

# Medlock Primary School



## Probationary Procedure for Schools Policy

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# Contents

Introduction	3
Scope	3
Roles and Responsibilities	3
Line Manager's Responsibilities:	4
Employee Responsibilities:	4
Managing the Probationary Procedure	4
Probationary Review Meetings	5
First Assessment Review Meeting (4 weeks)	5
Second Assessment Review Meeting (eight weeks)	6
Third Assessment Meeting (twelve weeks)	6
Confirming the Appointment	7
Extending the Probation Period	7
Procedure for Ending Employment	7
Stage 1	7
Stage 2	7
Stage 3	8
Appeals against Dismissal	8
Employee Support	8

## Introduction

- 1.1 The probationary period applies to all new employees commencing employment at the school. The probationary period is for a total of 13 weeks. This enables a clear management framework on how to successfully manage the 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 governing body 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, 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.

## Scope

- 2.1 This policy applies to all new employees (other than teachers) employed by the school 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.
- 2.2 The probationary period is for 13 weeks, excluding school closure periods for "term time only" employees, regardless of any previous local government or school service.
- 2.3 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.
- 2.4 Any **serious disciplinary issues** requiring formal investigation which arise during the probationary period will be managed in line with the School's Disciplinary & Grievance Policy and Procedure. Advice should be sought from HR & People in the first instance.
- 2.5 Any **serious concerns regarding attendance** during the probationary period may be required to be addressed under the school's Attendance Management Procedure. For absence related condition(s) that may fall under the Equality Act 2010 the school will seek advice from HR & People in the first instance.

2.6 All other matters of conduct will be managed in line with this policy.

## Roles and Responsibilities

### Line Manager's Responsibilities:

#### 3.1

- 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.

### **Employee Responsibilities:**

#### 3.2

- To demonstrate the standards expected by the school 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 school's induction programme.
- To engage fully with the probation review process.

## 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 4 weeks, 8 weeks and 12 weeks.
- 4.4 The purpose of the probationary meetings is to review how the individual is progressing, highlight any problems, training needs and / or any school-related issues.

## Probationary Review Meetings

The line manager should conduct a total of 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.

### First Assessment Review Meeting (4 weeks)

- 5.1 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 quantity of work
  - Attitudes and motivation
  - Conduct and attendance
  - Compliance with policies and procedures

Probationary assessment forms can be found at Appendix 1 for each stage.

- 5.2 If there are areas for improvement, the line manager must inform the employee that their performance is falling short of expectations and give him/her 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.
- 5.4 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 2.**

- 5.5 It is not necessary to wait until the second assessment meeting (eight weeks) 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) in order to address issues and provide support.
- 5.6 The line manager is advised to seek advice from HR & People if, after the first assessment meeting, 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.**

### Second Assessment Review Meeting (eight weeks)

- 6.1 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 2** should be completed to reflect that fact.
- 6.2 However, if following appropriate support and guidance there are still areas for improvement: where performance is not satisfactory since the first assessment meeting 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 him/her the opportunity to improve. Reference to first review meeting should be made. The employee must be encouraged to respond to any issues and discuss any further support or training that may be required.
- 6.3 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 the probationary period.**
- 6.4 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. Medlock Primary School would seek immediate advice from HR & People prior to this meeting.

### Third Assessment Meeting (twelve weeks)

- 7.1 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.
- 7.2 At the 12 week assessment meeting, three outcomes are possible and the line manager will make the decision to:
- confirm the appointment
  - extend the probationary period
  - recommend that the appointment is not confirmed
- 7.3 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.

## Confirming the Appointment

- 8.1 If the employee demonstrates that all aspects of their performance are satisfactory, confirmation of the appointment of the employee will be made in writing.

## Extending the Probation Period

- 9.1 In some circumstances it may be necessary to extend the probation period beyond the 13 week 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
- 9.2 In these circumstances the probationary period can be extended, usually for up to a maximum period of 26 weeks. During this time it is essential that further regular assessments take place (every 4 weeks). These meetings will be documented in line with the previous review meeting format and progress will be 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.
- 9.3 If, at the end of the extended probationary period, the employee's performance reaches the required standard, this will be confirmed in writing to the employee stating they have successfully completed their probationary period.
- 9.4 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.**

## Procedure for Ending Employment in the Probationary Period

- 10.1 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 likely to improve at any stage of the process); a dismissal is a likely outcome and the line manager will seek advice from HR & People, 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 Headteacher (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 & People may also be present to provide advice to the Headteacher.

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 Headteacher will confirm their decision (which may be dismissal or other appropriate measure (for instance extending the probationary period). Employees have the right of appeal (within 10 days).

- 10.2 In some circumstances, the line manager may be the Headteacher, in which case the recommendation to dismiss will need to be made to a sub-committee of the Governing Body.
- 10.3 The Headteacher must also notify their payroll provider of the dismissal, in line with the school's normal leaver process.
- 10.4 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.

## Appeals against Dismissal

- 11.1 The employee has a right of appeal against the decision to dismiss. They should submit any appeal in writing to the Headteacher within 10 working days of receiving the written outcome letter.
- 11.2 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 Headteacher who made the original decision, the line manager; a HR & People representative and will be heard by an appropriate sub-committee of the Governing Body.
- 11.3 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
- 11.4 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.