

PROBATIONARY PERIOD POLICY

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Reviewed: April 2024
Next Review Due: January 2027

A further probation period will not apply to staff changing roles across the Trust.

1. Introduction

- 1.1 The contents of this policy apply to all permanent and fixed term/temporary employees with a contract of employment with the Trust, irrespective of career path or pay level, including apprentices, with the exception of Early Career Teachers who are subject to their own induction period. Certain aspects of these probation arrangements differ by staff group; the specific arrangements applying to particular staff groups are detailed in Section 4 of this policy. These groups include centrally employed staff.
- 1.2 The Trust's probationary period policy is designed to:
- i. Support new members of staff while they are settling into their employment in Trust;
 - ii. Give the Trust time to assess the suitability of new members of staff for continued employment;
 - iii. Give the staff member the opportunity to assess their suitability for the post and for continued employment; and
 - iv. Provide a framework within which areas of concern can be identified, addressed and resolved by the Trust and employee.
- 1.3 This policy sets out the Trust's probationary arrangements. The policy is non-contractual and sets out how the Trust will normally operate the policy.

Potential employees need to be fully aware before they start their role with the Trust, that a probationary period applies to them and that they can be dismissed for failing to achieve the necessary standards of performance within that period. This should be made clear in the recruitment pack for the post, within the post's job description, during the interview process, and in the offer of employment letter.

1. Relationship with other policies

- 2.1 This policy is intended to replace appraisal and capability procedures for employees during their probationary period. It is not intended that this policy will replace the disciplinary or attendance management policies or safeguarding policies during any probationary period.
- 2.2 Probationary periods will be suspended during periods of maternity, adoption and shared parental leave, and in some cases of long term sickness absence. In such circumstances the relevant policy and procedures should be applied (see also Section 6).
- 2.3 All new employees should be provided with an effective programme of induction in their first weeks of employment. This includes local induction activities as well as any appropriate Trust induction days and welcome events.

3. General principles of probation applicable to all probationers

- 3.1 Each probationer will have a designated line manager with responsibility for providing advice, support and feedback to them on their progress during their probationary period.
- 3.2 Line Managers should ensure the following general principles of probation are applied to all staff groups:
- Probationers should be made fully aware of the Trust's expectations of them.
 - Probationers should be provided with clear, written objectives for their probationary period, as well as a description of how their performance will be assessed against these objectives. These are not objectives which are additional to their appraisal.
 - Probationers should receive regular feedback on their progress. Regular reviews of progress should take place at clearly defined intervals during the probationary period.

4. Specific arrangements applying to particular staff groups

- 4.1 Probation arrangements for **teachers (including SLT appointments)**:
- Standard probationary period: first school term of employment with BDAT. If the teacher starts part way through a term, then the first full term of employment with BDAT will be the probationary period.
- 4.2 Probation arrangements for **Headteachers**:
- Standard probationary period: the first six months of employment will be the probationary period.
- 4.3 Probation arrangements for **support staff**:
- Standard probationary period: first school term of employment with BDAT. If the staff member starts part way through a term, then the first full term of employment with BDAT will be the probationary period.
- 4.4 Probation arrangements for **senior support staff**:
- Standard probationary period: the first six months of employment with BDAT (excluding school holiday periods for term-time only staff)
- 4.5 Probation arrangements for **central team staff**
- Standard probationary period for executive leaders: the first six months of employment (excluding school holidays for term-time only staff).

- Standard probationary period for central support team: the first three months of employment (excluding school holidays for term-time only staff).
- 4.6 Notice period during probation will be in accordance with an employee's contract of employment.
- 4.7 Probation arrangements for **existing employees transferring between posts** within the Trust:
- Formal probationary periods do not apply to existing employees transferring between posts within the Trust.
 - In all cases, an appropriate induction and training programme should still be provided for the employee in their new post.
 - Notice periods will be in accordance with contracts.
- 4.8 Probation arrangements for apprentices:
- These will be in accordance with the probation arrangements applicable to the career pathway and level as described above from the date of appointment in role as an apprentice. Where an apprenticeship requires the apprentice to attend training or education in full-time blocks prior to physically starting work with the Trust, the apprentice's probationary period will commence from the first day of work, rather than their first day of employment.

5. Assessing progress during probation

5.1 How should the probationary period be reviewed?

During the probationary period, there should be regular meetings between the manager and the employee. These meetings should be scheduled in advance and diarised at the start of the employee's employment. It is the manager's responsibility to ensure that all probationary reviews are completed on time, recording the meeting on Appendix A of this policy

Fortnightly meetings are recommended throughout the probationary period as they will allow the employee's performance and progress to be monitored on a regular basis and allow prompt feedback to be provided to the employee should development areas be identified. Less frequent meetings may result in important issues being unresolved, or delays in the resolution of performance issues.

