 

PROBATIONARY

POLICY

**Document Control**

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## **1.0 INTRODUCTION**

1.1 The Trust recognises that a supportive and developmental probation process is vital in providing the appropriate level of support and training for new members of staff on commencement of their employment.

1.2 This policy sets out the Trust’s approach to probation for new members of staff, aiming to ensure the Trust meets its commitment to the fair, equal and consistent treatment of staff with regard to the probation period.

## **2.0 SCOPE**

2.1 This policy relates to all newly appointed permanent staff receiving a new contract, whose terms and conditions of employment state that their appointment is subject to a probationary period.

2.2The length of the probation period will be 6 months.

2.3Staff on probation will not be subject to the performance review process until such time as their probation period is successfully completed. Staff may be listed as having received a performance review if they have recently undergone a probation review.

2.4All cases of poor performance or misconduct will be dealt with within the probation procedures.

2.5 This policy will be applied alongside the appraisal policy.

## **3.0 AIMS**

3.1 The policy aims:

* To ensure that the probation process is undertaken for all staff and is applied in a fair and consistent manner, within a supportive framework and in line with employment legislation requirements.
* To ensure the Trust is provided with an opportunity to assess the skills, conduct, capability and attendance of new staff before deciding whether or not to confirm their appointment.
* To identify the link between induction, probation and developmental processes and emphasise the need for all to underpin the support and development of a new member of staff.

## **4.0 PRINCIPLES**

4.1The Trust aims to secure equality of opportunity in all its activities, and in this respect, the probation process must be objective, clear, transparent and free from discrimination.

4.2The probation process should work alongside the induction process to help create a positive and supportive working environment, allowing new staff to settle into the organisation and learn the key elements of the job within a reasonable and realistic timescale.

4.3 At their induction, new members of staff will be made aware by their line manager of the performance standards expected of them and will be given support, training and feedback necessary to achieve these standards. Line managers will use the probationary period to monitor the success of the new staff member in reaching those standards.

4.4Clear, comprehensive and accurate records of probation review meetings must be maintained, including how standards are set, what methods are used for measuring them and what timescales are given for reaching them. A Probation Review Form (appendix 1) is provided for this purpose and

must be signed by the employee and their line manager at each review point to provide a formal record of the probationary period. Induction materials may be used to inform the initial probation review meeting i.e. to clarify the duties and responsibilities of the new employee in line with their terms and conditions of employment, their job description and the policies and procedures which must be followed.

4.5 In circumstances where problems arise during a period of probation, the line manager should raise these with the member of staff in a timely manner, and the member of staff must be given an opportunity to respond to any concerns. Line managers should discuss the action required by the member of staff to address the problem and where necessary give clear, unambiguous warnings if standards are not met. The manager should use the Probation Review Form (appendix 1) to keep a record of the discussion and ensure that this is signed by both parties (i.e. the line manager and the employee).

4.6Members of staff have the right to be accompanied by a colleague or trade union representative at any formal meetings held to address serious performance issues that have arisen during probation and where dismissal is a possible outcome.

4.7 Documentation relating to staff will be treated with the utmost confidentiality and related documentation will be subject to the provisions of the Data Protection Act 2018 and GDPR as appropriate.

## **5.0 RESPONSIBILITIES**

|  |  |
| --- | --- |
| **Role**  | **Responsible for**  |
| New Employee  | Demonstrating their suitability for the post for which they are appointed Participating as required in their induction  |
|  | Meeting any agreed objectives within deadlines set  |
|  | Identifying to their line manager at the earliest opportunity any difficulties they are experiencing  |
|  | Raising with their line manager any training, development or support which they believe to be necessary in order for them to fulfil the requirements of the role  |
| Line Manager  | Establishing the standards of performance consistent with the requirements of the position, in line with the job description Communicating the required standards, responsibilities and objectives to the new staff member Ensuring the new employee receives the agreed induction programme Making sure that the employee is aware that records of induction activities may be used to support the probation process Maintaining induction records which will provide complete and documented evidence to support the probation procedure Providing training and guidance as necessary Monitoring the performance of the employee Holding regular one-to-one meetings with the employee in order to ensure a good working relationship and provide feedback on the employee’s progress  |
|  | Arranging and conducting formal probation review meetings at the intervals prescribed in the probation procedure  |
|  | Providing appropriate supervision to monitor progress or identify difficulties and provide opportunity for resolution  |
|  | Timely conduct and documentation of probation reviews  |
|  | Confirming verbally whether or not the employee has completed their probationary period successfully at the final review meeting.  |
|  | Confirming in writing the outcome of the probation period following an extension of or difficulties during the probation period  |

## **6.0 PROCEDURE**

 Setting Standards

6.1 The line manager should ensure that an induction programme is in place prior to the commencement of the new employee. Standards and objectives should be set and be provided to the new employee to ensure that expectations regarding standards of work performance, conduct and attendance are clear to them on commencement of their role and that the appropriate support, training and guidance is in place.

6.2 The line manager should arrange a meeting with the new employee during the first two weeks of employment to ensure they are aware of the standards required of them and that activities carried out during job induction may be used to document the employee’s performance during the probationary period.

 Initial Meeting

* 1. At the initial meeting the manager should;
* Clarify the duties and responsibilities of the new employee in line with their terms and conditions of employment, their job description (providing them with a copy) and the induction pack.

To include;

* key aspects of the role
* policies and procedures that must be followed
* deadlines which need to be adhered to
* relationships with colleagues
* working hours – including any flexitime arrangements/processes
* working environment
* health and safety
* security arrangements
* training and development needs, including mentoring opportunities

6.4 Identify and put in place objectives which will be statements of what should be achieved during the probationary period. These should be explained, regarding how they will be monitored and measured, the timescales and what support will be given in order to achieve them.

6.5 Identify and put in place ways to address any training and development requirements.

6.6 Explain fully the probation procedures to be followed.

6.7 Agree dates for further review meetings, including formal review meetings.

## **7.0 REVIEW MEETINGS**

7.1 As part of the formal review meeting line managers should;

* praise good performance and achievements made so far
* discuss the employee’s performance against the requirements of the position identified in the job description
* discuss the employee’s performance against any objectives and targets set at the initial meeting
* review time keeping and attendance, including sickness absence
* review training requirements and agree any further development needs
* identify any areas of performance, conduct, attendance that need improving – identifying the standards required and how this can be achieved
* provide support and guidance
* be sensitive to issues of equality and diversity, seeking guidance as appropriate.
* set date for next review meeting
* document the details of the review meeting on the probation form

## **8.0 DIFFICULTIES DURING PROBATION**

8.1 Line Managers should discuss with their staff, any difficulties which arise during the probation period at the time when they occur, rather than leaving them until the formal review meetings.

8.2 Where difficulties arise the line manager should meet with the employee, informally in the first instance to:

* clarify what the difficulties are in detail – specifying where and how their performance, conduct and/or attendance are falling below what is acceptable.
* where possible provide evidence/examples of the problem/issues to be discussed
* allow the member of staff an opportunity to raise and respond to any concerns
* discuss the action required by the member of staff to address the problem - set targets specifying in detail what standards of performance, conduct and/or attendance are required to reach an acceptable level
* identify any training needs which may need to be met in order for them to achieve the targets
* set dates when the target should be met
* monitor the employee’s performance/conduct/attendance and review them at the time of the target dates
* explain what the consequences may be if the standards/targets are not met – that it may be necessary to discuss the matter at a formal meeting and that ultimately it could result in the employee not being confirmed in their post.
* discuss any actions required by the manager and agree timescales for completing these, where there is an issue of concern to the employee.

8.3 The line manager should use the Probation Review Form (appendix 1) to keep a record of the details referred to in the meeting and ensure that this is signed by both parties (i.e. the line manager and the employee).

8.4 If an employee’s performance/conduct/attendance does not improve following the initial meeting, within a reasonable and realistic timescale, it may be necessary to discuss the matter at a more formal meeting.

8.5 The employee should be invited in writing to attend the meeting, giving them appropriate notice. The letter should state the reasons why they have fallen short of the required standards and they should be provided with evidence of this, where available, prior to the meeting.

8.6 The employee will have a right to be accompanied at the meeting by a work colleague or trades union representative and should be notified of this in the invite letter.

8.7 At the formal meeting the steps set out in the above informal process should be repeated. Following the meeting, the employee should be given an opportunity to improve their performance and be advised that should they not improve and reach the required standards of performance/conduct/attendance by the time of the final review meeting, they may not be confirmed in post, and could therefore have their employment with the Trust terminated.

8.8 The manager should confirm in a letter to the employee the details and actions of the meeting, sending a copy to HR for retention on the employee’s personal file. Advice on letters to confirm actions taken under the formal procedure should be sought from an HR Manager.

8.9 The above steps should continue to be followed and monitored during further formal meetings and during the formal review meeting process. Where an employee has not reached the required standards of performance/conduct/attendance during their probation, despite efforts to address this, then the procedure described in the section on Non confirmation of Appointment should be followed and explained to the employee in advance of their final review meeting.

## **9.0 EXTENSION OF PROBATIONARY PERIOD.**

9.1 The Trust reserves the right to extend the probation period in circumstances where due to sickness absence or other authorised absence it has not been possible to assess an employee’s performance.

9.2 Where absence is due to disability or to maternity leave advice should be sought from HR Manager.

9.3 In exceptional circumstances where it is felt that an employee has not yet demonstrated their suitability, but are likely to do so, given more time, the probation period may be extended.

9.4 Extensions should be for no longer than 3 months and approved by the Trust CE. Where the probation period is extended, the following must be discussed between the manager and the member of staff;

* reasons for the extension
* length of the extension period
* any assistance/guidance/training to be given during the extension
* any areas of improvement that are required and how these will be monitored (where these arise the guidance in the section on Difficulties During Probation should be followed)
* explain the consequences should they not reach the required standards by the time of the final review meeting - that they may not be confirmed in post and could therefore have their employment with the Trust terminated.

9.5 The manager should confirm in a letter to the employee the details and actions of the meeting, including confirmation of the extension sending a copy to HR.

9.6 Monitoring will continue through the probation period, and the employee and their manager will meet to formally review progress.

9.7 If performance is deemed to be satisfactory then a final copy of the Probation Review form should be completed, signed by both parties, and sent to HR Services who will write to the employee to confirm that they have successfully completed their probation period.

9.8 Where an employee has not reached the required standards of performance/conduct/attendance during their probation, despite efforts to address this, then the procedure described in the section on Non confirmation of Appointment should be followed and explained to the employee in advance of their final review meeting.

## **10.0 NON-CONFIRMATION OF APPOINTMENT**

10.1 Non confirmation should only be considered where the employee has been taken through the procedure as described in the section on Difficulties during Probation and have failed to attain the required standards.

10.2 Where an employee has failed to achieve the required standards of performance, conduct or attendance required for their position, they should be invited to a formal final review meeting to discuss this and in order to reach a decision about their employment status.

10.3 The employee should be invited in writing to attend the meeting, allowing appropriate notice. The letter should state the reasons why they have fallen short of the required standards and should advise them that a possible outcome of the meeting could be the decision not to confirm them in post during their probation period.

10.4 The employee will have a right to be accompanied at the meeting by a work colleague or trades union representative and should be notified of this in the invite letter.

10.5 Guidance should be sought from an HR Manager who, where appropriate, can also be in attendance at the decision meeting.

10.6 At the decision meeting the manager should;

* give the reasons for considering non confirmation in post - these should be explained clearly
* provide evidence/examples of the problem/issues to be discussed – where appropriate in advance of the meeting
* allow the employee and/or their representative to respond to the concerns and to ask any questions
* ensure that due consideration has been given to issues of equality and diversity and any other issues pertinent to the individual case
* once all the information has been gathered the meeting should be adjourned for consideration to be given to all the evidence and for a decision to be taken
* at the reconvened meeting the manger should state clearly the decision that has been taken and reasons for the decision.

10.7 The manager should ensure notes are taken of the meeting. Any decision reached should be confirmed in a letter to the employee with a copy to HR.

10.8 Termination of employment during the probation period (original or extended) will be subject to a one week notice period or pay in lieu of notice where appropriate.

10.9 Where a decision is taken to terminate an employee’s employment, the letter to the member of staff should state the reasons for the dismissal, their final date of employment and notice/pay in lieu arrangements. They will also be advised of their right to appeal.

## **11.0 RIGHT TO APPEAL**

11.1 Where a member of staff’s employment has been terminated during their probation period they have a right to appeal against the decision to dismiss them from the Trust. In order to appeal they should write to the Chair stating the reason for their appeal within 10 days of receipt of the confirmation of the decision in writing.

