



Probationary Period Policy (Support Staff)

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Under the public sector equality duty, all schools/academies must have due regard to the need to eliminate discrimination, harassment and victimisation and any other conduct prohibited by the Equality Act 2010; to advance equality of opportunity between those who share a relevant protected characteristic and those who do not share it and to foster good relations across all protected characteristics. This means schools/academies must take into account equality considerations when policies are being developed, adopted and implemented.

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1. Introduction

- 1.1 The probationary period applies to all new support staff employees commencing employment at the Trust. The probationary period is for a total of 6 months. This probationary procedure enables a clear management framework on how to successfully manage performance and conduct of a new employee.
- 1.2 In order to ensure that the time is used effectively and all new employees are treated equitably, the Trust Board has adopted this Probationary Policy. Any issues related to performance/conduct that occur during the probationary period will be managed under this Policy and it is essential that performance/conduct issues during a probationary period are addressed without delay.
- 1.3 The probationary period enables the employee the opportunity to familiarise themselves with their new role and to assess their suitability to their post and allows the employee's line manager to assess the employee's suitability in the role and their potential.
- 1.4 During the probationary period it is essential that the line manager provides support and guidance as well as giving a new employee the opportunity to ask questions and discuss any issues or concerns they may have.
- 1.5 In the majority of cases, induction/probationary periods are positive experiences and this is mainly as a result of lines of communication between the line manager and the employee being consistently open.

2. Scope

- 2.1 This policy applies to all new employees **other than teachers** employed by the trust regardless of their permanent, fixed-term, full or part time status. Existing staff that move posts within the school will not be subject to a further probationary period. It does not apply to teachers, who are covered under separate arrangements.
- 2.2 The probationary period is for 6 months, **excluding** school closure periods for "term time only" employees, regardless of any previous local government or school service.
- 2.3 To determine whether an employee is under-performing, managers will take into account:
 - any reasonable adjustments required under the Equality Act 2010
 - any agreed programme of training or support
 - any other factors that may impact on an employee's performance

Please seek advice from HR in the first instance.
- 2.4 Issues of poor performance and **minor** cases of conduct and attendance can be addressed within this policy **throughout** the probationary period, allowing the employee the opportunity to improve, prior to any decision relating to termination being sought.

- 2.5 Any **serious disciplinary issues** requiring formal investigation which arise during the probationary period will be managed in line with the Trust's Disciplinary & Grievance Policy and Procedure. Advice should be sought from HR in the first instance.
- 2.6 Any **serious concerns regarding attendance** during the probationary period may be required to be addressed under the trust's Attendance Management Procedure for absence related condition(s) that may fall under the Equality Act 2010.
- 2.7 All other matters of conduct will be managed in line with this policy.

3. Roles and Responsibilities

3.1 Line Manager's Responsibilities:

- To ensure effective implementation and awareness of the probationary procedure.
- To explain the expected standard of performance and conduct and manage the probation period.
- To ensure that review dates are set and that the employee receives regular feedback.
- To ensure that the new employee participates in the school's induction programme and any relevant mandatory training.
- To arrange additional meetings between the probationary assessment meetings; this may be through 1:1 or ad hoc meetings. Line managers should make every attempt to be available for new employees during the probationary period.
- To continue to manage on a day-to-day basis and to discuss any concerns as they arise, including attendance, performance or conduct.

3.2 Employee Responsibilities:

- To demonstrate the standards expected by the trust in relation to performance, conduct and attendance.
- To raise any concerns or difficulties with the line manager at the earliest opportunity.
- To undertake any training required to satisfy the role whether mandatory or otherwise.
- To participate in the trust's induction programme.
- To engage fully with the probation review process.

4. Managing the Probationary Procedure

- 4.1 The new employee must be informed from the onset of their employment of the length and purpose of the probation period and the standard of performance, attendance and conduct expected of them. They must be advised that their progress will be carefully monitored by their line manager throughout the probation period and should be encouraged to seek help and guidance whenever necessary.
- 4.2 The line manager will meet with the new employee within the first week of their induction programme to set out the standards and assessment criteria that will be used to evaluate their performance during the probationary period. This will include agreeing objectives to a programme of induction and any relevant training. Any development needs which were identified during the recruitment process should also be taken into account.
- 4.3 Thereafter the new employee should be advised that there will be three formal probationary review meetings at month 1, 3 and 6.
- 4.4 The purpose of the probationary assessment meetings is to review how the individual is progressing, highlight any problems, training needs and/or any school-related issues which are not clear.

5. Probationary Review Meetings

- 5.1 The line manager should conduct a total of up to three formal probationary reviews with the employee and assess the employee's performance against the objectives that have previously been agreed. The limited time that the employee has been in post and any training and development needs that are yet to be met should be taken into consideration during the meeting. If there are any training requirements then these should be organised quickly.

The Induction/Probationary Review Forms can be found at Appendix 1.

