



Probation Policy Last updated 2015

1 General Principles

Purpose

Oaklands School is a specialist provision for students with severe learning difficulties. There is no specific training which prepares staff; either teachers or support staff for so specific a school environment. Oaklands School is committed to ensuring that all newly appointed staff receive the best possible support during their probation period to demonstrate their suitability to undertake the full range of duties of their post.

The probation period is vital to induct staff effectively into Oaklands School. Line managers should:

- ensure that new staff are welcomed and feel valued
- provide key information
- recognise that joining a different organisation is challenging and therefore be available to support new staff

During the probation period, employees must only undertake the duties of the post to which they have been appointed. Probationary employees should not cover any other vacant posts in addition to or instead of their own job.

This Policy applies to all employees of Oaklands School. Our commitments to providing thorough probationary arrangements and support also includes teachers and apprentices. *Completion of an NQT year in a previous employment does not exclude a teacher from Oaklands probationary process.*

All new appointments with the Council (including fixed term appointments) are subject to a probationary period that must be satisfactorily completed before an employee can be confirmed in a post.

The probationary period will be for 6 months.

Staff who are appointed from other posts within the School who have already successfully completed a probationary period may be subject to further probationary period if the post is significantly different from the one they previously held. E.g. a teaching assistant who might undertake training and then be appointed in a teaching role.

Employees are not subject to capability proceedings or appraisal while in a probationary period. However they will have access to the support and development framework.



2 Process

Week 1

At the earliest opportunity, during the first week of employment, the line manager will arrange a meeting with the employee. This meeting will form part of the induction process and should be used to set the 3 probation meetings for the duration of the probation period along with the performance objectives. Meetings are usually held after 8, 16 and 24 weeks.

The first probation review will take place at the end of the first 8 weeks. This review, and subsequent reviews, will focus on performance against the objectives and specified competencies and identification of learning and development needs.

Any comments the employee has will be discussed and recorded on the Probation Form.

Line managers should raise any areas of concern at the earliest possible opportunity with the employee. Managers should not wait until the next probationary meeting.

Where any objective has not been achieved, or only partially achieved, this must be fully explained on the Probation Form at the time of the meeting, together with an action plan identifying how the concerns should be addressed and the required outcomes.

Line managers carrying out probationary meetings with employees will bring all issues with performance to the attention of the senior leadership group.

Towards the end of the 6 month probation period (unless significant concerns have emerged before this) the line manager will decide whether or not it is appropriate to confirm the appointment. Where the performance objectives (as set out on the Probation Form) have been achieved, the appointment should be confirmed. Where the standards have not been achieved, and performance is considered to be unsatisfactory, the line manager should refer to section 3 below.

Confirmation of Appointment

Where the appointment is to be confirmed the line manager must complete the relevant section on the Probation Form and submit the form to their HR Team. A letter will be issued confirming the employee of the successful completion of their probationary period.

3 Unsatisfactory Performance

Where performance and/or conduct is unsatisfactory, line managers can recommend termination of employment at any stage during the probation period, subject to the procedure under section 5.

Also, the Council's Code of Conduct, Equal Opportunities and Cohesion Policy statement and the Grievance Policy, set out the standards of behaviour expected of employees. Failure to meet the required standard may result in recommendation of termination of employment.

The following are examples of unsatisfactory performance, although this list is not exhaustive:

- Performance/and or conduct falls short of the required standard, but is not considered to be so unsatisfactory that the contract of employment needs to be terminated
- Absence (for any reason) has impacted on the line manager's ability to make a fair assessment



- Failure to achieve performance objectives set during the probationary period
- Poor attendance or timekeeping (absence of more than 5 days in the six month probation period would normally be considered unsatisfactory)
- Non compliance with or breach of Council policies
- Poor standard of interpersonal behaviour

Process for dealing with Unsatisfactory Performance

Where the performance/conduct of the employee has been identified as unsatisfactory, and the line manager is contemplating further action, a meeting must be convened as soon as possible to bring this to the employee's attention. This may be separate to the standard probationary meeting.

