

Probation Arrangements for Support Staff Policy

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1. Purpose

- 1.1 The probationary period is to assess the new employee's suitability for the post s/he has been appointed.

2. Application

- 2.1 The probation procedure will apply to all new support staff including temporary and fixed term employees and new entrants from other Local Authorities to the Trust.

3. Allegations of Misconduct during probation

- 3.1 The Trusts normal disciplinary procedures will apply.

4. Complaints by staff on probation

- 4.1 These are dealt with in accordance with the Trusts grievance procedure.

5. Employees with disabilities

The school should be particularly aware of the special needs of the new employee with a disability, when setting up probationary meetings, arranging training etc.

- 5.1 If a registered disabled employee does not come up to the satisfactory standard during the 6-month probationary period and the Headteacher expects to terminate employment, then Boleyn Trust HR should be consulted. In liaison with Boleyn Trust HR, reasonable efforts will be made to re-deploy that employee into a suitable job, before a dismissal is made.

6. Procedure

The probationary period is a continuous period of assessment, and the Headteacher is responsible for ensuring that such assessments and training are carried out.

- 6.1. The school should devise a programme of induction (include confirmation of receipt of job description and person specification, make aware of health and safety arrangements, personnel policies (e.g. capability, disciplinary etc.), sickness monitoring arrangements and where to access them in the school, dates of the probation meetings at 2 and 5 month stage) and on the employee's first week at work, go through the programme with him/her. At this meeting the probation procedure should be fully explained and dates set, including the fact that it is a two way process which allows the employee to assess the job and 'settle in'.

- 6.2. After two months

At the end of two months (or as near as practicably possible to two months) the school should make an interim assessment of the new employee. On the probationary

report (see Appendix 1), they should write comments in the sections provided about the employee's work performance and attendance record. The comments should be based on the criteria of the employee's person specification.

Once this has been completed, the school should give the probationary report to the employee, before the meeting in order to allow him/her to make his/her own comments if desired. The employee should then bring the assessment report along to the meeting.

- 6.3. The school should then meet the employee to discuss his/her performance.
- 6.4. In certain circumstances where the probationer wishes to have representation, then s/he can ask for a trade union representative or workplace colleague to attend the meeting (see paragraph 10.1).
- 6.5. Any deficiencies must be pointed out at this stage and be put in writing on the assessment form, together with the action required by the school for improvement. Any reasonable training requirements identified and agreed, or other action, must be followed up.
- 6.5. In cases where performance (including conduct and attendance) at the two months stage is inadequate, the employee must be cautioned that by the end of five months' probation a decision will be taken about his/her suitability for the post and if they fail to achieve the required standard their appointment will not be confirmed. A decision to dismiss an employee before the end of the probation period should only be taken in exceptional circumstances. Schools are strongly advised to seek advice from Boleyn Trust HR in such cases.

7. At the end of five months

- 7.1. The last column of the probation assessment report form should be completed.
- 7.2. The Procedure, as indicated in paragraph 6.2 and 6.3 above, should be followed.
- 7.3. If the employee's performance has not reached an acceptable standard and they have not responded to supportive intervention and they fail to achieve the required standard, this will result in a failed probation period.
- 7.4. If it is satisfactory, the Headteacher should write to the employee congratulating them of this (Appendix 2).
- 7.5. If the Headteacher decides on termination of employment, they should write to the employee with the notice of the termination (same as the contractual notice period) (Appendix 3). The employee may lodge an appeal against the termination of their employment using (Appendix 4).
- 7.6. In all cases where the decision is to terminate employment, the full reason must be given in writing and Boleyn Trust HR should be informed immediately.

8. Extensions to the Probationary Period

Extensions must not be used as a means of putting off a difficult decision and are only justified in exceptional circumstances, e.g. where the probationer has not yet been given sufficient training or opportunity to undertake all the tasks to do the job to the required standard.

- 8.1. Where a one-off period of sickness has led to a long period of absence, the extension is acceptable in aiding the supervisor to reach a reasonable decision. Any consideration or recommendation to extend the probation period should be discussed with Schools' HR . Should it be necessary, a maximum of 3 months should be sufficient to allow a proper and full assessment.
- 8.2. Any extension of probation should be confirmed in writing to the employee with a clear probation end date. The probation report should set out the reasons for the terms of the extension.

9. Confidentiality

- 9.1 Probationary Assessment forms should only to be kept in the probationer's personal file.

10. Rights of Appeal

If the probationer has received a decision to terminate employment, and s/he believes it to be unfair, then s/he has a right to appeal. Within 5 working days of receiving the decision s/he should complete the Probationary Appeals Form (Appendix 4) stating the reasons why they consider the decision made by the Headteacher is unfair.

- 10.1. The appeal will be to a Committee of the governing body. Employees who wish to appeal should send the form to the Headteacher with a copy to Governor Services.
- 10.2. Employees should be given not less than 5 working days' notice of the date and time of the dismissal appeal hearing and will have the right to be accompanied by a trade union representative or workplace colleague. The appeal process is outlined in Appendix 5.
- 10.3. The decision of the appeal committee is final
- 10.4. REPRESENTATION

It is neither the Trusts nor the trade unions' view that the presence of trade union representatives at probationary meetings should be encouraged. It is the shared intention that such meetings should not be contentious in nature, but be open, constructive and supportive. Nevertheless, there may be circumstances where the presence of a workplace colleague or trade union representative will be helpful.

- 10.5. Based on the criteria of grading, if the overall grades are 4 or 5, (see assessment reports then the probationer has an automatic right to be accompanied by a workplace colleague or trade union representative, if s/he so wishes.

11. Policy Status and Review

The Board of Trustees has agreed to this Policy and, as such, it applies to all Schools within the Trust. Please note that should any further national guidance be issued by external agencies that are relevant to this policy, it will be updated accordingly prior to the review date shown below and re-circulated.

Date approved: **September 2019**

Review date: **September 2021**

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Chair of the Board of Trustees

12. Appendices

Appendix 1 Probation Period Review Form

Please refer to BT – School Business Management Shared Drive

Appendix 2 Letter: Successful Completion of Probationary Period

Please refer to BT – School Business Management Shared Drive

Appendix 3 Letter: Probation Period – Termination of Contract

Please refer to BT – School Business Management Shared Drive

Appendix 4 Confidential – Probationary Appeal Form

Please refer to BT – School Business Management Shared Drive

Appendix 5 Procedure for appeal hearing against dismissal

Please refer to BT – School Business Management Shared Drive

