

POLICY

TITLE:	Probation Policy		
DIRECTORATE:	Office of the CEO		
ADOPTED BY:	CEO		
DATE OF ADOPTION:	29 November 2024	DATE OF REVIEW:	29 November 2026
POLICY NUMBER:	141		
LEGISLATIVE REF:	<i>Local Government Act 2019; Section 173</i> <i>Fair Work Act 2009; Section 383</i>		

1. INTRODUCTION

1.1. Purpose

It is Barkly Regional Council's (BRC) intention that a newly hired employee's progress is reviewed on an ongoing basis during probation, and that at least one documented review is held between the employee and their Manager to determine their suitability for ongoing employment in their role.

1.2. Scope

All new permanent employees (excluding casuals) are subject to a period of probation of six (6) months from commencement of employment.

Employees on a contract of six (6) months or less will have a proportionate period of probation applied to their contract; which is either three (3) months or less.

Where an alternate provision for the management of a probationary period exists in a performance based contract, such provision will be followed.

1.3. Responsibilities

Delegated Supervisors and Managers are responsible for managing probation periods in accordance with this Policy and its associated procedures.

The Manager (HR) Human Resources is responsible for the oversight of this Policy.

The Manager (HR) Human Resources is responsible for the implementation of this Policy.

1.4. Policy Objectives

- 1) A probationary period of relevant duration applies to all new employees (excluding casual employees) to ensure that the new employee is suited to the position and workplace.
- 2) A probationary period can only be applied once to a permanent employee with continuous service, unless a returning employee is to be re-employed after having resigned from employment for a period of at least three months.
- 3) At least one documented probationary review should be undertaken prior to the end of the probationary period.
- 4) Any termination of employment during probation must be approved by the CEO in advance of the termination occurring or being communicated to the employee.

2. POLICY STATEMENT

2.1 Policy

- 1) Managers are responsible for monitoring and immediately addressing concerns relating to their employees' performance as they arise, and for seeking guidance from HR as necessary.
- 2) The management of probationary periods is the responsibility of the new employee's Manager, who must manage these in accordance with the *Probation Procedure*.
- 3) Extensions to probation beyond six months are to be avoided as the six-month minimum employment period specified in the Fair Work Act 2009 (Cth) does not extend.
- 4) Any consideration of an extension to probation may only be considered in extenuating circumstances and only with the prior approval of HR and/or the CEO.
- 5) An employee's probationary service may be terminated at any time, if it becomes clear the employee is unsuitable to the extent that no further assessment is required, or if an employee's conduct gives rise to termination.
- 6) Notwithstanding the above provision, termination during probation must be handled in accordance with procedural fairness, natural justice and the *Probation Procedure*.
- 7) If a final probation review is not completed prior to the probation expiration date, legally the employee's employment is confirmed.
- 8) Any termination of employment during probation must be referred to Human Resources for consultation ahead of the probation conversation being held with the employee and/or the decision to terminate being made.
- 9) All probation documentation must be contained within the employee's electronic and/or physical personnel file.

3. RELEVANT POLICIES

Policies and procedures to be read in conjunction with this policy are:

- 1) Probation Procedure
- 2) EEO: Anti-Discrimination, Anti-Harassment and Anti-Bullying Policy
- 3) Employment Contract

4. IMPLEMENTATION AND REVIEW

4.1. Implementation

Employees will be made aware of this policy. There is no requirement under the Act to publish this policy on the Barkly Regional Council website.

4.2. Review

This policy will be reviewed on or before 29 November 2026.

5. VARIATIONS, REVOCATIONS AND/OR CHANGES

Barkly Regional Council reserves the right to revoke and/or amend this policy from time to time as is considered necessary to better manage its business and/or to comply with any legislative requirements.

6. APPROVAL

This policy is approved.

Chris Kelly
Chief Executive Officer


Signature

29 Nov 2024
Dated

END