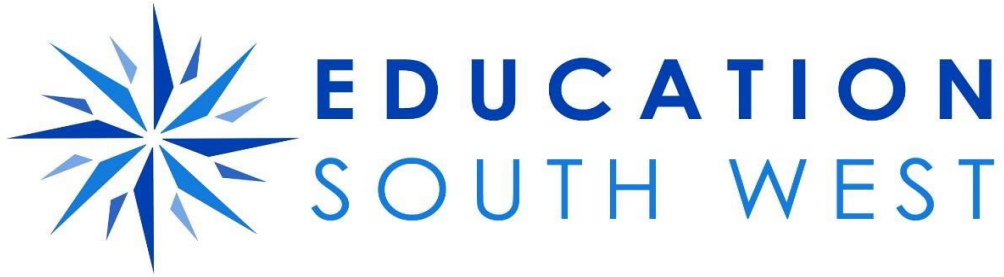


CONTRACTUAL POLICY



## Support Staff Probationary Policy

<b>Board Approved Date</b>	March 2023
<b>Version</b>	1.2
<b>Author Initials</b>	SW
<b>Review Date</b>	March 2026

*(This policy supersedes all previous Support Staff Probationary policies)*

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Policy Date	New Version Number	Summary of change	Comments
March 2023	V1.2	Minor changes	

## Union Consultation

Date	Action (meeting, email etc)	Comments	Attendance
10/07/17	Meeting with Union Reps		UNISON, GMB, NASUWT, ATL, NUT

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### 1. Introduction

- 1.1 It is the Trust's policy to operate probationary periods for all Trust Support Staff who are new to Education South West. It does not apply to teachers, agency workers or contractors.
- 1.2 The policy has been implemented following consultation with staff and recognised trade unions. It has been formally adopted by the Trust.
- 1.3 This policy is contractual and forms part of any employee's contract of employment but does not affect terms and conditions of employment of those staff who TUPE transferred in to the Trust.
- 1.4 This policy allows both the employee and Trust to assess objectively whether or not the employee is suitable for the role. The Trust believes that the use of probationary periods increases the likelihood that new employees will perform effectively in their employment.
- 1.5 The Line Manager is responsible for ensuring that all new employees are properly monitored during their probationary period. If any problems arise, the Line Manager should address these promptly and in accordance with the policy. The employee should be made aware that some aspects of their performance or conduct is unsatisfactory. This will help prevent the problem from escalating and hopefully lead to sufficient improvements.

### 2. Length of probation

- 2.1 The length of the probationary period applicable to an employee will be as set out in the contract of employment of that employee.

### 3. Extending probationary periods

- 3.1 Six months should be an adequate period of time to effectively assess an employee's suitability for the role. In exceptional circumstances, the Trust may decide to extend an employee's period of probation. This will be limited to one extension and the total period of probation will be no longer than 12 months.
- 3.2 An extension may be implemented in circumstances where:
  - (a) The employee's performance, conduct or attendance during probation has not been entirely satisfactory, but some improvement has taken place and it is thought likely that an extension to the probationary period may lead to satisfactory improvement.
  - (b) The employee or the Line Manager has been absent from the workplace for an extended period during the probation.

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- 3.3 Before extending an employee's probationary period, the Line Manager will consult with the Headteacher/Chief Operating Officer/Chief Executive Officer. If an extension to the probationary period is agreed, the Trust will confirm the terms of the extension in writing to the employee, including:
- (a) the length of the extension and the date on which the extended period of probation will be reviewed and when it will end;
  - (b) 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;
  - (c) the performance standards or objectives that the employee is required to achieve by the end of the extended period of probation;
  - (d) any support, for example further training, that will be provided during the extended period of probation; and
  - (e) a statement that, if the employee does not meet fully the required standards by the end of the extended period of probation, their employment will be terminated.

### **4. Terms of employment during the probationary period**

- 4.1 During the probationary period, employees will be subject to all the terms and conditions of their contracts of employment.
- 4.2 Except in the case of existing employees who have been transferred or promoted into different roles, the amount of notice that an employee must give to the Trust if they wish to resign, and the amount of notice that the Trust must give to the employee of dismissal are different during probation. During probation, either party may terminate the employee's contract of employment by giving one week's notice unless otherwise varied by the contract. In the event that the Trust decides to terminate the employee's employment, their employment will come to an end immediately and the employee will receive pay in lieu of the notice together with any outstanding holiday pay.
- 4.3 In the case of existing employees who have been transferred or promoted into different roles, the amount of notice that the employee must give to the Trust if they wish to resign, and the amount of notice the Trust must give to the employee of dismissal will be as defined in the employee's contract of employment.

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### **5. Reviews during probation**

- 5.1 Under this policy, the Line Manager has responsibility for monitoring a new employee's performance and progress during the probationary period.
- 5.2 During an employee's probation, the Line Manager should provide regular feedback to the employee about their performance and progress, and, should there be any problem areas, raise these with the employee as soon as possible with a view to resolving them. The Headteacher/Chief Operating Officer/Chief Executive Officer are also responsible for providing guidance and support and for identifying and arranging any necessary support, training or coaching that is relevant to the role.
- 5.3 The Line Manager should review and assess the employee's performance, capability, conduct, attendance and suitability for the role at the three and five month point during the employee's probation, and again at the end of the probationary period (see form at appendix 1).

### **6. End of probation**

- 6.1 Shortly before the end of the probationary period (or end of the extension, if applicable), the Line Manager should conduct a final review of the employee's performance, conduct, attendance and suitability for the job. This will involve a meeting with the employee to discuss their performance and progress throughout the period of probation.
- 6.2 Termination during probation If an employee's performance while on probation has been unsatisfactory (despite support from the Line Manager), and it is thought unlikely that further training or support would lead to a satisfactory level of improvement, the employment will be terminated at the end of the period of probation. Where the concerns are considered serious and have not improved despite support, then the employment may be terminated prior to the end of the period of probation or at an earlier point if appropriate.

### **7. Appeals against Termination of employment**

- 7.1 Should an employee wish to appeal against a decision to terminate their employment they must write to the Headteacher/Chief Operating Officer/Chief Executive Officer within five working days of the decision to terminate the employment being communicated to them. The employee must state the grounds of their appeal in full. An appeal meeting will then be arranged with either Headteacher/Chief Operating Officer/Chief Executive Officer (if not involved in the original decision to dismiss) or a panel of Governors/Trust Board. The outcome of an appeal meeting will be confirmed in writing; this will make it clear that there is no further internal right of appeal.

### **8. Review of policy**

- 8.1 This policy is reviewed every three years or upon change of relevant legislation. We will monitor the application and outcomes of this policy to ensure it is working effectively

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**APPENDIX 1 – SUPPORT STAFF PROBATION ASSESSMENT FORM**

Personal Details	
Probationer Name	
School	
Post	
Start Date	
Contract Type	
Designated Manager	

Date of Assessment: .....

Stage of Process:

Next Scheduled Assessment Date: (if appropriate): .....

**Note: This assessment is intended to be carried out in consultation with the new probationer**

Tick <u>one</u> box as applicable	Improvement Required (v)	Average (v)	Good (v)	Excellent (v)
Quality & Accuracy of Work				
Attendance				
Time Keeping				
Work Relationships				
Team work /Interpersonal Skills				
Communication skills				

Comments	
Quality & Accuracy of Work	

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<b>Attendance</b>	
<b>Time Keeping</b>	
<b>Work Relationships</b>	
<b>Team work/Interpersonal Skills</b>	
<b>Communication skills</b>	

Probationer's Signature: .....

Date: .....

Line Manager's Signature: .....

Date: .....