

Probation Policy for Schools, Colleges and Academies

The Governing Body of Thurlaston CE (Aided) Primary School adopted this policy on 25th May 2016

Scope

This policy applies to newly appointed support staff based in Schools, Colleges and Academies and should be read in conjunction with the associated guidance document.

This policy also applies to temporary appointments, regardless of if they are moving from another Leicestershire School, College or Academy or from within the County Council. However discretion may be considered as to how the policy may be applied for those employees who are appointed to similar posts and who have transferred from another Leicestershire School, College or Academy.

This policy is not applicable to casual workers.

Purpose

The purpose of the probation policy is to ensure that all new employees have the opportunity to become familiar with the main duties and tasks of their post and to demonstrate that they meet the appropriate standard of performance, behaviour and attendance expected of them. It also gives the line manager the opportunity to assess a new employee's suitability to the role they have been appointed to.

All new employees who are appointed to a permanent or temporary contract, regardless of the length of time, are required to satisfactorily complete a probationary period before they are confirmed in post. A probation period will usually last for 6 months although this may be extended in exceptional circumstances.

Application of the Policy

During an employee's probation period, their performance, behaviour and attendance will be monitored and assessed by either the Head Teacher or another manager who will be responsible for overseeing this policy.

Employees with a Disability

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 standard of performance, behaviour and attendance. Further advice may be sought from Occupational Health and HR services in these circumstances.

Induction Period (up to 3 months of employment)

A thorough and effective induction is essential for all new starters. An induction programme should take place when an employee is recruited into a post and would usually be completed within the first 3 months of employment.

The induction programme should cover everything that employees need to be aware of, in terms of policies, procedures and working practices within the School. It should also cover the performance, behaviour and attendance expectations and standards required from the employee within their role.

Serious Concerns

If at any point during the employee's probation period, the line manager considers that there are serious concerns then it may be necessary to refer the employee to a [Stage 3 Formal Probation Hearing](#) to consider termination of employment.

Possible reasons for considering this form of action are included within the [Probation Guidance](#) document. In these circumstances, managers should discuss their reasons and seek advice from HR Services.

Stage 1 - First Probation Meeting (end of induction period)

The Line Manager will meet with the employee upon completion of their induction, which is usually after 3 months, to;

- Discuss how the employee considers the period has gone;
- Provide feedback on the employee's performance, behaviour and attendance, providing examples where possible;
- Re-affirm that a satisfactory standard must be reached for all of the essential requirements of the role by the Stage 2 Final Probation Review Meeting;

Whilst it would be unusual for an employee to be accompanied by a Trade Union representative or work colleague at a Probation meeting, such a request should not be refused if the employee feels they require support.

Stage 1 - Possible Outcomes

Satisfactory Performance

Where the performance, behaviour and attendance is satisfactory;

- This will be confirmed to the employee;
- A date for the Stage 2 Final Probation Meeting will be arranged for around 5 months from the employee's start date.

Unsatisfactory Performance

Where the performance, behaviour and / or attendance is not satisfactory;

- The required standards will be re-affirmed to the employee;
- An improvement plan will be drawn up (to last a period of 2-4 weeks) which will set goals, targets that are reasonable and achievable and identify any training and / or support needed;
- A Progress Review Meeting will be set at the end of the improvement plan to determine whether the employee's performance, behaviour and attendance has improved. If progress is considered to be satisfactory at this stage then a date for the Stage 2 Final Probation Meeting will be arranged. If however, the employee's progress is still considered to be unsatisfactory at the review meeting, then the line manager may refer the matter to a Stage 3 Formal Probation Hearing.

Stage 2 - Final Probation Meeting (usually after 5 months of employment)

The Line Manager will meet with the employee, after 5 months from the start of their employment, to;

- Provide feedback on the employee's performance, behaviour and attendance, giving examples where possible;
- To inform the employee that their performance, behaviour and attendance has been satisfactory or unsatisfactory.

