has been offered to the individual, including any workplace adjustments that have been put in place to support the individual in their role.
- A summary of notes from the tutor / coach / Professional Development Assessor (if applicable).
- A summary of any improvement shown.
- A summary of any unsatisfactory aspect of the individual's work or attendance including details of the impact of the sickness absence and/or performance concerns on service delivery, the team, the department, and the Force. For serious misconduct cases, the specific allegation(s), a summary of the proportionate investigation findings and any other relevant documentation. Care must be taken regarding disclosure / UK Data Protection

legislation relating to other parties and further guidance can be requested from the respective Force DPO.

12.4 The purpose of the Formal Unsatisfactory Probation Meeting is to:

- Discuss the individual's identified problems or serious misconduct.
- Explain what aspect of their work, attendance or conduct is not considered satisfactory.
- Explain which standards are not met and what it would take to meet them.
- Allow the individual to provide justification and explain any exceptional circumstances.
- Give clear warning of the possible further consequences of the required standards not being met (this would not be applicable in cases of dismissal).
- Serious misconduct only - explain if, after consideration, the serious misconduct issue is proven and the individual is dismissed, they will be added to the Barred List.

12.5 There are five possible outcomes of the Formal Unsatisfactory Probation Meeting:

- **A (further) support plan** – if it is identified that the employee can achieve the standards with a little more support, this may be the best option. Discuss and agree a realistic support plan and keep monitoring the individual's progress. Should the individual's performance and/or attendance continue to be unsatisfactory, arrange another Formal Unsatisfactory Probation Meeting and consider the below outcomes.
- **Extension of probation period** (with support plan) – if there are exceptional circumstances, and it is deemed possible for the individual to achieve the required standards with the extra time.
- **Dismissal** – if there are no exceptional circumstances or an extension has already been given, and it is not deemed possible for the individual to meet the required standards within their probationary period / extension, then the individual's employment should be terminated.
- **Dismissal** – if proven, in cases of **serious misconduct** only, where there are no exceptional circumstances and it is not deemed appropriate to retain the individual, then the individual's employment should be terminated, and they will be placed on the Barred List. The individual will be given the opportunity to have the decision reviewed and they must send this request to the Casework Team Leader within 5 working days.
- **Dismissal** – under the Suitability Clause.
- **No further action** – if the Chair decides there are no valid concerns, they can confirm the completion of the individual's probationary period.

The outcome of the meeting should be recorded in writing and a copy given to the employee within 5 working days of the meeting. A copy must also be sent to the PRC for inclusion on the individual's personal file. Please refer to the Letter Unsatisfactory Probation Meeting Outcome.

### **13. Extending the Probationary Period**

13.1 Any extension must be confirmed to the individual in writing with a new end date given. Please refer to the Unsatisfactory Probation Meeting Outcome and must be accompanied by a support plan (Sussex) or a copy of the individual's probation assessment form (Surrey).

A copy should be emailed to PRC for inclusion on the individual's records.

13.2 The individual's progress must be closely monitored during the extension: regular performance assessment must continue to take place. However, if there is clear evidence to suggest that the individual is unsuitable for the role, the line manager must discuss this with the People Business Partner who may link in with the PRC with a view to early termination.

13.3 If the required standards are met at the end of the extended period, the line manager should arrange for the Successful Completion of Probationary Period Confirmation Letter to be sent (see section 9).

13.4 If the individual has failed to reach the required standard by the end of the extended period, the line manager must invite the individual to attend another Formal Unsatisfactory Probation Meeting.

#### **14. Termination of Contract of Employment During Probationary Period**

14.1 If the individual feels they are not suited to the job during the probationary period, they are required to give written notice with which to terminate their contract of employment. This notice period is normally one week, unless otherwise stated in their contract.

14.2 Surrey Police and Sussex Police can terminate the individual's contract during their probationary period if they believe the employment relationship is unsatisfactory. They will give one weeks' notice, unless otherwise stated in the contract. This can be done in an Unsatisfactory Probation Meeting. (also see section 18, Dismissals).

#### **15. Suitability Clause**

15.1 Surrey Police and Sussex Police expect the highest possible standards from their police staff and require all staff to act in accordance with both the law and the Code of Ethics. Therefore, in certain cases, where Surrey Police or Sussex Police reasonably believe that a member of staff has acted in a manner that brings the Force into disrepute and has not upheld these standards Surrey Police and Sussex Police reserve the right to dismiss the member of staff in the probation period. An example may be where the member of staff has been arrested and/or is suspected of criminal activity. In such cases one week's pay in lieu of notice will be paid.

15.2 Line managers should seek advice from their People Business Partner who will link in with the People Services Casework Team Leader if there is consideration of dismissal under the suitability clause.

#### **16. Unsatisfactory Security Clearances, Vetting or References**

16.1 In the event of any of these checks proving unsatisfactory, Surrey Police and Sussex Police reserve the right to terminate the contract. Prior to a decision being taken, the employee will be asked to meet with their line manager or another appropriate manager to discuss the circumstances.

- Depending upon the circumstances, if appropriate, the individual may be required to leave immediately, surrendering all Surrey Police / Sussex Police property, including their ID card. Payment will be given in lieu of notice.
- The line manager will confirm in writing, within 5 working days of the meeting, the reason for the dismissal. A copy of this letter must be sent to the PRC for their records.
- In these circumstances the People Business Partner should always be consulted.

