



Probation Policy and Procedure

Date Adopted: 20.01.2021

Author/owner: Board of Trustees

Review: Biennial

NB. 'Trustees' means the Directors referred to in the Trust's Articles of Association

History of most recent policy changes

Version	Date	Page	Change	Origin of Change e.g. TU request, Change in legislation
V1.0	December 2020		New policy introduced for the Tarka Learning Partnership Central Trust Team and Schools within the Trust	Requirement for central policy to explain the approach to probation periods for all staff joining the Trust.

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POLICY

1.0 Introduction

- 1.1 A probationary period is a period of time for an employee who is a new recruit to the Tarka Learning Partnership to demonstrate suitability to their role. It allows both the line manager and the employee to take into account the individual's overall capability, performance and general conduct in relation to the job in question and assess objectively if they meet the requirements.
- 1.2 The probationary period is written into the employee's contract of employment and it is considered an extremely useful management tool, provided it is well structured and properly implemented.
- 1.3 This policy informs employees and the line managers of what is required during the probationary period.
- 1.4 The probation period provides the line manager with the opportunity to clarify what is expected of the new employee, set objectives and standards, and assess performance. It also gives new employees the opportunity to familiarise themselves with their new role and to assess their suitability to a post in the Tarka Learning Partnership.
- 1.5 Successful completion of the probation period is required in order to confirm continuing employment.
- 1.6 Newly qualified teachers are also subject to assessments by an Appropriate Body which take place throughout the NQT year. There are three assessments normally taking place. NQTs are therefore not in scope for this policy.
- 1.7 The probation period applies to both support and teaching staff and will normally last for 6 months. If an employee's probation period spans scheduled non-term time i.e. summer holidays, the probation period will be extended for the same amount of time during normal working time.
- 1.8 During the probation period the disciplinary policy will not apply. Any misconduct during the probation period could result in dismissal. Any action/actions deemed to be gross misconduct during the probation period will result in instant dismissal.

2.0 Aim

- 2.1 The aim of the procedure is to:
 - Provide guidance for new employees and managers on expected standards
 - Provide support to individuals to enable those standards to be met
 - Confirm the appointment of individuals in post who meet required standards
 - Identify individuals who have not met the required standards in order that their contracts can be reviewed and their continued employment considered.

3.0 Principles

- 3.1 The probationary policy and procedure applies to all staff including those transferring from another local authority or school outside of the Trust. It also applies to people who have local government service, and civilian employees from the police and fire service.

4.0 Policy for temporary workers

- 4.1 Employees on temporary contracts of six months or longer will be required to complete the full probation period.
- 4.2 Where an employee is on a temporary contract of less than six months the probation period will span the whole of the employment. If the temporary contract were to be extended, the probation period would continue until six month's service was complete.

5.0 Personnel responsible for implementing the policy

- 5.1 The Trustees have overall responsibility for the effective operation of this policy, but has delegated day-to-day responsibility for its operation to the Chief Executive Officer (CEO) and the Tarka Learning Partnership HR Leader.
- 5.2 All managers have a specific responsibility for operating within the boundaries of this policy, ensuring that all staff understand the contents of the policy.
- 5.3 Questions regarding the content or application of this policy should be directed to the CEO or the HR Leader for the Trust.

PROCEDURE

6.0 Undertaking assessments

- 6.1 Managers should arrange to welcome the new employee on their first day of employment and ensure a local induction is completed.
- 6.2 Employees will be informed that they will be assessed regularly during their probationary period. The final assessment must be completed before employment can be confirmed. It is the line manager's responsibility to ensure that all probationary reviews are completed on time.
- 6.3 Employees should be set reasonable, SMART objectives and/or targets during the initial stages of their employment. These should be used to measure an employee's performance during the probationary period, be agreed with the employee and clearly stated in the Probation Action Plan (Appendix 1).
- 6.4 The initial assessment leading to the Probation Action Plan (Appendix 1) should be agreed and finalised within the first month of employment, together with the number of review meetings, normally three.
- 6.5 Dates for the first, second, and final probation review meetings should also be agreed and recorded in calendars/diaries. If any of these review meetings identify cause for concern about the rate of progress, it is likely that more frequent meetings will be agreed to make sure the employee is achieving the necessary rate of progress.
- 6.6 Probation review meetings are a formal part of the Probation Policy and Procedure and are designed to track and review progress against the probation plan and performance objectives. These meetings will include feedback on progress and any areas that require improvement. Notes will be taken by the line manager to provide a record of the main points agreed and the employee should check and sign these to

make sure they are accurate.

