



## **Barnabas Oley School**

# **Support Staff Probation Procedure**

Version: 1.1

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Approved: A Whiddett (Chair)

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## Revision History

<b>Version</b>	<b>Author</b>	<b>Summary</b>	<b>Review Date</b>	<b>Next Review</b>
1.0	EPM	EPM new model policy	Apr 2013	Apr 2014
1.1	EPM	EPM minor changes to model policy	Jun 2016	Jun 2019

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## **1 Introduction**

- 1.1 This procedure is non contractual and for guidance only. It applies to all new support staff employed by the school regardless of their permanent, fixed-term, full- or part-time status.
- 1.2 The procedure does not apply to teaching staff.
- 1.3 In this policy the manager is deemed to be the deputy headteacher.
- 1.4 The probation period is for six months from the start date of employment (and may, in exceptional circumstances such as disability related illness, be extended by up to 10 weeks).
- 1.5 The purpose of the probation period is to enable an assessment to be made regarding a probationer's suitability for the job for which they have been employed. The probationer must, during the probation period, demonstrate their suitability for the post.
- 1.6 The probation procedure provides a consistent and fair framework for:
  - a) Monitoring and reviewing the performance of new staff in relation to:
    - Quality of work and understanding of role
    - Attitudes and motivation
    - Conduct and Attendance
    - Compliance with all policies and procedures particularly those relating to safeguarding and promoting the welfare of children and young people
    - Health and safety
  - b) providing formal feedback and opportunity for discussion
  - c) dealing with inadequate performance, and misconduct issues
- 1.7 Probationers who are within their probation period are not subject to the formal capability and disciplinary procedures and sickness absence procedures. If issues of conduct, poor performance or sickness arise during the probation period, the probation procedure will normally be used to address such matters.

## **2 Diversity and Equalities Considerations**

- 2.1 The Probation Procedure will be operated in accordance with the school's Equality and Diversity Policy. The impact of the procedure will be monitored and analysed by protected characteristics.

## **3 The Procedure**

- 3.1 The line manager should, in normal circumstances conduct a total of 3 formal reviews with the probationer. Reviews should take the form of a confidential meeting between the line manager and probationer, in which there is opportunity for two-way discussion.
- 3.2 The First Review: On completion of 4 weeks service.

The purpose of this meeting is for the line manager to evaluate the probationer's performance and discuss any key issues with the probationer. If improvements in

performance are required, there should be a discussion about how to make the necessary improvements, including appropriate management support/training.

Upon completion of this review meeting, the line manager should complete Form A (Appendix 1). This should then be signed by the line manager and the probationer. A copy should be given to the individual and a copy saved on the probationer's personnel file.

### 3.3 The Second Review: On completion of 3 months service.

The purpose of this meeting is to review the probationer's performance over the first 3 months. Where the previous review indicated that improvements in performance were required, the second review meeting should be used to consider the extent of any improvement that may have taken place.

Where the probationer has not met the required standards, s/he will be informed that continued failure to meet those standards will result in dismissal.

Upon completion of this meeting, the line manager should complete Form B (Appendix 2). This should be signed by the line manager and the probationer, and a copy should be given to the individual and a copy saved on the probationer's personnel file.

### 3.4 The Final Review: On completion of 5 months service.

Prior to the final review meeting, which normally takes place after the probationer has completed 5 months service, the line manager should consider whether:

- a) The probationer's appointment should be confirmed,
- b) The probationary period should be extended because there are exceptional circumstances,
- c) The probationer will be dismissed with statutory or contractual notice, whichever is the greater.

### 3.5 Where a dismissal is a possible outcome of the review meeting, the following preparation will be undertaken by the line manager:

- a) The probationer will be written to with details of the date, time and purpose of the review meeting
- b) The letter will state reasons why the performance has been unsatisfactory to date
- c) The probationer will be notified in writing of their right to be accompanied at the meeting by a workplace colleague
- d) Where a dismissal may result, the probationer will be notified of this in writing and arrangements made for the Headteacher to conduct the meeting.

### 3.6 Upon completion of the final review meeting, if the probationer has passed the probationary period then the line manager will complete Form C (Appendix 3). This will be signed by the

line manager and the probationer. The form should be placed on the probationer's personnel file with a copy provided to the individual.

