



# Engage MAT

## Probation Policy – Support Staff

**Date of ratification April 2019**

**Date of review April 2022**





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### **1. Introduction and policy statement**

#### **1.1 All new non-teaching employees to the Trust are subject to a three-month probationary period.**

**Option for Trusts: All new non-teaching employees to the Trust are subject to a six-month probationary period, unless they move directly from another school within the Trust.**

Trusts may choose to adapt this model policy for use as a Probation policy for teaching staff. However, Trusts may wish to first consider whether a teacher probation policy is required. Having a policy may deter applicants from applying, as applicants may choose to apply to schools who do not have a policy. Additionally, Trusts who do have a teacher probation policy would have to be upfront about the existence of the policy in their advertising material.

\*Please note that we have been unable to gain the teacher trade unions agreement to a Teacher Probation policy, therefore a Trust's choice to have such a policy would not be supported by the teacher trade unions.

The purpose of a probationary period is to:-

- enable Headteachers to manage and assess performance, and assess the future potential of the employee before making a decision whether to confirm the appointment
- assist the employee to settle in and perform their job effectively, which both offers job satisfaction to the individual and is consistent with the objectives of the organisation
- help identify the individual's training and development needs.

## **2. Employees covered by the policy**

2.1 All new non-teaching employees are covered by this agreement, regardless of previous continuous service with other organisations and irrespective of contracted hours, **unless they move directly from a similar role in, another Norfolk School/the Trust.**

2.2 Employees appointed to short-term temporary posts are not normally required to undergo a formal probationary period. If a longer-term post (including permanent) is offered, they must undergo a probationary period, unless exceptionally they have already done so under their short-term employment. In general therefore, existing temporary staff appointed to permanent or long term temporary posts will be subject to a probationary period unless:-

- they have already been subject to a formal probationary period
- they have already satisfactorily completed a period of regular performance monitoring and review
- the role is the same or similar to that which the post holder has already undertaken for a reasonable period and their performance is deemed satisfactory by the Headteacher.

2.3 This policy is not to be applied to teaching staff.

## **3. Performance during the probationary period**

3.1 The performance of the employee must be monitored throughout the probationary period. Where concerns arise, these must be raised with the employee without delay with support and guidance being put in place. Any concerns identified and discussed with the employee should be recorded. Concerns must be shared at the time they arise so that the maximum time for improvement is allowed. Concerns should not be saved for discussion at the end of the probationary period.

## **4. Disciplinary issues arising within the probationary period**

4.1 It is anticipated that any disciplinary issues which might arise during the period will be dealt with under the school's disciplinary procedure. If disciplinary action is taken, this will be taken into account at the final assessment.

4.2 If a serious disciplinary issue arises which requires suspension and is not likely to be resolved during the period, then an extension of up to a maximum of three months may be made to assist with the completion of investigation and resolution of the matter. If the issue remains unresolved at this stage then no further extension will be made and the employment will be terminated in accordance with normal procedures.

4.3 Every effort must be made to resolve disciplinary matters within the probationary period.

## **5. Extension of probationary period**

5.1 A three-month period should normally give ample opportunity for the Headteacher to assess whether an employee has reached an acceptable standard of performance and a management decision should be taken during this period. The formal review process and completion of *Probation Evaluation Form F113* assists this process.

5.2 However, in exceptional circumstances, for example sickness absence of the employee or in some disciplinary situations (see para 4), a probationary period may be extended by a period of up to three months, but this is the maximum extension.

5.3 During the extension the general principles of the probationary period still apply.

5.4 Any extension must be authorised by the Headteacher.

## **6. Appeal**

6.1 If the final probationary performance review is likely to lead to termination\*, the case should be reviewed by the Headteacher. Educator Solutions HR customers who have bought the appropriate package have the option of taking advice from HR. Please contact Educator Solutions HR Services on 01603 307760 or [HRenquiry@educatorsolutions.org.uk](mailto:HRenquiry@educatorsolutions.org.uk) .

6.2 Following this, the employee will have the right to appeal against the decision to terminate their employment to the Governing Body's Dismissal Appeals Committee (advised by an HR Consultant). The appeal should be submitted in writing within five working days of receipt of the decision to terminate employment. The Dismissal Appeals Committee should meet with the employee, and their Trade Union representative, where appropriate within ten working days to hear the appeal. The Dismissal Appeals Committee decision will be final.

6.3 The employee does not have a right of formal appeal beyond the provisions in paragraph 6.2 above if their employment is not confirmed at the end of the probationary period.

(\*NB. The employee has the right to be accompanied by a Trade Union representative or colleague, to any formal meeting which might lead to their termination.)

## **7. Data Protection**



The school processes any personal data collected during the probationary period in accordance with its data protection policy. Any data collected is held securely and accessed by, and disclosed to, individuals only for the purposes of operating the probationary period. Inappropriate access or disclosure of employee data constitutes a data breach and should be reported in accordance with the school's data protection policy immediately. It may also constitute a disciplinary offence, which will be dealt with under the school's disciplinary procedure.

**8. Associated documents**

Probation model procedure P113a

Probation evaluation form F113

Probation – confirmation of satisfactory probation period letter L113