



Special Partnership Trust



# PROBATIONARY POLICY

Date Last Reviewed: January 2022

Review Date: January 2025



Special Partnership Trust

## Probationary Policy

- 1.1 The Special Partnership Trust wants to ensure all new members of staff are given appropriate support to help them reach an acceptable standard of performance and conduct in order that their appointment to the Trust be substantively confirmed.
- 1.2 Equality and Diversity: The Trust treats equality of opportunity seriously and has a clear and transparent policy that is applicable to staff, in order to promote and ensure equality of opportunity. All staff are required to read and understand this procedure.

### 2. Introduction

- 2.1 This procedure applies to all new members of staff and does not form part of your contract of employment.
- 2.2 This policy is intended to allow both the new staff member and line manager to assess objectively whether or not the staff member is suitable for the role. The Trust believes that the use of probationary periods increases the likelihood that new staff members will perform effectively in their employment.
- 2.3 The Trust reserves the right to review each case on an individual basis and vary any part of this procedure on a case-by-case basis

### 3. THE PROBATIONARY PERIOD

- 3.1 This procedure is designed for members of staff who are new to the Trust and will be used within the first 6 months of their appointment and during any extension to probation.
- 3.2 The line manager will review and assess the staff member's performance, capability and suitability for the role during the staff member's probationary period through an agreed series of informal meetings. A clear record should be made of each meeting. At the end of 3 months a review meeting of progress so far should be recorded using the Stage 1 form, or equivalent, contained in this procedure.

When completed, a copy of the record should be given to the staff member and a copy added to their HR file. Further informal meetings should be held as needed to

support and monitor performance, and, a further review meeting will take place at the end of the probationary period using the Stage 2 form, or equivalent, contained in this procedure, with the form again given to the staff member and copied to their HR file.

- 3.3** There is a responsibility on both the line manager and staff member to hold and attend the review meetings. Where a staff member is unable to attend a review meeting the line manager may extend the probationary period in writing and offer an alternative date for a meeting.
- 3.4** The capability procedure and dismissals procedure do not apply during the probationary period. Any concerns with performance or conduct and/or any dismissal should be addressed using the probationary procedure in the first six months of employment, and, during any extension to the probationary period.

#### **4. End of Probationary Period**

- 4.1** Where a member of staff has completed their probationary period their line manager should meet with them to conduct a review of performance and suitability for the job role (using Stage 1 form). The review must be conducted on or shortly before the date on which the employee's probationary period comes to an end. The staff member will be informed in writing if they have successfully completed their probationary period. If they do not receive any written confirmation, they should assume that their probationary period continues.
- 4.2** Where performance is unsatisfactory the line manager will consider extending the probationary period, or alternatively, will consider the termination of an individual's contract. The line manager should seek HR advice on this in advance of the end of the probationary period and before the meeting is carried out.
- 4.3** The Trust can, at its discretion, extend the probationary period for up to a further three months. During the probationary period the staff member's performance and suitability for continued employment will continue to be monitored.

#### **5. Extension of Probationary Period**

- 5.1** Where a manager identifies that the staff member is not achieving the required standard of performance, but believes that the required standard of performance could be achieved then the probationary period may be extended. The line manager

should seek HR advice on this in advance of the end of the probationary period and before the meeting is carried out.

**5.2** Where an extension to the probationary period is put in place, the manager will confirm the terms of the extension in writing to the staff member, including:

- the length of the extension and the date on which the extended period of probation will end;
- the reason for the extension and, if the reason is unsatisfactory performance, details of how and why performance has fallen short of the required standards;
- the performance standards or objectives that the staff member is required to achieve by the end of the extended period of probation;
- any support, for example further training, that will be provided during the extended period of probation; and
- a statement that, if the staff member does not meet fully the required standards by the end of the extended period of probation, their employment will be terminated.

**5.3** If the staff member is absent from work due to incapacity during the probationary period for a period which exceeds one week, their probationary period will be extended by the period of their absence to allow adequate monitoring of performance.

## **6. Termination of Employment**

**6.1** If performance during the probationary period is unsatisfactory and it is thought unlikely that further training or support would lead to a satisfactory level of improvement, the employment will be terminated at the end of the probationary period. The staff member's employment may be terminated during the probation period at any time on one week's notice by the Trust, or payment in lieu of notice.

**6.2** Where there is clear evidence prior to the end of the period of probation, for example issues around conduct, capability, complaints from students or parents, etc that suggest the employee is wholly unsuitable for the role, the line manager should consult with HR with a view to terminating the staff member's contract early and ensure their recommendation is sound.

**6.3** Where there is a recommendation to terminate the contract of employment a senior manager will invite the member of staff to a formal meeting to discuss the concerns about performance and to allow the staff member to respond to these concerns. The staff member may be accompanied to this meeting by a work-based college or union representative.

- 6.4 The member of staff will be informed of the decision of the senior manager in writing following the formal meeting.

## 7. Appeal

- 7.1 Where a member of staff is dismissed under the probationary procedure there will be a right of appeal. The staff member should set out the grounds of appeal in writing to the Headteacher within five working days of notification of the outcome of the formal meeting.

The date on which dismissal takes effect will not be delayed pending the outcome of the appeal. However, if the appeal is successful, the staff member will be reinstated with no loss of continuity or pay.

We will give you written notice of the date, time and place of the appeal hearing. This will normally be two to seven days after you receive the written notice. There may be circumstances in which it is appropriate for a hearing to be conducted remotely.

The appeal hearing may be a complete re-hearing of the matter, or it may be a review of the fairness of the original decision in the light of the procedure that was followed and any new information that may have come to light. This will be at our discretion depending on the circumstances of your case. In any event, the appeal will be dealt with as much impartially as possible.

Where practicable, the appeal hearing will be conducted by a senior manager who has not been previously involved in the case and is senior to the individual who conducted the formal meeting. The senior manager who conducted the formal meeting will also usually be present and a member of the Leadership Team may also be present. The staff member has the right to bring a colleague or trade union representative to the meeting.

We may adjourn the appeal hearing if we need to carry out any further investigations in the light of any new points the staff member have raised at the hearing. You will be given a reasonable opportunity to consider any new information obtained before the hearing is reconvened.

Following the appeal hearing we may:

- (a) confirm the original decision;
- (b) revoke the original decision; or
- (c) substitute a different penalty.

We will inform the staff member in writing of our final decision as soon as possible, usually within one week of the appeal hearing. Where possible we will also explain this to the staff member in person. There will be no further right of appeal.



**PROBATIONARY REVIEW**

Stage 1 – 3 Months

**NAME:**

\_\_\_\_\_

**JOB TITLE:**

\_\_\_\_\_

**SCHOOL/DEPARTMENT:**

\_\_\_\_\_

**START DATE:**

\_\_\_\_\_

**PERFORMANCE IN POST**

Is job performance satisfactory: YES/NO?

If NO please list any concerns below with suggested solutions. Please note this is a two way process and difficulties raised by the member of staff are to be listed as well as management concerns.

LINE MANAGER: \_\_\_\_\_ DATE: \_\_\_\_\_

**JOB TITLE:**

\_\_\_\_\_



**SCHOOL/DEPARTMENT:**

\_\_\_\_\_

**START DATE:**

\_\_\_\_\_

### PERFORMANCE IN POST

Is job performance satisfactory: Y/N?

Please note and comment if the individual has continued to fail to meet targets and indicate which of the following may be appropriate:

- an updated action plan
- an extended probationary period
- a recommendation to terminate employment

LINE MANAGER: \_\_\_\_\_ DATE: \_\_\_\_\_