- 3.7 If a recommendation is made by the line manager to dismiss, there will be a formal meeting with the Headteacher at which the Headteacher and the probationer, who may be accompanied by a trade union representative or a work place colleague, will have the opportunity to state his/her case, before any decision is made by the Headteacher concerning his/her employment. The Headteacher will write to the individual confirming the decision. There is right of appeal against a decision to terminate employment. Any appeal will be heard by two governors and the probationer will have the right to be accompanied by a trade union representative or workplace colleague.

#### **4 Disciplinary Issues Arising During the Probation Period**

- 4.1 The school's Disciplinary Policy does not apply to probationers. Instead, the following procedure will apply where issues of alleged misconduct arise during the probation period.
- 4.2 Where allegations have been made against a probationer, a management investigation will be conducted into the matter. In cases of alleged serious misconduct the Headteacher will normally suspend the probationer pending an investigation and any subsequent hearing. If, as a result of this investigation, there is found to be a case to answer, the probationer will be invited to a meeting with the line manager or other nominated member of the management team. The purpose of this meeting is for the manager to consider the allegations, question the probationer (and any witnesses if relevant) and reach a decision based on the balance of probability. As a result of this meeting, the manager may:
- a) Find that the allegations are unsubstantiated and that no further action is necessary.
  - b) Issue an oral, written or final written warning. There is no right of appeal against a warning issued during the probationary period
  - c) Recommend to the Headteacher that the probationer is dismissed.
- 4.3 If the manager decides to recommend to the Headteacher that the probationer is dismissed then the following preparation will be undertaken by the manager:
- a) The probationer will be written to with details of the date, time and purpose of the disciplinary hearing.
  - b) A copy of the investigation report will be enclosed.
  - c) The probationer will be notified in writing of their right to be accompanied at the hearing by a workplace colleague or a trade union representative.
- 4.4 If the Headteacher decides to dismiss there will be right of appeal to a panel of 2 governors against the decision to terminate the probationary period early on the grounds of repeated misconduct or gross misconduct. Any appeal must be lodged within 5 working days of receipt of the decision letter and must state the reasons for the appeal. In cases where gross misconduct has been substantiated dismissal may be summary; i.e. dismissal without notice and pay in lieu of notice.
- 4.5 For some non-exhaustive examples of misconduct and gross misconduct, please refer to the school's Disciplinary Rules.

## **Appendices**

**A. PROBATION PERIOD - FORM A**

This form should be completed by the probationer's line manager after the probationer has completed 4 weeks service. The original should be placed on the probationer's personal file, and a copy given to the probationer.

**FIRST REVIEW**

Probationer's name \_\_\_\_\_ Start date \_\_\_\_\_

Job title \_\_\_\_\_

Date of review meeting \_\_\_\_\_

Line Manager's Name and job title \_\_\_\_\_

Line Manager's comments; \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

How does the probationer feel s/he has performed against each element of the job description?

Are there any training or continuing development needs the probationer wishes to have met during the coming probation period?

Are there any other topics the probationer wanted to discuss during the meeting?

Further induction to be provided: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

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Progress required before next review: \_\_\_\_\_

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Probationer's comments: \_\_\_\_\_

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Signed (Line Manager) \_\_\_\_\_ Signed (Probationer) \_\_\_\_\_

Dated \_\_\_\_\_

Date of review meeting \_\_\_\_\_

**B. PROBATION PERIOD - FORM B**

This form should be completed by the probationer's line manager after the probationer has completed 3 months service. This should be signed by the line manager and the probationer, and the original placed on the personal file with a copy to the individual.

**SECOND REVIEW**

Probationer's name \_\_\_\_\_ Start date \_\_\_\_\_

Job title \_\_\_\_\_

Date of review meeting \_\_\_\_\_

Line Manager's Name and job title \_\_\_\_\_

Line Manager's comments; \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_ How

Does the probationer feel s/he has performed against each element of the job description?

Are there any training or continuing development needs the probationer wishes to have met during the coming probation period?

Are there any other topics the probationer wanted to discuss during the meeting?

Further induction to be provided: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

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Progress required before next review: \_\_\_\_\_

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Probationer's comments: \_\_\_\_\_

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Signed (Line Manager) \_\_\_\_\_ Signed (Probationer) \_\_\_\_\_

Dated \_\_\_\_\_

Date of final review meeting \_\_\_\_\_

### C. PROBATION PERIOD - FORM C

This form should be completed by the probationer's line manager after the probationer has completed 5 months service. Where the probationer may be dismissed a further meeting, in addition to the final review, must be convened in accordance with paragraph 3.5 of the probation procedure.

