



## ATLAS Multi Academy Trust

### PROBATIONARY PROCEDURE FOR EDUCATIONAL SUPPORT STAFF Updated version of whole policy taken from HCC model policy

Trust sub-committee: Standards Committee

Co-ordinator: ATLAS Executive Team

Last Reviewed: Spring 2021

Next Review: Spring 2023

St Albans Girls' School : Beech Hyde Primary School and Nursery : The Adeyfield Academy

Signed by:  
Margaret Chapman  
*Executive Head Teacher*

Signed by:  
Rachael Kenningham  
*Chair of ATLAS Board of Directors*

Signed by.....  
Margaret Chapman (Head Teacher)

Signed by.....  
Claire Barnard (Chair of Governors)

<b>1.</b>	<b>INTRODUCTION</b>
	<p>It is the Trust's policy to operate probationary periods for all new employees and in some cases at the Trust's discretion in respect of employees who have been promoted into different posts.</p> <p>This procedure does not form part of any employee's contract of employment and it may be amended at any time. We may also vary this procedure, including any time limits, as appropriate in any case.</p> <p>This policy is intended to allow both the employee and the employee's line manager to assess objectively whether or not the employee is suitable for the role. The Trust believes that the use of probationary periods increases the likelihood that new employees will perform effectively in their employment.</p> <p>Line managers are responsible under this policy for ensuring that all new employees are properly monitored during their probationary period. If any problems arise, line managers should address these promptly. This will ensure that the employee is aware that some aspects of their performance or conduct is unsatisfactory and prevent the problem from escalating.</p>
<b>2.</b>	<b>LENGTH OF PROBATION</b>
	<p>The Trust's standard period of probation is six months.</p>

<b>3.</b>	<b>TERMS OF EMPLOYMENT DURING THE PROBATIONARY PERIOD</b>
	<p>During the probationary period, employees will be subject to all the terms and conditions of their contracts of employment with the exception of notice periods. During the probation, including any period of extension, once an employee has gained one month's service, either party may terminate the employee's contract of employment by giving one week's notice.</p> <p>In the event of a dismissal due to gross misconduct, termination will be summary without notice. Where the harm test (as defined in part four of <a href="#">Keeping Children Safe in Education</a>) is or may be met, allegations concerning the safety and welfare of children must be investigated and heard even if the employee has resigned. The employee should be given a full opportunity to answer the allegation and make representations about it.</p> <p>Once the probationary period has been completed, the notice periods will be as defined in the employee's contract of employment.</p>
<b>4.</b>	<b>IRREGULARITIES DISCOVERED DURING THE PROBATIONARY PERIOD</b>
	<p>If, during an employee's probation, it is suspected or established that the employee does not have the qualifications, experience or knowledge that they claimed to have at the time of recruitment, the matter will be discussed with the employee to establish the facts. If the evidence suggests that the employee misrepresented their abilities in any way, the Trust will terminate the employment.</p>
<b>5.</b>	<b>REVIEWS DURING PROBATION</b>
	<p>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 probation. 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.</p> <p>During an employee's probation, line managers should provide regular feedback to the employee about their performance and progress, and, should there be any problem areas, raise these with the employee as soon as possible with a view to resolving them. The line manager is also responsible for providing guidance and support and for identifying and arranging any necessary training or coaching.</p> <p>It is recommended that formal probationary review meetings are held as follows:</p> <ul style="list-style-type: none"> <li>● Initial objective setting meeting within weeks 1-2</li> <li>● First review within weeks 7-9</li> <li>● Second review within weeks 13-15</li> <li>● Third and final review meeting no later than 20 weeks after their start date.</li> </ul>
<b>6.</b>	<b>EXTENDING PROBATIONARY PERIODS</b>
	<p>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 should 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.</p>

