



## **TRUST IN LEARNING (ACADEMIES)**

### **PROBATIONARY PERIOD POLICY**



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Date	Page	Change	Purpose of Change
October 2016			New Policy
December 2017		No change	

This policy applies to all staff of Trust in Learning (Academies) (TiLA) who are appointed on indefinite contracts.

The purpose of this policy and procedure is to ensure good practice in the management of performance and capability with the aim of improved provision of services to children.

### 1. Introduction

The objective of the Probationary Policy is to ensure that all staff appointed on indefinite contracts are fully supported during the period of their probation. It is important that a new member of staff is able to demonstrate the motivation and attitude required to further develop their contribution to the school/academy.

The probationary period is designed to ensure that the staff member has the opportunity to adapt to the duties of the post and it is important that both the manager and the staff member are assessing performance and suitability. During the probation period the line manager will have informal discussions with the staff member and carry out formal assessments

### 2. Impact Assessment

During the period that this statement remains in force we will review all policies and practices on a rolling programme in respect of their effect on protected characteristics. We will collect and analyse relevant statistical information (see below);

### 3. Information

The governors, Chief Executive/Principal/Headteacher, designated managers and the school or academy's employees have responsibilities regarding probation as follows:

#### 3.1 Governors' responsibilities are to:

- Ensure that there are policies in place for managing fairly and consistently
- Ensure there is a procedure for managing the process.
- Hear appeals in accordance with this policy.
- Designate a governor to act in the case of the probationary period of the Chief Executive/Principal/Headteacher.

#### 3.2 Chief Executive/Principal/Headteacher /designated manager's responsibilities are to:

- Implement a clear procedure for managing probationary periods which is drawn to the attention of all employees.

- Encourage and assist a new member of staff into a new job and provide an action plan which is structured and appropriate and closely monitored to meet the requirements and standards of the job.
- Take appropriate action and offer counselling/coaching when job requirements and standards are only partially or not fully met.
- discuss and agree development needs in line with the action plan and be able to have a meaningful discussion with staff members on different development methods
- Managers should draw up an Induction Action Plan within four weeks of the staff member commencing employment and discuss this with the staff member.
- Informal discussions in respect of the Action Plan should take place regularly to review progress, raise any concerns and to discuss with the staff member critical deadlines.
- Ensure that as part of the Induction Action Plan the new member of staff has an Induction programme.

### 3.3 Employees' Responsibilities are to;

- Ensure that their line manager provides them with a copy of the Action Plan within four weeks of commencing employment.
- take an active part in setting objectives with their manager
- take personal responsibility for identifying and progressing development needs in their probationary period
- perform to their full potential at all times and respond to any feedback provided by their manager
- provide feedback to their line manager on how they are feeling, progress and whether they are getting sufficient support, training and assistance

## 4. Key Principles

- All new members of staff appointed to indefinite posts or to fixed term appointments of 12 months or more will receive a copy of the probationary policy.
- All probationary matters are confidential and no information will be made known to parties not involved in the process.
- Periods of probation will vary between six and 12 months according to the contractual terms of the post.
- Probationary periods will not apply to temporary and fixed term appointments of less than 12 months. However, this does not obviate the need to monitor performance and effectiveness of temporary or fixed-term staff.
- The school/academy disciplinary procedure will not apply during any probationary period or extended period; however this does not negate the possibility of action being taken in line with the dismissal principles when the minimum statutory requirements will apply.
- If, after regular discussions, offers of assistance, appropriate training and development, job standards are not being met and it is apparent the new member of staff is failing to meet the outcomes required in their induction action plan a formal warning will be issued (please see procedure)
- If after a further period there is no significant improvement notice may be issued.
- Given the very nature of a probationary period being for a limited period any timescales given for improvements will be for short periods i.e. maximum four weeks.
- In all cases, members of staff have the right to appeal against a decision.

## PROBATIONARY PERIOD PROCEDURE

1. Employees covered by this procedure
  2. Procedure steps, timeframes and action
  3. Appeals
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### 1. EMPLOYEES COVERED BY THIS PROCEDURE

1.1 This procedure applies to all staff who are subject to a probationary period as defined in their Contract of Employment.

### 2. PROCEDURE

#### 2.1 Within four weeks of commencing employment

2.1.2 The line manager will draw up an Induction Action plan and discuss this with the new member of staff, identifying and agreeing areas where learning/knowledge is required.

#### 2.2 On-going discussions

2.2.1 The line manager will meet with the new member of staff and discuss progress against the Induction Action Plan, identifying areas for development as required.

#### 2.3 Initial Assessment

2.3.1 An initial assessment will be carried out between eight and 12 weeks for staff on a six month probationary period and between 16 and 24 weeks for members of staff on a 12 month probationary period.

