



SCHOOLS PROBATIONARY POLICY - Support Staff

1. Introduction

Schools recognise the importance of introducing employees effectively into the organisation. Learning a new job is a challenging experience and it can take time to adjust to new colleagues and surroundings.

New appointees will be provided with an appropriate induction, the purpose of which is to support employees and help them to settle into their new role so that they can effectively perform their duties and responsibilities as quickly and as easily as possible.

The aim of the probationary period is to ensure that all employees of the School can meet the basic requirements of the role and perform to the standards expected.

New appointees will be subject to the satisfactory completion of a probationary period. This is a trial period during which time employees must demonstrate suitability for the post including the core attitudes and behaviours detailed in the School's Mission Statement and ethos.

The probationary period will normally last for 6 months, however, should an employee commence their role in the summer term, the probation would continue into the autumn term following the summer holidays.

2. Scope

This policy applies to new employees to the School regardless of previous service in an educational setting. It includes those on fixed term and temporary contracts.

It does not apply to Teachers employed under the Burgundy Book, for whom separate arrangements apply, nor does it apply to existing employees transferring within the School from one role to another (unless the employee is still within an existing probationary period).

3. Induction



Induction is the start of an important learning and development period for every new employee irrespective of their previous employment background.

As part of the induction process, Headteachers/Line Managers should set objectives for the new employee which will then form the basis of any future reviews/appraisals

4. The Probationary Review Process

Employees should be given a copy of the Probationary Policy at the start of their employment and Headteachers/Line-Managers should ensure that the employee understands the provisions of the policy.

During the probationary period, Headteachers/Line Managers should continually assess a new employee's performance, attendance and conduct – this includes their behaviours and attitudes.

Appropriate support, supervision and/or development should be provided and informal reviews/1-1 supervision sessions should take place at regular intervals.

It is important that Headteachers/Line Managers set work targets and explain the standards expected of the new employee at an early stage in their employment.

Review meetings should take place after 2 and 4 months of employment, or more frequently if necessary.

The emphasis is on developing good working relationships. Reviews should involve open and honest discussion about the employee's performance and Headteachers/Line Managers should clearly explain the standards required, the support and development being provided and the timescales for improvement if required.

If at any time during the probationary period there are any general issues or concerns these should be raised with the employee promptly.

The manager should consider any explanations provided by the employee and/or issues/concerns raised by them and these should be discussed and addressed appropriately.

Meetings should be clearly documented and signed by both the Headteacher/Line Manager and the employee. The employee should be given a copy of the notes and the originals placed on their personal file (see Appendix 1 – Record of Probationary Review Meeting). The record will reflect the positive achievements made during the



probationary period along with any agreed actions for dealing with any areas which fall below the standards expected.

If necessary the Headteacher/Line Manager should remind the employee of the implications if they do not achieve the required standards and refer them to the Probationary Policy. If appropriate this should be followed up in writing.

5. Satisfactory Completion of the Probationary Period

Having assessed the employee's performance during the probationary period in accordance with this policy, if the Headteacher/Line Manager's view is that the employee has satisfactorily completed their probationary period this must be confirmed in writing to them (see Appendix 2 – Satisfactory Completion of Probationary Period).

6. Concerns during the Probationary Period

Where an employee is not meeting the required standards, despite the provision of training and supervisory support, non-confirmation in post can be considered.

Before consideration is given to not confirming an employee in post the Headteacher/Line-Manager must have met with the employee and informed them that failure to meet the required standards may result in a formal meeting being arranged and that a possible outcome of this meeting may be that they are not confirmed in post.

This discussion could be at a scheduled review meeting or through the normal 1-1 process.

The employee may wish to seek the advice of their trade union at this point.

Performance Issues - If the issues are performance related, a performance improvement plan should be completed (see Appendix 3 – Performance Improvement Plan).

Attendance Issues - If there are concerns about the employee's level of attendance the following must be considered:

- Is a referral to Occupational Health appropriate?
- What support could/should the School be providing?
- Is it possible the employee's absences may be due to a disability covered by the Equality Act?



- If the employee does have a disability what reasonable adjustments should be considered?
- Does the employee feel that there is anything the Headteacher/Line-Manager and/or the School could do to support them to improve their level of attendance?

All this information must be clearly documented.

