

## Probationary Policy

This policy applies to support staff only

<b>Prepared By</b>	Head of HR
<b>Approved By</b>	Hamwic Education Trust Board
<b>Approval Date</b>	10 <sup>th</sup> October 2018
<b>Policy Review Date</b>	September 2021

# Probationary Policy for Schools 2018

## Contents

1. Introduction .....	3
2. Scope.....	3
3. Roles and Responsibilities .....	3
4. Delegated responsibility .....	4
5. Timescales.....	4
6. Right to be Accompanied.....	4
THE PROCEDURE.....	5
1. Managing the Probationary period .....	5
2. Initial meeting (within the first week of employment) as part of the Induction process .....	5
3. Assessment Meetings .....	5
3.1 Concerns where a satisfactory probation period has been unsuccessful.....	6
4. Final Assessment Meeting .....	6
4.1 Confirming a satisfactory probationary period.....	6
4.2 Extending the probationary period .....	7
4.3 Concerns raised during the probationary period .....	7
4.4 Terminating employment during the probationary period.....	7
5. Hearing to consider dismissal .....	8
6. Employees right to waiver attendance at a hearing.....	8
7. Record Keeping.....	8
8. Appeal.....	8
Links to other policies and documents: .....	9
APPENDICES.....	10
Appendix 1 – PROBATIONARY ASSESSMENT PRO-FORMA.....	10

## 1. Introduction

All new non-teaching employees of schools within the Trust are required to serve a probationary period of 6 months.

The use of probationary periods is intended as a constructive process to allow the employee to understand:

- The Trust, the school, their own role and how they fit together;
- The expectations, standards and behaviours of their role required and how to fulfil them.

A probation period ensures that a new employee's performance can be monitored and the required support can be provided. Progress will be discussed at assessment meetings and the School Leader will encourage and assist the new employee to improve and develop. Employees will receive constructive written feedback following each assessment. It is important that all newly appointed employees have their performance monitored and assessed during their probationary period. Confirmation of appointment is subject to a satisfactory completion of the probationary period. Should the employee's performance and conduct be satisfactory, their employment will be confirmed.

Should the required improvements not be made, the probationary period may be extended for a maximum of a further 6 months. There is usually only one extension to this but may be more under exceptional circumstances. If performance remains unsatisfactory, termination of employment within the probationary period may be considered. An employee will be advised at the earliest opportunity should their employment be at risk as a consequence of failure to meet the expectations of the role. Consideration to extend a probationary period may include, but not limited to:

- Progress made and assessed during regular line management meetings
- Assessment meetings
- Feedback from colleagues/mentor (if appropriate)

## 2. Scope

This policy and procedure applies to all non-teaching staff employees of the Trust.

Employees with prior service in other Academies, maintained schools and other Local Government employers will be required to undertake a probationary period within the Trust.

The probationary period operates in conjunction with the induction and initial training offered to new employees, whether permanent, temporary or fixed term. The probationary period allows both the employee and the School Leader/line manager to assess objectively whether the individual is suitable for the role.

Staff engaged on a casual basis will also be subject to an induction. An induction programme will be provided to the employee on the first day of work.

## 3. Roles and Responsibilities

**School Leaders or Line Managers (as appropriate) must:**

- Manage and monitor the probation period
- Set expectations of the individual in line with their job description and person specification
- Ensure any necessary support, guidance and development is provided and in good time
- Give the employee an opportunity to improve his/her performance
- Record assessment meetings/outcomes

- Make themselves available and respond to any questions and concerns raised by new employees in a timely fashion
- If necessary, notify the employee in writing that failure to improve could lead to termination of his/her employment, allow time for demonstration of this improvement and provide support

**Employees must:**

- Raise any questions or concerns about their role or the probation process as soon as they arise
- Actively participate in assessment meetings and any development activity provided.
- Engage fully in induction/initial training opportunities for new employees
- Actively participate in any meeting, discussions, supportive measures put in place as part of this process
- Raise any concern they have if they feel comments are unwarranted as soon as they arise, and consult the Grievance Policy where appropriate

**Note: In the event of a gross disciplinary offence or gross failure to meet the requirements of the post, employment may be terminated without notice, in accordance with this procedure, by the School Leader or delegated representative.**

**4. Delegated responsibility**

References to the role of the School Leader may include his/her delegate. The management of the probationary process may be delegated to the employee’s immediate line manager or other manager suitably trained to undertake this role.

Should employment be terminated within the probationary period, this decision would normally be made by the School Leader but may be made by one or more of the governors. If no sufficient governor is available, the Trust may use a governor from within another Trust school. Advice from HR must be sought prior to terminating employment.

**5. Timescales**

Employees in permanent and fixed term appointment of one year or more are subject to a probationary period of 6 months (or 26 school weeks for term time only employees). This can be reduced if the individual is successful in their role, or extended by a maximum of a further 6 months (or 26weeks) if the employee’s performance/conduct warrants this.

Employees on fixed term appointments of less than one year are subject to a 3 month probationary period (13 school weeks for term time only employees) which can be extended by a maximum of a further 3 months (or 13 weeks) where necessary.

For new employees on term time only contracts, probation timescales exclude school holiday period as these are non-working periods.

**6. Right to be Accompanied**

There is no right to be accompanied to meetings that take place as part of the probationary process. However, employees have a right to be accompanied at the final assessment meeting. The chosen companion can be a work colleague, or an official employed by a trade union. The employee must notify the School Leader in advance of their wish to be accompanied, giving details of who that person is. It is the employee’s responsibility to make arrangements for their chosen representative to attend the final assessment meeting.

## **THE PROCEDURE**

### **1. Managing the Probationary period**

Probationary reviews should be carried out as follows:

- During 1<sup>st</sup> week – see initial meeting information below
- During month 3 – meeting to take place to discuss role, conduct etc. and assessment form should be completed
- At the end of month 5 – meeting to take place to discuss role, conduct etc. and assessment form should be completed. If the standards and conduct are not as expected, the probationary period will either be extended, or the employee given formal notice that they will meet again in one month.

### **2. Initial meeting (within the first week of employment) as part of the Induction process**

The School Leader should discuss the job description and person specification with the employee, as well as setting out their reasonable expectations and the criteria against which performance will be measured as part of the induction process. The new employee should be encouraged to ask for assistance at any stage if they have any concerns of difficulties.

Besides being inducted in school Health and Safety and Fire Procedures, the new employee must be shown where to access and gain familiarity with key School and HR policies and procedures as well as IT usage guidelines and safeguarding policies and practices. Schools should make reference to such policies and guidelines within their Staff Handbook, which the employee should receive during their first few days of employment and provided with time during the working day to read them.

### **3. Assessment Meetings**

School Leaders must inform new job holders in writing of the probationary review period and set up a programme of assessment meetings. As a standard, it is recommended that assessment meetings take place in the 3<sup>rd</sup> month of employment, with the final assessment at the end of the 5<sup>th</sup> month. In some circumstances, assessment meetings may be required on a more frequent basis, particularly where concerns have been identified. It is good practice to set the dates of the assessment meetings when employment commences.

Managers should retain detailed records of each assessment meeting. A template Probation Assessment Form can be found at Appendix 1. The review of an employee's progress at an assessment meeting should be treated as confidential.

As a matter of good practice:

- A suitable time should be arranged so that meetings are not hurried but are private and free from interruption.
- The employee should be told in advance the time and date of the meeting and asked to think about their performance and any questions they wish to raise. At least 5 working days notice is required
- The Probation Assessment Form should be part completed by the School Leader and given to the employee a few days prior to the meeting.
- The School Leader should make sure that they have clearly defined the points that they wish to raise and that these can be substantiated.
- The School Leader should monitor, record and regularly discuss performance with the employee concerned, and be prepared to suggest ways, if necessary, of improving performance.

At the Assessment Meetings the School Leader should:

- Explore both positive and negative aspects of performance and expand and explain comments made on the Assessment Form.
- Reinforce areas of strength where the employee is doing well.
- Discuss and seek the employee's views and comments and record them as part of the assessment.
- Suggest and discuss ways of improving performance if appropriate. This might include extra training/coaching or closer supervision. This will also be an appropriate time to give encouragement.

After the assessment meeting a copy of the Assessment Record should be given to the employee and a copy held on the employee personnel file.

### **3.1 Concerns where a satisfactory probation period has been unsuccessful**

Where performance has not yet reached a satisfactory level:

- It is important to be open and honest with the employee about areas of concern, giving specific examples as well as reasonable expectations of performance level.
- Ensure the employee understands the degree of progress required and that successful completion of the probationary period is dependent upon it.
- Warn the employee that if this standard is not reached their employment with the school may be terminated.
- The employee will be given written confirmation of the above.

If the employee is experiencing problems at any stage during their probationary period the School Leader should discuss these with the employee and not wait until the next scheduled review meeting.

Where a School Leader is considering extending the probationary period, or terminating the employment, guidance must be sought from Hamwic HR.

## **4. Final Assessment Meeting**

The final assessment meeting should be held one month before the end of the probationary period. The School Leader should complete the last sections of the Probation Assessment Form (shown at Appendix 1) giving an overall assessment of the employee's performance during probation and indicate whether they are confirmed into their permanent/fixed term post. It is important that the overall assessment should include all relevant factors such as conduct, attendance record, commitment, attitude, working relationships, performance in the role etc.

The employee should be invited to the meeting in writing, giving at least 5 working days' notice, and including a copy of the Probation Assessment Form. (Please see letter P2 in the Probationary Guidance Pack). The employee has a right to be accompanied at the final review meeting. The employee must notify the manager in advance of the meeting of their wish to be accompanied, giving details of who that person is.

### **4.1 Confirming a satisfactory probationary period**

Where the final assessment recommends that the employee is confirmed into their permanent/fixed term post:

- This decision will be conveyed at the meeting and confirmed in writing afterwards. (Please see letter P4 in the Probationary Guidance Pack).
- The meeting may also clarify any future development or training planned for the employee and set objectives that will be reviewed as part of the on-going appraisal process.

## **4.2 Extending the probationary period**

Where the final assessment is that an employee's probationary period should be extended:

- The letter arranging the meeting should make this clear, together with the reasons, and inform the employee of their right to be accompanied.
- The meeting will explore both positive and negative aspects of the assessment, and seek the employee's views and comments.
- The outcome will normally be conveyed to the employee at the end of the meeting and confirmed in writing. (Please see letter P3 in the Probationary Guidance Pack).
- The letter will set out the extension period and the nature/level of improvement required, along with details of any additional support that has been agreed, and the interim review meeting dates.
- The letter will advise that dismissal is a potential outcome if the satisfactory level of performance is not reached.
- The date of the final assessment meeting should be stated and again should be scheduled for one month before the end of the extension period.

## **4.3 Concerns raised during the probationary period**

Where concerns become apparent, they will be raised at the earliest opportunity with the aim of supporting the employee to improve their performance or conduct. This will include discussion of:

- The areas where performance/conduct improvement is required and targets to be met.
- The employee's views about their performance in their role.
- Appropriate training, support or coaching to help the employee meet the required standards.
- Timescales for improvement and arrangements for further monitoring/meetings.
- Whether an extension of the probationary period is appropriate.

The employee should also be made aware that should the required improvements not be made, their employment may be terminated within the probationary period.

The outcome of the discussion will be confirmed in writing to the employee.

Additional meetings may be arranged to assist with the support and monitoring of the employee as they work towards addressing their concerns.

## **4.4 Terminating employment during the probationary period**

Where termination of the employment is a possible outcome of the final assessment meeting:

- The employee should have been given the fullest opportunity to meet the required standard. It would be usual to wait until the end of the probationary period or any extension before considering termination. However, where information comes to light that may be so serious as to call into question the employee's suitability for the role, the Trust may, following as much investigation as is appropriate given the circumstances, convene a hearing to consider immediate termination of employment. Staying at home or suspension may be considered pending the outcome of any investigation process.
- In instances where an employee has commenced work and references, DBS check or other employment checks are subsequently found to be unsatisfactory, the Trust may also determine that an immediate hearing be convened to consider the termination of employment.
- The letter arranging the meeting should make this clear, together with the reasons, and inform the employee of their right to be accompanied.
- The meeting invite must be issued at least 10 working days before the meeting.

- The meeting will follow the arrangements for a hearing that could lead to dismissal, as outlined in the School Dismissal & Appeal Policy and must be led by the School Leader, as only the School Leader has authority to dismiss. Notification of the outcome will also be in line with the Dismissal & Appeal Policy.
- Advice should be sought beforehand from HR.

Assessment records and copies of any formal letters should be placed on the employee's personal file.

## **5. Hearing to consider dismissal**

The employee will be invited in writing to attend a meeting to consider terminating employment on the grounds on unsatisfactory performance or conduct during the probationary period. The employee has the right to be accompanied.

This notification should include details of the concerns and evidence to be considered at the hearing. The employee will be advised that the hearing could result in the termination of employment.

The School Leader (or 1 or more governors if the School Leader has undertaken the probationary review meetings) will consider the case for dismissal. During the hearing, evidence supporting the case for dismissal will be considered. The employee will have the opportunity to present their case and any evidence in support of the continuation of their employment.

The employee should be advised of the decision and their right to appeal at the conclusion of the hearing or as soon as is practicable thereafter.

The outcome of the hearing will be confirmed in writing to the employee within 5 working days.

If the decision is taken to end the employment, the employee will receive one week's statutory notice. The employee will not usually be required to work this.

## **6. Employees right to waiver attendance at a hearing**

The employee can waive their right to a hearing, in which case such a hearing does not need to take place. However a decision must still be made about the dismissal of the employee by the School Leader or at least one governors where the School Leader has been involved in the procedure and that decision must still be communicated to the employee. If a decision to dismiss is reached the employee will receive one week's notice pay. Rights to a dismissal hearing does not waive rights to an appeal hearing.

## **7. Record Keeping**

The employee will be given a copy of all notes/completion of assessment forms under this procedure.

Minutes will be taken at hearings and appeal meetings and shared with the employee at the earliest opportunity. The employee will have the opportunity to check and comment on the accuracy of the minutes.

## **8. Appeal**

An employee has a right of appeal against dismissal. The employee must submit the appeal in writing to the Clerk to the Governing Body within 10 working days of receiving confirmation of dismissal, setting out the grounds for the appeal.

The appeal procedure will be as set out in the School's Dismissal & Appeal Policy.



**Links to other policies and documents:**

- [Staff Handbook](#)
- [Code of Conduct Policy](#)
- [Disciplinary Policy](#)
- [Grievance Policy](#)

**APPENDICES**

*Appendix 1 – PROBATIONARY ASSESSMENT PRO-FORMA*

**Part 1 - Probationary Assessment Pro-forma to be completed as part of the induction process**

<b>Employee Name:</b>		<b>Job Title:</b>	
<b>Post Start Date:</b>		<b>Line Manager:</b>	

	<b>Date Due:</b>	<b>Please tick when completed</b>
<b>Initial Meeting:</b>		
<b>3 month review:</b>		
<b>End of 5 month review:</b>		

A copy of this document will be shared with the member of staff following each meeting.

Part 1: Initial Meeting – This section should be completed by the line manager and employee within the first week (as part of the induction process) or as soon as possible after starting in post.

<b>Expectations and Objectives:</b> The line manager should identify specific expectations and objectives to be achieved during the probationary period (these must be SMART)
<b>Development Plan:</b> To support the employee in achieve these objectives, the line manage should identify any training and development needs and specify how and when these needs will be addressed during the probationary period.

<b>Managers Signature:</b>	
----------------------------	--

I confirm that the above meeting has taken place. I also confirm that the job description has been discussed and I am clear about my role and responsibilities:

<b>Employees Signature:</b>	
<b>Date:</b>	

**Part 2 – 3 Month Review: To be completed by the line manager in discussion with the employee**

	Improvement Required	Average	Good	Excellent
Quality and accuracy of work				
Efficiency				
Attendance				
Time keeping				
Work relationships (team work, interpersonal and communication skills)				
Competency in the role				

<b>If any areas of performance, conduct or attendance require improvement, please provide details below:</b>
<b>Where concerns have been identified, please summarise how these will be addressed during the remaining period of probation:</b>
<b>Summary of the employee’s views on the role, work environment and working conditions:</b>
<b>Summary of employees overall performance:</b>

Have the objectives identified for this period of the probation been met?	YES/NO	If No, what further action is required?	Review Date
Have the training/development needs identified for this period of the probation been addressed?	YES/NO	If No, what further action is required?	Review Date
Should the employee’s probation period be confirmed at this stage?	YES/NO	If not, why not? Please specify the date on which the employee will complete the extended period and specify the improvement required and how this will be achieved.	Review Date

<b>Managers Signature:</b>	
<b>Employees Signature:</b>	
<b>Date:</b>	

**Part 3 – Final Review to be completed at end of Month 5**

To be completed with the line manager in discussion with the employee

	Improvement Required	Average	Good	Excellent
Quality and accuracy of work				
Efficiency				
Attendance				
Time keeping				
Work relationships (team work, interpersonal and communication skills)				
Competency in the role				

Have the objectives identified for this period of the probation been met?	YES/NO	If No, what further action is required?	Review Date
Have the training/ development needs identified for this period of the probation been addressed?	YES/NO	If No, what further action is required?	Review Date

<b>Summary of employees performance and progress over the period:</b>
<b>Is the employee’s appointment to be confirmed: YES/NO</b> If no, please provide reasons below and summarise what action has been taken to address any difficulties which have arisen during the probationary period.
<b>The employee may provide any comments about their experience of the probationary process here:</b>
<b>Should the employee’s probationary period be extended? YES/NO</b> If YES please provide reasons and, where appropriate, specify any areas of improvement required and how these will be monitored.

Length of extension (max 6 months)	
New probation period completion on:	
Employee’s signature:	
Manager’s signature:	
Date:	
Date letter issued to employee to confirm probation outcome:	