The purpose of the meeting is for the line manager to discuss the area(s) of concern with the employee and for the employee to be given an opportunity to respond.

The employee has the right to be accompanied by a Trade Union representative or a work colleague at this meeting.

After the meeting, the line manager will consider which of the following three options is appropriate:

- Outline the improvement required, giving specific and realistic targets, and how these will be supported and reviewed within the remaining term of the probation period
- Extension of the probation period (see section 4)
- Termination of employment (see section 5)

4 Extension of the Probation Period

Extension of the Probation Period does not have to wait until the end of the 6 month period if concerns have been identified sooner and an improvement action plan implemented, but with no measurable improvement.

Process for dealing with an Extension of Probation

The line manager, who wishes to extend an employee's probation period, must seek the agreement of the Head Teacher.

The extension must be recorded on the Probation Form and forwarded to the HR Team.

The employee will be notified of the extension and the grounds for it, in writing. The employee must also be advised that failure to improve may result in the termination of employment.

The period of extension will not normally exceed 3 months. Line managers may choose a shorter period of extension where this is considered appropriate.

The line manager must continue to meet with the employee according to the Probationary progress. The monitoring / review meetings should be recorded on the Probation Form.



Review of Extension

Towards the end of the agreed extension of probation, the line manager must arrange a final meeting to review the employee's performance.

The purpose of the meeting is for the line manager to discuss the employee's performance during the extension period and for the employee to be given an opportunity to respond.

The employee has the right to be accompanied by a Trade Union representative or a work colleague at this meeting.

After the meeting, the line manager will consider which of the following two options is appropriate:

If the extension period has enabled the employee to reach the required standards then the line manager will advise the employee that the appointment is confirmed and complete the Probation Form which should then be forwarded to HR Team.

If however, the employee has not reached the required standards, then the dismissal procedure, set out at section 5, should be followed.

5 Dismissal

The line manager, in consultation with an HR Advisor, will consider whether or not the employee's contract of employment should be terminated. Any recommendation must be justified with sufficient supporting evidence.

Where the recommendation is to dismiss, the manager will complete the relevant section of the Probation Form and forward it to the Head Teacher.

At the same time, the line manager will write to the employee informing them that termination of their employment has been recommended to the Head Teacher. In that notification, the employee must be offered the opportunity to meet with the Head Teacher or provide any written submissions before any decision regarding termination is made.

An employee who wishes to meet the Head Teacher must notify HR within 5 working days of receiving the notification in paragraph. A meeting will be arranged as soon as possible thereafter. The employee has the right to be accompanied at this meeting.

If the employee wishes to provide any written submission to the Head Teacher, this must be sent to HR within 5 working days of the written notification.

The Head Teacher will consider the recommendation from the line manager and any submission made by the employee either at a meeting or in writing, and determine whether or not the employee should be dismissed.

Where the decision is to dismiss, the employee will be notified in writing that their appointment is not confirmed and their contract of employment will be terminated, and of their right of appeal

The notice period for employees, whose contract of employment is terminated during the probationary period, is one week on either side, unless otherwise specified in the contract of employment.

Where the Assistant Director does not approve the recommendation to dismiss, they will set out the alternative action that should be implemented.



6 Right of Appeal

All probationary employees have the right to appeal against dismissal.

The specific grounds for the appeal must be made in writing to the Head Teacher and be received within five working days of receipt of the notice letter. This will be forwarded to the Chair of Governors so that arrangements to hear an appeal can be made.

The appeal should normally be heard within the employee's notice period.

The employee should be given at least five working days' written notice of the appeal hearing. The letter should include, as appropriate:

- Date, time and place of hearing
- The employee's right to be accompanied by a Trade Union representative or work colleague
- The names of the Governors conducting the hearing
- The name of the person(s) presenting the management case
- Copies of relevant paperwork, i.e. Probation Form and any accompanying documentation
- The name(s) of any management witnesses who will present evidence at the hearing
- The employee's right to call witnesses and present any written submissions, provided the information is received at least two days prior to the hearing.

