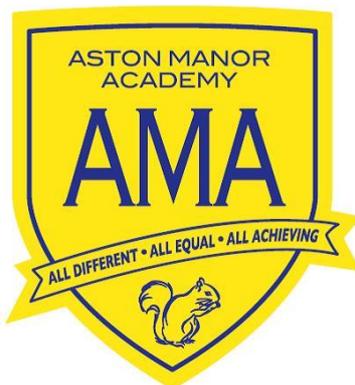


# EQUITAS ACADEMIES TRUST



**Chilwell Croft**  
Academy

## PROBATIONARY POLICY

**Review Date:** June 2020

**To be Reviewed:** June 2021

**Agreed:** F&GP

**Policy Lead:** HR Manager

**Probationary Policy**

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APPENDIX 1  
Probationary Review Form

**PROBATIONARY POLICY**

**1. INTRODUCTION**

- 1.1 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 transferred or promoted into different posts within the school.
- 1.2 This policy allows both the employee and the Headteacher or Chief Operations Officer (COO) 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.
- 1.3 The line manager is responsible for ensuring that all new employees are properly monitored during their probationary period. If any problems arise, the line manager should address these promptly and in accordance with the policy. The employee should be made aware that some aspects of their performance or conduct are unsatisfactory. This will help prevent the problem from escalating and hopefully lead to sufficient improvements.
- 1.4 Where the employee is the Executive Director or Headteacher, the Chair of the Trust Board shall be responsible for managing the probation process and determining whether their employment is confirmed or their employment is terminated.

**2. LENGTH OF PROBATION**

- 2.1 The length of the probationary period applicable to an employee will be as set out in the contract of employment of that employee.

**3. EXTENDING PROBATIONARY PERIODS**

- 3.1 Six months should be an adequate period of time to effectively assess an employee's suitability for the role, or three months in the case of employees on fixed term contracts. In some circumstances, the Trust may decide to extend an employee's period of probation by up to a further 6 months. The total period of probation will be no longer than twelve months.
- 3.2 An extension may be implemented in circumstances where:
  - (a) The employee's performance, conduct or attendance during probation has not been entirely satisfactory, but some improvement has taken place and it is thought likely that an extension to the probationary period may lead to satisfactory improvement.
  - (b) The employee has been absent from the workplace for an acceptable reason, for an extended period during the probation.
- 3.3 Before extending an employee's probationary period the line manager will consult with the Headteacher or COO. If an extension to the probationary period is agreed, the Trust will confirm the terms of the extension in writing to the employee, including:
  - (c) The length of the extension and the date on which the extended period of probation will be reviewed and when it will end;

- (d) 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;
- (e) The performance standards or objectives that the employee is required to achieve by the end of the extended period of probation;
- (f) Any support, for example further training, that will be provided during the extended period of probation; and
- (g) A statement that, if the employee does not meet fully the required standards by the end of the extended period of probation, their employment will be terminated.

#### **4. TERMS OF EMPLOYMENT DURING THE PROBATIONARY PERIOD**

- 4.1 During the probationary period, employees will be subject to all the terms and conditions of their contracts of employment with the exception of those terms noted below. During the probationary period, attendance, conduct and capability issues will be managed under this policy rather than the standard Trust HR policies.
- 4.2 Except in the case of existing employees who have transferred or promoted into different roles, the amount of notice that an employee must give to the Trust if they wish to resign, and the amount of notice that the Trust must give to the employee of dismissal are different during probation. During probation, either party may terminate the employee's contract of employment by giving one week's notice unless otherwise varied by the contract. In the event that the Trust decides to terminate the employee's employment, their employment will come to an end immediately and the employee will receive pay in lieu of the notice together with any outstanding holiday pay.
- 4.3 Once the probationary period has been completed, the notice periods will be as defined in the employee's contract of employment.
- 4.4 In the case of existing employees who have been transferred or promoted into different roles, the amount of notice that the employee must give to the Trust if they wish to resign, and the amount of notice the Trust must give to the employee of dismissal will be as defined in the employee's contract of employment.

