



INSPIRATION THROUGH COLLABORATION

# Probation

**Approved by: Trust Board**

**Last reviewed: July 2024**

**Next review due: July 2025**

# PROBATION POLICY

## Scope

This policy has been produced in consultation with the professional associations/trade unions based on a model produced by Herts for Learning.

This policy and procedure apply to all new employees, at all levels in the organisation, in a non-teaching position. This policy does not apply to employees who have transferred from another school or another role under the same employer.

The probation policy does not currently apply for newly recruited teachers as a probationary period clause is not included in the standard terms and conditions for teaching staff.

Our probationary policy does not form part of the contract of employment and may be varied from time to time.

## INTRODUCTION

### Purpose of the policy

The purpose of the policy is to set the standards for a fair and consistent approach when employees are subject to a probationary period. This policy also details the responsibilities of both employer and employee, and the procedure the organisation will follow when managing an employee on a probation period.

### Purpose of a probation period

A probation period is in place to allow both the employee and their line manager to assess if the role and the person meets their respective expectations. This is a period for the employee to settle into their role, to get to know the organisation and for the employer to ensure they have made the right selection. We recognise this period is important to set the foundations for a stable working relationship and we are keen to offer new starters the appropriate support right from the start of their journey with our organisation. A probation also offers a period of flexibility for all parties to end a working relationship in the case it was unsuccessful.

### Responsibilities

The responsibilities of the line manager during a probation period are to ensure employees have been given the training, guidance, accessibility, and adequate resources to meet the expectations of their role. They also need to monitor the progress of the employee during the probation period, communicating frequently and openly with employees throughout.

The responsibility of the employee is to fully participate in all the activities planned for their probation period. They should also raise any issues, concerns, or questions with their line manager(s) so that these can be addressed at an early stage.

## PROCEDURE

### Length of service

Our standard period of probation is six months. We may extend the probationary period of senior management and roles with complex responsibilities dependent on the circumstances.

## Terms of employment during the probationary period

During the probationary period, employees will be subject to all the Terms and Conditions of their Contracts of Employment, including their contractual arrangements for notice periods during probation (if applicable).

In the event of a dismissal due to gross misconduct, termination will be summary dismissal, (i.e., dismissal without notice). Where the harm test (as defined in part four of [Keeping Children Safe in Education](#)) is or may be met, allegations concerning the safety and welfare of children, the matter will be fully investigated even if the employee has resigned. The employee should be given a full opportunity to answer the allegation and make any relevant representations about it.

## Review meetings

The line manager or appropriate designee will regularly review and assess the employee's performance, capability, and suitability for the role during the employee's probationary period. A clear record should be made of each review meeting. A copy of the record should be given to the employee and the original retained by the line manager.

During an employee's probation, line managers will provide regular feedback to an employee about their performance and progress, and should there be any, raise these with the employee as soon as possible with a view to resolving them. The line manager will also be responsible for providing guidance and support and for identifying and arranging any necessary training or coaching.

## Possible outcomes

The outcome of the probation will be communicated after the final review has taken place and will be the natural conclusion of the process.

- **Successful outcome**

When employees have successfully passed their probation, this will be communicated at the final meeting followed by a congratulation letter to confirm the successful end of the probation period. Managers will then share with the employees how their performance will be managed from then on, in line with our relevant policies.

- **Extension of probation**

The probationary period may be extended in circumstances where the employee has been absent from school for an extended period during the probation period (for example, ill health or maternity leave), or in exceptional circumstances where a further period is required to determine suitability. This will be done in consultation with the employee and confirmed in writing. An extension of an employee's probationary period will happen no more than once for a period not exceeding three months on the same terms and conditions as the original period.

- **End of employment**

If the employee's performance has been unsatisfactory and it is thought unlikely that further training and support would lead to a satisfactory level of improvement, the outcome of the probation could be the end of employment. This would be communicated at the end of the probation review hearing in a letter with details of the reasons why the probation was unsuccessful. Employees are entitled to a notice period, as specified in their contract of employment.

Employees will have a right to appeal the outcome of a probation review hearing if the decision were to extend or end the employment. Details of how to appeal will be given in the outcome letter.

## Appeal process

Employees will have seven calendar days from receipt of their outcome letter to appeal. Any appeal should be made to the person named in the formal termination letter, clearly stating the grounds for appeal. Once received, an appeal hearing will be arranged as soon as is reasonably practicable. The appeal hearing will be chaired by a member of staff of higher seniority than the person who made the decision at the probation

review hearing. At the end of the hearing, an outcome will be made to either uphold or not uphold the decision taken at the probation review hearing. If it was decided that the decision was unjust, therefore not upheld, further information on remedial action will be provided.

The outcome of the appeal hearing marks the end of the procedure, there is no further right to appeal thereafter.