



Symphony Learning
TRUST

Probation Policy (Support Staff) 2016-2019

Adopted by Symphony Learning Trust on	1/11/16
Next Review Due	2019

Policy developed by



Leicestershire
County Council

HR Services

Phone: 0116 305 0700
Email: hrrservices@leics.gov.uk
Web: www.leicestershiretradedservices.org.uk
Twitter: @LeicsSchools

Direct Queries

Mary Robson, External Team Manager
Phone: 0116 305 5702
Mobile: 07730 582743
Email: mary.robson@leics.gov.uk

This policy applies to all newly appointed support staff employed at any academy within the Symphony Learning Trust, whether their appointment is on a permanent, fixed-term or temporary basis.

The policy applies regardless of whether the individual has moved from another school, college or academy. However, discretion may be considered as to how the policy may be applied for those employees who are appointed to similar posts and who have transferred from another academy within the trust.

This policy is **not** applicable to casual workers.

Purpose

The purpose of the probation policy is to ensure that all new employees have the opportunity to become familiar with the main duties and tasks of their post and to demonstrate that they meet the appropriate standard of performance, behaviour and attendance expected of them. It also gives the head teacher the opportunity to assess a new employee's suitability for the role they have been appointed to.

Application of the Policy

All new employees who are appointed to a permanent or temporary contract, regardless of the length of time, are required to satisfactorily complete a probationary period before they are confirmed in post. A probation period will usually last for 6 months although this may be extended in exceptional circumstances.

During an employee's probation period their performance, behaviour and attendance will be monitored and assessed by either the Head Teacher or another manager who will be responsible for overseeing this policy.

Consideration should be given as to whether an employee's behaviour, capability or poor attendance is due to a disability and if so, what reasonable adjustments may be needed to assist the employee in being able to reach the required standard of performance, behaviour and attendance. Further advice may be sought from Occupational Health and HR services in these circumstances.

Induction Period (Up to 3-months of employment)

A thorough and effective induction is essential for all new starters. An induction programme should take place when an employee is recruited into a post and would usually be completed within the first 3-months of employment.

The induction programme should cover everything that employees need to be aware of, in terms of policies, procedures and working practices within the School. It should also cover the performance, behaviour and attendance expectations and standards required from the employee within their role.

Serious Concerns

If at any point during the employee's probation period, the head teacher considers that there are serious concerns in respect of any aspect of their performance then it may be necessary to refer the employee to a Stage 3 Formal Probation Hearing to consider termination of employment.

Possible reasons for considering this form of action are described in Appendix A. In these circumstances advice will be sought from HR Services.

Stage 1 – First Probation Meeting (end of induction period)

The Head Teacher or another designated manager will meet with the employee upon completion of their induction, which is usually after 3 months, to;

- Discuss how the employee considers the period has gone;
- Provide feedback on the employee's performance, behaviour and attendance, providing examples where possible;
- Re-affirm that a satisfactory standard must be reached for all of the essential requirements of the role by the Stage 2 Final Probation Review Meeting

Whilst it would be unusual for an employee to be accompanied by a Trade Union representative or work colleague at a First Probation Meeting, such a request should not be refused if the employee feels they require support. The potential outcomes of the meeting are:

- a) The employee's performance, behaviour and attendance is satisfactory, in which case:
 - This will be confirmed to the employee; and
 - A date for the Stage 2 Final Probation Meeting will be arranged.
- b) The employee's performance, behaviour and/or attendance is not satisfactory, in which case:
 - The required standards will be re-affirmed to the employee;
 - An improvement plan will be drawn up, to cover a period of 2-4 weeks, which will set goals and targets that are reasonable and achievable and will identify any training and/or support required.
 - A Progress Review Meeting will be scheduled for the end of the improvement plan period to determine whether the employee's performance, behaviour and/or attendance has improved. If progress is considered to be satisfactory at this stage then a date for the Stage 2 Final Probation Meeting will be arranged. If however, the employee's progress is still considered to be unsatisfactory at the review meeting, then the Head Teacher / Manager may refer the matter to a Stage 3 Formal Probation Hearing

Stage 2 – Final Probation Meeting (usually after 5-months)

The Head Teacher or designated manager will meet with the employee approximately 5-months from the start of their employment, to:

- Provide feedback on the employee's performance, behaviour and attendance, providing examples where possible; and
- Inform the employee whether their performance, behaviour and attendance has been satisfactory or unsatisfactory.

