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Policy and Procedures for dealing with employees on probation

Reviewed Annually

Non-Statutory

Signed:  (Chair of the Trust)

Date of last review: February 2026

Review Due: February 2028

1. Policy

- 1.1 An aim of the Trust's Human Resources Strategy is to attract and retain a skilled, flexible and efficient workforce that is commonly committed to the achievement of the Trust's goals and to the enhancement of the quality and value of its services.

2. Scope

- 2.1 This Policy and Procedure applies to all new employees to the Trust including teachers and support staff, any staff undertaking a new position within the Trust (at the discretion of the Trust), or who have had a break from continuous local government employment. For Newly Qualified Teachers (NQT's) and Early Career teachers (starting from September 2021), they will be subject to their own statutory induction period.

3. Principles

- 3.1 These probationary guidelines are designed to help and encourage all employees to achieve and maintain satisfactory standards of conduct and behaviour and to support a healthy and harmonious working environment. They also ensure that effective arrangements exist for dealing with matters that may warrant action in a consistent and fair manner. Furthermore, they clarify relationships between the School/Trust, its Employee Side Representatives and employees and assist the School/Trust to operate effectively and efficiently.
- 3.2 Accordingly the aim is to secure improvement in performance, conduct or behaviour, to treat all employees in a fair and consistent manner and to operate a procedure so that all parties know what to expect. It is therefore, in the interest of the employee, the School/Trust and the community that any probationary matter is dealt with and concluded without undue delay, effectively and above all fairly.
- 3.3 Should the required improvements not be made the probationary period may be extended or if performance remains unsatisfactory termination of employment within the probationary period may be considered (see below for further details).

4. Purpose and Length

- 4.1 All staff will serve a period of probation of six months during which their ability and suitability to undertake the requirements of the job will be monitored and recorded.
- 4.2 The applicable period will be confirmed in the letter of appointment and/or contract and it is made clear that continued employment is subject to satisfactory completion of the period of probation.

5. Procedure

5.1 Probationary Review Meetings

The assessment of an employee on probation is a continuous process. To ensure that the employee is aware of how they are performing at least two formal assessments will be undertaken at 12 and 20 weeks. The notes of the meeting will be confirmed in writing placed on the individual's personal file and shared with the employee.

The Review Meeting will allow early appraisal of performance during the probationary period and will include:

- i. identifying clearly any areas where improvement is required and setting time and standard targets;
- ii. agreeing a timetable of meetings for monitoring improvement during the probationary period;
- iii. agreeing the training and support that will be available to help the employee reach the required standards;
- iv. discussing the possible need for an extension of probation where the shortfall is significant.

Any programme of corrective action should be carefully followed and documented. After each monitoring meeting the employee's progress (or failure to achieve targets) must be confirmed to the employee in writing.

Where issues are identified relating to an employee who is considered to have a disability (under the definition of disability as defined by the Equalities Act 2010), due consideration must be given regarding whether reasonable adjustments are necessary and desirable to aid the employee in the workplace. This should be considered at all stages of the process.

It is important to bear in mind that any concerns about the employee's performance, attendance or conduct should be dealt with as soon as possible after the event and not left to be discussed at the Review meeting.

5.2 Extension to Probationary Period

In most cases, it would be expected that the employee would be confirmed in their appointment within the relevant probationary period. However, there may be occasions that arise where an employee has not reached the appropriate standard at the end of that time, but it is identified that an extension of the probationary period may result in any identified problems being overcome.

Headteachers/Managers have discretion, with the support of their Human Resources Adviser, to extend a period of probation. The extension of probation will be confirmed in writing to the employee. It should be noted that a manager does not have to wait for the 6 months before recommending an extension to the probationary period.

When recommending extending probation managers should ensure that they give reasons for the extension, for example; 'not yet at standard required but expected to be able to reach the standard within extended period'; or 'absences of employee resulting in an inability to adequately assess performance during first 6 months'; or 'a training need identified that has yet to be delivered' and set out the terms of the extension clearly, including the potential outcome if the performance fails to reach the standards required. Any extension can be made for a period of up to 3 months or less but should be no more than six months in total.

Any decisions made at the probationary meeting should be recorded and monitored by the manager concerned.

5.3 Successful Completion of Probationary Period

An employee who reaches the required standards, should be informed in writing that he/she has satisfactorily completed the probationary period.

5.4 Final Review Meeting

If, with or without extension of probation, it becomes clear to the manager that the employee is unlikely to reach the required standards or there are concerns in relation to conduct, a Final Review meeting will be arranged. The Headteacher must agree a meeting is appropriate prior to the employee being invited to the meeting.

The following process should be followed:

- i. The employee should be invited to a meeting with written notice of at least 5 working days of the final meeting and indicating that dismissal is a possible outcome of the meeting. The employee should be advised of their right to be accompanied at the meeting by a trade union representative or work colleague.
- ii. At the meeting the manager will review and discuss with the employee their attendance, performance and/or conduct as appropriate and give the employee the opportunity to comment on this before any recommendation is made to the Headteacher and Chair of Governors on whether to extend the probationary period or dismiss the employee.
- iii. Where possible, any decision will be confirmed in writing within 10 working days of the meeting. The employee should be advised of their right to appeal against the decision to terminate employment and this is confirmed in writing

5.5 Appeals Process

An employee may appeal against any decision to dismiss under this probationary procedure. The Appeal should be lodged in writing with the Chair of Governors within five working days of receipt by the employee of the letter notifying the employee of their dismissal. The letter should clearly set out the grounds of appeal.

The Appeals panel will normally be made up of a panel of at least two Members of the Local Advisory Board/Trustees, but will not include staff Governors. The hearing will be arranged as soon as possible after receipt of the appeal letter. The employee will be given at least 5 working days' notice of any appeal meeting and they will have the right to be accompanied by a trade union representative or work colleague. Any relevant documents to be presented must normally be circulated no later than three working days in advance of the hearing but where possible will be sent with the meeting invite letter.

The Appeal Panel may either make a decision at the end of the meeting or adjourn and confirm the decision at a later date. Where possible, any decision will be confirmed in writing within 10 working days of the meeting.

There is no further right of appeal after this.

6. Monitoring and review

- 6.1 The procedure will be reviewed from time to time in the light of any developments in employment legislation or good employee relations practice and if necessary, revised in order to ensure its continuing relevance and effectiveness.

- 6.2 The application of the procedures in relation to Probationary Review Meetings will be monitored by HR, identifying the level of action and outcomes against employees, analysed by grade, gender, race, age, disability, sexual orientation, religion/faith. This will enable the School/Trust to identify any disproportionate action against any particular group of employees and to take remedial action if necessary.
- 6.3 Such reports will be made available to recognised trade unions.