Stage 2 - Possible Outcomes

Satisfactory Performance

Where the performance, behaviour and attendance is satisfactory or sufficient improvements have been made where targets were previously identified;

- The employee will be verbally confirmed into post and sent a letter confirming the appointment ([link to sample letter](#));
- Any future training or support should be identified and linked to the objectives and targets set as part of the performance management process.

Unsatisfactory Performance

Where the performance, behaviour, and attendance is not satisfactory or sufficient improvements have not been made, the employee must;

- Be advised that the matter will be referred to a Stage 3 Formal Probation Hearing which may lead to the employee's dismissal;
- The employee must be advised of their right to be accompanied by a Trade Union Representative or a work colleague at the hearing.

Extension

In exceptional circumstances a manager may grant an extension to the probation period for a maximum of 8 weeks. Examples of circumstances where an extension may be appropriate can be found in the [Probation Guidance](#) document, further advice may also be sought from HR.

At the end of the extension period the Line Manager will meet with the employee to review the employee's performance, behaviour and/or attendance in addition to any progress made against the expectations and requirements of the post;

- If following the extension period the employee's progress is acceptable, the employee will be confirmed in post both verbally and in writing.
- If the employee's progress is not acceptable, the matter will be referred to a Stage 3 Formal Probation Hearing.

Stage 3 – Formal Probation Hearing

The employee must be given at least 10 working days' written notice to attend a formal probation hearing and the notice should inform the employee of the reasons for the hearing and their right to be accompanied by a work colleague or trade union representative. The letter should state that a potential outcome of the hearing is dismissal. Employees should be provided with copies of relevant documentation e.g. improvement plan(s), notes of meetings etc. that may be referred to at the hearing. Details of any witnesses that management are intending to call should be included.

The invite to hearing letter should also inform employees that they will have an opportunity to provide any evidence and call witnesses if they wish, details of which should be submitted to the chair of the panel no later than 5 working days prior to the hearing.

Stage 3 - Possible Outcomes

The panel or delegated person may find that:

- The employee's performance, behaviour and attendance is of an acceptable level, and that the employee is therefore confirmed into post.
- Based on the evidence provided at the hearing, the employee has not been given sufficient opportunity to demonstrate their ability to fulfil the job, and/or has not been given enough support / training; it may be decided to allow the employee to continue with the probation process.
- A formal extension of up to 8 weeks may be given where it is considered that the employee has not reached the required standard, but that this will be attained in the very near future with some additional training/support. An extension may only be given if this has not been previously granted during the probation process. Following this extension there will be a Formal Review Hearing with the same panel, where possible.
- The employee's performance, behaviour, and attendance is of an unacceptable level. The employee should be dismissed.

Delegation of Authority

The person or panel responsible for hearing the case will depend on who has been given the delegated authority. This will either be the Governing body (i.e. a panel of Governors) or the Head Teacher. If it is the Head Teacher, then they may be supported by another member of the senior management team or a Governor. It would not be appropriate for the Head Teacher to make the decision if they have managed the case.

Dismissal

If the decision is made that the employee should be dismissed, the panel or delegated person will dismiss the employee with notice in accordance with their contract of employment.

The employee should 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 ([link to sample letter](#)). The letter will also include details of the employee's right to appeal.

- Local Authority Schools
Once the panel or delegated person has decided that the employee should be dismissed, this, together with the reasons for the dismissal, should be confirmed in writing to the employee and the Local Authority notified as soon as possible. The Local Authority must then dismiss the employee within 14 days of the date of the notification, by sending the employee a Local Authority termination letter. The Local Authority has the right to be represented at the dismissal hearing and this will normally be through a member of the HR Services team in an advisory capacity.
- Academies, Voluntary Aided, Foundation and Foundation Special Schools
Once the panel or delegated person has decided that the employee should be dismissed, this should be confirmed in writing to the employee.

Right of Appeal

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 Head Teacher within 5 working days of receiving their letter of confirmation for the decision from the School.

The appeal will be held in line with the Appeal Procedure for all School based staff.