2.3.3 Following this Initial Assessment, the line manager will confirm with the individual whether or not progress is satisfactory.

#### 2.4 Not Meeting Expectations - First Meeting

2.4.1 Should it be apparent to the line manager at the initial assessment that the member of staff is not meeting the needs of the post, a formal meeting will be arranged between the line manager, the member of staff and, if appropriate, the Headteacher.

2.4.2. The staff member will be informed in writing of the areas where they are not meeting the needs of the post and invited to attend an interview.

2.4.3 The staff member is entitled to be accompanied to this meeting by either a Trade Union Representative or a work colleague.

2.4.4 The Manager will explain to the staff member the area/s where improvements in their work need to be made and the steps necessary to carry this out, referring to the Induction Action Plan agreed with the member of staff to ensure its content has been supportive, valuable or whether amendments are needed.

This may cover a number of areas such as:

- productivity
- quality of work
- reliability

- level and frequency of communications with the line manager
- relationship with colleagues and other members of the school/Academy

2.4.5 The staff member will be able to express their views and full consideration will be given to these. Managers will be as supportive as possible in advising, offering access to any support which may be appropriate.

2.4.6 The emphasis will be on supporting the member of staff where weaknesses have been identified and training and development including shadowing or the appointment of a mentor or coach will be arranged.

2.4.7 The outcome of this meeting will be confirmed in writing to the employee, giving the reasons for the interview, the area/s where improvement is required, time scales involved for improvement, and details of training and development planned.

2.4.8 This letter constitutes a formal warning and a member of staff should be aware that failure to improve might lead to a subsequent dismissal.

## **2.5. Final Assessment**

2.5.1 A final assessment will take place usually between 18 and 20 weeks for those new staff members on a six month probation and between 36 and 40 weeks for those on a 12 month probation. Where there has been a first meeting to raise concerns this assessment may be sooner.

2.5.4 A successful completion of the probationary period will be confirmed by the relevant line manager and followed up in writing or

## **2.6 Failure to complete a successful probationary period (either at initial assessment or final assessment stage) - second meeting**

2.6.1 If a new member of staff at the final assessment stage is not meeting the needs of the post then a second meeting will be held and the following procedure will be followed:

2.6.2 The staff member will be informed by the relevant manager that they are not meeting the needs of the post. This will be confirmed in a letter, which will include why the meeting is being called.

The following options at this stage can be considered: -

- further development and training
- to extend the probationary period (only in exceptional circumstances) or
- a recommendation made not to confirm the individual in post and to dismiss

2.6.3 If the relevant manager is of the opinion that the staff member has been given every opportunity to meet the needs of the post but that on an ongoing basis is failing they will make a recommendation, to the Headteacher/ chief Executive/ principal that the staff member has failed to complete a successful probationary period and should not be confirmed in post and dismissed.

The Headteacher/ chief Executive/ principal will confirm the recommendation in writing to the staff member advising them that before the decision is final that they have the right to make representation

which if they choose to do they can do in person or in writing within 10 working days of the date of the letter.

#### 2.6.4 Issue of Notice of Dismissal

The decision to dismiss will be confirmed to the member of staff in writing as soon as possible – normally not later than five working days after the date for representation has passed. The dismissal notice will state:

- the areas where the member of staff did not meet the needs of the post
- the decision
- the date of dismissal and notice arrangements
- the right to appeal against the decision and the method of lodging an appeal.

### 3 Appeals Procedure

#### 3.1 Hearing of Appeals against Dismissal on Probationary period

3.1.2 Details of how to appeal will be included in the written confirmation of the outcome.

3.1.3 Appeals stating the case for appeal should be made in writing to the Chair of Governors/ Chief Executive or Principal within 10 working days of receipt of the written confirmation of the outcome.

3.1.4 The grounds for an appeal should be clearly identified by the staff member e.g.:

- that new evidence could materially alter the findings
- that the procedure was not followed correctly and that this materially affected the decision
- a manager involved in the case was biased or the member of staff was unfairly discriminated on the grounds of protected characteristics under the equality act, or on Trade Union membership
- the decision was based on incorrect information
- Or any other substantive reason, however it is important that the staff member clearly states their grounds in their appeal.

3.1.5 All appeals will normally be heard without unreasonable delay – though the intention will be within 20 working days of receipt of the notice of appeal.

3.1.6 A member of staff will be given at least five working days written notice of the appeal and may be accompanied by a work colleague or trade union representative

3.1.7 The outcome of the Appeal will be final and will be confirmed in writing to the staff member as soon as possible – normally within five working days of the Appeal