At each meeting, the manager should aim to;

- Highlight the areas where the employee is doing well
- Focus on successes, as well as areas of development.

- Explain clearly any areas in which the performance of the employee is falling below the required levels and explore possible reasons for this i.e. failure to meet the teachers' standards for teachers or failure to carry out the requirements of the job description for all other staff.
- Listen to what the employee has to say and discuss whether or not any specific training or coaching is required.
- Discuss any other relevant matters, such as timekeeping, attendance, general conduct and attitude.
- Invite the employee to comment on any issues and give the employee an opportunity to ask any questions or raise concerns about any aspect of their employment in the school.

Meetings need to be a two way process, with the opportunity for areas to be discussed on a confidential basis.

Where concerns have been raised about the employee's performance, the line manager of the post should discuss these fully and openly with the employee and an action plan to remedy the problems should be agreed and documented. The action plan should include clear evidence of what needs to be achieved by the individual, how and by what point.

The member of staff should be helped to understand that a failure to improve their performance and achieve the required standards, could ultimately lead to the termination of their employment.

6. Suspension of probationary period

- 6.1 Where the probationer is required to take an extended period of absence during the probationary period due to maternity, adoption or shared parental leave, the probation period should be paused.
- 6.2 In some circumstances, extended periods of absence due to ill-health may result in the probationary period being paused. In such cases the appropriate line manager should seek advice from Human Resources.
- 6.3 During any period in which the probationary period is paused, the probationer is subject to the appropriate maternity, adoption, shared parental leave or absence management policy.
- 6.4 On returning to work from the absence, the probationary period may be extended by the Trust to provide the probationer time to meet their probation objectives by either:
 - The corresponding period of the absence/pause, or;
 - The remaining period of probation, whichever is the shorter.

7. Concluding probationary period

7.1 Before the end of the probationary period, the appropriate line manager (see the Responsibilities section at the end of this document) will decide, based on the reports completed during the probationary period, whether the probationer should:

- Have their appointment confirmed (confirmation of appointment – see Section 8), or
- Have their probationary period extended to provide additional support (extension of probationary period - see Section 9), or
- Have their appointment terminated (non-confirmation of appointment – see Section 10).

8. Confirmation of appointment

8.1 Based on the probationer's progress against probationary period objectives (and as recorded in the regular probation review/reports), if the appointment is to be confirmed, the appropriate line manager should inform the probationer and then Human Resources who will arrange for a confirmation letter to be issued.

8.2 On confirmation of appointment, the individual becomes subject to appraisal and capability procedures as normal. The appraisal process and objectives should be adjusted accordingly to reflect the proportion of the appraisal cycle remaining, depending on when the probationary period is signed-off.

8.3 Should the probationer fail to be issued a confirmation letter then the probationary period will be deemed to have been successfully completed and the matter taken up with the relevant line manager accordingly.

9. Extension of probationary period

9.1 If there are concerns about the performance, conduct, or capability of the probationer at any time during the probationary period, the line manager should seek to proactively address these issues with the probationer throughout the probationary review period.

9.2 However, in exceptional circumstances, the line manager may determine that it would be appropriate to extend the probationary period to see if the probationer can meet the requirements of the role before a decision is taken as to whether to confirm their appointment or not. In such cases the appropriate line manager should seek advice from Human Resources.

9.3 Any intention to extend the probationary period due to concerns about performance, conduct or capability should be discussed with the probationer before the original probation period's end date through the recommended fortnightly meetings. A letter should be sent to the probationer advising them that their probationary period may be extended, and inviting them to a meeting to allow them to set out any reasons why they believe that either their probation should not be extended or that their appointment should be confirmed.

Such meetings should be scheduled to take account of the relevant notice periods defined in Section 4 of this policy. The probationer may be accompanied at the meeting by either a colleague or trade union representative. The meeting should be conducted by the line manager. Any intention to extend the probationer's probationary period should be supported by appropriate evidence from the probationary review meetings held throughout the probationary period.

- 9.4 Any intention to extend the probationary period following a suspension of the probationary period covered by Section 6 of this policy should be discussed with the probationer as part of that process and managing the probationer's return to work. The length should not exceed 50% of the initial probation period.

10. Non-confirmation of appointment

- 10.1 Where the employing department believes the appointment should be terminated, during the probationary period, the appropriate line manager should seek advice from Human Resources.

- 10.2 Any intention to not confirm appointment after the probationary period, and the reasons for this, should be discussed with the probationer before the original probation period's end date, for support staff this should be at least 2 weeks before the end of the term.

For Teachers:

Where a member of staff's performance is deemed to be below the required standard, i.e. failure to meet the teachers' standards, in ordinary circumstances, a letter should be sent to the probationer warning them that their employment may not be confirmed and inviting them to a meeting to allow them to set out any reasons why they believe that either their probation should be extended or that their appointment should be confirmed. Such meetings should be scheduled to take account of the relevant notice periods defined in Section 4 of this policy. The probationer may be accompanied at the meeting by either a colleague or trade union representative. In such circumstances, the meeting should be conducted by the line manager who may be accompanied by a representative of Human Resources. Any intention to not confirm the probationer's appointment after the probationary period should be supported by appropriate evidence from the probationary review meetings held throughout the probationary period.

- 10.3 If the decision is made that the appointment will not be confirmed, this should be confirmed in writing within seven working days.

Appeals

An employee should submit an appeal in writing, against either the outcome of the formal interim review meeting or formal review meeting, within 5 working days of the outcome of either meeting.

An appeal meeting will be held within 10 working days of receipt of the appeal, or earlier in agreement with the member of staff.

The appeal meeting will be held in front of a panel of school governors in the case of school staff or Trustees in the case of central office staff and will follow the same format as the formal review meeting.

The possible outcomes of this meeting are;

- The employee's dismissal is upheld and they are informed of this in writing.
- The employee's employment is reinstated and their probationary period is extended for a further period of time.
- The employee's probationary period is confirmed as successful and their employment is confirmed in school.

Serious Misconduct

If the employee is involved in an act of serious or potential gross misconduct during the probationary period, then this will be addressed under the school's Disciplinary Policy.

A template form for making an appeal is at Appendix B to this document.

11. Reporting

- 11.1 The Headteacher/Principal, HR and either the BDAT CEO or Director of Corporate Affairs should be informed by the line manager at the earliest opportunity if consideration is being given to either extending a probationary period or terminating a staff member's employment during probation. Only the Headteacher in the case of school staff and the CEO in the case of central office staff can authorize the decision to terminate employment during the probationary period, and this must be discussed in advance with HR and the Chair of Governors in the case of school staff and the Chair of Trustees in the case of central office staff. This is to ensure that staff are treated fairly and equitably across the Trust.

12. Responsibilities

Line Manager

- It is recognised and accepted that the 'role of the line manager' is a broad and generic term and that the exact definition (i.e. who would deliver the role of the line manager in

each process) may vary across different schools/the central office and departments within schools/the central office, as well as across different processes.

- Practical day to day management responsibility for providing advice, assistance and guidance, in as helpful and comprehensive way as possible, is likely to rest with the line manager. This role will most likely be the probationer's immediate line manager, supervisor or other nominee. For the purpose of this policy and guidance, references to 'line manager' should be read as the designated person within these parameters.
- The line manager is responsible for consulting with HR prior to and then notifying HR of the outcome of all probation reviews, including confirmation, non-confirmation, extension or suspension of the probationary period.

Employee (Probationer)

- If the probationer has any concerns about their own learning or development experiences, or their ability to carry out the requirements of the role, they are also responsible for raising this with their line manager for consideration within the probationary period.

PROBATION REVIEW FORM

Line managers should ensure that the employee is given a copy of this document at each stage of their probation and should retain the original to monitor progress against set objectives at follow-up meetings.

Probation Record

Employee name:		
Job Title:		
Post Start Date:		
Line Manager/Reviewer:		
Probation Period:		
	Date Due	Please tick when completed
Initial Meeting		
Interim review:		
Final review:		

PART 1: INITIAL MEETING

This section should be completed by the line manager within a week of the employee commencing their employment.

SECTION A: Objectives

The line manager should identify specific objectives for the employee. These will be statements of what should be achieved during the probationary period, including indicators of success and timescales for achievement.

SECTION B: Development Plan

To support the employee in achieving these objectives, the line manager should identify any training and development needs and specify how and when these needs will be addressed during the probationary period.

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

PART 2 – INTERIM REVIEW

To be completed by the Line Manager in discussion with the employee.

<i>(please tick)</i>	Improvement required	Satisfactory	Good	Excellent
Quality and accuracy of work				
Efficiency				
Attendance				
Time Keeping				
Work relationships (team work and interpersonal communication skills)				
Competency in the role				
If any areas of performance, conduct or attendance require improvement please provide details below. 				
Where concerns have been identified, please summarise how these will be addressed during the remaining period of probation. 				
Summarise the employee's performance and progress over the period 				

Have the objectives identified for this period of the probation been met?	YES / NO	If NO, what further action is required?	Review Date
Have the training / development needs identified for this period of the probation been addressed?	YES / NO		
Employee's Signature:			
Manager's Signature:			
Date:			

PART 3 – FINAL REVIEW

To be completed by Line Manager in discussion with the employee.

