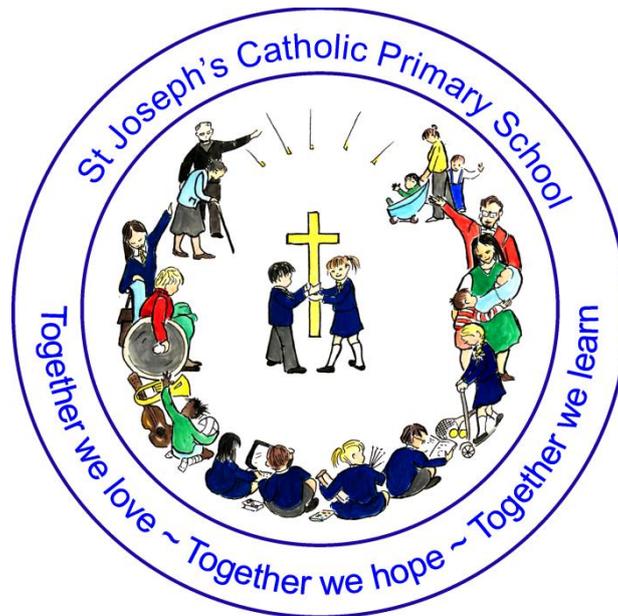


Probationary Policy

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PROBATIONARY POLICY
FOR SUPPORT STAFF IN SCHOOLS

March 2020

Review Date: March 2022

ST. JOSEPH'S CATHOLIC PRIMARY SCHOOL

Probationary Policy for support staff

This policy will be carried out with due regard to our School Vision and Mission Statement:

Together we love- Together we hope- Together we learn

St Joseph's Catholic Primary School is an inclusive, vibrant, Catholic community where we encourage everyone to share a love of learning and the love of Christ.

Together, we hope to inspire each other to achieve our full potential and to embrace our future with confidence.

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PROBATIONARY POLICY AND PROCEDURE FOR SUPPORT STAFF IN SCHOOLS

1. POLICY AIMS

- 1.1 St. Joseph's School (the 'School') recognises the importance of ensuring that new employees are fully supported from the commencement of their employment to enable them to familiarise with their job and become integrated and productive at the earliest opportunity. This policy aims to assist both new employees and their managers in providing a structure for the effective management of probationary periods, probationary assessment and where appropriate the management of unsatisfactory performance, attendance and/or conduct during the probationary period.

2. SCOPE

- 2.1 This procedure applies to all new members of support staff of the School (including fixed term employees) in their first 6 months of employment.

3. ROLES AND RESPONSIBILITIES

3.1 Line Manager

- For ensuring that this policy is applied consistently and in a way which does not discriminate.
- For monitoring the progress of new employees against standards which are clearly communicated to the employee.
- To provide the necessary support to the employee to enhance the opportunity for the probationary period to be successful.
- To provide the employee with regular feedback on their progress throughout their probationary period, ensuring that training and development needs are identified and met.
- Ensuring the employee has the opportunity to demonstrate their skills, knowledge and experience.
- Ensuring the completion of probationary assessment relevant paperwork underpinning the probationary procedure.

3.2 Employees

- Complying with the expected standards of performance, attendance and conduct required by the manager.
- Informing the manager if they are having any difficulty in meeting these standards.
- Undertaking training activities, agreed with the manager to support their achievement of the required standards.
- Attending probationary assessment meetings with the manager.
- Performing their duties in accordance with their contractual obligations e.g. being honest, trustworthy, co-operative and act reasonably, treating colleagues, pupils and parents with respect, honesty and dignity.

3.3 Governors

- Attend probationary hearings and appeal hearings as part of a panel and to make a fair decision in relation to the specific case.
- To monitor and review this policy.