The potential outcomes of the meeting are:

- a) The employee's performance, behaviour and attendance is satisfactory, or sufficient improvements have been made where targets were previously identified, in which case:

- The employee will be verbally confirmed into post and sent a letter confirming the appointment; and
 - Any future training or support should be identified and linked to the objectives and targets set as part of the performance management process.
- b) The employee's performance, behaviour, and/or attendance is not satisfactory or sufficient improvements have not been made, in which case:
- The employee will be advised that the matter will be referred to a Stage 3 Formal Probation Hearing; or
 - In exceptional circumstances a manager may grant an extension to the probation period for a maximum of 8 weeks.

Probation Period Extension

Examples of circumstances where an extension may be appropriate can be found in the Probation Guidance document and further advice may also be sought from HR.

At the end of the extension period the Manager will meet with the employee to review the employee's performance, behaviour and/or attendance in addition to any progress made against the expectations and requirements of the post and:

- If, following the extension period, the employee's progress is acceptable the employee will be confirmed in post both verbally and in writing; or
- If, following the extension period, the employee's progress is not acceptable the matter will be referred to a Stage 3 Formal Probation Hearing

Stage 3 – Formal Probation Hearing

Notice of Hearing

The employee must be given at least 10 working days' written notice to attend a formal probation hearing. The written notice should inform the employee:

- Of the reasons for the hearing;
- Of their right to be accompanied by a work colleague or trade union representative;
- That they will have an opportunity to provide any evidence and call witnesses if they wish, details of which should be submitted to the chair of the panel no later than 5 working days prior to the hearing.

The employee should be provided with copies of relevant documentation (e.g. improvement plan(s), notes of meetings, etc) that may be referred to at the hearing. Details of any witnesses that management are intending to call should also be included.

Delegation of Authority

The person or panel responsible for hearing the case will depend on who has been given the delegated authority. This will either be the Governing body (i.e. a panel of Governors) or the Head Teacher. If it is the Head Teacher, then they may be supported by another member of the senior management team or a Governor. It would not be appropriate for the Head Teacher to make the decision if they have managed the case.

Possible Outcomes

The possible outcomes are for the panel or delegated person to determine that:

- The employee's performance, behaviour and attendance is of an acceptable level and that the employee is therefore confirmed in post;
- Based on the evidence provided at the hearing the employee has not been given sufficient opportunity to demonstrate their ability to fulfil the job, and/or has not been given enough support / training – in this case it may be decided to allow the employee to continue with the probation process.
- A formal extension of up to 8 weeks may be given where it is considered that the employee has not reached the required standard but that this will be attained in the very near future with some additional training / support. An extension may only be given if this has not previously been granted during the probation process. Following this extension there will be a Formal Review Hearing, where possible with the same panel.
- The employee's performance, behaviour and/or attendance is of an unacceptable level and the employee should be dismissed.

Dismissal

If the decision is made that the employee should be dismissed, the panel or delegated person will dismiss the employee with notice in accordance with their contract of employment.

The employee will be notified in writing of the outcome of the hearing, including the reason for the decision to dismiss and the date of termination of their employment. The letter will also provide the employee with details of their right to appeal.

Right of Appeal

An employee has the right to appeal against dismissal. Any appeal must be submitted in writing by the employee and sent to the Head Teacher within 5 working days of receiving the letter confirming the decision to dismiss.

Any appeal will be managed in accordance with the Trust's Appeals Policy.

Appendix A – Examples of Serious Concerns

Examples of circumstances in which it may be appropriate to refer an employee directly to a Stage 3 Probation Hearing may include:

- The employee's performance, behaviour and attendance is totally unsatisfactory;
- If it can be demonstrated that the employee had misled the recruitment panel regarding their qualifications, skills and/or experience on their application form or during the selection process;
- The employee is clearly unable to demonstrate the essential skills to do the job and is unlikely to demonstrate sufficient improvements in the near future even with additional training / support.
- If serious health and safety issues and concerns arise.

 **Appendix B – Overview of Process**