<b>7.</b>	<b>END OF PROBATION</b>
	<p>At the end of the probationary period, the line manager should conduct a final review of the employee's performance and suitability for the job. This will involve a meeting with the employee to discuss their performance and progress throughout the period of probation. The review must be conducted on or shortly before the date on which the employee's probationary period comes to an end. If the employee's performance is satisfactory, the line manager should notify HR who will then issue a letter of confirmation of appointment to the employee.</p> <p>If the employee's performance has not met the standards required by the organisation, the Head Teacher or other appropriate designee with authority will review the circumstances before any decision is made to terminate the employee's employment.</p>
<b>8.</b>	<b>TERMINATION OF EMPLOYMENT</b>
	<p>If an employee's performance while on probation has been unsatisfactory, and it is thought unlikely that further training or support would lead to a satisfactory level of improvement, the employment may be terminated.</p> <p>Where a decision is taken to terminate the employee's employment, the employee must be met with and informed of the reason for the termination. The employee has the right to be accompanied at this meeting by a work colleague or professional association/trade union representative. The Trust will write to the employee confirming the termination and the reason for it. The employee will be given an opportunity to appeal the decision.</p> <p>If the employee is an existing employee who has been promoted into a different role, the Trust's normal capability/disciplinary procedure must be followed in full.</p>
<b>9.</b>	<b>APPEAL PERIOD</b>
	<p>The Employee has a right of appeal against the termination of their employment.</p> <p>Any appeal should be made to the person named in the formal termination letter stating the grounds for appeal within seven calendar days of receipt of written confirmation of termination.</p> <p>The appeal will be conducted by at least one member of the board as soon as reasonably practicable following receipt of the appeal.</p> <p>The outcome of the appeal will be confirmed in writing without unreasonable delay. There is no further right of appeal.</p>

# Probationary Process Flowchart

**New Starter to school** - Manager and employee to meet within **first week** to arrange induction programme  
 Manager and employee to agree a probationary action plan  
 Schedule First Probationary Review Meeting (within weeks 7-9)

## First Probationary Review Meeting (within weeks 7-9)

**Satisfactory performance**  
 Complete Probationary Review form (copy to employee)  
 Schedule second review meeting

**Unsatisfactory Performance**  
 Complete Probationary Review form  
 Schedule second review meeting  
 Follow up meeting with letter outlining:  
 points discussed  
 any agreed actions  
 date of 2nd review meeting  
 right of employee to bring union/professional Association rep or work colleague to 2nd review meeting  
 enclose a copy of probationary review meeting form.

## Second Probationary Review Meeting (within weeks 13-15)

**Satisfactory performance**  
 Complete Probationary Review form (copy to employee)  
 Schedule 3<sup>rd</sup> and final review meeting (20 week meeting)

**Unsatisfactory Performance**  
 Complete Probationary Review Form  
 Schedule 3<sup>rd</sup> and final review meeting (20 week meeting)  
 Follow up meeting with letter outlining:  
 points discussed,  
 any agreed actions  
 date of 3<sup>rd</sup> and final review meeting  
 right of employee to bring union/professional Association rep or work colleague to 20 week review meeting  
 enclose a copy of probationary review meeting form.

## Third and Final Probationary Review Meeting (20 weeks)

**Satisfactory Performance**  
 Complete Probationary Review form (copy to employee)  
 Confirm Successful completion of Probationary Period in writing  
 Copy to employee and in employee's personnel file in school.

**Unsatisfactory performance**  
**Head to conduct the meeting whether or not they have been involved in previous meetings. Head to:**  
 Outline areas of poor performance or unsatisfactory conduct and where the employee has failed to improve  
 Give employee chance to explain any reasons they may have for not performing to a satisfactory level.  
 Decision to terminate contract or extend probationary period to be made at the end of the meeting.

## Appendix 2

## Probationary Period Review Form

During the probationary period there will be four meetings:

1. Initial discussion and target setting (within the first week of employment)
2. Review of progress towards targets and setting of new targets (7 weeks after employment)?
3. Review of progress towards targets and final recommendation (13 weeks after employment)
4. Final Review meeting and recommendation (19 weeks after employment)

The following paperwork is to be completed jointly by the line manager and employee at the first, second, ~~third~~ and final probationary review meetings. This form should be used in conjunction with the Job Description to ensure that all relevant skills and abilities necessary to carry out each responsibility have been addressed.

<b>Name:</b>		<b>Line Manager:</b>	
<b>Job Title:</b>		<b>Start Date:</b>	
<b>Date of meeting 1:</b>		<b>Date of meeting 2:</b>	
<b>Date of meeting 3:</b>		<b>Date of meeting 4:</b>	

<b>OBJECTIVES (Meeting 1)</b>	<b>Training needs identified to meet these objectives (Meeting 1)</b>	<b>Review of progress towards objective: Objective met? Comments (Meeting 2)</b>

**(Meeting 2)**

**Sickness absence:**

Number of days sickness absence	Days
Number of occasions sickness absence	Occasions

**Other issues discussed/ Employee's Comments:**

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**Is the employee performing to a satisfactory standard?**

Yes/ No\*

If No, actions to address this will be outlined in the PIP.

**Employment can now/ cannot yet\* be confirmed as permanent**

Line Manager' signature:		Date:	
Employee's Signature		Date	

**\*Delete as appropriate**

OBJECTIVES <b>(Meeting 2)</b>	Training needs identified to meet these objectives <b>(Meeting 2)</b>	Review of progress towards objective: Objective met? Comments <b>(Meeting 3)</b>

**(Meeting 3)**

**Sickness absence:**

Number of days sickness absence	Days
Number of occasions sickness absence	Occasions

**Other issues discussed/ Employee's Comments:**

**Is the employee performing to a satisfactory standard?**

Yes/ No\*

If No, actions to address this will be outlined in the PIP.

**Employment can now/ cannot yet\* be confirmed as permanent**

Line Manager's Signature:		Date:	
Employee's Signature		Date	

**\*Delete as appropriate**

OBJECTIVES <b>(Meeting3)</b>	Training needs identified to meet these objectives <b>(Meeting 3)</b>	Review of progress towards objective: Objective met? Comments <b>(Meeting 4)</b>

**(Meeting 4)**

**Sickness absence:**

Number of days sickness absence	Days
Number of occasions sickness absence	Occasions

**Other issues discussed/ Employee's Comments:**

**Is the employee performing to a satisfactory standard?**

Yes/ No\*

If No, actions to address this will be outlined in the PIP.

**Employment can now/ cannot yet\* be confirmed as permanent**

Line Manager's Signature:		Date:	
Employee's Signature		Date	

**\*Delete as appropriate**

### Appendix 3 – Performance Improvement Plan

Weekly performance review meeting during probationary period

<b>Initial meeting attended by:</b>	
<b>Date Targets set:</b>	<b>Final Review Date:</b>

<b>Target</b>	<b>Activities</b>	<b>Outcomes</b>	<b>Support/Actions</b>

<b>Review meeting attended by:</b>	
<b>Date Targets reviewed:</b>	<b>Final Review Date:</b>

<b>Target</b>	<b>Activities</b>	<b>Outcomes</b>	<b>Support/Actions</b>

## Appendix 4 – Fixed Term Worker Probationary Period Form

*(to be completed where the employment period is less than 26 weeks)*

**PERSONAL AND CONFIDENTIAL**

Employee's name:  
Manager's name:  
Post:  
Start date:  
Length of contract:  
End date of contract:

It has been mutually agreed that the probationary period will be for <insert number of weeks> weeks, expiring on<insert date> and the review dates are as follows;

1<sup>st</sup> Review Date: <insert date>  
2<sup>nd</sup> Review Date: <insert date>  
Final Review Date <insert date>

### Signatures:

Manager:		Date:	
Employee:		Date:	

## Appendix 5 – Performance Concerns Letter

Dear []

I refer to our meeting on [DATE] at which your work performance during your probationary period was reviewed.

At this meeting, the necessary standards required for your role were explained. I confirm that the areas where you have failed to reach an acceptable standard are as follows:

**[Give details here of shortcomings and reminders of advice/warnings]**

In order to meet these standards, the following support and development has been mutually agreed:

**[Give details here of developmental opportunities and support that have been offered/organised]**

Your performance will be reviewed again at the [second/final] review meeting on [DATE]. If your performance and progress are not up to the standards required despite support and/or training that the Trust has provided to you, we will consider extending your period of probation for a further [three] months. Alternatively, if it is thought unlikely that further time on probation, or further support or training, would lead to a satisfactory standard of performance in the job, we would need to consider termination of your employment.

If you have any questions please do not hesitate to contact me.

Yours sincerely

## Appendix 6 – Invite to final probationary review meeting with performance concerns

### PERSONAL AND CONFIDENTIAL

Dear <insert name>

I am writing to inform you that you are required to attend a Final Probationary Review meeting on <insert date, time and location>.

At this review the question of whether you have performed satisfactorily, in accordance with the Trust's Probationary Procedure, will be considered. The consequences of not performing to a satisfactory level may be that your employment is terminated.

At your probationary review meeting(s) on <insert date(s)> your unsatisfactory performance was outlined and discussed and a time period for expected improvement agreed. The following areas remain a concern:

<Give details here of shortcomings and reminders of advice/warnings>

My role will be to chair the hearing and make a decision regarding your future employment with <name of school>. <Name> will also be present from the Schools' HR Advisory team.

Yours sincerely

Head teacher

## Appendix 7 – Extension of Probationary Period Letter

### Personal & Confidential

Dear [ ]

I am writing to you further to our meeting held on [date] in connection with your probationary period.

As you are aware, during the course of your probationary period it was necessary for me to speak to you on [date] in connection with your [performance/conduct], which was viewed by the Trust as unsatisfactory. You were subsequently given a chance to improve during the remainder of your probationary period [and were given further [coaching/training/support] ]. Despite this support, you have still not yet met the standards that the Trust requires for employees of your position. Your [performance/conduct] has fallen short of the required standards in the following ways

**[define details of how and why performance/conduct has fallen short of the required standards].**

For these reasons, you were invited to a meeting on [date] to discuss the problem of your continuing unsatisfactory [performance/conduct] and my proposal to extend your probationary period.

Following that meeting, I have decided that your probationary period will be extended by [number] [weeks/months] until [date]. This extension would constitute a mutually agreed variation to your contract of employment as issued to you on [insert original contract date].

You agreed at the meeting that you would strive to improve your [performance/conduct]. The Trust will continue to monitor your [performance/conduct] and your progress will be formally reviewed at the end of the extended probationary period. You will be expected to meet the following objectives [define improvement required], and you will be provided with the following training to assist you to meet these objectives [describe any training, coaching and/or any other development activities that will take place during the period of extension].

If you fail to make sufficient progress either during or by the end of your extended probationary period, this is likely to result in your dismissal. Please be aware that the Trust may not be prepared to extend your probationary period again.

Yours sincerely

Job Title

## **Appendix 8 – Successful Completion Letter**

### **Personal & Confidential**

Dear [ ]

I am writing to you to confirm that you have successfully completed your probationary period and therefore I am pleased to confirm your appointment as a member of staff with the Trust.

Under the terms of your contract of employment, your notice periods will increase. The Trust will be required to give you [two/three] months' notice to terminate your contract of employment, and you will be required to give the Trust [one/two/three] months' notice to terminate your contract of employment.

In all other respects your terms and conditions of employment remain unchanged.

I would like to take this opportunity to offer my congratulations and to wish you continued success in your role.

Yours sincerely

Job Title

## Appendix 9 – Termination Letter

### Personal & Confidential

Dear []

### TERMINATION OF EMPLOYMENT

I am writing to you further to the completion of your probationary period of employment, which [was extended on [date] and which extended period] concluded on [date].

As you are aware, during the course of your probationary period it was necessary for me to speak to you on [date/s] in connection with your performance, which was viewed by the Trust as unsatisfactory. You were subsequently given a chance to improve during the remainder of your probationary period [and were given further [coaching/training/support] ].

Despite this support, however, you have unfortunately still not met the standards that the Trust requires for employees of your position. For this reason you were invited to another meeting on [date] to discuss the problem of your continuing unsatisfactory performance. Following that meeting, the Trust has decided to terminate your employment.

The termination of your employment will take effect on [date] on completion of your [length of notice] notice period.

[OR

Your dismissal will take effect as of today's date [state date] and the Trust will make you a payment in lieu of your notice period of [state length of notice period]. This will be paid to you within [Number of Days] days of this letter. All terms and benefits associated with your employment will cease as of the end of today.

The Trust will provide you with your form P45 within [Number of Days] days of the termination of your employment.

You have the right to appeal against the decision to dismiss you. If you wish to appeal, you should do so in writing within [seven calendar days] to [named person], stating the grounds for your appeal.

Yours sincerely

## Appendix 10 – Internal Transfer / Promotion Trial Period

### Personal & Confidential

Dear [ ]

Following your [transfer/promotion] to the post of [job title], I would like to confirm that you will be on probation for the first [three/six] months of your new appointment. The purpose of this period of probation is to allow both you and I to assess objectively whether or not you are suitable for the role.

During the probationary period, I will monitor your performance and progress and provide regular feedback to you. I will also provide guidance, support and training as required and will carry out informal review meetings with you on a monthly basis (of which written records will be kept).

Neither your transfer nor the fact that you will be on probation temporarily will affect your continuous service with the Trust or your statutory rights.

At (or shortly before) the end of your probationary period, I will meet with you to conduct a review of your performance, progress and suitability for the job. Assuming that your performance has been satisfactory, I will send you a letter confirming your new appointment.

However, if your performance and progress are not up to the standards required despite support and/or training that the Trust has provided to you, we will consider extending your period of probation for a further [three] months. Alternatively, if it is thought unlikely that further time on probation, or further support or training, would lead to a satisfactory standard of performance in the job, we would need to consider other alternatives. In these circumstances, we would arrange a review meeting with you to discuss the matter fully before making a decision as to what action to take.

We hope that this will not be the case and that you will succeed in your new role - and we would like to wish you well in your new appointment.

Yours sincerely

Line Manager