



# Probationary Procedure

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Policy Details	
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## **1. Introduction**

1.1 It is the Raedwald Trust's policy to operate probationary periods for all new employees, and in some cases, at the Trust's discretion, in respect of employees who have been transferred or promoted into different posts within the school.

1.2 This policy allows both the employee and Raedwald Trust to assess objectively whether or not the employee is suitable for the role. The Raedwald Trust believes that the use of probationary periods increases the likelihood that new employees will perform effectively in their employment.

1.3 The Head Teacher is responsible for ensuring that all new employees are properly monitored during their probationary period. If any problems arise, the Head Teacher should address these promptly and in accordance with the policy. The employee should be made aware that some aspects of their performance or conduct or attendance is unsatisfactory. This will help prevent the problem from escalating and hopefully lead to sufficient improvements.

1.4 Where the employee is the Head Teacher, the CEO shall be responsible for managing the probation process and determining whether their employment is confirmed or their employment is terminated.

1.5 This policy does not form part of any employee's contract of employment and may be amended at any time.

## **2. Length of Probation**

The length of the probationary period applicable to an employee will be as set out in the contract of employment of that employee.

## **3. Terms of Employment During the Probationary Period**

3.1 During the probationary period, employees will be subject to all the terms and conditions of their contracts of employment with the exception of those terms noted below. During the probationary period, attendance, conduct, capability issues will be managed under this policy rather than the standard school HR policies.

3.2 Except in the case of existing employees who have been transferred or promoted into different roles, the amount of notice that an employee must give to the Trust if they wish to resign, and the amount of notice that the Trust must give to the employee of dismissal are different during probation. During probation, either party may terminate the employee's contract of employment by giving one week's notice unless otherwise varied by the contract. In the event that the Trust decides to terminate the employee's employment, their employment will come to an end immediately and the employee will receive pay in lieu of the notice together with any outstanding holiday pay.

3.3 Once the probationary period has been completed, the notice periods will be as defined in the employee's contract of employment.

3.4 In the case of existing employees who have been transferred or promoted into different roles, the amount of notice that the employee must give to the Trust if they wish to resign, and the amount of notice the Trust must give to the employee of dismissal will be as defined in the employee's contract of employment.

## **4. Line Managers' Responsibilities**

4.1 Under this policy, the Head Teacher has responsibility for monitoring a new employee's performance, conduct, attendance and progress during the probationary period. The Head Teacher should ensure that the employee is properly informed at the start of their employment about what is expected of them during probation, for example;

- the required targets or standards of performance they will be expected to meet; and
- the expectations in terms of their conduct/attendance.

The Head Teacher is also responsible for putting in place a plan to support the successful start to any new role, including where appropriate the training that will be provided to the employee.

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## 5. Reviews During Probation

5.1 The Head Teacher should meet with the employee to review and assess the employee's performance, capability, conduct, attendance and suitability for the role on at least a monthly basis during the employee's probation, and again at the end of the probationary period. During this meeting;

5.1.1 The Head Teacher will discuss progress and provide feedback to the employee.

5.1.2 The employee will be able to provide a response to the matter raised.

5.1.3 The Head Teacher will complete the probationary form and give a copy to the employer.

5.2 In addition to the review meetings outlined above, the Head Teacher should provide regular feedback to the employee about their performance and progress. Should there be any problem areas, these should be raised with the employee as soon as possible, allowing the employee to respond, with a view to resolving them. The Head Teacher is also responsible for providing guidance and support, and for identifying and arranging any necessary support, training or coaching that is relevant to the role.

## 6. Irregularities Discovered During the Probationary Period

6.1 If, during an employee's probation, it is suspected or established that the employee does not have the qualifications, experience or knowledge that they claimed to have at the time of recruitment, the matter will be discussed with the employee to establish the facts. If the evidence suggests that the employee misrepresented their abilities in any way, the Trust will terminate the employment giving one week's pay in lieu of notice. If the employee is an existing employee who has been transferred or promoted into a different role, the Trust's normal capability/dismissal procedure must be followed in full.