Conduct Issues - Where there are issues regarding the conduct of an employee during their probationary period which cannot be treated or resolved informally, an appropriate objective investigation should be completed before any decision is taken. HR advice should be sought on how to conduct the investigation.

The action taken will be dependent on the allegations made against the employee.

In some circumstances it may be appropriate to issue an 'informal' warning or feedback file note for example, if the employee is late for work on the first or second occasion without good explanation.

In these instances, the Headteacher/Line-Manager must discuss the issues fully with the employee and warn the employee that any further occurrence may result in a formal meeting and this may lead to them not being 'confirmed in post'.

In more serious circumstances it may be appropriate to go straight to a formal meeting (following an investigation) where non confirmation in post will be considered. HR advice should be sought as to whether or not suspension would be appropriate in these types of cases.

In addition to the points above where the required improvement in conduct, work performance, level of attendance or attitudes and behaviour is not being achieved it would be appropriate at this stage for the employee to be advised that they may be accompanied at their review meetings by their trade union representative or work colleague should they wish.

Dependent on the nature of the concerns a formal meeting which may result in non-confirmation in post can be considered at any time during the probationary period. If there are significant concerns it is not essential in every case to allow the probationary period to run its full duration.

This could be for example:



- where it becomes evident that it is unlikely that the required improvement/standard will be achieved within the relevant timescales;
- where there are significant concerns with regard to the potential safety of children or vulnerable adults;
- where there is an accumulation of issues and despite discussion sufficient improvements are not being made.

HR advice should always be sought in cases where early non confirmation in post is being considered.

If an employee feels that the Probationary Policy has not been followed appropriately or they have any concerns it is their responsibility to raise this with their Headteacher/Line Manager or the next level of management. This should be done at the earliest opportunity so that the matter can be considered and resolved wherever possible.

Should the employee raise a complaint during the probationary period this will be dealt with through the school's grievance procedure. Particular consideration will be given to the specific nature of the issue being raised by the employee before deciding how to proceed. This may include the following:

- whether or not to continue with a formal meeting and consider the issues separately or;
- to suspend the formal meeting until the complaint is resolved or;
- if the issues are sufficiently related, to deal with both issues in the same process.

7. Extending the Probationary Period

In some circumstances, where an employee has not achieved the standards required for the post, it may be appropriate to consider extending the probationary period - this may be for a period of up to 3 months. An extension should only be agreed, however, where the Headteacher/Line Manager reasonably believes that the employee will be able to achieve the standards required given this further time.

In exceptional circumstances further extension beyond 3 months may be agreed, however, this should only be where there are specific reasons such as:



- the individual is subject to a disciplinary investigation;
- the manager has been unable to provide specific training or support;
- the employee has a disability which is covered by the Equality Act and reasonable adjustments are still being considered/implemented.

This is not an exhaustive list. HR Advice should be sought when extending probationary periods (see Appendix 4 – Extension of the Probationary Period).

8. Non Confirmation in Post

If, after review meetings, the completion of an action plan/support programme and, where appropriate, an extension to the probationary period, the employee is not meeting the required standards, then the School's Dismissal Policy should be followed.

The process will determine either that:

- no further action be taken;
- there be a further opportunity to improve performance, together with any specific recommendations
- contract of employment be terminated in accordance with the School's Dismissal Policy

This policy refers to an employee 'not being confirmed in post', however, it should be noted that this is a dismissal in law and as such the process detailed below should be followed.

HR advice should be sought before undertaking any dismissal proceedings

As with any termination of contract (other than summary dismissal for acts of gross misconduct) the standard notice periods, as stated in the Statement of Particulars, apply.

Headteacher/Line Managers should always seek HR advice prior to holding a formal meeting.

The employee must be invited, in writing, providing at least 48 hours' notice to a formal meeting to discuss the issues (see Appendix 5 – Arrangements for a Formal Meeting).



In the letter the employee should be offered the right to representation by a Trade Union Representative or work colleague, be given a summary of the main concerns, and informed that a possible outcome of the meeting may be that they are 'not confirmed in post'.

At the meeting the Headteacher/Line Manager must discuss the concerns with the employee and provide evidence of where the employee has not met the required standards.

The employee should be given the opportunity to respond to the issues/concerns raised and put forward any mitigation / justification.

This information will be considered by the Headteacher/Line Manager before any recommendation for action is made to the appropriate Officer.

If the decision is that the employee is not confirmed in post, the employee must be given the right of appeal (see Appendix 6 – Non Confirmation in Post).

