



Cedars Academy

Non-Teaching Employees Probationary Periods Policy and Procedure

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- Probationary Period Review Meetings

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1. Aim

- 1.1. The academy recognises that a supportive and developmental probationary period is vital in providing the appropriate level of support and training for non-teaching employees on commencement of their employment with local government.
- 1.2. The purpose of the probationary period is to enable the head teacher or line manager to objectively assess the conduct, performance and attendance of a new entrant to establish their suitability in their post.

2. Definition

- 2.1. A probationary period is the period of time during which a new entrant to local government (hereafter referred to as new entrant) is expected to establish their suitability for employment with the academy.

3. Scope

- 3.1. This policy applies to all non-teaching employees including those on temporary or fixed term contracts, who are new entrants and have not successfully completed a minimum 6 month probationary period.
- 3.2. This procedure does not apply to teachers.
- 3.3. The monitoring probationary period policy will:
 - support new entrants to achieve and maintain expected standards of performance;
 - effectively support new entrants whose performance does not meet expected standards;
 - establish reasons for unsatisfactory performance and provide reasonable structured help, advice, supervision, support and training;
 - demonstrate to new entrants that the Governing Body is acting in the best interests of the academy;
 - be implemented in a fair, consistent and responsible way.

4. Principles

- 4.1. The probationary period will be for a minimum of 6 months (26 weeks) for both full and part time new entrants.
- 4.2. If the new entrant is in a temporary post of less than six months then the probationary period procedure will be applied for the duration of their temporary employment. If the employment is extended the procedure will continue until six months service is complete.

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- 4.3. A new entrant whose conduct, performance or attendance is unsatisfactory during the probationary period may have their employment terminated.

5. Responsibilities

5.1. The Governing Body will:

- conduct the academy with a view to promoting high standards of educational achievement;
- delegate authority to the Resources Committee to administer this policy and procedure on its behalf;
- abide by all relevant legislation and, in particular, will not discriminate on grounds of race, colour, ethnic origin, religion, belief, gender, marital status, sexual orientation, disability, membership of a trade union or age with regard to all decisions on performance;
- delegate to the head teacher/line manager the management of a new entrant's performance;
- ensure the policy and procedure is applied consistently and fairly.

5.2. The head teacher/line manager will:

- establish and communicate the required standards expected of the new entrant;
- provide the new entrant with a full induction;
- identify and provide any relevant training opportunities for the new entrant;
- provide structured help, advice, supervision, support and training throughout the probationary period;
- assess the new entrant throughout their probationary period;
- allow the new entrant time to fully prepare for any probationary review meeting;
- provide regular feedback to the new entrant;
- take appropriate action under this policy and procedure if conduct, performance and/or attendance is unsatisfactory;
- allow the new entrant to comment on their progress;
- complete the appropriate probationary period documents.

5.3. The new entrant will:

- be aware of and committed to the conduct, performance and attendance expected of them;
- demonstrate their suitability for the role for which they were appointed;
- take personal responsibility for identifying any learning needs or further support that is required;
- fully prepare themselves for any probationary review meeting they attend;
- contribute fully to probationary review meetings held;

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- raise any concerns in relation to their probationary period as part of their response at any probationary meetings;
- attend meetings with the head teacher/line manager when required.

6. Review

- 6.1. This probationary period policy and procedure for non-teaching employees was agreed by the Governing Body of Cedars Academy on 20th March 2018
- 6.2. It is a non-contractual policy and does not form part of an employee's contract of employment.
- 6.3. The school may amend it at any time

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1. Introduction

- 1.1. The probationary period is a structured process that aims to assess and review a new entrant's performance, capability, conduct and suitability for the role, allowing timely action to be taken on any concerns that may arise in the early stages of employment.
- 1.2. The probationary period will work alongside the induction process to help create a positive and supportive working environment, allowing new entrants to settle into school and learn the key elements of their job. The academy wants to ensure probationary periods are completed successfully therefore support will be offered to achieve this aim.
- 1.3. During the induction the head teacher/line manager will:
 - organise an induction programme, in accordance with school requirements which takes into account the role appointed to and the needs of the new entrant;
 - go through with the new entrant their job profile to ensure understanding of the duties and responsibilities;
 - clearly explain to the new entrant the expected standards of performance and conduct;
 - agree with the new entrant any actions needed to assist them to reach and maintain the expected standards;
 - inform the new entrant of the probationary periods procedure and how it is operated including agreeing regular dates to meet.
- 1.4. New entrants to local government will not be subject to the academy's non-teaching employees' appraisal policy until such time as their probationary period is successfully completed.

