



Langley Park Learning Trust

Probationary Procedure

Support Staff at Langley Park Learning Trust

Owner (job role):	Director of HR
Approval Body:	Trust Board
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1.0	25 th March 2021	New Policy

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1. Policy statement

- 1.1 Probationary periods provide the opportunity to assess an employee's suitability for the role and ensure the required support is provided. Langley Park Learning Trust believes that the use of probationary periods increases the likelihood that new employees will perform effectively in their employment.
- 1.2 A six-month probationary period applies to all new employees, or those who have been transferred or promoted into a different post, regardless of whether they are full-time or part-time.
- 1.3 Reviews will take place in accordance with the procedure set out below.

2. Scope

- 2.1 This policy applies to all new support staff employees, and in some cases to employees who have been transferred or promoted into different posts. This policy excludes all teaching staff.
- 2.2 This policy applies to permanent and temporary/fixed term appointments. Staff engaged on a relief or casual basis will not be required to undertake a probationary period.
- 2.3 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 the fixed term contract. For example, employees engaged on a fixed term contract of less than one year will be subject to a three-month probationary period. Timescales for reviews will also be adjusted accordingly.

3. Induction programme

- 3.1 A thorough and effective induction should take place for all new employees in conjunction with the probationary period.

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, except for those relating to notice periods.

5. Notice periods

- 5.1 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 organisation if he/she wishes to resign, and the amount of notice that the organisation must give to the employee of dismissal are different during probation. During probation, the employment may be terminated at any time during the probationary period by the employee or the Trust giving the requisite notice, in accordance with the provisions of the Employment Rights Act 1996, and as defined in the employee's contract of employment.
- 5.2 Once the probationary period has been completed, the notice periods will be as defined in the employee's contract of employment.
- 5.3 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 organisation if s/he wishes to resign, and the amount of notice the organisation must give to the employee of dismissal will be as defined in the employee's contract of employment.

6. Roles and responsibilities

- 6.1 Under this policy, the employee's line manager has responsibility for monitoring a new employee's performance and progress during the probationary period. For the CEO, this responsibility sits with the Chair of Trustees. The employee's line manager must ensure that the employee is properly informed at the start of their employment about what is expected of them during probation, for example, the required standards of performance.
- 6.2 During an employee's probationary period, the employee's 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. This will ensure that the employee is aware that some aspect of their performance or conduct is unsatisfactory and prevent the problem from escalating. The employee's line manager is also responsible for providing guidance and support and for identifying and arranging any necessary training or coaching.
- 6.3 The employee is expected to fully contribute to the induction procedure and highlight with their line manager any development needs or issues that might aid the successful completion of the probationary period.

7. Reviewing performance

- 7.1 It is recommended that formal probationary review meetings are held as follows:
 1. Stage 1 – first review meeting (end of month three).
 2. Stage 2 – second and final review meeting (end of month six).
 3. Stage 3 – formal review meeting for cases of unsatisfactory performance (see below for details).
- 7.2 As part of the employee's induction programme, the date of the first review meeting will be set as well as realistic and reasonable standards of performance. The standards of performance expected will be explained to the employee and any training needs assessed.
- 7.3 Consideration 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.
- 7.4 A clear record should be made of each review meeting using the form attached at appendix A. A copy of the record should be passed to the employee and the original retained on the employee's HR record. Where there is unsatisfactory performance from the employee, a clear improvement plan should be drawn up using appendix A, which will set goals and targets that are reasonable and achievable and identify any training and/or support required.
- 7.5 Where an employee's performance or conduct remains unsatisfactory, following the second and final review meeting, a formal review meeting should be arranged to consider termination of employment.

8. Extending probationary periods

- 8.1 The Trust reserves the right to extend an employee's probationary period at its discretion. This will be limited to one extension and the total period of the extension will be no longer than three months.

- 8.2 An extension may be implemented in circumstances where the employee's performance during probation has not been entirely satisfactory, but it is thought likely that an extension to the probationary period may lead to an improvement, or where the employee has been absent from the workplace for an extended period during the probationary period.
- 8.3 If an extension to the probationary period is agreed, the terms of the extension will be sent to the employee in writing, including:
- The length of the extension and the date on which the extended probationary period will end.
 - 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 probationary period.
 - Any support, for example further training, that will be provided during the extended probationary period.
 - A statement that, if the employee does not meet fully the required standards by the end of the extended probationary period, a formal review meeting may be convened.