- 6.7 Line managers should arrange review meetings so that the second review takes place around the mid-point of the probationary period and the final one around two weeks before the end. It is expected that by the second review meeting, line managers should be able to know if there is a significant risk that the appointment will not be confirmed. However, it is possible that there may be an incident or issue after this which raises serious concerns about confirming the appointment.
- 6.8 Line managers must complete and review the Probation Action Plan during the probation period. The Plan must be discussed with the employee and comments given.
- 6.9 A copy of the completed form should be retained by the line manager in preparation for the next assessment, and the employee must also receive a copy.
- 6.10 When an unsatisfactory assessment is included on the Probation Action Plan the following requirements must be met:
 - The employee must have been made aware of any performance shortcomings at the earliest opportunity, in consultation with the Trust HR Leader;
 - The employee must be offered suitable instruction, training or guidance in order to overcome these difficulties;
 - The employee must be allowed reasonable time for improvement before further action is taken. For example, to complete any training that has been identified;
 - The employee must be given this information in writing as well as having it discussed with them personally.

7.0 Expectations of line managers

- Provide employees with an individual induction plan;
- Clarify the priorities and key objectives for development;
- Plan, agree with the employee, and put into practice probation and development programme. This should include an agreement on the frequency of review meetings;
- Record agreed dates for review meetings within the first month of their employment;
- Provide the information, resources and opportunities needed to develop employees within their roles;
- Ensure the completion of any compulsory training and development programmes;
- Provide objective feedback on progress against agreed actions, updating and amending the probation plan as appropriate
- Create a supportive environment which makes it possible for employees to do well.

8.0 Expectations of employees

- Follow the induction and probation process and meet the contractual requirements of probation;
- Raise any concerns with their line manager as soon as they become aware of them;
- Fully take part in the agreed development programme, including completing any compulsory training, and engaging in courses leading to required qualifications as outlined in their contract.

9.0 Dealing with performance issues

- 9.1 The line manager must deal with any unsatisfactory performance as it arises, and not wait until the

assessments are undertaken. The assessment meetings will then offer an opportunity to review performance.

9.2 Line managers are responsible for taking action to deal with unsatisfactory performance promptly – dealing with problems at an early stage means that they are more likely to be dealt with successfully.

9.3 If you have to deal with performance issues you should:

- Discuss your concerns with the Head Teacher (or Trust HR Leader if the concerns are being raised by the Head Teacher);
- Arrange a meeting as soon as possible with the employee to discuss their performance;
- Advise the employee of their right to be accompanied at this meeting by either a Trade Union representative or work colleague

9.4 The purpose of the meeting is to:

- Discuss your concerns with the employee
- Let the employee discuss/ explain the areas of concern
- Offer instruction or training where appropriate
- Review the probation action plan to ensure additional support is provided and explain that if there is no improvement within a specified timescale further action may be taken, which may include dismissal
- Agree a timescale within which the improvements should be achieved, and arrange a date to review the employee's progress
- Ensure that any training that has been agreed is organised quickly.

9.5 Line managers will confirm the outcome of the meeting in writing, clearly setting out the concerns discussed, the action to be taken and possibility of termination of employment should there be no improvements.

10. Extending the probation period

10.1 The probation period is for a minimum of six months. This is with the exception of Newly Qualified Teachers (NQTs), who are subject to their own induction period. During this time line managers must ensure that feedback is given to employees on a regular basis and that any performance or conduct issues are resolved within this period.

10.2 In exceptional circumstances the probationary period may be extended for a further specified period of not more than three months. The justifiable reasons for extending a probationary period are:

- Where there is a good reason why it has not been possible to assess an employee's performance during the initial probation period of six months, for example: the employee has been absent for a significant proportion of this period; the line manager has not met with the employee regularly in line with this policy; probation period covers the months of July and August or
- Where the required improvement has not been made, but where further time, for example to attend appropriate training courses, will allow such improvement to happen.

10.3 If the probationary period is extended the employee should be informed, normally no later than at the second probationary assessment. During this meeting the employee must be informed of the reasons for the extension and the period of extension should be specified. This must then be confirmed in writing and a copy placed on the employee's personal file.

10.4 Line managers must ensure that any extension to the probationary period is for reasonable and justified

reasons. Advice from the HR Leader must be sought if there is any doubt about the reasonableness of the extension.

10.5 Where a probation period is extended the line manager will hold regular, for example weekly or fortnightly review meetings with the employee to continue to assess their performance. Notes must be made of discussions had at these meetings retained on the employee's personal file.

11. Continued poor performance and misconduct

11.1 Where an employee's performance continues to be poor despite additional training, coaching and an extended probation period, it may be necessary for the employment to end.

11.2 If the employee is involved in an act of serious or potential gross misconduct during the probationary period, then this will be addressed and is likely to result in instant dismissal or an investigation will take place following the stages of the Tarka Learning Partnership Disciplinary Policy and Procedure.

12. Ending employment during the probation period

12.1 The employee must be asked to attend a meeting to discuss their performance. They must be advised of their right to be accompanied at this meeting by a trade union representative or work colleague. This should be followed up in writing and should set out the grounds for this action. Employees should be told that one outcome of the meeting could be termination of their employment.

12.2 The meeting should take place in private, and the line manager should have a full report prepared for the meeting by the line manager. For example, have records of probation reviews, training courses etc to hand.

12.3 The line manager should clearly state the reason for the meeting taking place, and outline their concerns about the employee's performance.

12.4 The employee should then be given the opportunity to respond. If the employee is not able to give reasonable explanation for their continued poor performance, the line manager may take the decision to dismiss.

12.5 The employee should be informed of any decision at the meeting, and this should be followed up in writing. Employees should be informed in writing of their right to appeal.

12.6 At these meetings, a member of the Trust's HR team should accompany the line manager, and a colleague or trade union representative may represent the employee.

13. Appeals

13.1 An employee has a right of appeal to a dismissal during or at the end of a probation period. An employee should submit an appeal in writing, against the outcome of the meeting, to the HR Leader within five working days of receiving the letter. An appeal hearing will be chaired by a TLP Director and they will confirm the outcome of your appeal.

13.2 The possible outcomes of this meeting are;

- The employee's dismissal is upheld and they are informed of this in writing.

- The employee's employment is reinstated and their probationary period is extended for a further period of time.
- The employee's probationary period is confirmed as successful and their employment is confirmed.

14.0 Notice periods of employees

14.1 Employees should give the period of notice contained in their Contracts of Employment during their probationary period. In cases of dismissal during a probation period, the Tarka Learning Partnership will normally give one week's notice, however this may be greater at the discretion of the Head Teacher in consultation with the Trust HR Leader.

15.0 Confirming permanent employment

15.1 Following successful completion of a probationary period it is the Trust's responsibility to confirm permanent employment status in writing.

15.2 Any concerns about conduct or capability must be resolved before permanent employment is confirmed.

16.0 Sickness absence during the probation period

16.1 Sickness absence during the probationary period will be dealt with in line with the Trust's Managing Sickness Absence Policy.

16.2 Where an employee has a substantial amount of absence due to sickness during the probationary period, the manager may extend the duration of the probation period or terminate employment as appropriate.

APPENDIX 1 – PROBATION PERIOD ACTION PLAN

Objective	Evidence	Support required	Expected deadline		Date of completion
<i>e.g. Undertake office administration tasks efficiently</i>	<i>To produce examples of tasks completed (including emails and letters)</i>	<i>Mentoring with a senior member of the team for a period of two weeks as part of an induction programme</i>			
Reviews should take place over the 6 months					
First Review Meeting (Date):		Second Review Meeting (Date):		Third Review Meeting (Date):	
By signing below, you agree to the content of this action plan					
Employee Name:		Employee Signature:		Date:	
Manager Name:		Manager Signature:		Date:	

REVIEW TEMPLATE					
Tick one box as applicable at each meeting	Excellent	Good	Average	Improvement required	NOTES/COMMENTS/ACTIONS
MEETING 1					
Quality and accuracy of work					
Attendance & time keeping					
Work relationships					
Communication skills					
Professional ability					
<i>Job specifics</i>					
<i>Job specifics</i>					
IS THE FIRST PROBATION REVIEW SATISFACTORY? YES / NO					
MEETING 2					
Quality and accuracy of work					
Attendance & time keeping					
Work relationships					
Communication skills					
Professional ability					
<i>Job specifics</i>					
<i>Job specifics</i>					
IS THE SECOND PROBATION REVIEW SATISFACTORY? YES / NO					

MEETING 3					
Quality and accuracy of work					
Attendance & time keeping					
Work relationships					
Communication skills					
Professional ability					
<i>Job specifics</i>					
<i>Job specifics</i>					
IS THE THIRD PROBATION REVIEW SATISFACTORY? YES / NO					

Is the new employee suitable for employment in this post?