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**Model Probationary Procedure for LA Schools**

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# Introduction

1. There is a mutual advantage to the School and to new employees to be inducted successfully into their jobs as soon as is reasonably possible. The purpose of this procedure is to enable new employees to settle into their new job, understand their role, the objectives, and the performance standards required.
2. This procedure supports new members of staff to meet the required standards of performance. The probationary procedure applies to support staff only, or recently appointed employees who have changed jobs prior to successfully completing their probationary period.
3. To assist this objective for new employees (except those with previous continuous Local Government service) including those appointed on temporary contract of more than 26 weeks duration, are subject to a probationary period of 26 weeks. The probationary period provides time to support new employees within their position, to review and assess their capability and/or performance during this time to ensure their suitability for the role in the School.
4. During the probationary period, employees will be subject to all the terms and conditions of their contracts of employment with the exception of those terms noted below.
5. During the probationary period, attendance, conduct and role performance issues will be managed under this policy rather than the school’s other HR policies.
6. In operating the procedures, managers will have regard to:
7. the need for new employees to be effective as soon as possible
8. the action to be taken during or at the end of the probationary period where progress appears unsatisfactory (e.g., further training or counselling, extension of the period or non-confirmation of appointment).
9. employee appeal rights.
10. Support for employees that may be available includes; Employee Assistance Programme, Occupational Health and Trade Unions.

# Confidentiality

1. It is the aim of the school to deal with performance matters sensitively and with due respect for the privacy of any individuals involved. All employees must treat as confidential any information communicated to them in connection with managing performance.
2. Employees, and anyone accompanying them, must not make electronic recordings of any meetings or hearings conducted under this procedure.

# Objectives of induction process

The objectives of any induction process should be as follows:

1. to provide the best possible environment for new employees to learn their job and to prove their suitability for permanent employment
2. to provide a framework within which employees' line managers may judge the suitability of the employees, may discuss shortcomings and agree action needed to remedy any situation
3. to ensure that, where it is not intended to confirm an appointment, termination of employment takes place no later than or as soon as possible after the end of the probationary period (occasionally it may be necessary to terminate an appointment on capability grounds during the probationary period
4. to ensure that management actions are reasonable and defensible, and employees have been given an adequate chance to improve, undergo training, etc.

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# Recommended steps to meet objectives

1. Periods of notice applicable to probationers can be reduced to one week for the duration of the probationary period. This would allow a longer period for new employees to prove their suitability before any dismissal is made effective within, or by the end of, the probationary period.
2. All new employees should be properly inducted in their jobs, to include their rights and responsibilities on matters such as health and safety and equal opportunities. The processes should include an introduction to the duties and objectives of the job (preferably expressed in writing) with some criteria of performance related to the Performance Review process. Employees must be made aware that there is a probationary period and that a judgement will be made of their suitability for continued employment.
3. The difficulty of judging the suitability of new employees is well known. It is important to make judgements on facts and not opinion. However, within the period set down, assessments should be possible on the personality aspects of new employees as well as on work achievement. In particular, reference can be made to the job and person specifications, NVQ standards and other competency-based indicators for the particular job. From these, development needs can be assessed and met. Any doubts may be accommodated by extending the probationary period (i.e. an extension of the initial 26 weeks by a further 13 weeks).
4. Employees should be given an early opportunity to attend the induction course, and other training courses relevant to their employment. Particular attention must be given to ensuring that employees are briefed on health and safety, safeguarding children, equal opportunities and dealing with the public.
5. Line managers responsible for reviewing new employees' probationary periods should, themselves, receive appropriate training for this and their wider supervisory role.
6. Line managers should have review meetings with the new employee at various stages during the probationary period. There should have a minimum of three review meetings, but in certain circumstances there may be more review meetings. The first review meeting should take place between the 8 - 10 week of the employee’s employment. The second review meeting should take place between the 16 – 18 week of the employee's employment. The third and final review meeting should take place before the 26 week of the employee's employment.
7. During these regular review meetings line managers should consider the following:
   1. Prepare well, review the employees work prior to the meeting to ensure you have an understanding of where they are performing well and where further development is required.
   2. Provide feedback to the employee, praise them for their successes and explore any areas of concern providing examples of where development is required.
   3. Consider what support you would provide for any area that requires further development.
   4. Ensure the employee is clear about what is expected of them in terms of their work output and behaviour.
   5. Support the employee by setting clear objectives.
   6. Complete the interim probation report, appendix to this policy
   7. Set a review date and included this on the plan.