4. GENERAL PROVISIONS

- 4.1 All new employees will be provided with an appropriate induction programme, to help them settle into their new environment and team and familiarise themselves with the roles and responsibilities of their job.
- 4.2 The appointment of every new employee is subject to successful completion of a formal probationary period. During the probationary period the Line Manager will make an assessment of capability (performance and attendance) and conduct (behaviour) to determine whether the employment will be confirmed.
- 4.3 The probationary period will last six months but may be extended in certain circumstances (*see section 8*) for a further period of up to three months.
- 4.4 Appointment of fixed term employees will be subject to a probationary period as follows:-
- | | |
|---------------------------------|--------------------------|
| Fixed term for 3 months or less | 4 week probation period |
| Fixed term up to 6 months | 12 week probation period |
| Fixed term up to 9 months | 16 week probation period |
| Fixed term 12 months or more | 26 week probation period |
- 4.5 During the probationary period the School and employee only need to give one week's notice for the cessation of a contract of employment unless the employee has continuous local government service in which case, where the school is giving notice to the employee, the notice set out in the employee's contract should be given. The exception is in cases of gross misconduct. Where an act of gross misconduct has been committed dismissal will be without notice or payment in lieu of notice.
- 4.6 Any performance, attendance or conduct issues during the probationary period should be addressed under this policy.
- 4.7 It is expected that the majority of new staff will progress effectively through their probationary period. However where an employee is not achieving the standards expected, the manager will seek to establish with the employee whether there are any reasons or mitigating circumstances affecting the employee's performance, attendance and/or conduct and provide training, support and supervision where appropriate. The Line Manager will ensure that the areas of concern are explained and the employee is given clear objectives for performance, attendance and/or conduct. The opportunity to improve within a defined period of time will also be provided. The manager will ensure that the employee understands the standards against which their performance, attendance and/or conduct is being assessed and will explore any support the employee needs to assist them in achieving these standards.

- 4.8 The Line Manager does not need to wait until a formal probationary assessment meeting to raise any performance, attendance and/or conduct concerns; rather these will be discussed with the employee at the earliest opportunity as part of the normal supervisory/management arrangements, if a probationary assessment meeting is not imminent, with any such discussions being recorded and then referred to in the formal probationary assessment meetings.
- 4.9 If there are serious concerns about performance, attendance and/or conduct at any point during the probationary period and the Line Manager considers that sufficient improvement is unlikely to be made, the manager may convene a Probationary Hearing (*see section 10*) and the employment may be terminated before the end of the probationary period.

5. PROBATIONARY ASSESSMENT

- 5.1 The way in which work performance and conduct is assessed will vary depending on the responsibilities of each employee's job, grade and work environment and will include:
- Quality of work performance
 - Quantity of work
 - Flexibility
 - Attendance, timekeeping and health record
 - Reliability
 - Relationship with other employees
 - Initiative

6. PROBATIONARY REVIEW ASSESSMENT MEETINGS

- 6.1 Performance, attendance and conduct will be formally assessed at regular probationary review meetings. As a guide such meetings will take place after 4 weeks, at 12 weeks and 20 weeks. The meetings provide an opportunity for the Line Manager to assess the employee's progress against the relevant standards and targets, clarify any standards/targets that are not clear, set improvement objectives, hear an employee's views on what they feel will assist their work performance, attendance and/ or conduct, discuss measures that may be taken to assist the employee in reaching the standards required and any identify training or development needs.
- 6.2 Where a fixed term employee is subject to a probationary period of less than 6 months, the number and frequency of the formal assessment meetings will be adjusted. It is suggested that two review meetings should be undertaken within a reasonable timeframe, with the exception of a 4 week probationary period when only the final review should be held.
- 6.3 The School's probation assessment form should be used to record the main points of the probationary assessment meeting and a copy should be given to the employee and a copy placed on the employee's personnel file in school. This assessment form will be re-visited at the second and third probationary assessment meetings.

7. SUCCESSFUL COMPLETION OF THE PROBATION PERIOD

7.1 If an employee's performance, attendance and behaviour/conduct has been satisfactory his/her appointment will be confirmed in writing by the school at the end of the probationary period.

8. EXTENSION OF PROBATIONARY PERIOD

8.1 A decision to extend the probationary period should be made no later than the final probationary assessment meeting (normally five months after appointment). A decision to extend the probationary period for up to a maximum of three months, may be made in the following circumstances:

- If the employee's performance, attendance and/or conduct does not reach the standards required and there is evidence to support this, but the manager decides that there is a good chance of the required improvement being achieved.
- If it has not been possible to make a fair assessment of the employee's performance, attendance and/or conduct within the probationary period for good reason e.g. the employee has been absent for a substantial part of their probationary period, for example, due to sickness.
- Where an employee has not met the required standards of performance, attendance and this may be due to a disability. The Line Manager will meet with the employee and establish whether there is any reasonable adjustments that can be made to assist the employee in achieving the required standards, including an extension to the probationary period.

8.2 Any decision to extend the probationary period must be fully explained to the employee and confirmed in writing, setting out:

- the length of the extension;
- identifying any training/other support that will be given;
- areas for improvement and how this will be monitored/measured; and
- what may happen at the end of the extension i.e. where satisfactory improvement is made the employee will be confirmed in post/where there is no or unacceptable improvement their employment will be terminated.

9. TERMINATION OF EMPLOYMENT

9.1 If the Line Manager decides, based on evidence, that the performance, attendance and/or conduct of an employee does not reach the standards required at the end of the probationary period, the manager should discuss the case with their Headteacher/Executive Headteacher if they are not already involved. If the Headteacher/Executive Headteacher agree that there is evidence to support the view that the employee has not satisfactorily completed his/her probationary period, the employee will be invited to attend a Probationary Hearing at which their continued employment will be considered, with dismissal being a possible outcome.]

10. PROBATIONARY HEARING

- 10.1 A Probationary Hearing will be arranged to consider the dismissal of an employee who has failed to meet the required standards of performance, attendance and/or conduct. [*A Probationary Hearing panel of normally at least three governors will be arranged.
- 10.2 A Probationary Hearing may be arranged:-
- At the end of the probationary period or at the end of an extension to the probationary period (but in sufficient time to allow for the relevant notice period to be issued should the hearing decide to dismiss the employee); or
 - Before the end of the probation period, where serious concerns are raised about the employee's performance, attendance and/or conduct.
- 10.3 The employee will normally be given 10 working days' notice in writing of a Probationary Hearing. The Chair of the Hearing will write to the employee to confirm:
- the concerns regarding the employee's performance, attendance and/or conduct;
 - the date/time and location of the hearing;
 - the names of the governors on the panel;
 - the right to be accompanied by a trade union representative or a work colleague;
 - the requirement to provide at least 5 working days before the hearing a copy of the documents that he/she will be relying upon and the names of any witnesses that he/she will be calling at the hearing; and
 - to advise that a possible outcome of the hearing could be the employee's dismissal.
- 10.4 A copy of any documentation that the presenting manager will refer to at the hearing and the names of any witnesses that they intend to call will be included in the notification.
- 10.5 The outcome of the Probationary Hearing will be confirmed in writing to the employee normally within 5 working days of the date of the hearing. Where the employee is dismissed the reasons for this decision must be included in the letter.

11. RIGHT OF APPEAL

- 11.1 Employees have the right to appeal against dismissal. Any appeal requests must be lodged with the Headteacher in writing, stating the grounds for appeal, within ten working days of receipt of the dismissal letter.

12. APPEAL HEARING

- 12.1 The appeal will be heard by a panel of at least three governors who have not been involved in the case.
- 12.2 The employee must be given at least 10 working days' notice of the date and time for the appeal hearing and informed of their entitlement to be accompanied at the appeal hearing by either a trade union representative or a work colleague. If the employee gives a valid reason for not being able to attend the hearing one alternative date no more than 5 days after the first suggested date will be arranged.

- 12.3 Both parties must indicate at least 5 working days in advance of the appeal hearing whether they wish to call any witnesses and provide copies of any documentation that will be relied upon at the hearing
- 12.4 The chair of the probationary hearing will attend the appeal to present the management case.
- 12.5 The employee will be able to present the evidence which is directly relevant to the grounds of the appeal. Management will have the opportunity to respond.
- 12.6 The appeal panel may confirm or overturn the decision of the probationary hearing. It may result in the probationary period being extended.
- 12.7 The employee will be informed of the appeal decision in writing. The decision of the appeal panel is final.

13. DISCLOSURE AND BARRING SERVICE

- 13.1 There is a statutory requirement to refer an individual to the Disclosure and Barring Service in circumstances where an employee has been dismissed, or who resigns in circumstances which may have led to dismissal or where a disciplinary has occurred on grounds of misconduct which harmed or placed a child at risk of harm.

14.0 CONFIDENTIALITY AND RECORDS

- 14.1 All individuals involved in the probationary process have a responsibility to maintain the confidentiality of personal information in their possession.
- 14.2 Records of the outcomes of all meetings with employees under this Policy will be kept.
- 14.4 All records will be kept confidential, used and retained in accordance with the General Data Protection Regulation (GDPR) and the Data Protection Act 2018.

All our policies and guidance can be found at www.supportservicesforeducation.co.uk

Signed by the chair of Governors _____

Date _____

Review _____

PROBATIONARY PROCEDURE TOOLKIT FOR MANAGERS AND GOVERNORS

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Probationary Period Process Flowchart

First probationary assessment (after 4 weeks)

If the outcome of the assessment is satisfactory, continue to monitor until 12 week assessment.

If the outcome of the assessment is unsatisfactory, set specific objectives and expectations for improvement. Agree support measure and continue to monitor until 12 week assessment.

Second probationary assessment (after 12 weeks)

If the outcome of the assessment is satisfactory, continue to monitor until 20 week assessment.

If the outcome of the assessment is unsatisfactory, review objectives and expectations for improvement. Agree support measure and continue to monitor until 20 week assessment. Give written warning that failure to improve may result in dismissal.

Final probationary assessment (after 20 weeks)

If the outcome of the final assessment is satisfactory, confirm appointment in writing using Probationary Period Confirmation Letter.

If the outcome of the final assessment is unsatisfactory, agree whether to extend the probationary procedure and give further opportunity to improve (using the Extension of Probationary Period letter) or to invite the employee to attend a Probationary Hearing at which their continued employment at the school will be considered.

If the probation period is extended, agree period of extension and what will happen at the end of the extension period.

In each case, reasons must be confirmed in writing to the employee

Probationary Hearing

If the employee has failed to meet the required standards of performance and no extension to the probationary period is agreed, convene a Probationary Hearing to consider the dismissal of the employee. The outcome of the Hearing will be confirmed in writing normally within 5 days.

Right of Appeal

The employee may lodge an appeal with the Headteacher within ten working days of receiving written confirmation of the dismissal.

Governors Appeal Hearing

Governors appeal panel's decision is final.

Probationary Assessment Form

This form is to be used to assess and monitor the performance of all members of support staff during their probationary period. The form should be completed by the Line Manager by ticking the ratings considered appropriate. Assessments should be based on the requirements of the job and the employee's performance. Each assessment must be discussed with the employee.

| | |
|---|-----------------------------|
| Employee name: | |
| School | |
| Job Title | |
| Start Date | |
| Assessment Date (delete as appropriate) | 4 weeks/ 12 weeks/ 20 weeks |

| Performance Indicators | Assessment After | | |
|---|------------------|--------------|--------------|
| | 4 weeks | 12 weeks | 20 weeks |
| Work Performance: Meeting targets, learning by experience, understanding information & instruction, making judgments. | A B C D E | A B C D E | A B C D E |
| Motivation: Enthusiasm, initiative, showing interest, asking questions, following through on tasks. | A B C D E | A B C D E | A B C D E |
| Co-operation: Working with colleagues, dealing with customers, following instructions, willingness to work. | A B C D E | A B C D E | A B C D E |
| Self Discipline: Punctuality, attendance record, dress, demeanour, attitude, sense of responsibility. | A B C D E | A B C D E | A B C D E |

A= Very Good, B= Good, C= Satisfactory, D= Poor, E= Very Unsatisfactory.

| |
|---|
| Action Required / Improvement Objectives Set |
| |
| Training Needs/Other support needs identified |
| |
| Review Date |
| |

Has the employee satisfactorily completed the 4 week/12 week/20 week (delete as appropriate) review? YES / NO

If no, reasons why and further action to be taken (for example: extension of probationary period or arrange Probationary Hearing to consider termination of contract)

.....
.....
.....
.....

Signature of Manager..... Date:

Print Name

Signature of employee..... Date:

Print Name.....

A copy of completed form to be given to employee and a copy stored on employee's personnel file at the School

Probationary Period Confirmation Letter

Letter to be sent to employee to confirm satisfactory completion of probationary period.

Personal and Confidential

[Employee's name and address]

DATE

Dear

Probationary Period

Further to your Probationary Assessment Meeting on (***date***) I am writing to confirm that you have satisfactorily completed your probationary period with effect from (***date***) and your employment is confirmed in the post of (***job title***)

[Line Manager to insert own sentence in here, for example: I am really pleased that you have fitted into the role and the team so well and look forward to working with you into the future.]

Yours sincerely

Headteacher/Manager

Extension of Probationary Period letter

Letter to be sent to employee to confirm the extension of the probationary period.