2. Probationary Review Meetings

- 2.1. Probationary review meetings will be held, as a minimum, monthly between the head teacher/line manager and the new entrant. However, any immediate concerns should be brought to the new entrant's attention as and when they arise so there is opportunity to address these as soon as possible.
- 2.2. At each review meeting, the head teacher/ line manager will:
 - highlight areas where the new entrant is doing well;
 - focus on successes, as well as, failures;
 - explain clearly any areas in which the new entrant is falling below the expected standards, with examples;
 - explore the possible reasons for any failure to meet the expected standards;
 - listen to what the new entrant has to say;

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- discuss and agree whether or not any specific training or coaching is required;
 - discuss any other relevant matters such as timekeeping, attendance, general conduct or attitude;
 - deliver any necessary criticism in a constructive way;
 - give the new entrant an opportunity to ask questions or raise concerns about any aspect of their employment.
- 2.3. The head teacher/line manager will record all probationary review meetings by completing the probationary period report, see appendix 1.
- 2.4. Where concerns are expressed by the head teacher/line manager and/or the new entrant these will be included in the probationary period report and an action plan drawn up. The plan will outline where the new entrant is falling below the expected standard, the objectives to be met and the timescales for review. The new entrant will be provided with a copy of the action plan.
- 2.5. If it is identified that the new entrant has a disability which impacts on their ability to meet and/or maintain the expected standards, the head teacher/line manager will consider what reasonable adjustments can be put in place to assist the new entrant. There may be a requirement to seek advice from Occupational Health at this time.
- 2.6. The new entrant will be made aware of the consequences of not reaching the expected standard during the probationary period i.e. that their employment could be terminated.

3. Extension(s) to Probationary Periods

- 3.1. Where it is felt appropriate, the head teacher/line manager can extend the probationary period of the new entrant. This extension will be for no longer than three months initially.
- 3.2. The reasons for extension will be discussed with the new entrant at a probationary review meeting and confirmed in writing to the new entrant by the head teacher/line manager. The relevant probationary report, including the reasons for the extension, will also be completed and a copy given to the new entrant.
- 3.3. During an extension period(s), the new entrant will continue to be monitored by the head teacher/line manager on a fortnightly basis.
- 3.4. An extension cannot be implemented retrospectively and will be confirmed in writing before the expiry of the original probationary period. The head teacher/line manager will seek advice from Human Resources at this stage.
- 3.5. Towards the end of the extension, the new entrant will have a final probationary review meeting to determine their suitability. This must be

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done at least two weeks prior to the end of the extended probationary period.

4. Final Probationary Period Review Meeting

- 4.1. The head teacher/line manager will schedule the final probationary period review meeting to take place no later than two weeks prior to the end of the new entrant's probationary period, whether extended or not.
- 4.2. In the majority of cases the purpose of this meeting will be to confirm the new entrant's positive progress during their probationary period, confirm them in post and discuss any continuing development needs, in line with the academy's non-teaching employees' appraisal policy.
- 4.3. The head teacher/line manager will therefore carry out a final assessment of the new entrant during the final probationary review meeting. Following a two-way discussion the head teacher/line manager will determine whether or not the new entrant is confirmed as suitable for employment at the academy. If the new entrant is suitable for employment, the head teacher/line manager will confirm this decision in writing.
- 4.4. If, at the conclusion of this meeting, the head teacher/line manager determines that the new entrant has failed to establish their suitability during their probationary period, they must complete the final probationary report and inform the new entrant that the matter will be referred to the academy's Resources Committee.