9. Stage 3 – formal review meeting

- 9.1 If at the end of the employee's probationary period, their performance and/or conduct remains unsatisfactory, despite support being provided, and it is thought unlikely that further training or support would lead to a satisfactory level of improvement, then a formal review meeting should be arranged.
- 9.2 To give an employee the fullest opportunity to meet the required standard, the formal review meeting should not take place before the end of the probationary period or before the end of any extension that has been granted.
- 9.3 However, if during an employee's probation, it is suspected or established that the employee does not have the qualifications, experience or knowledge that s/he claimed to have at the time of recruitment, or where information comes to light that may be so serious as to call into question the employee's suitability for the role, it may be necessary, following as much investigation as is appropriate to the circumstances, to convene a formal review meeting to consider immediate termination of employment. If the employee is an existing employee who has been transferred or promoted into a different role, the organisation's normal capability/dismissal procedure must be followed in full.
- 9.4 Notification**
- 9.4.1 The employee must be given at least ten working days' notice to attend a formal review meeting. The notification should include details of the concerns and evidence to be considered at the meeting. The employee will be advised that the meeting could result in the termination of employment.
- 9.4.2 The employee is entitled to bring with them a colleague or a trade union representative.

9.5 Meeting

- 9.5.1 The meeting will be chaired by the Head Teacher (the CEO for centrally employed Trust staff). An HR representative may attend to advise the Head Teacher (the CEO for centrally employed Trust staff, The Chair of Trustees for the CEO).
- 9.5.2 The following areas must be considered by the Head Teacher (the CEO for centrally employed Trust staff, the Chair of Trustees for the CEO) at the meeting:
1. Areas of poor performance and/or unsatisfactory conduct and/or attendance.
 2. Areas in which the employee has failed to improve.
 3. Any reasons the employee presents as to why they are not performing to a satisfactory level.
- 9.5.3 The outcome of the meeting will be confirmed to the employee in writing within five working days of the meeting. If the decision has been made to terminate employment, the letter will serve the required notice on the employee and will provide the employee with the right of appeal.
- 9.5.4 If an employee's employment is terminated after the expiry of the probationary period, or if the employee is an existing employee who has been transferred or promoted into a different role, the Trust's normal capability/dismissal procedure must be followed in full.

9.6 Appeal

- 9.6.1 If an employee wishes to appeal against the decision to terminate their employment, an appeal should be made to the clerk to the governing body in writing within five working days of receipt of the outcome of the formal review meeting. The appeal letter should state the grounds for appeal. Appeals will be heard by a panel of three governors (three Trustees for centrally employed Trust staff) with no prior involvement in the matter. The appeal should take place without unreasonable delay. The outcome of the appeal will be confirmed in writing within five working days of the appeal meeting. There is no further right of appeal.

9.7 Equal opportunities

- 9.7.1 This policy must always be applied fairly and in accordance with the Equality Act 2010 and the Trust's Equality, Diversity and Inclusion policy.
- 9.7.2 Due consideration will be given to ensuring reasonable adjustments are made with a view to supporting any employee who is considered to have a disability within the meaning of the Equality Act 2010.



Langley Park Learning Trust

PLEASE NOTE:

You **MUST** seek the advice 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. Non-reporting will result in the assumption that the employee’s probation period is progressing satisfactorily.

The line manager 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:		
Grade:		
Department / Section:		
Post Start Date:		
Line Manager:		
	Date Due	Please tick when completed
Initial Meeting		
3-month review:		
6-month review:		

PART 1: Initial meeting

This section should be completed by the line manager within 8 weeks of the employee commencing their employment.

SECTION A: Objectives The line manager should identify specific objectives for the employee (for 3 and 6 months) These will be statements of what should be achieved during the probationary period, including indicators of success and timescales for achievement.	
SECTION B: Development Plan 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.	
Employee's Signature:	
Manager's Signature:	
Date:	

PART 2 – First review (3 months)

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

<i>(please tick)</i>	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				
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:			

PART 3 – Final Review (6 months)

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

<i>(please tick)</i>	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 NOTE: At the final review meeting, the line manager should confirm verbally whether or not the employee has successfully completed their probationary period. The employee should then be issued with a letter to confirm the successful completion of their probation.