It is important to be note that a failure to conduct the final probationary review meeting before the end of the probation period, means that the employee’s role is likely to be confirmed by default.

# Extending probationary period

Six months should be an adequate period to effectively assess an employee’s suitability for the role. However, there may be times when the school may decide to extend an employee's period of probation.

An extension may be implemented in circumstances where:

* The employee's performance, conduct or attendance during probation has not been entirely satisfactory, where some improvement has taken place, and it is thought likely that an extension to the probationary period may lead to satisfactory improvement. An extension of 3 months maximum would be allowed.
* The employee has been absent from the workplace for an extended period during the probation.
* The employee requires reasonable adjustments. It may be necessary to extend the probationary period to allow for reasonable adjustments to be implemented, which may enable the employee to meet the required standard expected. In exceptional circumstances, the extension could be longer than 3 months, to allow time for the reasonable adjustment to be applied and help support the employee at work. Such assessments and reasonable adjustments should not be delayed unnecessarily but implemented as early on in employment as is practicable.

Before extending an employee’s probationary period, the Manager should consult with HR. If an extension to the probationary period is agreed, the Manager will confirm the terms of the extension in writing to the employee, including:

* the length of the extension and the date on which the extended period of probation will be reviewed and when it will end.
* the reason for the extension and, if the reason is unsatisfactory performance, details of how and why performance has fallen short of the required standards.
* the performance standards or objectives that the employee is required to achieve by the end of the extended period of probation.
* any support, for example further training, that will be provided during the extended period of probation; and
* a statement that, if the employee does not meet fully the required standards by the end of the extended period of probation, their employment may be terminated.

# Headteacher’s Formal Hearing

If after the above steps it is not possible to confirm the probationer’s employment the Line manager may recommend to the Headteacher at a Formal Hearing that the new employee is dismissed.

They will write to the employee to inform them as soon as practicably possible, at least five (5) working days in advance, setting out:

* + - The date, time and place of the Formal Hearing.
    - That the purpose of the Formal Hearing is to recommend dismissal and the reasons why.
    - The employee’s right to be accompanied by a recognised Trade Union Representative or Companion.
    - The titles of enclosed copies of any documents which may be considered.
    - The name and position of any other person present at the meeting e.g. note taker or HR Adviser.

The employee must advise the line manager of the following at least three (3) working days in advance of the Formal Hearing:

* + - The name and designation of any Companion.
    - Any written documentation to be considered.
    - The employee, who may be accompanied by a Companion, will have the opportunity to state their case, before a decision is made.

The Headteacher may decide:

* + - To terminate employment from the date of the Formal Meeting with probation period notice.
    - Extend the probation period. This will revert the process back to the Line manager.
    - Consider deployment to a suitable available alternative post (in which case a new shortened probation period will be put in place and the schedule and number of review meetings adjusted accordingly).

The Headteacher will write to the employee confirming the decision within five (5) working days of the hearing.

# Appeal

If the employee believes that the decision to issue a warning or to dismiss is wrong or unjust, they may appeal. Appeals must be in writing and emailed to the Line Manager, setting out the grounds for appeal within five working days of the decision.

Appeals will be heard without unreasonable delay and, where possible, at an agreed time and place. The same arrangements for notification and right to be accompanied by a companion will apply.

The appeal will be dealt with impartially and, wherever possible, by a panel of governors who have not previously been involved in the case in line with the school’s arrangements for appeals.

