

St. Luke's School

Policies, Guidance & Procedures

# St. Luke's School

# Probationary Policy

**Reviewed: Aug 2017**

**Review: Sep 2020**

## **1. Introduction**

This policy and procedure has been produced in consultation with the professional associations/trade unions and is recommended for adoption by HfL. For schools that subscribe to the schools HR advisory service, an HR adviser is always available to provide guidance in relation to the implementation of this policy and procedure.

It is a condition of service that all newly appointed local government employer staff who do not have previous continuous service are subject to a 26 week probationary period.

This policy applies to all probationary employees of the school. It does not apply to an existing employee who has been transferred or promoted into a different role or to newly qualified teachers who have their procedures. This procedure does not form part of any employee's contract of employment and it may be amended at any time. We may also vary this procedure, including any time limits, as appropriate in any case.

## **2. Purpose, scope and principles**

The probationary period provides the opportunity to assess whether the employee is able to perform the duties of their job to a satisfactory level (which may include timekeeping, attendance and minor conduct issues) and to establish their long term suitability for the post. The Headteacher has a responsibility to ensure that the employee is given every reasonable facility to aid their performance.

A 26 calendar week probationary period applies to all new employees who do not have previous continuous employment with Hertfordshire in the case of community and voluntary controlled schools or continuous service with the school in the case of academy, free, foundation and voluntary aided schools, regardless of whether they are full or part time.

Flexibility must be given to those employees on term time only contracts to ensure that their review meetings take place at an appropriate time in the school term.

The probationary period may be extended in circumstances where the employee has been absent from school for an extended period during the probation period for example ill health or maternity leave, or in exceptional circumstances where a further period is required to determine suitability. This should be done in consultation with the employee and confirmed in writing. An extension of an employee's probationary period will happen no more than once for a period not exceeding three months on the same terms and conditions as the original period.

## **3. Roles and responsibilities**

### **3.1 Headteacher/line manager responsibilities:**

- the letter of appointment to all new support staff will say that their employment will be subject to a probationary period of 26 calendar weeks
- the new employee's roles and responsibilities will be clearly set out either in a job description or as part of a planned induction programme
- as part of the induction programme, the Headteacher/line manager will agree a date with the employee for the first probationary review meeting, this will usually take place halfway through the probationary period
- 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 should not 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 their 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. Probationary reviews**

During an employee's probation the line manager/Headteacher should provide regular feedback to the employee about their performance and progress. The review meeting will formalise feedback on performance that the employee has already received and feedback from normal supervisory and management processes. The line manager/Headteacher is also responsible for providing guidance and support and for identifying and arranging any necessary training or coaching. The date for the final review meeting will be agreed at this meeting.

## **5. Termination of employment**

The employee will be entitled to be accompanied at any termination meeting by a trade union representative or colleague. Termination of employment during the probationary period may occur upon one week's notice in any of the following situations:

- at the conclusion of the final review meeting if performance has been found to be unsatisfactory
- at any time when misconduct has been found to have taken place
- at any time in order to reduce/avoid a redundancy situation
- at any time when the Headteacher reasonably concludes that the employee is incapable of meeting the requirements of the role irrespective of further training/support
- in the event that any misconduct amounts to gross misconduct termination will be summary without notice
- the employee is entitled to appeal against termination within seven calendar days of receipt of their termination letter
- the appeal will be conducted by at least one member of the governing body

Allegations concerning the safety and welfare of children must be investigated and heard even if the employee has resigned. The employee should be given a full opportunity to answer the allegation and make representations about it. It may be difficult to reach a conclusion and it may not be possible to apply any disciplinary sanctions if a person leaves employment before the process is complete. However, the disciplinary process should still be completed. If the decision is that the member of staff would have been dismissed or a sanction imposed had they still been in employment, there is a legal duty to make a referral to the DBS.

## **6. Fixed term contracts**

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