5.2 First Assessment Review Meeting (Month1)

- 5.2.1 At the first probationary assessment meeting (and at each formal review meeting thereafter) the line manager is required to complete the probationary assessment form and provide feedback on the performance of the new employee on the following areas:-
 - Quality and accuracy of work
 - Efficiency/Work rate
 - Attendance & Time Keeping
 - Work relationships/ Conduct
 - Competency and understanding of the job
- 5.2.2 If there are areas for improvement, the line manager must inform the employee that their performance is falling short of expectations and give them the opportunity to improve. The line manager should offer any reasonable additional support measures to be put in place. The employee should be encouraged to respond to any issues and discuss any additional support or training required.
- 5.2.3 The line manager should state clearly using the Probationary Performance Improvement Plan in what way(s) the performance is falling short of expectations

and what is expected of the employee to bring their performance up to standard. This will involve:

- Discussing the areas that need improvement
- Explaining the standards required
- Devising an improvement plan which sets objectives and identifies any additional support, training or guidance needed
- Setting the date for the next assessment meeting
- Advising the employee that failure to meet the required standards may result in recommendation that their employment is terminated.

A Probationary Performance Improvement Plan can be found at Appendix 3.

5.2.4 It is not necessary to wait until the second assessment meeting (month 3) before the line manager next meets with the employee. It is essential that additional meetings take place; this could be through 1:1 meetings and ad hoc meetings.

5.2.5 The line manager is advised to seek advice from HR if, after the first assessment meeting, if an employee is not performing satisfactorily and does not reach the required standards expected. **Please refer to paragraph 10 below – ending employment during probationary period.**

5.3 Second Assessment Review Meeting (Month 3)

5.3.1 As with the first assessment meeting, if the employee's performance has reached or has exceeded the standard expected in line with the agreed objectives, the **probationary assessment review form** should be completed to reflect that fact.

5.3.2 However, if, following appropriate support and guidance there are still areas for improvement where performance is not satisfactory, or if, since the first assessment meeting, concerns have been raised regarding performance, this must be discussed and recorded. The line manager should state clearly, in writing, how the performance is falling short of expectations, provide evidence of this and give the employee the opportunity to improve. (Please refer to first review meeting notes for details of what this may involve). The employee must be encouraged to respond to any issues and discuss any further support or training that may be required.

5.3.3 If there is evidence to suggest that performance or conduct is **consistently below the standard expected** and there are signs to suggest that this will not improve, it is possible to move to the dismissal phase at any stage in the probationary period. **Please refer to paragraph 10 below – ending employment during probationary period.**

5.3.4 Between the second and third review meeting, if there are any concerns regarding the employee's performance then appropriate notice of 5 working days will be required to invite the employee to attend a potential dismissal meeting. Please seek immediate advice from HR.

5.4 Third Assessment Meeting (Month 6)

5.4.1 The purpose of this meeting is to review performance, conduct, timekeeping, sickness absence and attendance. Constructive feedback should be given to the employee highlighting both positive achievements and any areas where they are falling short by providing examples.

5.4.2 The line manager at this meeting must raise any concerns they have referring to any documentary evidence where appropriate. The employee or their representative should be given the opportunity to respond and put their case forward. The line manager should consider the employees responses before making a decision about the employees' suitability for the post.

5.4.3 At the Final assessment meeting (month 6), three outcomes are possible and the line manager will make the decision to:

- Pass the probationary period and confirm the appointment
- extend the probationary period
- termination of employment

A final review form should be completed by the Line Manager to indicate the outcome of the probationary period (**Appendix 2**)

5.4.4 The line manager should continue to offer support or assistance during the whole of the probation period up to the date of confirmation in post or the decision to dismiss.

6. Confirming the Appointment

6.1 If the employee demonstrates that all aspects of their performance are satisfactory, and if the Academy Lead supports this then the line manager should confirm this in writing to the employee.

7. Extending the Probation Period

7.1 In some circumstances it may be necessary to extend the probation period beyond the 6 months probationary period. These circumstances may include:

- it has not been possible to fully assess performance due to the employee's sickness or other authorised absence
- there are concerns regarding performance, conduct, attendance or timekeeping but the line manager has evidence to suggest that it is likely to improve with an extension to the probation period

7.2 In these circumstances the probationary period can be extended, usually for up to a maximum period of 3 months. During this time, it is essential that further regular assessments take place (every 4 weeks) and are documented, to ensure that progress is noted and discussed with the employee. The school must issue a letter to the employee confirming the extension of the probationary period outlining the reason for the extension.

7.3 If, at the end of the extended probationary period, the employee's performance reaches the required standard, the line manager will confirm in writing to the employee that they have successfully completed their probationary period.