The employee will be informed in writing of the results of the appeal hearing as soon as possible. There is no further right of appeal against the sanction or dismissal within the school**.**

# Appendix 1 - Interim reports on probationary employment

**CONFIDENTIAL**

Notes:

1. This form is to be completed by the line manager of the employee under review.
2. When completed, each report must be shown to and discussed with the employee. It is important that all points included in the reports are covered, not just those where improvement appears necessary.
3. The completed form should be shared with the Headteacher/Head of Unit or relevant member or the school/unit’s management team. Any matters requiring attention should be highlighted.
4. A copy of any report will be supplied to the employee if he/she requests it.
5. The recommended probationary period is six months (26 weeks). This can be extended, usually for no more than three additional months (13 weeks) at a time. Where an extended probationary period is being considered (or transfer to the school’s permanent establishment may not be recommended) advice should be sought from your named HR Consultant at an early stage. If the probationary service is satisfactory, the employee should be notified formally of their transfer to the permanent establishment or longer-term temporary employment. If, on the other hand, the probationary service is not satisfactory and the appointment is not to be confirmed, the reasons should be recorded in the third report, with reference made to any separate papers (e.g. letters or internal notes to the employee). Where the employment pattern includes breaks in continuity, the period should be related to actual working weeks.
6. Matters of capability, competence and general suitability for the job will be assessed in accordance with and at the various stages set down in the probation procedure. Normal Suffolk County Council appeal rights against dismissal will apply. Alternatively, and dependent on the offence (e.g., misconduct) it may be appropriate to deal with a probationary employee for a disciplinary offence under the disciplinary procedures rather than the probation procedure. In such cases the disciplinary timescales may be shortened to fit in with the probationary period.
7. The following model is based on three interviews over the 26 week probationary period
8. Employees and/or line managers may find the questions at the end of this document helpful in their preparation for each review

# Appendix 1 (a) - First interim report on probationary employment

**(after 8 - 10 weeks’ service)**

To be completed by Line manager following interview with the Employee once they have been in post for 8 to 10 weeks.

At the meeting, the Line manager will in discussion with the new member of staff: -

* Check that the induction process has been completed.
* Review training and development actions.
* Consider any further job objectives which are required for the remainder of the probationary period.
* Consider further support, training and development that may be necessary to support the new member of staff in meeting the standards of performance and achieving the job objectives that have been set.

After the First Review Meeting, the Line manager should complete the form and should reflect the progress against the job objectives, training and development actions set at the initial meeting, before going on to add in any further work objectives and training to be completed during the remainder of the probationary period.

At this stage, the Line manager should be assessing if the new member is making satisfactory progress. If there are any concerns regarding the new member of staff’s performance, ensure that the correct support and advice is put in place.

A copy of the formal review and any support put into place should be issued to the staff member once it has been signed by both parties and regular reviews should take place during the probation period.

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| **DETAILS OF THE EMPLOYEE AND POST** | | |
| NAME: | | DATE STARTED: |
| SCHOOL: | | SECTION: |
| POST TITLE: | | JOB NO: |
| **Work Performance** – please report below on performance by comparison with the competency requirements of the job and/or the job description/person specification | | |
| Essential/Desirable requirements of Person Specification - some examples are included below | Level of performance in job | |
| 1. Knowledge of section and specific tasks 2. Knowledge of basic conditions or procedures 3. Working with people and building relationships 4. Performance of job related tasks 5. Areas to be developed and carried forward for discussion at next review 6. Other matters arising |  | |

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| **Personal Requirements** – please report below on general conduct, timekeeping, attendance, commitment and any other characteristics necessary for good performance |
|  |
| **Training and Development needs** – please identify and describe below how these can be met in the review period, including an action to be taken before next review |
|  |
| **Comments and signature by Line Manager** |
| Signature: Print name: Date: |
| **Comments (if any) and signature by Headteacher** |
| Signature: Print name: Date: |
| **Comments (if any) and signature by Employee** |
| Signature: Print name: Date:  Next review date: |

# Appendix 1 (b) - Second interim report on probationary employment

**(after 16 - 18 weeks’ service)**

To be completed by Line manager following interview with the Employee

At the meeting, the Line manager will in discussion with the new member of staff:

* Review progress against the objectives which were set at the first review meeting.
* Review the training and development actions set at the first review meeting.

Consider further job objectives and training and development for the period until the first annual appraisal, (If the new member of staff is going to be confirmed in post).

At this stage, the Line manager should be assessing if the new member is making satisfactory progress. If there are any concerns regarding the new member of staff’s performance, ensure that the correct support and advice is put in place.