11.2 Employees have the right to be accompanied to the appeal by a work colleague or trades union representative.

11.3 Appeals will be considered by the appeals committee. 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.

11.4 The decision taken at the appeal hearing will be final.

## **12.0 MONITORING AND REVIEW**

12.1 Human Resources will work with head teachers and governing bodies to monitor the application of this policy. They may review any aspect of the policy in light of changing circumstances at any time, in consultation and negotiation with the trade unions/teacher associations.

**APPENDIX 1 - PROBATION REVIEW FORM**

 **Before completing this form, you are advised to read the Trust’s Probation Policy & Procedure.**

*The line manager should ensure that the employee is given a copy of this document at each stage of their probation and should retain the original to monitor progress against set objectives at follow-up meetings.*

**Probation Record**

|  |  |
| --- | --- |
| **Employee Name:** |  |
| **Job Title:** |  |
| **Base:** |  |
| **Start Date:** |  |
| **Line Manager:** |  |
|  | **Due Date:** | **Tick When Completed:** |
| **Initial Meeting:** |  |  |
| **3 Month Review:** |  |  |
| **6 Month Review:** |  |  |

**Part 1: Initial meeting**

This section should be completed by the line manager within two weeks of the employee commencing their employment.

**SECTION A: Objectives**

The line manager should identify specific objectives for the employee (for 3 and 6 months, as appropriate) These will be statements of what should be achieved during the probationary period, including indicators of success and timescales for achievement.

|  |
| --- |
| **SECTION B: Development Plan** To support the employee in achieving these objectives, the line manager should identify any training and development needs and specify how and when these needs will be addressed during the probationary period.        |
| **Employee Signature:**  |
| **Manager’s Signature:**  |
| **Date:**  |

**PART 2 – First review (to be completed at 3 months)**

To be completed by the Line Manager in discussion with the employee.

|  |  |  |  |
| --- | --- | --- | --- |
| ***(Please Tick)***  | **Inadequate**  | **Good**  | **Excellent**  |
| **Quality and accuracy of work**  |  |  |  |
| **Efficiency**  |  |  |  |
| **Attendance**  |  |  |  |
| **Time Keeping**  |  |  |  |
| **Work** **Relationships (teamwork and interpersonal** **communication** **skills)**  |  |  |  |
| **Competency in the role**  |  |  |  |

**If any areas of performance, conduct or attendance require improvement please provide details below:**

**Where concerns have been identified, please summarise how these will be addressed during the remaining period of probation:**

**Summarise the employee’s performance and progress over the period:**

|  |  |  |  |
| --- | --- | --- | --- |
| **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** |  |  |
| **Employee Signature:** |  |
| **Manager’s Signature:** |  |
| **Date:** |  |

 **PART 3 – Final Review (to be completed at 6 months)**

To be completed by Line Manager in discussion with the employee.

|  |  |  |  |
| --- | --- | --- | --- |
| ***(Please Tick)***  | **Inadequate**  | **Good**  | **Excellent**  |
| **Quality and accuracy of work**  |  |  |  |
| **Efficiency**  |  |  |  |
| **Attendance**  |  |  |  |
| **Time Keeping**  |  |  |  |
| **Work** **Relationships (team work and interpersonal** **communication** **skills)**  |  |  |  |
| **Competency in the role**  |  |  |  |

**If any areas of performance, conduct or attendance require improvement please provide details below:**

**Where concerns have been identified, please summarise how these will be addressed during the remaining period of probation:**

**Summarise the employee’s performance and progress over the period:**

|  |  |  |  |
| --- | --- | --- | --- |
| **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** |  |  |
| **Employee Signature:** |  |
| **Manager’s Signature:** |  |
| **Date:** |  |

|  |
| --- |
| **Is the employee’s appointment to be confirmed? YES/NO**  |
| **If NO, please provide reasons below and summarise what action has been taken to address any difficulties which have arisen during the probationary period.**  |

**The employee may provide any comments about their experience of the probationary process here.**

|  |
| --- |
| **Should the employee’s probationary period be extended? YES/NO**  |
| **If YES, please provide reasons and, where appropriate, specify any areas of improvement required and how these will be monitored.**  |
| **Length of the extension (max 3 months):**  |  |
| **New Probation Period completion date:**  |  |
| **Employee’s signature:**  |  |
| **Manager’s signature:**  |  |
| **Date:**  |  |