## 7. End of Probation

7.1 Shortly before the end of the probationary period, the [headteacher/principal/line manager] should meet with the employee to conduct a final review of their performance, conduct, attendance, and suitability for the job. This meeting will follow the format set out in paragraph **Error! Reference source not found.**, above.

7.2 Where practicable and where the Head Teacher considers that satisfactory progress may not have been made during the probationary period, the employee will be invited to that meeting in writing and the possible outcomes of the meeting will be explained. If one is available, the employee will also be able to bring a work colleague or a trade union representative to that meeting although, ordinarily, no rearrangements will be made to the time and date of the meeting.

7.3 The possible outcomes of the meeting are:

7.3.1 The employee's employment is determined to be satisfactory and the probationary period is successfully completed. The employee will be confirmed in role with immediate effect.

7.3.2 The employee's probationary period is extended (see paragraph **Error! Reference source not found.** below).

7.3.3 The employee's employment is determined not to be satisfactory and employment is terminated (see paragraph **Error! Reference source not found.** below).

## 8. Extending Probationary Periods

In most cases, six months should be an adequate period of time to effectively assess an employee's suitability for the role. However, if the Head Teacher determines, as an outcome of the meeting held under paragraph 7 above, that the employee's performance, conduct, attendance or suitability for the job has not been satisfactory then, in exceptional circumstances, the Trust may decide to extend an employee's period of probation before the original probationary period comes to an end; this is entirely at the Trust's discretion and may be in circumstances where:

8.1.1 Some improvement has taken place during the probationary period and it is thought likely that an extension to the probationary period may lead to satisfactory improvement.

8.1.2 The employee or [headteacher/principal/line manager] has been absent from the workplace for an extended period during the probation.

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8.2 This will be limited to one extension and the total period of probation will be no longer than nine months.

8.3 Before extending an employee's probationary period, the Head Teacher may consult with the CEO.

8.4 If an extension to the probationary period is agreed, the Trust will confirm the terms of the extension in writing to the employee, including:

8.4.1 The length of the extension and the date on which the extended period of probation will be reviewed, and when it will end.

8.4.2 The reason for the extension, and if the reason is unsatisfactory performance, details of how and why performance has fallen short of the required standards.

8.4.3 The performance standards or objectives that the employee is required to achieve by the end of the extended period of probation.

8.4.4 Any support, for example, further training, that will be provided during the extended period of probation.

8.4.5 A statement that if the employee does not meet fully the required standards, by the end of the extended period of probation, their employment will be terminated.

## **9. Termination of Employment**

9.1 Ordinarily it is the Trust's policy to allow the employee to complete the designated period of probation rather than terminating employment before the probation has come to an end. This is to give the employee a full opportunity to come up to the required standards. If, however, there is clear evidence prior to the end of the period of probation that suggests the employee is wholly unsuitable for the role or there are concerns that are unlikely to improve, the employment may be terminated early. This would also apply to incidents of gross misconduct that happen during the probationary period (see section 9.2.2).

9.2 During the probationary period, termination of employment will be with notice, as set out in the contract of employment, unless the employment is terminated for gross misconduct resulting in immediate dismissal without notice or without payment in lieu of notice (summary dismissal).

### **9.2.1 Performance**

If an employee's performance while on probation has been unsatisfactory (despite support from the Head Teacher), and it is thought unlikely that further training or support would lead to a satisfactory level of improvement, the employment will be terminated at the end of the period of probation. Where the concerns are considered serious and have not improved despite support, then the employment may be terminated prior to the end of the period of probation or at an earlier point if appropriate.

### **9.2.2 Conduct**

If an employee's conduct while on probation has been unsatisfactory (despite support from the Head Teacher), and it is thought unlikely that further training or support would lead to a satisfactory level of improvement, the employment will be terminated at the end of the period of probation or at an earlier point if appropriate.

If during the probationary period, an allegation potentially amounting to gross misconduct is made, the facts may be investigated and a meeting held with the employee to make a decision. Where the allegations are considered proven, the employment will be terminated with immediate effect and without notice or pay in lieu of that notice. Gross misconduct is a serious breach of contract and includes misconduct which, in the opinion of the Raedwald Trust, is likely to prejudice its business or reputation or irreparably damage the working relationship and trust between the Raedwald Trust and the employee. Although allegations of gross misconduct during the probationary period are dealt with under this policy, reference should be made to the examples of gross misconduct set out in the Trust's Disciplinary Policy. However allegations in relation to safeguarding will be considered alongside and in accordance with the Raedwald Trust's Managing Allegations Against Adults Policy.