In all instances the dismissal policy for the setting must be followed and any dismissal is carried out at the appropriate level and any action confirmed in writing to the employee.

9. Appeal

If the employee wishes to appeal against a decision not to confirm them in post, they must do so in writing within 10 working days of receiving written notification of the decision.

The appeal must be submitted to the appropriate body in the School in which they work and must state the ground(s) for the appeal.

The employee will be invited to attend an appeal hearing which will be held within 15 working days of receipt of the written letter of appeal.

An appropriate Officer who has not been previously involved in the case will hear the appeal.

The appeal decision is final and will be confirmed in writing no later than 5 working days after the hearing.

10. Further Information



If you require further advice regarding the application of this policy and guidance please contact your HR Provider.

11. Approving Body

SPDG/LJNCC - Friday 11 December 2020

Appendix 1 – Record of Probationary Review Meeting



Record of Probationary Period Review Meeting

Employee Name:	Job Title:
Headteacher/Line-Manager Name:	School
Start Date in Post:	Date of Probationary Review Meeting:

Please highlight whether this review meeting is at:

Month 2 ☐ Month 4 ☐ Other ☐ (*please specify*): ____ months

The following must be completed by the Headteacher/Line-Manager and must record what is discussed as part of the probationary review meeting including comments from the employee. A copy must be given to the employee and a copy retained on their personal file.

Employee's achievement of standards and objectives (*please summarise the main achievements and detail any specific evidence*):

Any areas requiring improvement (*please summarise and provide any explanations, concerns or obstacles*):

Outline of employee's views on the job, work environment and working conditions:

Outline any follow-up action agreed *(NB please complete a Performance Improvement Plan if issues identified are performance related)*:

Summary of employee's overall performance including their attitude and behaviours in line with the School's Mission Statement and ethos(also include expected improvements if appropriate):

Other comments:

(At 6 months) - Is the employee's appointment to be confirmed?

Yes ☐ No ☐

If no, please give details:

Should the employee's probationary period be extended to allow time for improvement?

Yes ☐ No ☐

If yes, please specify the date on which the employee will complete the extended period. Specify the improvement required and how this will be achieved.

Revised Probationary Period End Date:

Employee Signature:

Date:

Headteacher/Line-Manager Signature:

Date:

Appendix 2 – Satisfactory Completion of Probationary Period



Private and Confidential

Date:
Your Ref:
My Ref:
Please ask for:
Direct Dial:

Dear (Insert Name),

RE: SATISFACTORY COMPLETION OF PROBATIONARY PERIOD

Further to our meeting on (Insert Date) I am pleased to confirm that you have satisfactorily completed your probationary period.

(Please feel free to personalise the letter further or include details of employee achievements during the probationary period).

I would like to take this opportunity to wish you well in your ongoing career withSchool.

Yours sincerely

(Insert Name)
On behalf ofSchool

Performance Improvement Support Plan ((from date) - (to date))

Name of Employee _____

Name of Line-Manager _____

Job Title _____

Job Title _____

Area of Concern/ Current Performance Issues <i>(use specific examples where as possible)</i>	Standards Expected	Development/Support to be Provided	Monitoring <i>(who,how and when)</i>	Timescales for Improvement/ Achievement/Review	Progress Made/Standard Achieved/Date Achieved

Signed (Employee): _____

Signed (Manager): _____

Date: _____

Date: _____

Appendix 4 – Extension of the Probationary Period

SCHOOL LOGO

Private and Confidential

Date:
Your Ref:
My Ref:
Please ask for:
Direct Dial:

Dear (Insert Name),

RE: EXTENSION OF PROBATIONARY PERIOD

I write to confirm the outcome of your probationary meeting which was held on *(Insert Date)*. You chose /chose not to be represented by *(insert name and union/position)*. I was supported at the meeting by *(insert name/position)*.

The purpose of the meeting was to review your performance within your probationary period to determine whether you had achieved the required standards of performance in order to be confirmed in post.

During the meeting I reviewed the areas of concern which we had discussed previously and the support that we had agreed which was felt would assist you in achieving the required standards of performance. In summary the areas of concern which we discussed were:-

(Outline areas of concern which have previously been discussed).