7.4 However, if (at any stage) the employee's performance does not reach the required standard, please refer to paragraph **10 below – ending employment during the probationary period.**

8. Procedure for Ending Employment in the Probationary Period

- 8.1 If there is sufficient evidence to suggest that a probationer's performance, conduct, attendance, absence or timekeeping is consistently below the standard expected and that this will not improve (at any stage of the process) and a dismissal is a likely outcome the line manager should seek advice from HR, prior to proceeding with a final review meeting. **The following three step process must be followed:**

Stage 1 - the employee should be invited to attend a meeting with the Academy Lead/Member of the Executive Leadership Team (who will have delegated responsibility to dismiss – giving no less than 5 working days' notice). The employee must be informed of their right to be accompanied at the meeting by a trade union representative or workplace colleague. A representative from HR will also be present to provide advice to the Academy Lead/Executive Leadership Team.

Stage 2 - At the meeting, the line manager will recommend that the employee's contract of employment be terminated, present the reasons to substantiate this recommendation and the employee will be given the opportunity to put forward their comments and/or interpretation of the circumstances.

Stage 3 – Written notification of decision. The Academy Lead will confirm their decision (which may be dismissal or other appropriate measure (extend the probationary period) and the right of appeal, in writing within 10 working days.

- 8.2 In some circumstances, the line manager may be the Academy Lead, in which case the recommendation to dismiss will need to be made to the Executive Leadership Team and or the Trust Board.
- 8.3 The Academy Lead must also notify their payroll provider of the dismissal, in line with the school's normal leaver process.
- 8.4 The employee will receive appropriate contractual notice to terminate the contract. The only exception to this would be in cases of summary dismissal for gross misconduct, where any employee, including those not on a period of probation, would not be entitled to notice or pay in lieu of notice. For further information on this point, please speak to your HR advisor.

9. Appeals against Dismissal

- 9.1 The employee has a right of appeal against the decision to dismiss. They should submit any appeal in writing to the Chair of Trustees within 10 working days of receiving the written outcome letter.
- 9.2 They should give details of the grounds of their appeal in the email/letter. The appeal will be heard within 10 working days at an agreed time and place and the appeal meeting will be attended by the Academy Lead who made the original decision, the line manager; a HR representative and will be heard by an appropriate sub-committee of the trust board.

9.3 At the Appeal Meeting, three outcomes are possible as follows:

- Extend the review period – up to a maximum one month
- Uphold the original decision
- Confirm the employment and reinstate the employee

9.4 The employee may be accompanied at the appeal meeting by a trade union representative or a workplace colleague and, at the conclusion of the appeal meeting, will be informed of the decision in writing within 10 working days.

10. Employee Support

10.1 Please speak to your HR Advisor regarding support options available to the employee.

10.2 If there are any concerns about the most appropriate course of action to take at any stage of the probationary process, the school's HR Advisor should be contacted for advice.

Appendix 1 Probationary Assessment Meetings 1-3 (Months 1, 3 & 6) – Form

Probation Period Review

Review Meeting	First	Second	Final	Extension
Date				

This form should be completed by the probationer's line manager after each review meeting. This should be signed by the line manager and the probationer, and the original placed on the personnel file with a copy to the probationer.

Probationer's name	
Start date	
Job title	
Line manager's name	
Line manager's job title	

Review of:			
	Exceeds expectations	As expected	Below expectation
Quality and accuracy of work			
Efficiency/work rate			
Attendance			
Timekeeping			
Work relationships (teamwork and interpersonal communication skills)/ Conduct			
Competency in the job			
Understanding of the job			

If an employee is not meeting any of the above expectations, Line Managers should give details on any areas that require improvement. It is imperative that you set specific objectives for the next review meeting in this case.

Line manager's comments

Probationer's comments

Objectives for next review

Date of next review Meeting

Line manager's signature

Date

Probationer's signature

Date

Appendix 2 – Final Probationary Review Form

Probation Period Review: For Completion Following Final Review

Section 1:

Probation Passed: Yes No (if no complete section 2)

Line Manager's comments

Employment to be confirmed Yes

Section 2:

Probation Extended: Yes No (if no complete section 3)

If the probation is extended, then an account of the concerns and a support plan for the extension period will be completed below. Specify the date on which it is recommended that the employee will complete the extended period and specify the improvement required and how this will be achieved using the probationary period support plan template

Line Manager's reasons

Extension to be completed by (3 months maximum) :

Section 3:

Formal Hearing: Recommendation to Director of Academy Operations that the probationer is dismissed

A statement of reasons will be attached to this form.

Line Manager's Signature:		Date:	Click or tap to enter a date.
Probationer's Signature:		Date:	Click or tap to enter a date.

Appendix 3 - Probationary Improvement Support Plan

Informal Stage of Bolton Impact Trust Probationary Policy

Employee:-

Job Title:-

Line Manager

Assessment Period From XXXX to XXXX

The purpose of this Probationary Support Plan is to ensure **Employee** is to meet the standards and objectives expected of an **INSERT JOB TITLE**.

Area of Concern (linked to JD/PS)	Key Areas for Improvement / Standard expected	Action by Employee	Support identified	Date for Review	Comments

Person responsible for supporting the employee towards the achievement target: - NAME

Additional considerations/adjustments agreed:-

Means of monitoring progress: **4/6 week review**

Signed..... (Employee) Date.....

Signed..... (Line Manager) Date.....