



HET Probationary Policy

This policy applies to support staff only

Prepared By:	Deputy CEO		
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1. Introduction

- 1.1 “Hamwic Education Trust (HET) believe that all pupils should receive a high quality, enriching, learning experience in a safe and inclusive environment, which promotes excellence through a broad curriculum that prepares them for their future and opens doors to a diverse array of opportunities as well as that all pupils and adults within HET flourish as individuals and together.”
- 1.2 All new support employees of schools within Hamwic Education Trust ‘HET’ are required to serve a probationary period of 6 months or 26 school weeks for term time employees.
- 1.3 For the purpose of this policy, ‘HET’ refers to all schools and managed services team.
- 1.4 The use of probationary periods is intended as a constructive process to allow the employee to understand:
- HET, the school, their own role and how they fit together.
 - The expectations, standards and behaviours of their role required and how to fulfil them.
- 1.5 A probation period ensures that a new employee’s performance can be monitored, and the required support can be provided. Progress will be discussed at probation review meetings and the line manager will encourage and assist the new employee to improve and develop. Employees will receive constructive written feedback following each review. It is important that all newly appointed employees have their performance monitored and assessed during their probationary period. Confirmation of appointment is subject to a satisfactory completion of the probationary period. Should the employee’s performance and conduct be satisfactory, their employment will be confirmed.
- 1.5 Should there be concerns or the required improvements are not sufficient; the probationary period may be extended for a maximum of a further 6 months/26 school weeks, the total period of the probation will be no longer than 12 months. There is usually only one extension to the probationary period but there may be more under exceptional circumstances. If performance remains unsatisfactory, termination of employment within the probationary period may be considered. An employee will be advised at the earliest opportunity should their employment be at risk as a consequence of failure to meet the expectations of the role. Consideration to extend a probationary period may include, but not be limited to:
- Progress made and assessed during regular line management meetings.
 - Probationary review meetings.
 - Feedback from colleagues/mentor (if appropriate).

2. Scope

- 2.1 This policy and procedure applies to all support staff employees working within a HET school or establishment (which for ease of reference are referred to throughout this document as 'schools') or the HET Managed Service (MS) Team.
- 2.2 It does not apply to agency workers, consultants, self-employed contractors, volunteers or work experience students."
- 2.3 Employees with prior service in other academies, maintained schools and other Local Government employers will be required to undertake a probationary period within HET.
- 2.4 The probationary period operates in conjunction with the induction and initial training offered to new employees, whether permanent, temporary or fixed term. The probationary period allows both the employee and the line manager to assess objectively whether the individual is suitable for the role.
- 2.5 People engaged on a casual basis will receive an induction. An induction programme will be provided to them on their first day of work.

3. Definitions

- 3.1 For the purpose of this policy, the following definitions apply:
 - 'HR' in this policy, means Hamwic Education Trust HR.
 - 'Local Governing Committee' in this policy, where reference is made to the Governing Committee, this means the Local Governing Committee of the school, or HET in the case of a school where no Local Governing Committee is present. Where a Governing Committee is not present in a school, or numbers are low, Governors from other schools/partnerships may be used.
 - 'Manager' in this policy, is anyone as identified in the staffing structure with line management responsibilities.
 - 'Representative' in this policy means a representative of a professional association or trade union who is accredited to accompany a member when the member is subject to formal policies where they are entitled to be represented. Employees may also be accompanied by an appropriate work colleague.

4. 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 employment with the exception of those terms noted below.
- 4.2 Attendance, conduct (including matters that could potentially amount to gross misconduct), and capability issues will be managed under this policy during the probationary period. For the avoidance of doubt HET's sickness absence, disciplinary and capability policies shall not apply during an employee's probationary period for new employees.
- 4.3 The amount of notice that an employee must give to the school/HET if they wish to resign and the amount of notice that the school/HET 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 school/HET 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.

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

5. Irregularities discovered during the probationary period

5.1 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 and an investigation carried out if required.

5.2 If the investigation suggests that the employee misrepresented their abilities in any way, the school/HET will terminate the employment giving one week's pay in lieu of notice.

6. Roles and Responsibilities

6.1 School Leaders or Line Managers (as appropriate) must:

- Manage and monitor the new employee's performance, conduct, attendance and progress during the probation period.
- Set expectations of the individual in line with their job description and person specification.
- Ensure any necessary support, guidance, training and development is provided and in good time.
- Give the employee an opportunity to improve their performance.
- Record assessment meetings/outcomes.
- Make themselves available and respond to any questions and concerns raised by new employees in a timely fashion.
- If necessary, notify the employee in writing that failure to improve could lead to termination of their employment, allow reasonable time for demonstration of this improvement and provide support.

6.2 Employees must:

- Raise any questions or concerns about their role or the probation process as soon as they arise.
- Actively participate in probationary review meetings and any development activity provided.
- Engage fully in induction/initial training opportunities for new employees.
- Actively participate in any meeting, discussions, supportive measures put in place as part of this process.
- Raise any concern they have if they feel comments are unwarranted as soon as they arise and consult the HET Grievance Policy where appropriate.

Please note: In the event of a gross disciplinary offence or gross failure to meet the requirements of the post, employment may be terminated without notice, in accordance with this procedure, by the CEO, Line Manager, School Leader or delegated representative.

7. Delegated responsibility

7.1 References to the role of the line manager may include their delegate. The management of the probationary process may be delegated to the employee's immediate line manager or other manager suitably trained to undertake this role.



- 7.2 Should employment be terminated within the probationary period; this decision would normally be made by the School Leader but may be made by one or more of the governors. If no sufficient governor is available, HET may use a governor from within another HET school. Advice from HET HR must be sought prior to terminating employment.
- 7.3 In the case of the MS Team, should employment be terminated within the probationary period, this decision would normally be made by the Deputy CEO, CEO or a Trustee after taking into consideration any evidence or information gathered throughout the probation period.

8. Timescales

- 8.1 Employees in permanent and fixed term appointment of one year or more are subject to a probationary period of 6 months (or 26 school weeks for term time only employees). This can be reduced if the individual is successful in their role or extended by a maximum of a further 6 months (or 26 weeks) if the employee's performance/conduct warrants this.
- 8.2 Employees on fixed term appointments of less than one year are subject to a 3-month probationary period (13 school weeks for term time only employees) which can be extended by a maximum of a further 3 months (or 13 weeks) where necessary.
- 8.3 For new employees on term time only contracts, probation timescales exclude school holiday period as these are non-working periods.

9. Right to be Accompanied

- 9.1 There is no right to be accompanied to meetings that take place as part of the probationary process unless the employee has requested this as a reasonable adjustment. Employees do have a right to be accompanied at the final assessment meeting, or a meeting where terminating employment is a possible outcome and to any appeal meeting. The chosen companion can be a work colleague, an official employed by a trade union or school trade union representative. The employee must notify the Line Manager in advance of their wish to be accompanied, giving details of who that person is. It is the employee's responsibility to make arrangements for their chosen representative to attend the final assessment meeting.
- 9.2 The employee's companion may make representations and ask questions but should not answer questions on the employee's behalf. The employee may confer privately with their companion and request an adjournment for this purpose at any time during the hearing.

THE PROCEDURE

1. Managing the Probationary period

Probationary meetings should be carried out as follows:

- During 1st week – see initial meeting information below.
- During month 3 – meeting to take place to discuss role, conduct etc. and assessment form should be completed.
- At the end of month 5 – meeting to take place to discuss role, conduct etc. and assessment form should be completed. If the standards and conduct are not as expected, the probationary period will either be extended, or the employee given formal notice that they will meet again in one month. The employee will be notified if termination of employment is a likely outcome.

2. Initial meeting (within the first week of employment) as part of the induction process

- 2.1 The Line Manager should discuss the job description and person specification with the employee, as well as setting out their reasonable expectations and the criteria against which performance will be measured as part of the induction process. The new employee should be encouraged to ask for assistance at any stage if they have any concerns or difficulties.

3. Setting targets

- 3.1 It is essential that new employees have a clarity of what is expected of them, and that they are set targets that they can be measured against, and which relate to their job role. At the commencement of the probationary period defined targets should be set, but not normally more than 3, which can be reviewed and revised during the probationary period. Training and support should be given to help the employee to achieve these targets. If during the probationary period, it is clear that the employee is struggling with these targets then further discussion and revision should take place. At the end of the probationary period the achievement of the targets needs to be considered as part of measuring the employee's overall performance.

4. Probation Meetings

- 4.1 Line Managers must inform new job holders in writing of the probationary review period and set up a programme of review meetings. As a standard, it is recommended that review meetings take place in the 3rd month of employment, with the final review at the end of the 5th month. In some circumstances, review meetings may be required on a more frequent basis, particularly where concerns have been identified. It is good practice to set the dates of the review meetings when employment commences.
- 4.2 Managers should retain detailed records of each probation review meeting. A template Probation Assessment Form can be found at Appendix 1. The review of an employee's progress at a probation meeting should be treated as confidential.
- 4.3 Arrangements for the meetings should be as follows:
- A suitable time should be arranged so that meetings are not hurried but are private and free from interruption.
 - The employee should be told in advance the time and date of the meeting and asked to think about their performance and any questions they wish to raise. At least 5 working school days' notice is required.

- The Probation Assessment Form should be part completed by the Line Manager and given to the employee a few days prior to the meeting.
- The Line Manager should make sure that they have clearly defined the points that they wish to raise and that these can be substantiated.
- The Line Manager should monitor, record and regularly discuss performance with the employee concerned, and be prepared to suggest ways, if necessary, of improving performance.
- If necessary, go through the job description and/or person specification.

4.4 At the probationary meetings the School Leader/Line Manager should:

- Explore both positive and negative aspects of performance and expand and explain comments made on the Assessment Form.
- Reinforce areas of strength where the employee is doing well.
- Discuss and seek the employee's views and comments and record them as part of the assessment.
- Suggest and discuss ways of improving performance if appropriate. This might include extra training/coaching or closer supervision.
- After the probationary meeting a copy of the review meeting should be given to the employee and a copy held on the employee personnel file.

5. Concerns where a satisfactory probation period has been unsuccessful

5.1 Where performance has not yet reached a satisfactory level:

- It is important to be open and honest with the employee about areas of concern, giving specific examples as well as reasonable expectations of performance level.
- Ensure the employee understands the degree of progress required and that successful completion of the probationary period is dependent upon it.
- Warn the employee that if this standard is not reached their employment with the school may be terminated.
- The employee will be given written confirmation of the above.

5.2 If the employee is experiencing problems at any stage during their probationary period the Line Manager should discuss these with the employee or vice versa and not wait until the next scheduled review meeting.

5.3 Where a Line Manager is considering extending the probationary period, or terminating the employment, guidance must be sought from HET HR.

6. Final Probation Meeting

6.1 The final probationary meeting should be held one month before the end of the probationary period. The Line Manager should complete the last sections of the Probation Assessment Form (shown at Appendix 1) giving an overall assessment of the employee's performance during probation and indicate whether they are confirmed into their permanent/fixed term post. It is important that the overall assessment should include all relevant factors such as conduct, attendance record, commitment, attitude, working relationships, performance in the role etc.

6.2 The employee should be invited to the meeting in writing, giving at least 5 school working days' notice, and including a copy of the Probation Assessment Form. The employee has a right to be accompanied at the final probationary meeting. The employee must notify the manager in advance of the meeting of their wish to be accompanied, giving details of who that person is.

6.3 Where the final assessment recommends that the employee is confirmed into their permanent/fixed term post:

- This decision will be conveyed at the meeting and confirmed in writing afterwards within 5 school working days.
- The meeting may also clarify any future development or training planned for the employee and set targets that will be reviewed as part of the on-going professional development process.

7. Extending the probationary period

7.1 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 line manager determines as an outcome of the final review meeting that the employee's performance, conduct, attendance or suitability for the job has not been satisfactory, then in exceptional circumstances, the school/HET may decide to extend an employee's period of probation before the original probationary period comes to an end. This is entirely at the school/HET's discretion and may be in circumstances where:

- 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; or
- The employee or line manager has been absent from the workplace for an extended period during the probation.

7.2 Where the final assessment is that an employee's probationary period should be extended:

- The letter arranging the meeting should make this clear, together with the reasons, and inform the employee of their right to be accompanied.
- The meeting will explore both positive and negative aspects of the assessment and seek the employee's views and comments.
- The outcome will normally be conveyed to the employee at the end of the meeting and confirmed in writing within 5 school working days.
- The letter will set out the extension period and the nature/level of improvement required, along with details of any additional support that has been agreed, and the interim review meeting dates.
- The letter will advise that dismissal is a potential outcome if the satisfactory level of performance is not reached.
- The date of the final assessment meeting will be scheduled for one month before the end of the extension period.

8. Concerns raised during the probationary period

8.1 Where concerns become apparent, they will be raised at the earliest opportunity with the aim of supporting the employee to improve their performance or conduct. This will include discussion of:

- The areas where performance/conduct improvement is required and targets to be met.
- The employees' views about their performance in their role.
- Appropriate training, support or coaching to help the employee meet the required standards.
- Timescales for improvement and arrangements for further monitoring/meetings.
- Whether an extension of the probationary period is appropriate.

8.2 The employee should also be made aware that should the required improvements not be made; their employment may be terminated within the probationary period.

- 8.3 The outcome of the discussion will be confirmed in writing to the employee within 5 school working days.
- 8.4 Additional meetings may be arranged to assist with the support and monitoring of the employee as they work towards addressing their concerns.

9. Terminating employment during the probationary period

- 9.1 Ordinarily it is HET'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.

- 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).

9.3 Performance

If an employee's performance while on probation has been unsatisfactory (despite support from the line manager), 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.

9.4 Conduct

If an employee's conduct while on probation has been unsatisfactory (despite support from the line manager) 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 an earlier point if appropriate.

If during the probationary period, an allegation potentially amounting to gross misconduct is made, the facts will 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 payment in lieu of notice. Gross misconduct is a serious breach of contract and includes misconduct which, the opinion of the school/HET, is likely prejudice its business or reputation or irreparably damage the working relationship and trust between the school/HET and the employee. Although allegations of gross misconduct set out in the disciplinary rules at Appendix 1 or the HET Disciplinary Policy. However, allegations in relation to safeguarding will be considered alongside and in accordance with the HET Managing Concerns and Allegations against Employees, Agency Staff, Contractors and Volunteers Policy.

9.5 Attendance

If an employee's attendance while on probation has been unsatisfactory (despite support from the line manager), and it is thought unlikely that further 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.

10. Employees right to waiver attendance at a hearing

- 10.1 The employee can waive their right to a hearing, in which case such a hearing does not need to take place. However, a decision must still be made about the dismissal of the employee by the School Leader or at least

one governor where the School Leader has been involved or for the case of the MS Team, the Deputy CEO, CEO or Trustee as applicable and that decision must still be communicated to the employee. If a decision to dismiss is reached the employee will receive one week's notice pay. Rights to a dismissal hearing does not waive rights to an appeal hearing.

11. Appeal

- 11.1 An employee has a right of appeal against dismissal. The employee must submit the appeal in writing to the Clerk to the Governing Body, or in the case of the HET managed services team, the HR Assistant, within 10 working school days of receiving confirmation of dismissal, setting out the grounds for the appeal.
- 11.2 When lodging an appeal, the employee, or their representative, must state the grounds of the appeal in full.
- 11.3 The purpose of an appeal is to enable an impartial review to be carried out as to the 'reasonableness' of the previous decision. The appeal should focus on reviewing the process followed and the reasonableness of the decision that was taken.
- 11.4 In the MS team, the appeal will be heard by the CEO. The Deputy CEO/Director or Trustee will have the opportunity to provide evidence of why they took the decision to dismiss. In schools, the appeal will be heard by a School leader/Governor panel. The School leader will have the opportunity to provide evidence of why they took the decision to dismiss. During the appeal hearing, evidence supporting the case for dismissal will be considered. The employee will have the opportunity to present their case and give reasons as to why they believe they should not have been dismissed.
- 11.5 The employee should be advised of the decision at the conclusion of the hearing or as soon as is practicable thereafter.

12. Record Keeping

- 12.1 The employee will be given a copy of all notes/completion of assessment forms under this procedure.
- 12.2 Minutes will be taken at hearings and appeal meetings and shared with the employee within 5 working days. If an extension to this time is needed, the employer will write to inform the employee. The employee will have the opportunity to check and comment on the accuracy of the minutes.

13. Associated policies and documents

- HET Absence Policy
- HET Disciplinary Policy
- HET Employee Handbook & Code of Conduct
- HET Grievance Policy



14. Appendices

Appendix 1 – PROBATIONARY ASSESSMENT PRO-FORMA

Probationary Assessment Pro-forma - to be completed as part of the induction process

The form should be partially completed by the line manager and shared with the employee prior to the probation meeting.

Employee Name:		Job Title:	
Post Start Date:		Line Manager:	

	Date Due:	Please tick when completed
Initial Meeting:		
3 month review:		
End of 5 month review:		

A copy of this document will be shared with the employee following each meeting.

PART 1: Initial Meeting – This section should be completed by the line manager and employee within the first week (as part of the induction process) or as soon as possible after starting in post.

Expectations and Targets: The line manager should identify specific expectations and targets to be achieved during the probationary period. These must be Specific, Measurable, Attainable, Relevant and Time bound (SMART). Revision of these may take place during the probationary period.	
Expectations/Targets	Timescales and dates
1.	
2.	
3.	

Development Plan: To support the employee in achieve these targets, the line manage should identify any training and development needs and specify how and when these needs will be addressed during the probationary period. Include timescales

Has the Job description and person specification been reviewed?	YES / NO
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Managers Signature:	
Date:	

I confirm that the above meeting has taken place. I also confirm that the job description has been discussed, and I am clear about my role and responsibilities:

Employees Signature:	
Date:	

PART 2: 3 Month Review Meeting - to be completed by the line manager in discussion with the employee

The form should be partially completed by the line manager and shared with the employee prior to the probation meeting.

	Improvement Required	Average	Good	Excellent
Quality and accuracy of work				
Efficiency				
Attendance				
Time keeping				
Work relationships (team work, interpersonal and 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:				
Summary of the employee's views on the role, work environment and working conditions:				

Summary of employee's overall performance:	
Has the Job description and person specification been reviewed?	YES / NO

Have the targets identified for this period of the probation been met?	YES/NO	If no, what further action is required?	Review Date
Revised targets and timescales should be produced where necessary			
Have the training/development needs identified for this period of the probation been addressed?	YES/NO	If no, what further action is required?	Review Date
Should the employee's probation period be confirmed at this stage?	YES/NO	If not, why not? Please specify the date on which the employee will complete the extended period and specify the improvement required and how this will be achieved.	Review Date

Managers Signature:	
Date:	
Employees Signature:	
Date:	

PART 3: Final Review Meeting - to be completed at end of Month 5 with the line manager in discussion with the employee

The form should be partially completed by the line manager and shared with the employee prior to the probation meeting

	Improvement Required	Average	Good	Excellent
Quality and accuracy of work				
Efficiency				
Attendance				
Time keeping				
Work relationships (team work, interpersonal and communication skills)				
Competency in the role				

Have the targets 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	If no, what further action is required?	Review Date

Summary of employee's performance and progress over the period:	
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.	
Has the Job description and person specification been reviewed?	YES / NO

Length of extension (max 6 months):	
New probation period completion on:	
Employee's signature:	
Date:	
Manager's signature:	
Date:	
Date letter issued to employee to confirm probation outcome:	