



## Probationary Period Policy for Schools and Academies

Effective November 2016

### 1. Introduction

The purpose of this policy is to:

- outline how employees performance, attendance and conduct will be assessed during the probationary period,
- ensure the review process is fair and equitable.
- enable managers to support the progress of new employees and ensure they meet the required performance, behaviour and attendance standards.
- enable managers to deal promptly and fairly with any apparent shortcomings in performance, behaviour or attendance in accordance with the procedure outlined below.

### 2. Scope

This policy applies to all support staff employees new to the school/academy who will have a probationary period of six months except for:

- Casual workers
- Employees who are subject to a TUPE transfer to the school/academy (who will be subject to any probationary policy that applies under the relevant TUPE arrangements).

Existing employees who move from another job within the school/academy (provided they have completed their probationary period) will not have a further probationary period. However, they should still have a full induction to make sure they are able to achieve the required standards in their new role.

### 4. Responsibilities

#### Managers will:

- explain the purpose of the probationary period;
- give clear guidance on standards of work, behaviours and conduct from the outset;
- set short term objectives that are SMART (i.e specific, measurable, achievable, realistic, time framed);
- give objective and constructive feedback that focuses on achievements and areas of improvement, evidencing with examples where possible;
- provide appropriate training and resources;
- review progress on a regular basis; and hold review meetings with the employee;
- confirm when probation has been successfully completed;
- ensure all reviews are recorded;
- if concerns arise, seek HR advice at the earliest opportunity.

#### Employees need to:

- make every effort to perform to the best of their abilities;
- contribute to the review process;
- take responsibility for their own development and embrace any training and or support offered; and
- discuss with their manager as soon as possible if they require support or a reasonable adjustment due to a disability or identified learning need.

## 5. Principles

### 5.1 Support

The school/academy is committed to enabling all employees achieve optimum levels of performance. The probationary period is an opportunity for managers to ensure that a new employee has been given the necessary support and training, and is aware of and achieves the required standards.

### 5.2 Regular Review

Performance, attendance and conduct will be regularly reviewed during the probation period. The manager will meet with the employee on a regular basis and feedback will be given.

### 5.3 Good Performance

Good performance will be recognised and praised. An employee who has good performance, conduct and attendance during their probation period will not be required to attend any formal meetings where third parties are present.

### 5.4 Suspension

An employee will only be suspended if there are very serious concerns regarding the employee's conduct or performance.

The reasons for any suspension, and conditions of the suspension will be confirmed in writing. Failure to comply fully with any conditions may result in the employee not receiving any pay during their suspension period.

### 5.5 Warnings given under this procedure

If an employee has completed their probationary period but they have been issued with a warning during the probationary period, this warning may be taken into account should any subsequent action be required after the employee has completed their probationary period.

## 6. Procedure

### 6.1 Overview

The probation process is normally:

Week 1	Induction
Month 1	1:1 / Supervision
Month 2	1:1 / Supervision
Month 3	First Review – <i>if there are significant concerns a first formal review may take place earlier</i>
Month 4/5	Final Review. <i>A Decision will be taken whether to confirm the employee in post, terminate employee's employment, or exceptionally extend the probationary period.</i>

See also the probation flowchart for a more detailed overview of the procedure.

## 6.2 Early stages of probation period

Good performance will be recognised and encouraged.

Shortcomings in performance/ behaviour/ attendance and the action to be taken to address this will be clearly discussed with the employee. Discussions will include:

- examples where standards are not being met;
- the standards expected;
- what actions/improvements the employee is responsible for;
- any reasonable support or training that has already been provided and what is required; and
- the timescale for reviewing improvement

Records will be kept by the manager.

If concerns continue the manager will seek advice from HR.

## 6.3 First Formal Review (if improvement is required)

If concerns regarding performance/ behaviour/ attendance continue then the employee will be formally invited to a First Formal Review meeting with the manager. This will normally take place during month 3 but can be earlier if required. The earliest it would be is two weeks after the employee's start date.

The employee will be given at least 7 calendar days notice of this meeting and advised they may be accompanied by a work colleague or a trade union representative. A HR advisor may be present at this formal review.

The aim of the meeting is to make sure the employee understands:

- the standards expected;
- the shortfall in performance/ behaviour/ attendance;
- the timescale over which improvements need to happen (maximum of 4 weeks);
- additional support or training to be provided (employee will be expected to have demonstrated a commitment to achieving standards);
- how performance/behaviour/attendance will be monitored;
- date of the next meeting; and
- consequences if their performance/ behaviour/ attendance does not improve (the employee will be warned that failure to improve may lead to dismissal with notice).

Details of the discussion and expectations will be put in writing and sent to the employee within 7 calendar days of the meeting. A Probationary Review Form may be used for these purposes.

If, following the First Formal Review, the employee's performance/ behaviour/ attendance improves sufficiently and performance objectives are being met, then the employee will be invited to a informal review meeting.

## **6.4 Final Formal Review**

### **Reasons to hold a Final Formal Review**

A Final Formal Review will be arranged if:

- there continues to be shortcomings in performance/behaviour/attendance after the review period set at a First Formal Review;
- the employee was performing well, but in the second half of their probationary period attendance/performance/conduct concerns arise; or
- serious concerns or allegations of gross misconduct arise at any time during the probation period. In these cases, the employee may be suspended on full pay whilst an investigation takes place, before a Final Formal Review is held.

### **Arrangements for a Final Formal Review**

The employee will be given 7 calendar days notice of the Final Formal Review meeting and will be advised that they may be accompanied by a work colleague or a trade union representative.

It will be made clear that one possible outcome of the meeting is dismissal.

The Headteacher will normally conduct this meeting (unless only the governing body has responsibility for the dismissal of staff, in which case a Committee of one or more governors will conduct the meeting.) The employee's line manager may also attend. A HR advisor will be present.

### **Outcomes of a Final Formal Review**

If the Headteacher / Committee believes the employee is not able to meet the required standards, the employee will be given notice of dismissal (the employee may not be required to work during their notice period). In cases of gross misconduct dismissal will be without notice.

Exceptionally, (for example if the reason for the Final Review meeting is related to disability or pregnancy related absence issues) an extension to the probationary period may be considered (subject to a maximum of 9 months probationary period in total). In such cases the employee will be warned that if sufficient improvement is not made, they may be dismissed.

The Headteacher / Committee will confirm their decision at the end of the meeting and explain to the employee their right to appeal. This will be confirmed in writing within 7 calendar days of the meeting.

If the employee is to be dismissed and the Council is the employer (Community and Voluntary Controlled schools), the Headteacher will notify the HR advisor, in writing, of the determination that the member of staff should cease to work at the school. The Council will carry out the formal dismissal within 14 days, giving appropriate notice where this applies.

## **6.5 Notice Periods**

Employees in a probationary period (including any extension periods) are subject to a standard notice period of one month (unless summarily dismissed), irrespective of their grade. On successful completion of the probationary period employees will be subject to the relevant notice period for their role.

## **6.6 Appeals**

To appeal against dismissal, the employee should inform the Headteacher within 7 calendar days of receiving the dismissal letter. Appeals will be heard as soon as possible, normally within 4 calendar weeks of being received, by a Committee of one or more governors who have had no previous involvement.