



(School Logo)

PROBATIONARY GUIDELINES

For(insert name of School)

Adopted by the full Governing Body on(date)

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Policy Statement

This Policy is intended to increase the probability that all new employees will succeed in their employment to the mutual benefit of themselves and the School.

A Probationary Period is a trial period for a new employee. It allows both the manager and the employee to assess objectively whether or not he or she is suitable for the role, taking into account the individual's overall capability, skills, performance and general conduct in relation to the job in question.

Scope

This policy applies to new employees joining Schools where Torbay Council is the employer. **It applies to School support staff only**, i.e. those on NJC (Green Book) Terms and Conditions of employment, and does **not** affect teaching staff. Governing bodies and head teachers of foundation and voluntary aided Schools within Torbay will be encouraged to adopt an equivalent standard for their employees.

Introduction

The first few months of employment in a new job are a crucial period. It allows both the line manager and an employee to assess objectively whether or not the new recruit is suitable for the role, taking into account the individual's overall capability, skills, performance and general conduct in relation to the job in question. It also allows both the employee and the employer to assess how the promises made at interview are being delivered.

Starting a new job can be a stressful experience and a new employee will need support to help settle in. The type of induction programme will vary depending on the new employee's level of responsibility, job duties, previous work experience and individual training needs.

Principles

Probationary Period

New employees are appointed subject to satisfactory completion of a six-month probationary period. At the end of this time and a formal review, confirmation of appointment will be sent to the employee. **It is the line manager's responsibility to ensure that all probationary reviews are completed on time.**

During the Probationary Period, line managers are responsible for the following actions:

- regular monitoring of a new employee's performance through **Progress Meetings**
- identification and discussion of any problem areas at the earliest opportunity
- constructive feedback should be offered together with supervisory support and guidance.
- where necessary training and coaching should be provided.

The programme for the Probationary Period will be agreed with the new employee, who must be clear on what is expected of him or her. The information will include:

- clear job outputs, i.e. what the new employee is expected to achieve during or by the end of the probationary period
- standards of performance that are required in respect of the job duties
- standards or measurements against which employee's performance will be assessed
- any agreed development activities
- description of any relevant standards of behaviour, e.g. in relation to liaison with children and colleagues

Administration

Starter forms

In order for Human Resources to set the employee up correctly on the Payroll system, it will be necessary to indicate on the Starter form that the employee is subject to a probationary period and also the anticipated end date of the probation. This will normally occur 6 months from the start date, i.e. for an employee starting on 1st January, the end date will occur on 30th June. However, it will be necessary for Schools to take into consideration vacation periods to ensure the same 6 month period applies, for example, an employee starting in April would need to have a November end date indicated on the Starter form.

End of Probation

Schools are responsible for issuing letters to the employee to confirm the end of their probation period at the end of the 6 months. A template letter is available from the Schools' intranet page or by contacting Human Resources. Should the probation end date originally indicated on the Starter form change for any reason, Human Resources should be notified so that the Payroll system can be updated accordingly.

Progress Meetings

The period of probation should include regular Progress Meetings between the line manager and the employee. It is advisable to conduct these at least once a month and should be planned and scheduled at the outset of the employee's employment.

Conducting Progress Meetings

The Progress Meetings should be a two-way process and provide both the line manager and an employee with the opportunity to discuss progress on a one-to-one confidential basis. The meeting should not be restricted to discussion of problem areas, but also identify and comment on the positive outcomes that the new employee has achieved.

Where any concerns have arisen, these should be discussed fully and openly and an action plan to remedy any issues should be agreed to support the new employee.

Where necessary, the line manager would need to explain the consequences of under-performing to an employee, who should be helped to understand that a continued failure to achieve the required standards could ultimately lead to his or her employment being terminated.

Action Plans

An action plan should be agreed with the employee at the end of a Progress Meeting, detailing what should be done, by whom, how and by when. In this way, the employee will be aware of what is expected of him or her by the time of the next review.

Keeping Records

The content of Progress Meetings should be fully and clearly documented on a Probation Review Form. This record should provide an accurate record of discussions, including any areas of concern as well as a note of areas in which employee is performing well.

This form should be completed and a copy should be placed on the employee's personnel file, with a copy given to the employee. If there are any areas of disagreement over what should be recorded on the form, the line manager should try to resolve these with the employee prior to the document being signed by both parties.

Final Review

At the end of the Probationary Period, the line manager should conduct a Final Progress Review of the employee's performance and suitability for the job.

It is important that this meeting is held on or before the end of the agreed probationary period. If the meeting does not take place by this date, technically the employee's appointment will be confirmed by default.

The Final Review will allow both the manager and the employee to:

- identify and discuss any areas in which the employee requires further training or development
- check how the employee feels about his or her employment in general
- explain how performance will be managed in the future, e.g. through the Schools' appraisal system

At the end of the six month Probationary Period, the School will issue a letter to the employee confirming successful completion of their probationary period and also their appointment. A copy of the letter should be placed on the individual's personnel file. School Managers should contact their School Administrator before the end of the six month period if the employee's performance has not been up to the standards required, the manager should also discuss the matter with Human Resources before any decision is made *not* to confirm an employee's appointment.

Extension of Probationary Periods

Advice should be sought from Human Resources prior to any extension being agreed.

If, at the end of the Probationary Period it is not possible to assess whether the employee's performance is satisfactory, e.g. owing to extended absence from the workplace during probation, an extension of the Probationary Period *may* be appropriate. An extension would normally be sought only where special circumstances justify it, e.g. compassionate reasons, and where it is reasonably expected that the employee will be returning to work. Any extension of a probationary period would normally be for no more than 4 weeks. **An extension can only be agreed if there are special factors that justify it.**

Terms and conditions during Probationary Periods

A period of probation will have no impact on an employee's **statutory** employment rights, although **contractual** terms and conditions in relation to sick pay and notice periods will vary, as follows:-

Entitlement to Sickness Payments

Statutory sick pay (SSP) will be due if the employee has been sick for at least four or more days in a row (including weekends, bank holidays and days that the employee does not normally work) and if their average earnings are at least £97 per week (HMRC rate from 6 April 2010).

Contractual sick pay (not required by law) will not be paid until satisfactory completion of the period of probation.

For employees who have transferred from another Local Authority or public authority covered by the Redundancy Modification Order and have continuous service, eligibility to sick pay will be contractual, as described in the National Joint Conditions of Service (Green Book).

Notice Periods

Once an employee has completed 1 month's service, the minimum statutory period of notice, i.e. 1 week, will apply should the School need to terminate the employment contract. Contractual notice periods will apply once the period of probation has been completed satisfactorily, as detailed in the individual's Statement of Particulars.

In the case of gross misconduct on the part of an employee, an employee may be dismissed without any notice.

Dismissal during or at the end of the Probationary Period

In order to give an employee maximum opportunity to meet the required standards, the line manager will usually wait until the end of the Probationary Period before taking a decision to terminate. However, if it is clear that further training or support is unlikely to alter the situation, termination of the employment will follow. The decision to terminate the individual's employment will be confirmed at the Final Review meeting and the employee informed of the reason for termination. The School can decide to bring the employment to an end immediately and arrange for the employee to receive pay in lieu of notice, otherwise, the minimum statutory notice period of 1 week will apply, as above. The School will write to the employee to confirm the decision and the reason for termination of employment. The employee has the right of appeal against this decision and must state their reason, in writing, to the Headteacher within 15 days of receiving written notification of their dismissal.

Right of Appeal

The employee can appeal against the decision to terminate their employment. The appeal must be lodged in writing, specifying the grounds of appeal, to the Headteacher within 5 working days of the employee receiving the written notification of the decision to dismiss.

Policy Feedback

Should you have any comments regarding this policy, please address them to the HR Policy Feedback mailbox –

HRpolicy@torbay.gov.uk

History of Policy Changes

This policy was first agreed by members of the Childrens' Services JCC on 16th June 2010.

Date	Page	Details of Change	Agreed by:
February 2011	6	Dismissal at end of probation, changes re: procedure; addition of appeal stage.	Schools' JCC 26.11.10
February 2011	5	Update to statutory rate – average earnings threshold.	FIO – Regulations change.

Appendix 1

PROBATIONARY PERIOD - Progress Meeting - Date:

Employee:

Line Manager/Reviewer:

Probationary Period end date:

- a. Details of satisfactory performance and achievement by *(name)*

- b. Areas where *(name)* is currently not meeting required level of performance

- c. Possible reasons for unsatisfactory attainment

- d. Agreement, following discussion, of any specific training or coaching required

- e. Discussion on any other relevant matters, e.g. timekeeping, attendance, general conduct or attitude

- f. *(Name)*'s comments on integration into the team/School

- g. Questions and/or concerns raised by *(name)* about any aspect of his/her employment

Signature: Employee
(Name)

Signature: Line Manager
(Name)

Appendix 2

PROBATIONARY PERIOD - Final Review - Date:

Employee

Line Manager / Reviewer:

Probation Period end date:

- a. Identify and discuss any areas in which (*name*) requires further training or development

- b. (*Name*)'s feelings about his or her employment in general

- c. Explanation how (*Name*)'s performance will be managed in the future, i.e. annual RADAR

Probation period satisfactorily completed Yes / No

Confirmation of appointment letter to be sent Yes / No

Signature: Line Manager
(*Name*)

Signature: Employee
(*Name*)

copy to: Employee / Line Manager / Human Resources