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### 9.2.3 Attendance

If an employee's attendance while on probation has been unsatisfactory (despite support from the Head Teacher), and it is thought unlikely that further or support or reasonable adjustments would lead to a satisfactory level of improvement, the employment will be terminated at the end of the period of probation or at an earlier point if appropriate.

9.3 Where a decision is taken to terminate the employee's employment, a meeting will be held with the employee to inform them of the reason for the termination. The Trust will write to the employee confirming the termination and the reason for it. The employee will be given an opportunity to appeal the decision.

9.4 If the employee is an existing employee who has been transferred or promoted into a different role, the Trust's normal capability/disciplinary / sickness absence /dismissal procedure must be followed in full.

## 10. Appeals Against Termination of Employment

10.1 Should an employee wish to appeal against a decision to terminate their employment they must write to the Head Teacher within 5 working days of the decision to terminate the employment being communicated to them. The employee must state the grounds of their appeal in full. An appeal meeting will then be arranged with either the Head Teacher (if not involved in the original decision to dismiss) or a panel of Trustees. The outcome of an appeal meeting will be confirmed in writing; this will make it clear that there is no further internal right of appeal. Where the employment of the Head Teacher is terminated they should appeal to the CEO who will make arrangements for the appeal hearing.

## 11. Confidentiality and Data Protection

11.1 It is the aim of the Trust to deal with matters under this policy sensitively and with due respect for the privacy of any individuals involved. All employees must treat any information communicated to them in connection with the process as confidential.

11.2 During any action under this policy, the Trust will collect, process and store personal data in accordance with our data protection policy. The data will be held securely and accessed by, and disclosed to, individuals only for the purposes of actions taken under the policy. Records will be kept in accordance with our Workforce Privacy Notice, our Retention Schedule and in line with the requirements of the Data Protection Legislation (being (i) the General Data Protection Regulation ((EU) 2016/679) (unless and until the GDPR is no longer directly applicable in the UK) and any national implementing laws, regulations and secondary legislation, as amended or updated from time to time, in the UK and then (ii) any successor legislation to the GDPR or the Data Protection Act 1998, including the Data Protection Act 2018).

## 12. Review of Policy

This policy is reviewed and amended annually by the Trust. We will monitor the application and outcomes of this policy to ensure it is working effectively.

## Appendix 1: Probationary Reviews – Teachers

NAME OF SCHOOL/ACADEMY	
PART A – Employee details	
NAME	
JOB TITLE	
DATE APPOINTED INTO ROLE <i>dd/mm/yyyy</i>	
LENGTH OF PROBATION <i>(usually 6 months)</i>	
DATE OF MID PROBATION REVIEW MEETING <i>dd/mm/yyyy</i> <i>(usually held at 3 months)</i>	
DATE OF FINAL PROBATION REVIEW MEETING <i>dd/mm/yyyy</i> <i>(usually held at 6 months)</i>	
NAME OF LINE MANAGER	
PART B - Mid review meeting (at 3 months unless fixed term contract of less than 6 months)	
RT Staff Induction Programme reviewed? Yes/No	
<i>Summary of the role holder's progress towards their targets/objectives, identifying any additional support required. Set out any issues that need to be addressed in relation to performance, attendance or conduct.</i>	



Objective	Link to Teachers' Standard	Success criteria	How will this be evidenced?	Assessment of performance at mid review		
Action points for any matters that need to be addressed during next assessment period (if applicable)						
<ul style="list-style-type: none"> <li>•</li> <li>•</li> <li>•</li> </ul>						
Current Assessment <i>Please tick</i>	Effective in role		Not yet effective		Not effective	
Options based on current assessment <i>Please tick</i>	Continue probationary process		Extend probationary period (max 3 months)		Consider termination within probationary period (invite employee to separate meeting)	
<i>You should inform the employee of what will happen next based on what option is selected</i>						
Set out below reason for extending or terminating the probation at this point						



