

# ACTPS PROBATION FACT SHEET

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## PURPOSE

1. Probation is a critical employment process for ensuring the suitability of a person engaged for the position they hold in the ACTPS.
2. The purpose of the probationary process is to provide Managers with an opportunity to make a considered assessment about the conduct of the officer on probation. This assessment is a requirement under Division 5.3 'Appointment of Offices' under the *Public Sector Management Act 1994*. The Officer's work performance is to be assessed against the duties outlined in their position description.
3. Under the terms of the Enterprise Agreement, Shared Services will advise the officer of any matters relating to probation in writing at the time of engagement, including:
  - the length of the probation period;
  - the possibility of an extension to the probation period;
  - the maximum probation period; and
  - any other relevant information.

## PRINCIPLES

4. The principles that underpin the probation process are:
  - the probation period be recognised as an important phase of the appointment process;
  - the probation period is a defined period of time during which a new officer's performance is subject to formal review;
  - during the probation period, the Supervising officer must provide the new officer with clear expectations, consistent guidance, constructive feedback, and formal reviews;
  - during the probation period the Supervising officer must assess the suitability of an officer and have regard to conduct, work performance and behaviour; and
  - if the Supervising officer identifies deficiencies, corrective action should be taken and additional advice can be sought from the Human Resources unit, who can assist with staff development activities or training.

## PROBATION PERIOD AND REPORTING

5. The period of probation is six months for most ACT Government Directorates. The relevant work area may consider that a longer period be determined, depending on the nature and circumstances of the employment, as long as the period is reasonable and does not exceed 12 months.
6. Within the six month probationary period the officer must be assessed after the second month of service, and towards the end of the fourth month. The officer must be provided with a copy of the report and be given an opportunity to respond within seven working days. If the assessment is sufficiently negative, and the Supervisor believes that s termination should be recommended, supporting evidence must be clearly outlined in the report.
7. Should the probation period be extended, the supervisor must provide the officer with written notice at least 14 days prior to the expiry of probation, outlining the reason(s) for the extension, the length of the extension and the day the probationary period will end. It is important to note that a decision to terminate employment following an extension to probation may have implications due to the requirements of the unfair dismissal provisions of the *Fair Work Act 2009*.
8. Any consequences should be included in this correspondence, in the event that performance standards are not met within in the extended period. For instance, if there is a possibility that the officers' employment may be terminated, this should be clearly outlined within the correspondence.

## RESPONSIBILITIES

### MANAGER/SUPERVISORS

- ensure the length of probation is understood by the officer;
- ensure the officer understands the standard of work required, and level of conduct required;
- ensure they have appropriate delegation to manage the probationary process;
- guide the probation process including the provision of all associated materials to the officer, arrange delegate approvals, assessments, completion of reports, and determine any extensions and/or terminations;
- conduct assessments in an open, honest and constructive manner;
- conduct at least two formal assessments, ensuring the officer receives a copy of the report and has an opportunity to seek feedback within seven days if required;
- where the officer's performance has been less than satisfactory, determine a reasonable plan and/or strategy to assist with a successful outcome (this plan should be documented in the probation report);
- provide support to the officer on probation including specific on-the-job training or development; and
- regular monitoring of performance and provision of feedback to rectify any issues during the probationary period.

## **OFFICER ON PROBATION**

- actively participate in the probationary process;
- read and sign a copy of the probation reports within seven working days of the report being provided to them;
- make comments where required; and
- advise the delegate of any factors beyond the probationer's control which may affect an adequate assessment of their performance.

## **SHARED SERVICES**

- send the officer a 'letter of appointment' detailing the probationary process derived from the information received from the directorate;
- send a probation report template to the directorate as part of the officer's commencement process;
- prepare and send Confirmation of Appointment and Extension of Probation letters to new officers; and
- report back to the Directorates on their involvement in the management of probation.

## **DIRECTORATE HUMAN RESOURCES**

- follow up on any outstanding probation reports in a timely manner to achieve compliance with KPIs and probation intent; and
- provide termination letters where necessary.

Bronwen Overton-Clarke  
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Chief Minister, Treasury and Economic Development Directorate  
*on behalf of*  
Kathy Leigh  
Head of Service

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