5. Resources Committee Meeting

- 5.1. The new entrant will be given 5 working days' notice in writing that they are required to attend a meeting with the Resources Committee at a specified date and time to fully discuss the new entrant's full probationary period. If the letter is not given to the new entrant at this meeting it must be hand delivered or sent by recorded delivery within 24 hours of the final probationary review meeting.
- 5.2. The new entrant must be informed in the letter of:
 - an outline of the concerns;
 - all relevant evidence from the probationary period that is to be discussed;
 - the right to be accompanied at the meeting by a trade union representative or work colleague;
 - the potential outcome;
 - the requirement to forward any documents which they intend to rely on, 24 hours prior to the date of the meeting;
 - the fact that the Resources Committee meeting will proceed as scheduled where the new entrant has chosen not to attend.

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- 5.3. If this date is not suitable for the employee or the trade union representative or work colleague they must offer an alternative date which is within 5 working days of the original date.
- 5.4. Where the new entrant is unable to attend the meeting they may nominate their trade union representative or work colleague to present their reasons why they have established their suitability and any supporting documentation on their behalf. Alternatively the new entrant may submit their reasons in writing to the chair of the meeting. On these occasions a decision will be made on the evidence available.
- 5.5. The meeting will be held by the Resources Committee who will be advised by Human Resources. It will be the Chair of the Resources Committee's responsibility to explain the purpose of the meeting, identify those in attendance and how the meeting will be conducted.
- 5.6. At the meeting the head teacher/line manager must state the reasons why the new entrant is unsuitable and present the documentary evidence from the probationary period. The new entrant and/or their trade union representative/work colleague, Committee and any adviser present must be able to ask questions of the head teacher/line manager.
- 5.7. The new entrant must then be given the opportunity to respond to the concerns raised regarding their suitability. The new entrant may be questioned by the head teacher/line manager, Committee and any adviser present.
- 5.8. Once all the information has been presented, both parties will be given the opportunity to summarise their main points to ensure nothing has been missed.
- 5.9. The new entrant and their representative and the head teacher/line manager will leave the room but usually will remain in the academy to await the decision which should be communicated to them orally. If it is not practicable or sensible for them to remain in the academy during the Committee's deliberations, then they may be asked to return to hear the decision at a later time or by telephone if requested.
- 5.10. The Committee, advised by Human Resources, will then decide in private whether the new entrant is suitable for employment at the academy. The decision must be reached on a balance of probabilities and must be taken in light of all the available evidence, both written and oral.
- 5.11. If, at the conclusion of this meeting, the Committee determines that the employee is unsuitable and cannot be confirmed in post, the new entrant's contract will be terminated.
- 5.12. The new entrant will be advised of the right of appeal and the decision will be confirmed in writing. This letter will be either hand delivered or sent by recorded delivery.

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- 5.13. If, at the conclusion of this meeting, the Committee decides that an extension to the probationary period is an appropriate course of action this will be confirmed in writing to the new entrant and the procedure above will continue to be followed.
- 5.14. If, at the conclusion of this meeting, the Committee decides that the new entrant is to be confirmed as suitable for employment this will be confirmed in writing. The employee will have their performance reviewed in accordance with the academy's non-teaching employees' appraisal policy and procedure.

6. Right of Appeal against Termination

- 6.1. A new entrant has the right of appeal against their employment being terminated to the Appeal's Committee of the Governing Body. The letter of appeal must be sent to the Chair of the Governing Body within 10 working days of receipt of the letter confirming the termination. The employee should state in the letter the reason for the appeal.
- 6.2. The Chair of the Governing Body will, within 5 working days of receipt, acknowledge the appeal letter and arrange a meeting of the Appeal's Committee of the Governing Body as soon as is reasonably practicable. The Appeal's Committee will be made of 3 or more Governors who have had no previous involvement in the monitoring or review of the employee's probationary period.
- 6.3. At least 10 working days prior to the appeal, the employee will be informed in writing of the date, time and location of the appeal and their right to be accompanied by a trade union representative or work colleague. If this date is not suitable for the employee or the trade union representative or work colleague they must offer an alternative date which is within 5 working days of the original date.
- 6.4. At least 5 working days prior to the appeal, all relevant documentary evidence to be used at the appeal by both parties, including, if applicable, a chronology of events and the probationary review meeting reports, should be exchanged. Two copies of the documentation will be given to the employee, one for themselves and one to pass on to their trade union representative/work colleague. Arrangements for this exchange will be included in the letter confirming the date of appeal.
- 6.5. At the appeal the Chair of the Resources Committee will present the information, giving the background to and the reasons for the decision and refer to documentation previously provide to the employee. The employee (or their trade union representative/work colleague) will have the opportunity to ask questions of the Chair of the Resources Committee. Members of the Appeal's Committee and their advisers may also ask questions.

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- 6.6. The employee (or their trade union representative or work colleague) will put forward their information, referring to documentation as previously provided for the Appeal's Committee. The Chair of the Resources Committee will have the opportunity to ask questions of the employee. Members of the Appeal's Committee and their advisers may also ask questions.
- 6.7. The Chair of the Resources Committee and the employee (or their trade union representative or work colleague) will then sum up their presentations.
- 6.8. The Chair of the Resources Committee, employee and their trade union representative/work colleague will then withdraw whilst the Appeal's Committee considers the information presented, assisted by Human Resources.
- 6.9. If the Appeal's Committee need to recall the Chair of the Resources Committee or the employee (or their trade union representative/work colleague) to clarify matters on which they are uncertain, then both parties are to return notwithstanding only one may be required to comment on the point requiring clarification.
- 6.10. The decision of the Appeals Committee should be given orally in the presence of both the employee (or their trade union representative/work colleague) and Chair of the Resources Committee, where practicable, and will be confirmed in writing.
- 6.11. The appeal is conducted as a review of the original decision. However, in exceptional circumstances, where it is agreed that there has been a procedural irregularity or flaw in the process, the Appeals Committee may consider any such representations and, if it is deemed appropriate, proceed with the case by way of a rehearing. The appeal will be reconvened at the earliest possible date thereafter.

7. Attendance Issues

- 7.1. Poor attendance during the new entrant's probationary period may constitute a failure to perform adequately and will therefore be managed, discussed and documented at probationary review meetings. New entrants will have return to work interviews after every period of absence and although they will not enter the formal stages of the academy's sickness absence management policy and procedure, this will be referenced to for best practice.

8. Conduct Issues

- 8.1. Any minor issues relating to conduct will be discussed with the new entrant as part of their probationary review meetings. Where the conduct is considered by the head teacher/line manager to be beyond a minor issue

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and of an unacceptable standard, the academy's disciplinary policy and procedure will be adhered to.

9. Retention of Probationary Reports

- 9.1. All records of a new entrant's probationary period shall be kept on their personal file which shall be maintained for the duration of their employment.

Appendix 1

Guidance Notes on Probationary Review Meetings

- Fix mutually convenient times
- Prepare in advance and give an opportunity for the new entrant to prepare
- Ensure the new entrant understands the review meetings inform the outcome of their probationary period
- Ask the new entrant to assess their performance first
- Use open ended questions to encourage a discussion (see below)
- Listen actively
- Probe if details are missed or if they speak in generalities
- Make your assessment known and discuss any points arising from it
- Praise for work done well
- In a constructive way and if necessary, point out areas of improvement and the reasons why, ensuring examples are given to demonstrate areas of concern
- Ask for feedback, if required, on how the new entrant might be supported in making these improvements
- Agree, if required, an action plan with clarity on the standards expected and timescales for improvement, include any training or support to be provided
- Finalise the discussion by providing a summary of the main points

Possible open ended questions

- What particular aspects of your work interest you?
- What particular parts interest you less?
- How effective do you think you have been carrying out the main tasks you are responsible for?
- What tasks do you believe you have performed particularly well and why?
- Which tasks could you have performed more effectively and why?
- What were the reasons preventing you from being more effective in these areas?
- What areas, if any, are unclear in your job?
- What extra help or guidance do you feel you need to do your job more effectively?
- What learning/development programme could assist you?