Objective	Link to Teachers' Standard	Success criteria	How will this be evidenced?	Assessment of performance at mid review
<b>Line manager's recommendations at the end of the probation review period, (in some circumstances option 2 decision may be taken at an earlier point)</b>				
1. Performance to the required standard – pass probationary period  2. Performance shows some improvement -extend probationary period [unless already extended]*  3. Performance not to the required standard – consider termination within probationary period [invite to separate meeting]			<b>Please tick as appropriate</b>	
<b>You should inform the employee of what will happen next based on what option is selected.</b>				
<b>Where applicable give a summary of improvements that would be required to confirm in the role by the end of the review period.</b>				
<b>Line Manager signature</b>				
<b>Date:</b>				

*This form should be completed and signed after each review meeting and returned to the HR Officer for appropriate action.*

## Appendix 2: Probationary Reviews – Support Staff

NAME OF SCHOOL/ACADEMY	
PART A – Employee details	
NAME	
JOB TITLE	
DATE APPOINTED INTO ROLE <i>dd/mm/yyyy</i>	
LENGTH OF PROBATION <i>(usually 6 months)</i>	
DATE OF MID PROBATION REVIEW MEETING <i>dd/mm/yyyy</i> <i>(usually held at 3 months)</i>	
DATE OF FINAL PROBATION REVIEW MEETING <i>dd/mm/yyyy</i> <i>(usually held at 6 months)</i>	
NAME OF LINE MANAGER	
PART B - Mid review meeting (at 3 months unless fixed term contract of less than 6 months)	
RT Staff Induction Programme reviewed? Yes/No	
<i>Summary of the role holder's progress towards their targets/objectives, identifying any additional support required. Set out any issues that need to be addressed in relation to performance, attendance or conduct.</i>	

Objectives	
Knowledge and understanding of the role	
Quality of work/performance	
<i>Attitude to work</i>	
Organisation and prioritisation	
Teamwork	
Rapport with students and public	
Timekeeping/absence	
Other (e.g. conduct, behavior, standard of fluent English*)	

Action points for any matters that need to be addressed during next assessment period (if applicable)
<ul style="list-style-type: none"> <li>•</li> <li>•</li> <li>•</li> </ul>

Current Assessment <i>Please tick</i>	Effective in role		Not yet effective		Not effective	
Options based on current assessment <i>Please tick</i>	Continue probationary process		Extend probationary period (max 3 months)		Consider termination within probationary period (invite employee to separate meeting)	

*You should inform the employee of what will happen next based on what option is selected*

Set out below reason for extending or terminating the probation at this point		
Development or training needs identified (if applicable)	Action to be taken and why	Timescales
Line Manager signature		
Date:		

PART C – Final review meeting (during 6 <sup>th</sup> month)	
RT Staff Induction Programme fully completed? Yes/No	
If no, give reason.	
<p><i>Summary of the role holder's progress during the probation period, identifying progress and meeting objectives as well as any additional support required. Set out any issues that need to be addressed in relation to performance, attendance or conduct</i></p>	

Objectives	
Knowledge and understanding of the role	
Quality of work/performance	
Attitude to work	
Organisation and prioritisation	
Teamwork	
Rapport with students and public	
Timekeeping/absence	
Other (e.g. conduct, behavior, standard of fluent English*)	

Assessment <i>Please tick</i>	Effective in role		Not yet effective		Not effective	
Development or training needs identified (if applicable)		Action to be taken and why			Timescales	
Line manager's recommendations at the end of the probation review period, (in some circumstances option 2 decision may be taken at an earlier point)						
1. Performance to the required standard – pass probationary period  2. Performance shows some improvement -extend probationary period [unless already extended]*  3. Performance not to the required standard – consider termination within probationary period [invite to separate meeting] You should inform the employee of what will happen next based on what option is selected.						Please tick as appropriate          
Where applicable give a summary of improvements that would be required to confirm in the role by the end of the review period.						

Line Manager signature	
Date:	

*This form should be completed and signed after each review meeting and returned to the HR Officer for appropriate action.*