<i>(please tick)</i>	Improvement required	Satisfactory	Good	Excellent
Quality and accuracy of work				
Efficiency				
Attendance				
Time Keeping				
Work relationships (team work and interpersonal communication skills)				
Competency in the role				
Have the objectives identified for the probationary period been met?	YES / NO	If NO, please provide details		
Have the training / development needs identified for the probationary period been addressed?	YES / NO			
Summarise the employee's performance and progress over the period				
Is the employee's appointment to be confirmed?				YES / NO

If NO, please provide reasons below and summarise what action has been taken to address any difficulties which have arisen during the probationary period.

The employee may provide any comments about their experience of the probationary process here.

Should the employee's probationary period be extended?

YES / NO

If YES, please provide reasons and, where appropriate, specify any areas of improvement required and how these will be monitored.

Length of the extension (max 3 months):

New Probation Period completion date:

Employee's signature:

Manager's signature:

Date:

The employee has received a letter confirming his satisfactory completion of probation period

YES

NO

APPENDIX B TO
PROBATIONARY PERIOD POLICY

APPEAL AGAINST (Insert relevant decision/procedure)

This form will help you with your appeal and will speed up the process

Name				
Post Title				
School				
Date of decision letter				
I wish to be represented by a Trade Union <i>(tick as appropriate)</i>	☐	Yes	☐	No
My representative is				
Name of Trade Union				
I wish to appeal because <i>(tick as appropriate)</i>				
☐				
☐	The proper procedures were not followed			
☐	New evidence has come to light			
☐	The decision was unsound			
☐	Other			
I intend to call witnesses <i>(tick as appropriate)</i>	☐	Yes	☐	No
Please provide the name(s) of any witness(es) that you wish to call in the space provided below <i>(if applicable)</i>				

Whatever your reason for appeal, you should give details to support it in the space provided on the back of this form. **Failure to complete this section could result in your appeal being dismissed in accordance with the provisions of the appeals process detailed in the Probationary Period Policy. You do not, however, have to state your entire case - a summary of the relevant arguments will suffice.**

Please provide detail of the grounds for the appeal in the space provided below;

Signature of Applicant (person raising appeal)	
Date	
Please return completed forms to: (Insert name of person making decision / the Chair of the Governors for School Name) This form should be returned within 3 working days of your receipt of the outcome.	

INVITATION TO A PROBATIONARY REVIEW MEETING

Dear*****

Your probationary review meeting has been arranged for ***** on *****. The meeting will be with ***.

The purpose of the probationary period review meeting is to:

- Review, measure and give constructive feedback on performance.
- Recommend whether to confirm in post or if an alternative action should be taken.

In accordance with our probationary period policy, there are several possible outcomes of a review meeting, including the following:

- Confirmation that the probationary period has been successful.
- Extension of the probationary period and provision of further support as necessary
- Confirmation that the probationary period has been unsuccessful, and that employment will be terminated.

If you have any queries regarding the meeting, please do not hesitate to contact me.

Yours sincerely,

Headteacher/ School Business Manager/Line Manager

OUTCOME OF PROBATIONARY – Meeting unsuccessful outcome

Dear ****

I am writing to confirm the discussion which we had on ****

As you are aware, your employment with the school was subject to a probationary period. Unfortunately, your performance has not reached a satisfactory standard during your probationary period. Your probationary period ends on *** and it has been decided to terminate your employment at this point.

When leaving the school, you must ensure that you return all your property belonging to **** (list items, e.g., books, laptop, security pass etc)

I am sorry that we have to reach this conclusion, and I wish you every success in the future.

Yours sincerely,

Headteacher/ School Business Manager/Line Manager

OUTCOME OF A PROBATIONARY MEETING- Extending probationary period outcome

Dear *****

Probationary period extension

As you are aware from our recent meeting, your probationary period is due to end on ***.

Unfortunately, your performance/ behaviour/ attendance has not yet reached a satisfactory standard in the following areas: (insert details and describe shortfall in the performance etc)

The decision has been taken to extend your probationary period for a period (insert timescales e.g., 3 months) and it will now end on *****

I would like to give you the opportunity to focus on improvements in the areas outline above and we will meet (insert frequency, e.g., monthly review). I have also arranged for additional support/training to be provided to you in the following areas:

Insert*****

If you have any queries regarding this decision, please do not hesitate to contact me.

Yours sincerely,

Headteacher/ School Business Manager/Line Manager

OUTCOME OF A PROBATIONARY MEETING- Successful probationary period outcome

Dear

RE: Employment as XXX

As you are aware, your appointment with ***** was subject to a probationary period of 6 months.

I am delighted to inform you that you have successfully completed this probationary period and your employment will now continue with the school.

I look forward to working with you over the coming months and years.

Yours sincerely,

Headteacher/ School Business Manager/Line Manager