



# Probation Policy

**Seymour Primary School**



**Version:1**

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## Policy statement

- 1.1 It is The Kemnal Academies Trust's (the Trust) policy to operate probationary periods for all new support staff employment, and in some cases, at the Trust's discretion, in respect of employees who have been transferred or promoted to other academies within the Trust. This excludes all teachers whose probationary period takes place during their NQT year.
- 1.2 Where the word Trust is used in the policy this should be taken to mean the [insert name of academy] as well.
- 1.3 This policy is intended to allow both the employee and the employee's line manager to assess objectively whether or not the employee is suitable for the role. The Trust believes that the use of probationary periods increases the likelihood that new employees will perform effectively in their employment.
- 1.4 The employee is expected to fully contribute to the induction procedure and highlight with the line manager any development needs or issues that might aid the successful completion of the probation period.
- 1.5 The line manager is responsible under this policy for ensuring that all new employees are properly monitored during their probationary period. If any problems arise, the line manager should address these promptly. This will ensure that the employee is aware that some aspect of his/her performance or conduct is unsatisfactory and prevent the problem from escalating.
- 1.6 This policy has been consulted on and agreed with the recognised trade unions.

## Scope

- 2.1 This policy applies to all support staff in the Trust, whether centrally employed or in academies.

## Length of probation

- 3.1 The standard period of probation is no more than six months. In highly exceptional cases the period of probation may be extended to a further maximum period of three months. Only one extension is permitted during the probation period. The total period of probation will be no longer than nine months.

## Terms of employment during the probationary period

- 4.1 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:
  - 4.1.1 Except in the case of existing employees who have been transferred or promoted into different roles in another Academy, the amount of notice that an employee must give to the Trust if he/she wishes 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.
  - 4.1.2 In the event that the Trust decides to terminate the employee's employment, his/her employment will come to an end immediately and the employee will receive pay in lieu of the one week's notice together with any outstanding holiday pay.
  - 4.1.3 Should a decision be taken to end the employee's contract during the probationary period, the employee will be entitled to first have a meeting, at which they may be accompanied by a trade union representative or a work place colleague, so that they can discuss the proposals to end their contract and make representations.
  - 4.1.4 Any manager making a decision to propose that an employee on probation be dismissed prior to the end of the probation period should first ensure that the line management responsibilities have been discharged properly as laid out in paragraphs five and six and if not consider a further period to be agreed so that such reviews can take place.
- 4.2 Once the probationary period has been completed, the notice periods will be as defined in the employee's contract of employment.
- 4.3 In the case of existing employees who have been transferred or promoted into different roles with another Academy within the Trust, the amount of notice that the employee must give to the Trust if he/she wishes 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.

## Line management responsibilities

- 5.1 Under this policy the line manager has responsibility for monitoring the transferee or new employee's performance and progress during the probationary period.
- 5.2 The line manager will meet with the new member of staff in the first week to set out the standards and assessment criteria that will be used to evaluate their performance during the probationary period. This will include setting appraisal objectives and agreeing a

programme of induction and appropriate training, taking into account the development needs identified at recruitment.

## Reviews during probation

- 6.1 The line manager should review and assess the employee's performance, capability and suitability for the role at least every 6 weeks during the employee's probation, and again before the end of the probationary period. It is recommended that formal review meetings are held at week 6, week 12, week 18 and week 24. A clear record should be made of each review meeting. A copy of the record should be passed to the employee and the original retained in the employee's personnel file.
- 6.2 During an employee's probation, the line manager should provide regular feedback to the employee about his/her performance and progress, and, should there be any problem areas, raise these with the employee as soon as possible with a view to resolving them. The line manager is responsible for providing guidance and support and for identifying and arranging any necessary training or coaching.
- 6.3 If progress is not satisfactory, the line manager should inform the employee where performance is falling short of expectations and give further opportunity to improve, and state clearly in writing:
  - In what way the targets have not been achieved;
  - Setting specific measures in relation to the quality and quantity of work to be delivered;
  - Establishing criteria by which the required improvement will be measured;
  - Establishing the training and support measures to assist the employee;
  - The timescales for improvement; and
  - Formal notification that failure to improve will lead to the termination of their employment.

## End of probation

- 7.1 At the end of the probationary period, the line manager should conduct a final review of the employee's performance and suitability for the job. This will involve a meeting with the employee to discuss his/her performance and progress throughout the period of probation. The review must be conducted on or shortly before the date on which the employee's probationary period comes to an end.
- 7.2 If the employee's performance is satisfactory, the line manager should issue a letter of confirmation of appointment to the employee.
- 7.3 If the employee's performance has not met the standards required, the line manager should discuss the matter with their headteacher/manager and the Director of HR. Before the end of the period of probation, the employee must be invited to a final review

meeting with the line manager and HR Adviser. The letter, giving five working days' notice, inviting the employee to the meeting will state:

- The time, date and location of the meeting and their right to be accompanied by a trade union representative or a workplace colleague
- Details of how their performance has fallen short of requirements; and
- An outcome of the meeting could be the termination of their employment.

7.4 At the end of this meeting a decision will be taken to either:

- Extend the probationary period; or
- terminate employment.

## Termination of employment

### 8.1 Irregularities discovered during the probationary period

8.1.1 If, during a new employee's probation, it is established that the employee does not have the qualifications, experience or knowledge that he/she 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 his/her abilities in any way, the Trust will terminate employment giving one week's pay in lieu of notice.

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

### 8.2 Termination of employment due to unsatisfactory performance

8.2.1 A decision to dismiss may only be made by the relevant Head teacher or manager. All decisions to dismiss will be ratified by the relevant Director or LGB or CEO as appropriate.

8.2.2 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. 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, the line manager should consult with Human Resources with a view to terminating the employee's contract early.

8.2.4 If a decision to terminate the employment is made, the Trust will immediately inform the employee and, within five working days of the meeting, confirm the decision in writing. The letter will set out:

- The reason(s) for the termination;
- The effective date of the dismissal;

- The right to appeal the decision;
- To whom the appeal must be made; and
- The timescales for appeal.

8.2.4 If an employee's employment is terminated after the expiry of the probationary period, or if the employee is an existing employee who has been transferred or promoted into a different role, the Trust's normal capability/disciplinary procedure must be followed in full.

## Right to appeal

- 9.1 An employee may appeal against a decision to dismiss. The employee must set out the grounds of their appeal, in writing, to the Director of HR in the case of centrally employed staff or the headteacher in the case of school based staff within ten working days of receiving the written confirmation of dismissal.
- 9.2 The appeal will be heard by the relevant Director/CEO in the case of centrally employed staff with an HR Adviser and in the case of academy based staff by the relevant headteacher or a panel from the LGB if the initial decision was the headteacher's. The decision of this panel is final and there is no further right of appeal.
- 9.3 A letter confirming the decision will be sent to the employee within five working days of the date of the hearing.