During the above meeting I referred to our previous discussions regarding the above shortfalls in performance which were discussed on *(Insert Dates)*. We reviewed the support currently in place and you confirmed that this remained appropriate and would be helpful to you. Following our discussion I confirmed that your probationary period would be extended by *(insert length of extension in line with the School's Probationary Policy)* to give you additional time to meet the required standards.

I must advise you that should you be unable to meet the expected standard(s) by *(insert end date)*, a formal meeting will be held at which a recommendation may be made that you should not be confirmed in post.

I appreciate that learning a new job can be a challenging experience and that it can take time to adjust and therefore I hope the above support framework will assist you in achieving the required standards of performance. If there is anything that you wish to discuss with me or any further support that you feel you would benefit from then please do not hesitate in speaking to me.

Please sign and return the enclosed duplicate copy of this letter.

Yours sincerely

(Insert Name) on behalf of

.....School

(Insert Employee Name)

I confirm I have received, read and understood the contents of this letter.

Name:

Signed:

Date:

Appendix 5

SAMPLE LETTER TO REQUEST ATTENDANCE AT A FORMAL MEETING (following informal reviews meeting(s)).

SCHOOL LOGO

PRIVATE AND CONFIDENTIAL

Date:
My Ref:
Please ask for:
Direct Dial:
Email:

Dear (Insert Name),

RE: REQUEST TO ATTEND PROBATIONARY MEETING

I write to request your attendance at a formal probationary meeting, the purpose of which will be to discuss the shortfalls in your performance, understand the reasons for this and explore any support that may assist you in achieving the required standards.

We previously met informally on (Insert Dates) to discuss the areas of your role where you are not achieving the required standards. Unfortunately your performance has not achieved the required standard of performance since we met informally and therefore I have arranged a formal meeting to discuss this further with you. I have summarised below the following areas of work performance that will be discussed at the meeting:

(Outline the issues to be discussed)

The meeting will take place on (Insert Date) in (Insert Location), at (Insert Time).

You have a right to be represented at this meeting by either a Trade Union Representative or a colleague and if you wish to exercise that right, please make arrangements for them to be present. I will be accompanied by (insert name and job title).

May I remind you that you are still under the terms of your probationary period with the School you should have already received a copy of the School's Probationary Procedure, if you have not please let me know and I will ensure you are provided with a copy

I appreciate that this may be a difficult time and understand that it takes time to adjust and settle into a new role. I therefore hope that when we meet we will be able to identify and agree measures that will support you in achieving the required standards of performance.

Should you have any questions or concerns in the meantime then please do not hesitate in speaking to me on the above number.

Yours sincerely

(Insert Name) on behalf of
School

Appendix 6 – Non Confirmation in Post

SCHOOL LOGO

Private and Confidential

Date:
Your Ref:
Please ask for:
Direct Dial:
Email:

Dear (Insert Name),

RE: NON CONFIRMATION IN POST

I write to confirm the outcome of the formal probationary meeting held on *(Insert Date)*. The purpose of the meeting was to review your performance during your probationary period and determine whether you would be confirmed in post

I was supported at the meeting by *(insert name/position)* and you chose/ chose not to be represented by *(insert name/ position)*.

During the meeting we reviewed the shortfalls in your performance which we had discussed previously and the support that we had agreed which was felt would assist you in achieving the required standards of performance. In summary the areas of concern which we discussed were:-

(Outline areas of concern which have previously been discussed).

I confirmed during the meeting that your *(performance/conduct/attendance - delete as appropriate)* does not meet the required standard in the following areas:

(Insert Detail)

During the meeting you were given an opportunity to respond to the concerns outlined above and to put forward any justification or mitigation.

(Insert summary of employee response and mitigation)

Having considered the continuing shortfalls in your performance and the representations which you have put forward I informed you of my decision to recommend that you are not confirmed in post and I am writing to confirm that decision. This means that your employment will cease on *(Insert Date)*. Any outstanding monies will be paid to you in the next available pay run.

I would like to remind you that you have a right of appeal against this decision. If you wish to appeal you should do so in writing, to me, within 10 working days of receipt of this letter. You should outline the reasons for your appeal.

Please can you sign the duplicate copy of this letter as confirmation of receipt and return it to me within the next 5 working days.

I am sorry that your employment has ended in these circumstances and I would like to take this opportunity to wish you well for the future.

Yours sincerely

(Insert Name) on behalf of
School

(Insert Employee Name)

I confirm I have received, read and understood the contents of this letter.

Name:

Signed:

Date: