



Probation Policy (Support Staff)

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Approved By	Trustee Board
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VERSION NO.	DATE OF CHANGE	CHANGE SUMMARY	PAGE NO.
1.0	24.6.20		
2.0	13.9.22	Updated in new brand. Updated in line with Scheme of Delegation. Updated with recommendations from employment lawyer.	

This policy applies to all newly appointed temporary and permanent support staff based in the Trust.

In accordance with the Trust's Scheme of Delegation and Articles of Association, application of this policy is devolved to individual Academies within The Trust, unless otherwise stated.

The constitution of formal panels will be determined by the Trust's Scheme of Delegation.

This policy does not form part of employees' terms and conditions of employment and therefore may be subject to change at the discretion of the Trust

Data will be processed to be in line with the requirements and protections set out in the UK General Data Protection Regulation.

1. Purpose

1.1 The purpose of this policy is to allow both the employee and the trust/school to assess objectively whether or not the employee is suitable for the post. This is a supportive process to assist employees to reach the level of performance required to pass their probation period, but also provides a process to follow when a newly appointed employee is experiencing difficulties and failing to meet the required standards.

1.2 The policy also recognises the importance of:

- providing all new employees with the opportunity to become familiar with the main duties and tasks of their post
- providing any relevant support and assistance to an employee during the initial months of employment
- providing an opportunity for the employee to demonstrate that they meet the appropriate standards of performance, conduct and attendance required.

1.3 Application of the Policy

During an employee's probation period, their performance, conduct and attendance will be monitored and assessed by the relevant manager who will be responsible for the employee's line management. It is important for the employee to be fully engaged with the process and be capable of demonstrating (providing evidence, where appropriate) that they are competent in aspects of their role.

1.4 Delegation of Authority

Where an employee has failed to demonstrate satisfactory performance, conduct or attendance during their probation period, the matter will be referred to a probation hearing where an employee's continued employment will be considered. The person responsible for hearing the case will be:

- the Headteacher or another member of the Senior Leadership Team . It would not be appropriate for the Headteacher to make the decision if they have managed the case.

2. Length of the Probationary Period

- 2.1 All new employees who are appointed to a permanent or fixed term contract will be required to satisfactorily complete a probationary period before they are confirmed in post.
- 2.2 The probation period will usually consist of an initial "Induction period", of between 1 to 3 months, after which the First Probation Meeting will take place. After a further period of time, but before the end of the 6 months' probation period, the Final Probation Meeting will take place to review the employee's overall performance.
- 2.3 It is important that the length of the induction element of the probationary period and the level of support given at this stage is considered carefully for each appointment to ensure it is proportionate to the seniority and complexity of the role.
- 2.4 A comprehensive Induction programme should be created for each newly appointed post prior to the employee commencing their employment.

3. Serious Concerns

- 3.1 If at any point during the employee's probation period, the line manager considers that there are serious concerns regarding an employee's performance, conduct or attendance then it may be necessary to refer the employee immediately to a Formal Probation Hearing to consider termination of employment. This may be done at any point during the probation period provided there is sufficient evidence to demonstrate the manager's concerns.
- 3.2 In these circumstances, managers should discuss their reasons and seek advice from the Trust HR Department.

4. The Induction Period (up to 3 months)

- 4.1 A thorough and effective induction programme is essential for all new starters and should commence from day one of employment. The length of an induction period should be proportional to the complexity of the job and be sufficient to allow the employee to become familiar with their new role and the organisation.
- 4.2 Regular 1 to 1 supervision sessions should take place during the induction period to ensure that the employee remains fully supported during and to allow any issues that arise to be dealt with promptly and effectively.

4.3 The induction programme should cover:

- All aspects of the role, including relevant policies, procedures and working practices within the school / Trust.
- The performance, behaviour and attendance expectations and standards required from the employee within their role.
- Full details regarding the probation period, including the length of the induction period and probation period, dates of relevant meetings that will take place
- Details of how any issues regarding poor performance, conduct or attendance will be dealt with during the probation period.

5. First Probation Meeting (end of Induction Period)

5.1 The Line Manager will meet with the employee upon completion of their initial induction period to discuss their performance to date. During the meeting the manager will:

- a) Ask the employee to provide a view on how they have performed during the induction period, what went well, what didn't go well and so on;
- b) Provide feedback on the employee's performance, conduct and attendance, providing evidence to demonstrate any concerns the manager may have;
- c) Discuss any situations that arose during the induction period that were beyond the employee's control, but which may have affected their performance in any way;
- d) Reaffirm the expectations of performance, conduct and attendance for the remaining part of the probationary period.

5.2 Possible Outcomes of the First Probation Meeting

Where the performance, conduct and attendance is **satisfactory**:

- This will be confirmed to the employee;
- A date for the Final Probation Meeting will be arranged just before completion of 6 months employment i.e., before the end of the employee's probation period.

5.3 It is important that during the remainder of the probation period, regular 1 to 1 supervision sessions continue to take place to ensure that the employee remains fully supported and to allow any issues that may arise to be dealt with promptly and effectively. Where

performance falls below satisfactory levels managers should refer to the section below and draw up an improvement plan.

5.4 Where the performance, conduct and/or attendance is **not satisfactory**:

- The required standards will be re-affirmed to the employee;
- An Improvement Plan will be drawn up which will set targets for improvement that are reasonable and achievable;
- Both the manager and employee may identify any training or support required;
- The length of the Improvement Plan should be proportionate to the amount of training and support required; however, it is advisable that this should be for no longer than 6 weeks;
- The date for the Final Probation meeting will be confirmed.

6. Final Probation Meeting (End of Probation)

6.1 Shortly before the end of the probationary period (i.e., before 6 months of employment has been completed), the line manager should hold a Final Probation Meeting with the employee to discuss their performance, conduct, attendance, and overall suitability for the job. The purpose of the meeting is to allow the employee and their line manager to discuss all aspects their performance and attendance throughout the period of probation.

6.2 **Possible Outcomes of the Final Probation meeting**

Where the performance, conduct and attendance are **satisfactory**:

- This will be confirmed to the employee;
- A letter advising the employee that they have successfully passed their probation period should be sent to the employee.

6.3 Where the performance, conduct and/or attendance is **not satisfactory**:

If the employee has not met the standards required or performance has deteriorated during the course of the probationary period, the line manager must decide:

- Whether an extension to the probationary period would enable the employee to demonstrate an improvement. i.e., where it is considered that the employee just falls short of the required standards and an extension would be beneficial to the employee (see section 7 below). Where the line manager is not the Headteacher, they should discuss this with the Headteacher before confirming this with the employee.
- To refer the matter to a Formal Probation Hearing which may lead to the employee's dismissal.

7. Extending the Probation Period

- 7.1 In exceptional circumstances the Manager may grant an extension to the probation period.
- 7.2 Extensions will normally be limited to 1 instance and the entire probation period will not normally exceed 9 months.
- 7.3 An extension may be granted in circumstances where the employee's performance, conduct or attendance during probation has not been entirely satisfactory but it is thought likely that an extension may lead to an improvement. Where this is considered appropriate, the extension to the probationary period must be confirmed in writing to the employee and must specify the date on which the extension will end, along with the reasons for the extension.

7.4 An improvement plan will then be drawn up which will set targets for improvement that are reasonable and achievable and will also identify any training and/or support required.

7.5 If the employee is absent from work due to incapacity during their probationary period for a period which exceeds one week, the probationary period may be extended by the period of the absence to allow adequate monitoring of performance.

- 7.6 At the end of the extension period the Line Manager will meet with the employee to review the employee's performance in line with the Improvement plan.
- 7.7 If following the extension, the employee's progress is acceptable, the employee will be advised in writing that they have passed their probation period.
- 7.8 If the employee's progress is not acceptable, the matter will be referred to a Formal Probation Hearing.

8. Probation Hearing

- 8.1 At least 5 working days' notice will be given to an employee to attend a formal hearing. The letter inviting the employee to the hearing will detail:
- the reasons for the hearing;
 - the employees right to be accompanied by a work colleague or Trade Union representative;
 - that a potential outcome of the hearing is dismissal.
- 8.2 Employees also receive copies of any relevant documentation that will be used as evidence at the hearing. Employees will be given an opportunity to provide evidence.
- 8.3 The following outcomes are available:

- a) The employee has passed their probation period. The employee should receive written confirmation of this.
- b) A formal extension of up to 3 months may be granted in exceptional circumstances (if this option has not already been exhausted previously) and where it is considered that the required standards may be attained in the very near future following this extension there will be a Formal Review Hearing with the same panel, where possible.
- c) The employee's performance, behaviour, and attendance are not of an acceptable level and the employee should be dismissed.

9. Dismissal

- 9.1 If the decision is made that the employee should be dismissed, this should be confirmed in writing to the employee, who will receive notice in accordance with their contract of employment.
- 9.2 The employee will be notified in writing of the outcome of the hearing, including the reason for the decision to dismiss and the date of termination of their employment. The letter will also include details of the employee's right to appeal.

10. Right of Appeal

- 10.1 An employee has the right to appeal against dismissal. A request for an appeal must be submitted in writing by the employee and sent to the Chair of the dismissal panel within 5 working days of receiving their letter of confirmation for the decision from the school.
- 10.2 The appeal will be held in line with the Trust's Appeal Policy.

11. Employees with a Disability

- 11.1 Consideration should be given as to whether an employee's behaviour, capability or poor attendance is due to a disability and if so, what reasonable adjustments may be needed to assist the employee in being able to reach the required standards. Further advice may be sought from Occupational Health and HR services in these circumstances.

Probation Flowchart

