

HORIZONS EDUCATION TRUST

Probation Policy

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POLICY ISSUE CONTROL

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October 2024	<p>Section 2.1.1, 2.1.2 added.</p> <p>Section 3.8 NQT changed to ECT.</p> <p>Section 9 re-written to include central team senior staff and head teachers.</p> <p>Appendix 1 updated – form has been amended.</p> <p>Probation policy is now inclusive of all teachers and Head Teachers.</p>

TABLE OF CONTENTS

1.	TERMS OF REFERENCE	4
2.	DEFINITIONS:.....	4
3.	INTRODUCTION.....	5
4.	EQUALITY AND DIVERSITY.....	6
5.	THE PROCEDURE	6
	The First Review:	7
	The Second Review:	7
	The Final Review:.....	7
	The Probationer has passed probation	8
	The Probation period is extended	8
	Head Teacher’s Formal Hearing.....	8
6.	RIGHT OF APPEAL.....	9
	APPENDIX 1 – Probation Form	10

1. TERMS OF REFERENCE

- 1.1. This policy applies to all employees regardless of their permanent, fixed-term, full or part-time status.

2. DEFINITIONS:

- 2.1. "Head Teacher" also refers to any other title used to identify the Head Teacher, where appropriate, or other Senior Manager delegated to deal with the matter by the Head Teacher.
 - 2.1.1 In the case of central team senior staff, "Head Teacher" will refer to the CEO.
 - 2.1.2 In the case of Head Teachers, "Head Teacher" will refer to the CEO.
- 2.2. "Companion" refers to a person chosen by the employee to accompany them at a Formal Hearing, who shall be a trade union representative or a workplace colleague.
- 2.3. "Probationer" refers to the employee who is serving the probation period.
- 2.4. "Line Manager" refers to the person delegated to manage the probation period. This may be a Senior Manager other than the direct Line Manager.
- 2.5. "Trustees Disciplinary Committee" may be convened for a Formal Hearing where the Head Teacher considers that they must act in the role of Line Manager. In this event substitute 'Head Teacher' with 'Trustees Disciplinary Committee' throughout the policy.
- 2.6. "Trustees Appeal Committee" may be convened to hear an appeal against a decision to dismiss. Where possible the number of Trustees on the committee will be equal to, or greater than, the decision maker(s) of the case being appealed.
- 2.7. "Formal Hearing" a meeting at which a recommendation to dismiss the Probationer is considered.

3. INTRODUCTION

- 3.1. This policy is contractual and although reduced notice of termination provisions by the employer are covered in the contract of employment. The exception to this is substantiated allegations of gross misconduct, as outlined in section 5, which normally warrants summary dismissal without notice.
- 3.2. It is the responsibility of the Line Manager to implement the policy and to ensure that the policy is communicated to Probationers and that it is applied consistently.
- 3.3. The probation period is for six months from the start date of employment and may be extended by an additional three months, or longer if the extension period includes school holidays.
- 3.4. It may also be agreed at the outset of the employment that the probation period will be longer than six months where the Probationer is employed on a term time only contract and the probation period spans the school summer holidays.
- 3.5. The purpose of the probation period is to enable an assessment to be made regarding a Probationer's suitability for the job for which they have been employed.
- 3.6. The probation policy provides a consistent and fair framework for:
 - Monitoring and reviewing the performance of new employees in relation to:
 - Quality of work and understanding of role
 - Attitudes and motivation
 - Conduct and attendance
 - Compliance with all policies and procedures particularly those relating to safeguarding and promoting the welfare of children and young people
 - Health and safety
 - Providing feedback and opportunity for discussion.
 - A structured approach to address any concerns linked to 3.6.
- 3.7. The capability, disciplinary and sickness absence policies and/or procedures do not apply during the probation period. If issues of conduct, poor performance or sickness arise during the probation period, the probation policy will normally be used to address such matters. Where allegations have been made against a Probationer, a management investigation will be conducted into the matter. In cases of alleged serious misconduct the Head Teacher (or person with

delegated responsibility for suspension) will normally suspend the Probationer pending an investigation.

3.8. The following employees are excluded from a probationary period:

- When transferring between the Trust's Academies
- Following an internal promotion
- Following any variations to the terms and conditions of employment
- Early Career Teachers where separate arrangements exist.

The ECT induction arrangements and the appraisal policy for teachers will run concurrently with the probation period. The Line Manager will normally be the induction tutor/appraiser. Where deemed necessary the probation policy will take precedence over the appraisal policy.

4. EQUALITY AND DIVERSITY

The policy will be operated in accordance with our Equality and Diversity Policy. We are committed to developing, maintaining and supporting a culture of equality and diversity in employment. The impact of the policy will be monitored in accordance with the Equality Act 2010.

5. THE PROCEDURE

The Line Manager is responsible for ensuring that the Probationer is properly monitored during the probation period and meetings and paperwork are completed in a timely manner. The Probationer will be provided with a copy of the policy and indicative dates for the probation meetings. In the event that the Probationer's standards fall below expectations, the Line Manager is responsible for initiating and taking action in accordance with this policy.

The Line Manager should, in normal circumstances, conduct three reviews with the Probationer. Reviews should take the form of a confidential meeting between the Line Manager and the Probationer, in which there is opportunity for two-way discussion.

In exceptional circumstances, where there are serious concerns over the suitability of a Probationer, the Line Manager may decide to progress straight to the Final Review and omit the Second Review, or to reduce the time between the review meetings. Such concerns may include substantiated safeguarding or health and safety concerns or substantiated allegations that may constitute gross misconduct or during an extended probation period.

The First Review:

To be completed within weeks four to six of the Probationer's start date.

The purpose of this meeting is for the Line Manager to evaluate the Probationer's performance and discuss any key issues. If improvements in performance are required, full details should be given, including appropriate management support/training.

Upon completion of this review meeting, the Line Manager should complete the Probation Review Form (Appendix 1). This should be signed by the Line Manager and the Probationer. A copy should be given to the Probationer and a copy saved on the personnel file.

The Second Review:

On completion of three months service.

The purpose of this meeting is to review the Probationer's performance over the first three months. Where the First Review indicated that improvements in performance were required, the Second Review meeting should be used to consider the extent of any improvement that may or may not have taken place.

Where the Probationer has not met the required standards, they will be informed that continued failure to meet those standards could result in dismissal.

Upon completion of this meeting, the Line Manager should complete the Probation Review Form (Appendix 1). This should be signed by the Line Manager and the Probationer, and a copy should be given to the Probationer and a copy saved on the personnel file.

The Final Review:

On completion of five months service.

Prior to the Final Review meeting, which normally takes place after the Probationer has completed five months service, the Line Manager should decide whether:

1. The Probationer has passed probation or;
2. The probation period is extended due to exceptional circumstances.

Consideration to extend may include the following (not an exhaustive list):

- Performance concerns have not been fully addressed but there is a reasonable expectation that satisfactory performance standards may be met by the end of an extension of the probation period.
- The Probationer has had an extended period of permitted absence and it has not been possible to assess performance.
- Other exceptional circumstances.

3. Recommendation will be made to the Head Teacher at a Formal Hearing that the Probationer is dismissed.

The Probationer has passed probation

Upon completion of the final review meeting, if the Probationer has passed probation the Line Manager will complete the Probation Review Form (Appendix 1). This will be signed by the Line Manager and the Probationer. The form should be placed on the Probationer's personnel file with a copy provided to the employee.

The Probation period is extended

Where the decision is to extend the probation period, this will normally be limited to one extension and the extension will be no longer than three months unless the extension period includes school holidays, in which case it may be longer.

Before extending the probation period, the Line Manager will normally seek HR advice. The Line Manager will confirm the terms of the extension in writing to the Probationer, including:

- The length of the extension, the date on which the extension will end and dates of review meetings, adjusted according to the extension.
- The reason for the extension and, if the reason is unsatisfactory performance, details of how and why performance has fallen short of the required standards.
- The performance standards or objectives that the employee is required to achieve by the end of the extended period of probation.
- Any support, for example further training, that will be provided during the extended period of probation and a statement that, if the employee does not fully meet the required standards by the end of the extended period of probation, the employment will be terminated.

There is no right of appeal to the extension of a probation period.

Head Teacher's Formal Hearing

If the Line Manager decides to recommend to the Head Teacher at a Formal Hearing that the Probationer is dismissed then they will write to the Probationer to inform them as soon as practicably possible, at least 5 working days in advance, setting out:

- a) The date, time and place of the Formal Hearing.
- b) That the purpose of the Formal Hearing is to recommend dismissal and the reasons why.
- c) The Probationer's right to be accompanied by a Companion.

- d) The titles of enclosed copies of any documents which may be considered.
- e) The name and position of any other person present at the meeting e.g. note taker or HR Adviser. The Probationer must advise the Line Manager of the following at least [3] working days in advance of the Formal Hearing:
 - i) The name and designation of any Companion.
 - ii) Any written documentation to be considered.