Personal and Confidential

[Employee's name and address]

DATE

Dear

Extension of Probationary Period

Further to your Probationary Assessment Meeting on (**date**), I am writing to confirm that the decision to extend your probationary period for (**period of time**) until (**date**)

As discussed in our meeting, the reason for the extension of your probationary period is due to you not meeting the required standards in the following areas:

-
-
-

The following training and support has been identified to assist you in addressing these areas of concern and to achieve the required standards in the above areas:

-
-
-

At the end of the extension of your probationary period, a further assessment will take place. If the outcome of this review is successful your appointment will be confirmed. If, following the assessment, the required standards have not been met, a Probationary Hearing will be arranged to consider your continued employment. A possible outcome of this hearing could be your dismissal.

Yours sincerely

Headteacher/Manager

The Hearing will be conducted in accordance with the School's Protocol for Probationary Hearings (copy attached). The documentation that will be presented to the [*Governors Panel / *Headteacher **delete as applicable*] is also attached.

In order that arrangements for the Probationary Hearing can be finalised can you please:

- confirm to me in writing whether you will be attending and
- at least 5 working days before the Hearing, provide a copy of any documents that you will be relying on together with the names of any witnesses that you will be calling at the Hearing.

In the event that I do not hear from you and you fail to attend the Hearing, I must advise you that the Hearing may progress in your absence.

Yours sincerely

Headteacher/Manager

Dismissal Letter

Letter to be sent to employee confirming dismissal

Personal and Confidential

[Employee's name and address]

Dear

Outcome of Probationary Hearing

I am writing to confirm the outcome of your Probationary Hearing on (**date**). The [**panel / headteacher *delete as applicable**], having carefully considered the management case and the representations made by you and your trade union representative (**where applicable**) concluded that you have not achieved the required standards in the following areas:

Performance (**provide detail**)

Attendance (**provide detail**)

Conduct (**provide detail**)

The [**panel / headteacher *delete as applicable**] noted that you have received the following training/support during your probationary period.

Given this the [**panel / headteacher *delete as applicable**] decided not to confirm your appointment as (**job title**) in accordance with the provisions of the School's Probationary Procedure. The effect of this decision is that you will be dismissed from your employment with the School. You are entitled to notice in accordance with your contract of employment.

Any outstanding annual leave should be taken / payment will be made in lieu of any outstanding annual leave (**amend as appropriate – this will not apply to TTO employees**) and property [**keys/clothing**] of the School returned to **XXXX**.

You have the right to Appeal against this decision, and if you wish to do so you should write to **XXXX** at the above address within ten working days of the date of this letter, clearly stating the reasons for your appeal.

If you have any other queries, please do contact me.

Yours sincerely

Headteacher/Manager

Letter Confirming Dismissal following Appeal

Letter to be sent in confirmation of the conclusion / termination of a contract following appeal.

Personal and Confidential

[Employee's name and address]

Dear

Probationary Period

Further to the Appeal Hearing on [date] at [location], I am writing to you to confirm that we will be concluding your employment with ... School with effect from [date].

You will be aware that the Appeal confirmed the original decision to conclude your employment with the school due to ongoing concerns regarding your [*performance / *conduct / *attendance *delete as applicable] during your probationary period which, regrettably, we have not been able to resolve.

The decision of the Appeal Panel is final.

Any outstanding annual leave should be taken / payment will be made in lieu of any outstanding annual leave (**amend as appropriate – this will not apply to TTO employees**) and property [keys/clothing] of the School returned to XXXX.

If you have any other queries, please do contact me.

Yours sincerely

Headteacher/Manager

Reinstatement in Post following Appeal

Letter to be sent in following appeal if the employee's appeal is successful (i.e. if they are reinstated and their probation period extended)

Personal and Confidential

[Employee's name and address]

Dear

Probationary Period

Further to the Appeal Hearing on [date] at [location], I am writing to you to confirm that your appeal against the original decision to conclude your employment with ... School with effect from [date] was overturned and that you have been reinstated in your post of XXXX with immediate effect, without detriment to your salary.

*However, there remain concerns regarding your performance and/or conduct during your probationary period which we still need to resolve. I would like to invite you to a meeting to discuss these outstanding issues which are XXX. (****if appropriate***)

*At this meeting we will identify those areas in which you are not meeting the required standards and the training and support to enable you to achieve the required standards. (****if appropriate***)

AND/OR

Your probation period has been extended for a further XXX months and at the end of the extension of your probationary period, a further assessment will take place. If the outcome of this review is successful your appointment will be confirmed. If, following the assessment, standards have not been met you may be dismissed from your post. (****if appropriate***)

If you have any other queries, please do contact me.

Yours sincerely

Headteacher/Manager