## **17. Changes in Medical Suitability**

17.1 In the event of medical checks proving unsatisfactory or due to a change in medical circumstances, Surrey Police and Sussex Police reserve the right to terminate the appointment. In these circumstances the PRC along with the People Business Partner and the Casework Team Leader should always be consulted at the outset and, as necessary, all obligations under the Equality Act 2010 will be considered. Prior to a decision being taken, the individual will be asked to meet with their line manager or another appropriate manager to discuss the issue. This meeting should be used to explore all the circumstances and consider what adjustments (if any) could be made. If necessary, further dialogue should be undertaken with Occupational Health including the possibility of Medical Redeployment (Medical Redeployment for Police Staff Policy (Surrey and Sussex) (1182)). The Disability Guidance Toolkit may also assist in decision making.

- Depending upon the circumstances, if appropriate, the individual may be required to leave immediately, surrendering all Surrey Police / Sussex Police property, including their ID card. Payment will be given in lieu of notice.
- Line managers must make a full record of rationale of termination for medical reasons.
- The line manager will confirm in writing, within 5 working days of the meeting, the reason for the dismissal. A copy of this letter must be sent to PRC for their records.

## **18. Dismissals**

18.1 If the individual's attendance, performance, or conduct is still unsatisfactory, and it is clear that further training or support is unlikely to alter the situation, termination of employment will be the next step sought in the Formal Unsatisfactory Probation Meeting process. Advice can be sought by the Chair by contacting the PRC, if appropriate a People Services representative will be present at the Formal Unsatisfactory Probation Meeting.

18.2 The reasons for terminating employment will need to be specific and supported by evidence. Clear and accurate documentation throughout this process is therefore essential. These details should be discussed in the Formal Unsatisfactory Probation

Meeting to ensure the reasons for dismissal are clear and the Chair must make a record of the meeting and the decision rationale.

18.3 The notice period will be one week unless other arrangements are specified in the individual's contract of employment. Any outstanding annual leave up to one week will also be offset within this period. Any overpayments, including annual leave, will be reclaimed.

18.4 A letter must be sent to the employee within 5 working days of the meeting confirming the concerns discussed in the meeting and the reasons for the termination of their employment. A copy will also need to be emailed into the PRC. Please refer to the Letter Formal Unsatisfactory Probation Meeting Outcome. The Chair should inform PSD of the dismissal for the purposes of the Advisory and Barred List – note this only applies to resignation or dismissal relating to serious misconduct in the probationary period.

18.5 Police Barred List and Police Advisory List – The Policing and Crime Act 2017 makes provisions for the Police Barred List and the Police Advisory List. For those in probation, dismissal because of a serious conduct issue will mean being placed on the Barred List. Resignation prior to outcome may result in being placed on the Advisory List. More information can be found on the Frequently asked questions on the barred and advisory lists ([publishing.service.gov.uk](http://publishing.service.gov.uk)).

## **19. Right to Request Review of Decision to Dismiss**

19.1 Individuals dismissed at a Formal Unsatisfactory Probation Meeting have the right to request a review of the decision to dismiss.

19.2 A review of the decision to dismiss can only be submitted on the following grounds:

- That the outcome was unreasonable.
- That there is new critical information that was not considered at the time of the prior meeting.
- That there was a serious breach of the procedures or other unfairness which could have affected the outcome.

The individual should submit:

- A written statement containing the facts and other circumstances they wish the Reviewer to consider.
- Copies of any documents they consider to be relevant and wish the Reviewer to consider.

19.3 All requests to review the decision to dismiss must be submitted in writing to the Casework Team Leader within five working days of the dismissal meeting.

In both Forces this will be via email to: People Services Casework Team addressed for the attention of the Casework Team Leader.

19.4 The Casework Team Leader will make an initial assessment of the request to review the decision to dismiss. Their role is to indicate to the People Business Partner whether there are grounds for the review to go ahead. They will then work with the People

Business Partner to appoint a Reviewing Officer. The Reviewing Officer must be at least one rank or grade higher than the Chair of the Formal Unsatisfactory Meeting.

19.5 The Reviewing Officer will conduct an initial paper review of the evidence and in consultation with the People Business Partner and Casework Team will make the final decision if it is necessary to hold a meeting with the individual or if it is appropriate to conduct a paper-based review. The paper review should be concluded within 25 days of receipt by the Casework Team Leader and the outcome sent to the individual. If a review meeting is required, the People Business Partner will take responsibility for organising it and it should take place as soon as reasonably practicable.

#### **19.6 Review Outcomes.**

- The Reviewer may rescind the original decision to dismiss or uphold the decision. If rescinded, this will mean the individual shall be reinstated in post and removed from the Barred list if they had been added. The Casework Consultant is responsible for notifying PSD and the PRC of the decision to dismiss, in order that PSD can arrange for the Barred List to be updated and the PRC can make appropriate arrangements to reinstate the individual's pay and system access.
- If the decision to dismiss is upheld, the effective date of termination shall be the date on which the original dismissal took place. The individual will remain upon the Barred List if they had been added.
- There is no further internal right for the decision to be reviewed.

## **20. Employment Data**

20.1 Surrey Police and Sussex Police collect and process personal data relating to police officers and police staff to manage the employment relationship. It is important that employees understand how that data is collected and used to meet the Force's data protection obligations. Further details can be located by searching the Intranet using the term: 'Privacy Notice'.

**Team:** People Services Department