#### FINAL REVIEW

Probationer's name \_\_\_\_\_ Start date \_\_\_\_\_

Job title \_\_\_\_\_

Line Manager's Name and job title \_\_\_\_\_

Date of review meeting \_\_\_\_\_

Line Manager's comments; \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Appointment confirmed

Probation is extended  *if, exceptionally, probation is extended then an account of the concerns and a support plan for the extension period will be attached to this form.*

Recommendation to the Headteacher that

Probationer is dismissed  *an account of the concerns and reasons for recommending dismissal is to be attached to this form.*

Probationer's comments: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Signed (Line Manager) \_\_\_\_\_

Signed (Probationer)\_\_\_\_\_

**D. TEMPLATE LETTER CONFIRMATION OF SATISFACTORY COMPLETION OF PROBATIONARY PERIOD**

*[ON HEADED NOTEPAPER OF EMPLOYER]*

[private and confidential]

[ADDRESSEE]

[ADDRESS LINE 1]

[ADDRESS LINE 2]

[POSTCODE]

[DATE]

Dear

**Confirmation of satisfactory completion of Probationary Period**

As you will know, your appointment as a ..... is subject to satisfactory completion of a six month probationary period.

I am pleased to confirm that, based on the recommendation of your line manager, you have now successfully completed your probationary period.

I would like to congratulate you and wish you every success in your future employment with us.

Yours sincerely

Headteacher

Cc Line Manager

## E. TEMPLATE LETTER EXTENSION OF PROBATIONARY PERIOD

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[ON HEADED NOTEPAPER OF EMPLOYER]

[private and confidential]

[ADDRESSEE]

[ADDRESS LINE 1]

[ADDRESS LINE 2]

[POSTCODE]

[DATE]

Dear

**Extension of Probationary Period for the post of .....**

I am writing to confirm the outcome of our final review meeting held on .....

At the meeting I explained my concerns about satisfactory completion of your probationary period and I drew your attention to a number of specific issues which are summarised on your review form. The decision I have made is that your probationary period will be extended by xxxxx weeks to [date] to afford you an opportunity to reach the required standard of competence in your role as xxxxxxxxxxxx. The areas for improvement are identified on your Probation Period - Form C - Final Review and the accompanying report

A further meeting will be held on xxxxx to review your progress against the area(s) identified for improvement.

I hope that this period of extension will enable you to demonstrate your suitability for employment across all performance areas. You should be aware that failure to achieve a satisfactory improvement by the end of the extension period is likely to result in the termination of your employment.

I would urge you to make the most of this opportunity to address the concerns that have been raised. If you have any questions arising from this letter, please contact me as soon as possible.

Yours sincerely

**Line Manager**

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## TEMPLATE LETTER – TERMINATION OF EMPLOYMENT HEARING

[EPM advice should be taken before adapting this letter and sending to an employee as this may not be appropriate in some circumstances].

*[ON HEADED NOTE PAPER OF EMPLOYER]*

[private and confidential]

[ADDRESSEE]

[ADDRESS LINE 1]

[ADDRESS LINE 2]

[POSTCODE]

[DATE]

[CONSIDER HOW TO BE SENT TO THE EMPLOYEE  
BY HAND/RECORDED DELIVERY/SPECIAL DELIVERY AND COPY FIRST CLASS POST]

Dear [EMPLOYEE'S NAME],

### **Probationary Period - Hearing to Consider Termination of Employment**

Following your completion of x months service at [SCHOOL], a hearing has been arranged on [DATE] at [TIME] in [PLACE] to discuss the outcome of your probationary period. I will recommend to the [Headteacher/Principal] that your employment is terminated because you have not completed your probationary period satisfactorily.

The summary of the reasons why your performance has been unsatisfactory is outlined in enclosed report.

In addition, copies of the following documents are enclosed and will be referred to at the hearing.

- 1 Induction Plan
- 2 Probation Period - Form A - First Review
- 3 Probation Period - Form B - Second Review
- 4 Probation Period - Form C - Third Review

You may be accompanied by a workplace colleague or a trade union representative at the hearing. If the decision is to terminate your employment then you will have the right to appeal the decision to the Governors.

The [Headteacher/Principal] has the authority to terminate your employment or, if s/he believes the circumstances are exceptional, to extend your probationary period as specified in the school's procedure, or to confirm your appointment.

Please confirm your attendance on receipt of this letter and do not hesitate to contact me should you have any questions in relation to its contents.

Yours sincerely,

[NAME of line manager]