



Probationary policy

INTRODUCTION

It is a condition of service that newly appointed Local Government Employer Staff who do not have previous continuous service with Hertfordshire or other Local Authorities are subject to a twenty six week probationary period.

The procedure applies to:

- all school employees covered by Local Government terms and conditions of service.
- staff who are centrally employed by the local authority (LA) **and** who work solely at the school;
- staff employed in units or bases that are attached to a school

The procedure does not apply to:

- staff employed at Education Support Centres;
- teachers;
- peripatetic staff who are centrally employed by the LA;
- school meals staff employed by Hertfordshire Catering or by an external contractors;
- employees of external contractors and providers of services. (Such staff are covered by the relevant procedures of their employing body)

2. PURPOSE, SCOPE & PRINCIPLES

The probationary period provides the opportunity to assess whether the employee is able to perform the duties of his/her job to a satisfactory level. The Headteacher has a responsibility to ensure that the probationer is given every reasonable facility to aid his/her performance. Reports will be prepared by the school which will be objective and constructive with the probationer's attention being drawn to any shortcomings with a view to an improvement being achieved.

A 26 calendar week probationary period applies to all new employees who do not have previous continuous employment with Hertfordshire or other Local Authorities, regardless of whether they are full of part time.

Although the probationary procedure is only applicable to staff new to local government, it is good practice to review closely the work of all new staff. This gives an opportunity to discuss progress so far, any further training needs and any concerns on either side.

The probationary period provides the opportunity to assess whether the employee is able to perform the duties of his/her job to a satisfactory level and to establish his/her long-term suitability for the post.

It is recommended that formal probationary review meeting will be held at 8, 14 (if performance is unsatisfactory), and 20 calendar weeks.

Consideration must be made to those employees on term time only contracts to ensure that their review meetings take place at an appropriate time in the school term. For example, term time employees whose first 8 weeks of employment include the summer holidays, the first (8 week) review will need to be adjusted accordingly. Where the performance is satisfactory the final review will remain at 20 weeks, however in the case of unsatisfactory performance, reviews will be adjusted and the probationary period may need to be extended (see extension of probationary period)

This procedure is to be used in addition to normal supervisory arrangements. Review meetings will simply formalise feedback on performance/conduct the employee has already received via normal supervisory and management processes.

The probation period can be extended in exceptional circumstances by the agreement of both the Headteacher and the employee. If the employee does not want an extension to his/her probationary period and his/her performance remains unsatisfactory, then his/her employment will be terminated.

The final review will take place at a time that allows for the employee to be given his/her full notice in the event of unsatisfactory performance, so that employment will end by the twenty-sixth week of employment. This would normally be no later than twenty weeks after appointment.

3. ROLES & RESPONSIBILITIES

3.1 Headteacher/Line Manager responsibilities:

- The new employee's roles and responsibilities will be clearly set out (this will form part of a planned induction programme)
- Realistic and reasonable standards of performance will be set, which are consistent, and these must be explained to the new employee.
- Adequate support will be available to the employee, as well as feedback (both positive and constructive) on performance, so that he/she can reach the required standards of performance.
- Appropriate action will be taken under this procedure if performance is unsatisfactory during the probationary period. If there are concerns, these will be raised with the employee as soon as possible and not to wait until the review meetings.
- Training needs will be assessed.
- The employee will be allowed the opportunity for improvement.

3.2 Employee Responsibilities:

- To be aware of the performance standards expected of them and be committed to achieving them
- To inform his/her line manager/Headteacher if he/she needs additional support in order to meet the required performance standards (i.e. coaching, training and development etc)
- To identify skills/development areas to pursue and undertake any appropriate training.

4. EMPLOYEES WHO ARE PERFORMING AT A SATISFACTORY LEVEL

Formal reviews will, where possible be held at 8 and 20 weeks of employment.

4.1 First Probationary Review Meeting (8 week review)

The Headteacher/ Line Manager will arrange to meet with the employee to discuss:

- Employee's performance
- Key objectives, tasks and targets
- Sickness/absences
- Any other concerns/relevant issues
- Areas for improvement/timescales and assistance offered

The Headteacher/ Line Manager will complete a probation review form (Appendix 1) during the meeting and both the employee and line manager will be required to sign the form. A copy of the form must be placed on the employee's personal file and a copy given to the employee.

4.2 Second Probationary Review Meeting (20 week review)

The Headteacher/ Line Manager must arrange to meet with the employee and follow the same process as at the 8 week review meeting.

During this review the Headteacher/ Line Manager will inform the employee of satisfactory performance and this must be confirmed in writing within 5 working days. The employee must then receive confirmation of his/her successful completion of his/her probationary period in writing, within 5 working days.

5. EMPLOYEES WHO ARE PERFORMING AT AN UNSATISFACTORY LEVEL

5.1 First Probationary Review Meeting (8 week review)

During the first 8 weeks of service the Headteacher/ Line manager will arrange to meet with the employee, having first highlighted that there are concerns in which case the employee may wish to bring with them a Union or Professional Association Representative or work colleague and no one else. At the meeting, the following issues must be discussed:

- Areas of poor performance or unsatisfactory conduct.
- Detail of the support that will be provided
- Time period of expected improvement
- How improvement will be assessed

It is advisable that targets given will follow the 'SMART' target tool:

- Specific
- Measureable
- Achievable
- Realistic
- Time-bound

The employee will be given the opportunity to explain any reasons why he/she may not be performing to a satisfactory level and will be asked what help or assistance he/she needs.