The Probationer, who may be accompanied by a Companion, will have the opportunity to state their case, before a decision is made.

The Head Teacher may decide:

- a) To terminate employment from the date of the Formal Meeting with probation period notice.
- b) Extend the probation period. This will revert the process back to the Line Manager.
- c) Consider deployment to a suitable available alternative post (in which case a new shortened probation period will be put in place and the schedule and number of review meetings adjusted accordingly).

The Head Teacher will write to the Probationer confirming the decision within [5] working days of the hearing.

6. RIGHT OF APPEAL

The Probationer has a right of appeal against a decision to dismiss.

An appeal should be made in writing to the Executive Assistant, stating the grounds for appeal in full, within 10 working days of the date of the written decision.

An appeal will be heard by the CEO. The CEO may take advice from an external HR Adviser.

An appeal hearing will, in normal circumstances, be heard within 10 working days after receipt of the appeal. The Executive Assistant will usually undertake administrative arrangements for any appeal hearing. The outcome will be confirmed in writing as soon as possible and usually within 5 working days of the appeal hearing. There will be no further right of appeal.

In the case of a senior central team member of staff or a Head Teacher appealing dismissal, this must be made in writing to the Clerk to the Trustees. The appeal will be heard by the Trustees Appeal Committee, none of whom shall have any previous involvement in the case. The Trustees Appeal Committee may have an external HR Adviser present.

APPENDIX 1 – Probation Form

PROBATION REVIEW FORM

PLEASE NOTE:

You are advised to seek the advice of EPM as soon as possible if difficulties arise during the probationary period which mean that extending the probationary period and/or non-confirming the employee in post are possible outcomes.

You should ensure that the employee is given a copy of this document at each stage of their probation and should retain the original to monitor progress against set objectives at follow-up meetings.

Probation Record

Employee name:		
Job Title:		
Department		
Post Start Date:		
Line Manager:		
	Date Due	Please tick when completed
Initial Meeting – 4 weeks		
3-month review:		
6-month review:		

PART 1: Initial meeting - 4 weeks

This section should be completed by the line manager within 4 weeks of the employee commencing their employment.

SECTION A: Objectives	
<p>The line manager should identify specific objectives for the employee (for 3 to 6 months, as appropriate) These will be statements of what should be achieved during the probationary period, including indicators of success and timescales for achievement.</p>	
1	
2	
3	
(4)	
SECTION B: Development Plan	
<p>To support the employee in achieving these objectives, the line manager should identify any training and development needs and specify how and when these needs will be addressed during the probationary period.</p>	
Employee's Signature:	
Manager's Signature:	
Date:	

Please send a copy to your school secretary so it can be stored on the employees personnel file.

PART 2 – First review (3 months)

To be completed by the Line Manager in discussion with the employee.

(please tick)	Improved required	Satisfactory	Good	Excellent
Quality and accuracy of work				
Efficiency				
Attendance				
Time Keeping				
Work relationships (team work and interpersonal communication skills)				
Competency in the role				
If any areas of performance, conduct or attendance require improvement please provide details below.				
Where concerns have been identified, please summarise how these will be addressed during the remaining period of probation.				
Summarise the employee's performance and progress over the period				
Have the objectives identified for this period of the probation been met?	YES / NO	If NO, what further action is required?		Review Date
Have the training / development needs identified for this period of the probation been addressed?	YES / NO			
Employee's Signature:				
Manager's Signature:				
Date:				

Please send a copy to your school secretary so it can be stored on the employees personnel file.

PART 3 – Final Review (5 months)

To be completed by Line Manager in discussion with the employee.

(please tick)	Improvement required	Satisfactory	Good	Excellent
Quality and accuracy of work				
Efficiency				
Attendance				
Time Keeping				
Work relationships (team work and interpersonal communication skills)				
Competency in the role				
Have the objectives identified for the probationary period been met?	YES / NO	If NO, please provide details		
Have the training / development needs identified for the probationary period been addressed?	YES / NO			
Summarise the employee's performance and progress over the period				
Is the employee's appointment to be confirmed?				YES / NO
If NO, please provide reasons below and summarise what action has been taken to address any difficulties which have arisen during the probationary period.				
The employee may provide any comments about their experience of the probationary process here.				
Should the employee's probationary period be extended?				YES / NO
If YES, please provide reasons and, where appropriate, specify any areas of improvement required and how these will be monitored.				
Length of the extension (max 3 months):				
New Probation Period completion date:				
Employee's signature:				
Manager's signature:				
Date:				

Please send a copy to your school secretary so it can be stored on the employees personnel file.