A copy of the formal review and any support put into place should be issued to the staff member once it has been signed by both parties and regular reviews should take place during the probation period.

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| **Work Performance** – please report below on performance by comparison with the competency requirements of the job and/or the job description/person specification | |
| Essential/Desirable requirements of Person Specification - some examples are included below | Level of performance in job |
| 1. Matters brought forward from first review 2. Knowledge of section and specific tasks 3. Working with people and building relationships 4. Performance of job related tasks 5. Areas to be developed and carried forward for discussion at next review 6. Other matters arising |  |

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| **Personal Requirements** – please report below on general conduct, timekeeping, attendance, commitment and any other characteristics necessary for good performance |
|  |
| **Training and Development needs** – please identify and describe below how these can be met in the review period, including an action to be taken before next review |
|  |
| **Assessment** - at this stage, are you likely to recommend for transfer to permanent establishment at the end of the probationary period? Yes/No  If no, please set out reasons below and identify actions/improvement required before final review. (Concerns regarding the likelihood of transfer to the school’s permanent establishment should be discussed with your named HR Consultant at an early stage.) |
|  |
| **Further Comments and signature by Line manager** |
| Signature: Print name: Date: |
| **Comments (if any) and signature by Headteacher** |
| Signature: Print name: Date: |
| **Comments (if any) and signature by Employee** |
| Signature: Print name: Date: |
| Next review date: |

# Appendix 1 (c) - Final report on probationary employment

**(before 26 weeks’ service)**

To be completed by Line manager following interview with the Employee

At the meeting, the Line manager will in discussion with the new member of staff:

* Review progress against the objectives which were set at the first and second review meetings.
* Review the training and development actions set at the previous review meetings.

Consider further job objectives and training and development for the period until the first annual appraisal, (If it is clear that the new member of staff is going to be confirmed in post).

At the conclusion of the final review meeting the Line manager will decide to:

* Confirm the member of staff in their appointment.
* Recommend that the new member of staff has not passed their probation in which case a Headteacher’s Formal Hearing will be arranged with the new member of staff.
* Extend the probationary period up to 3 months – in exceptional circumstances only.

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| **Work Performance** – please report below on performance by comparison with the competency requirements of the job and/or the job description/person specification | |
| Essential/Desirable requirements of Person Specification - some examples are included below | Level of performance in job |
| 1. Matters brought forward from second review 2. Knowledge of section and specific tasks 3. Working with people and building relationships 4. Performance of job related tasks 5. Areas to be developed and carried forward for inclusion in Performance and Development Review 6. Other matters arising |  |

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| **Personal Requirements** – please report below on general conduct, timekeeping, attendance, commitment and any other characteristics necessary for good performance | |
|  | |
| **Training and Development needs -** please identify and describe below how these can be met in the review period, including an action to be taken before next review | |
|  | |
| **Assessment and recommendation –** if, following discussion with your named HR Caseworker, not recommending transfer to permanent establishment or extension of probationary period, please detail reasons under Line managers comments | |
| Satisfactory progress to date?  Suitable for present work?  Transfer to permanent establishment?  Probation period to be extended?  Possibility of alternative role?  Recommend Headteachers Formal Hearing – not satisfactory? | Yes/No  Yes/No  Yes/No  Yes/No  Period of extension:  Yes/No  Yes/No |
| **Further Comments and signature by Line manager** | |
| Signature: Print name: Date: | |
| **Comments (if any) and signature by Headteacher** | |
| Signature: Print name: Date: | |
| **Comments (if any) and signature by Employee** | |
| Signature: Print name: Date: | |

# Summary of changes

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| **Document control** | | |
| **Date** | **Section(s)** | **Update(s)** |
| Oct-24 | All document | Terminology updated to gender neutral |
| Oct-24 | Introduction | Added additional points 2, 4 and 5 |
| Oct-24 | Confidentiality | New section added |
| Oct-24 | Extension to probationary period | New section added |
| Oct-24 | Throughout | Added more guidance around first, second and final review |
| Oct-24 | Headteachers formal hearing | New section added |
| Oct-24 | Throughout | Changed supervisor to line manager |
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