The Line Manager will complete the probation review form (Appendix 1) during the meeting and both the employee and line manager will sign the form. A copy of the form must be placed on the employee's personal file and a copy will be given to the employee. A date for the second Probationary Review Meeting will be arranged. This will take place no later than 14 weeks after the employees start date.

5.2 Second Probationary Review Meeting (14 week review)

This meeting will take place no later than 14 weeks after the employee's start date. The employee is entitled to bring with them a Union or Professional Association Representative or work colleague and no one else to this meeting.

5.2.1 Improved Performance

If the employee's performance/conduct has improved to an acceptable standard and this is judged using the criteria set out at the first probationary review meeting. The manager must record this on the probation review form (appendix 1)

5.2.2 Unsatisfactory Performance

If the employee's performance/conduct remains unsatisfactory the same procedures as stated for the first probationary review meeting must be followed. The employee must be informed in writing that if his/her conduct/performance does not improve that his/her employment may be terminated. A date for a third Final Probationary review meeting will be agreed with the employee. This will take place no later than 20 weeks after the employee's start date.

5.3 Third (Final) Probationary Review Hearing (20 week review)

This hearing will take place no longer than 20 weeks after the employee's start date. The employee is entitled to bring with them a union or professional association representative or work colleague and no one else to this meeting. If the hearing is to consider the employee's unsatisfactory performance, the Headteacher will conduct the hearing.

5.3.1 Improved Performance

If the employee's performance/conduct has improved to an acceptable standard and this is judged using the criteria set out at the first probationary review meeting. The Headteacher must record this on the probation review form (appendix 1)

5.3.2 Unsatisfactory Performance

If the employee's performance/conduct remains unsatisfactory, the Headteacher must outline the areas of poor performance or conduct and where the employee has failed to improve. The employee will be given the opportunity to explain any reasons why he/she is not performing to a satisfactory level. The Headteacher will make a decision on whether to terminate the employee's employment. The employee will be informed verbally of the decision taken. Following the final review hearing the employee must be notified in writing of the decision taken within three days. If the decision is to terminate employment, the letter will serve the required notice on the employee and must state that the employee has a right of appeal (see section 10). The notice period must be timed to ensure that employment ends before the expiry of 26 weeks' service.

6. EXTENSION OF PROBATIONARY PERIOD

There may be occasions when it is appropriate to extend the probationary period where exceptional circumstances made it difficult to properly assess an employee's performance/ conduct e.g. extended sickness. This decision will be made no later than 20 weeks after employment commenced and for those schools that purchase the comprehensive or advice personnel packages, in consultation with the schools' HR Advisory Team.

The decision will be confirmed in writing to the employee. The letter will explain the reason/s why the probationary period has been extended, the date it has been extended to and that the employee has agreed to the extension. If the employee does not agree to the extension, the alternative is the termination of his/her employment.

An extension of an employee's probationary period will happen no more than once.

7. SERIOUS FAILURE IN PERFORMANCE

For cases of serious failure in performance resulting in misconduct or gross misconduct, the School's Disciplinary procedure must be followed.

8. NOTICE PERIOD

Where an employee is given notice of dismissal, the Headteacher, in consultation with the Schools' HR Advisory Team, may decide whether the employee will work out his/her notice period or leave immediately with payment in lieu of notice. If the employee is required to work the notice period, the school will pay the salary, if the employee refuses to work his/her notice and no other agreement is made, the school is not obliged to pay the salary. For employees who are entitled to more than one month's notice, a payment in lieu of notice may be appropriate.

9. FIXED TERM CONTRACTS

All employees on fixed term contracts of more than 6 months must follow the probationary guidelines in this procedure. Employees with fixed term contracts of less than 6 months will have an agreed probationary period in place which is appropriate to the duration of his/her contract. Timescales for reviews will be adjusted accordingly.

10. RIGHT OF APPEAL

If an employee wishes to appeal against the decision to terminate his/her employment, he/she will appeal in writing to the Chair of Governors within 10 working days of receipt of his/her termination letter. For those schools that purchase the comprehensive or advice personnel packages, further advice on the appeals process can be sought from the schools' HR Advisory Team.

Appendix 1

Probationary Review Form			
Name:		Review stage (e.g. 1,2 or 3)	
Job Title:		Start Date:	
Line Manager:		Date of meeting:	

Is the employee performing to a satisfactory standard?

Yes/ No*

If No, actions to address this will be outlined in the Joint Action Plan below.

Key objectives, tasks and targets:

Key objectives, tasks and targets	Satisfactory	Comments
	Yes No	

Sickness absence:

Number of days sickness absence	Days
Number of occasions sickness absence	Occasions

Other issues discussed:

Joint Action Plan:

Areas for improvement/ timescales/ assistance offered:

Employee's Comments:

Employment can now/ cannot yet* be confirmed as permanent

Manager's signature:		Date:	
Employee's signature:		Date:	