#### **5. LINE MANAGERS' RESPONSIBILITIES**

- 5.1 Under this policy, the line manager has responsibility for monitoring a new employee's performance, conduct, attendance and progress during the probationary period. The line manager should ensure that the employee is properly informed within 1 week of the start of their employment about what is expected of them during probation, for example the required targets or standards of performance, and for putting in place a plan to support the successful start to any new role. This will be documented in part B of the Probationary Review Form (see Appendix 1)

#### **6. REVIEWS DURING PROBATION**

- 6.1 The line manager should review and assess the employee's performance, capability, conduct, attendance and suitability for the role on at least 2 occasions during the employee's probation and again at the end of the probationary period. This will involve

meeting with the employee (mid-review). At the end of the meeting, the line manager will complete the probationary form and give a copy to the employee.

- 6.2 During an employee's probation, the line manager 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 support, training or coaching that is relevant to the role.

**7. IRREGULARITIES DISCOVERED DURING THE PROBATIONARY PERIOD**

- 7.1 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 giving one week's pay in lieu of notice. If the employee is an existing employee who has been transferred or promoted into a different role, the Trust's normal capability/dismissal procedure must be followed in full.

**8. END OF PROBATION**

- 8.1 Shortly before the end of the probationary period (or end of the extension, if applicable), the line manager should conduct a final review of the employee's performance, conduct, attendance and suitability for the job. This will involve a meeting with the employee to discuss their performance and progress throughout the period of probation. At the end of the meeting, the line manager will complete the probationary form, and give a copy to the employee.
- 8.2 If the employee's performance is satisfactory, the line manager should notify the HR department in order to issue a letter of confirmation of appointment to the employee.

**9. TERMINATION OF EMPLOYMENT**

- 9.1 Ordinarily it is the Trust's policy to allow the employee to complete the designated period of probation rather than terminating employment before the probation has come to an end. This is to give the employee a full opportunity to come up to the required standards. If, however, there is clear evidence prior to the end of the period of probation that suggests the employee is wholly unsuitable for the role, the employment may be terminated early.

**Performance**

- 9.2 If an employee's performance while on probation has been unsatisfactory, despite support from the line manager, 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 period of probation. Where the concerns are considered serious and have not improved despite support, then the employment may be terminated prior to the end of the period of probation or at an earlier point if appropriate.

**Conduct**

- 9.3 If an employee's conduct while on probation has been unsatisfactory despite, support from the line manager, 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 period of probation or at an earlier point if appropriate.

**Attendance**

9.4 If an employee's attendance while on probation has been unsatisfactory, despite support from the line manager, and it is thought unlikely that further support or reasonable adjustments would lead to a satisfactory level of improvement, the employment will be terminated at the end of the period of probation or at an earlier point if appropriate.

9.5 Where a decision is taken to terminate the employee's employment, a meeting will be held with the employee to inform them of the reason for the termination. 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.

**10. APPEALS AGAINST TERMINATION OF EMPLOYMENT**

10.1 Should an employee wish to appeal against a decision to terminate their employment they must write to the Headteacher or COO within 5 working days of the decision to terminate the employment being communicated to them. The employee must state the grounds of their appeal in full. An appeal meeting will then be arranged with either the Headteacher or COO (if not involved in the original decision to dismiss) or a panel of Senior Leaders or Trustees. The outcome of an appeal meeting will be confirmed in writing; this will make it clear that there is no further internal right of appeal. Where the employment of the Headteacher or COO is terminated they should appeal to the Chair of the Trust Board who will make arrangements for the appeal hearing.

**11. CONFIDENTIALITY AND DATA PROTECTION**

11.1 It is the aim of the Trust to deal with matters under this policy sensitively and with due respect for the privacy of any individuals involved. All employees must treat any information communicated to them in connection with the process as confidential.

11.2 During any action under this policy, the Trust will collect, process and store personal data in accordance with our data protection policy. The data will be held securely and accessed by, and disclosed to, individuals only for the purposes of actions taken under the policy. Records will be kept in accordance with our Record Management Policy and in line with the requirements of the Data Protection Legislation (being (i) the General Data Protection Regulation ((EU) 2016/679) (unless and until the GDPR is no longer directly applicable in the UK) and any national implementing laws, regulations and secondary legislation, as amended or updated from time to time, in the UK and then (ii) any successor legislation to the GDPR or the Data Protection Act 1998, including the Data Protection Act 2018).

**12. REVIEW OF POLICY**

12.1 This policy is reviewed and amended annually by the Trust. We will monitor the application and outcomes of this policy to ensure it is working effectively.

**Date of Review: June 2021**

**Approved by Wadim Wesolek, Chair F&GP Committee at the meeting on Monday 15<sup>th</sup> June 2020**

**Appendix 1**

<b>CONFIDENTIAL</b>		
<b>EQUITAS ACADEMIES TRUST – Aston Manor Academy/Chilwell Croft Academy</b>		
<b>Probation Review Form (support staff)</b>		
<b>PART A – Employee details</b>		
NAME		
JOB TITLE		
DATE APPOINTED INTO ROLE	Date: (dd/mm/yyyy)	
LENGTH OF PROBATION	3 months / 6 Months	
DATE OF MID PROBATION REVIEW MEETING	Date: (dd/mm/yyyy)	
DATE OF FINAL PROBATION REVIEW MEETING	Date: (dd/mm/yyyy)	
NAME OF LINE MANAGER		
<b>PART B – First meeting within 1 week of start date</b>		
Discuss and agree targets, objectives and standards for the first 3 months of employment		
<b>PART C - Mid review meeting (3 months)</b>		
Knowledge and understanding of the role		
Quality of work/performance		
Attitude to work		
Organisation and prioritisation		

Teamwork			
Rapport with students and public			
Timekeeping/absence			
Other (eg conduct/behaviour/standard of fluent English)			
Action points that need to be addressed during next assessment period (if applicable):			
<ul style="list-style-type: none"> <li>•</li> </ul>			
<b>Current assessment</b>	Effective in role <input type="checkbox"/>	Not yet effective <input type="checkbox"/>	Not effective <input type="checkbox"/>
<b>Options based on current assessment:</b>			
Continue probationary process			<input type="checkbox"/>
Extend probationary period [max 12 months]			<input type="checkbox"/>
Consider termination within probationary period			<input type="checkbox"/>
<b>You should inform the employee of what will happen next based on what option is selected.</b>			
Development or training needs identified (if applicable)	Action to be taken and why	Timescales	
<i>Set out below reasons for extending or terminating the probationary period at this point:</i>			
<b>Line manager signature</b>		<b>Date</b>	
<b>Employee signature</b>		<b>Date</b>	

**PART D - Final review meeting (during 6<sup>th</sup> month)**

Summary of the role holder's progress during the probation period.

Use the boxes below to provide additional relevant information

Knowledge and understanding of the role			
Quality of work/performance			
Attitude to work			
Organisation and prioritisation			
Teamwork			
Rapport with students and public			
Timekeeping/absence			
Other (eg conduct/behaviour/standard of fluent English)			
<b>Assessment</b>	Effective in role <input type="checkbox"/>	Not yet effective in role <input type="checkbox"/>	Not effective in role <input type="checkbox"/>
Development or training needs identified (if applicable)	Action to be taken and why		Timescales

**Line manager's recommendations at the end of the probation review period**

(in some circumstances option 2 decision may be taken at an earlier point)			
Option 1:	Employee is confirmed in post	<b>YES/NO</b>	
Option 2a:	Employee's probation is extended for a further _____ months for the reasons giving above (choose yes/no for this option)	<b>YES/NO</b>	
<i>Give a summary of improvements that would be required to confirm in the role by the end of the review period</i>			
Option 2b:	Employee's employment is not confirmed and is terminated for the reasons given above.	<b>YES/NO</b>	
<b>Signature of line manager</b>		<b>Date</b>	
<b>Signature of employee</b>		<b>Date</b>	

*This form should be completed and signed after each review meeting and returned to HR for appropriate action.*