7 Appeal Hearing

The appeal will be heard by a panel comprising two Governors, at least one of whom will be the Chair, who have not previously been involved in the case.

The management case will normally be presented by the line manager who made the recommendation to dismiss. The Head Teacher, who made the decision to dismiss, may be called to attend the hearing.

A written record of the hearing should be taken, which need not be word-for-word, but should accurately reflect all relevant evidence. The Chair of the Panel, who will usually be the Chair of Governors, should sign the document as a true record of the proceedings.

The appeal panel may take one of the following forms of action:

- Uphold the appeal and reinstate the employee (possibly with conditions, i.e. extension of probation)
- Turn down the appeal and confirm the employee's dismissal

The outcome of the appeal should be confirmed in writing as soon as possible and normally within three working days of the hearing. A copy should be held on the employees record.

There is no further right of appeal.

Agreed by Governors:

Date Agreed:

Review Date:



PROBATION REPORT

Name:	Job Title:
Date of appointment:	Progress Review Meetings: 1) 2) 3)
Line Manager:	

Initial Meeting Date:

<p>Performance Objectives Set (What should be achieved during the probationary period include measures of success & timescales)</p> <ol style="list-style-type: none">1.2.3.4.5.6.7.

<p>Development Plan (To support employee in achieving the above objectives - any training or development needs)</p>
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Employee Signature:
Manager Signature:
Date:



PROBATION – FIRST REVIEW

To be completed by line manager in discussion with employee

	Assessment				
	Exceptional	Exceeds Standard Required	Meets standard required	Improvement Required	Not Satisfactory
Job Performance					
Attainment of relevant job knowledge/skills					
Standard of performance achieved					
Ability/willingness to participate in staff development activities					
Progression towards performance adjectives identified at initial meeting					
Shows initiative					
Working with Others					
Ability to communicate and interact effectively with others					
Attitude to colleagues					
Time Keeping					
Adherence to agreed start/finish/break times					
Attendance					
No of days sickness					

Review of Performance Objectives & Progress and Further Actions

Employee Comments

Employee Signature:

Manager Signature:

Date:



PROBATION – SECOND REVIEW

To be completed by line manager in discussion with employee

	Assessment				
	Exceptional	Exceeds Standard Required	Meets standard required	Improvement Required	Not Satisfactory
Job Performance					
Attainment of relevant job knowledge/skills					
Standard of performance achieved					
Ability/willingness to participate in staff development activities					
Progression towards performance adjectives identified at initial meeting					
Shows initiative					
Working with Others					
Ability to communicate and interact effectively with others					
Attitude to colleagues					
Time Keeping					
Adherence to agreed start/finish/break times					
Attendance					
No of days sickness					

Review of Performance Objectives & Progress and Further Actions

Employee Comments

Employee Signature:

Manager Signature:

Date:



PROBATION – THIRD REVIEW

To be completed by line manager in discussion with employee

	Assessment				
	Exceptional	Exceeds Standard Required	Meets standard required	Improvement Required	Not Satisfactory
Job Performance					
Attainment of relevant job knowledge/skills					
Standard of performance achieved					
Ability/willingness to participate in staff development activities					
Progression towards performance adjectives identified at initial meeting					
Shows initiative					
Working with Others					
Ability to communicate and interact effectively with others					
Attitude to colleagues					
Time Keeping					
Adherence to agreed start/finish/break times					
Attendance					
No of days sickness					

Review of Performance Objectives & Progress and Further Actions

Employee Comments

Employee Signature:

Manager Signature:

Date:



FINAL PROBATION REPORT

Recommendation from Line Manager

1. Exceptional Progress – Appointment to be confirmed
2. Satisfactory progress – Appointment to be confirmed
3. Expectations not met in one or more area – Probation to be extended
4. Objectives not met – Appointment to be terminated with notice

If you are not recommending confirmation of post, please detail reasons for doing so

Line Manager:

Date:

Authorised by Head Teacher

Comments

HT Signature:

Date: