



# **PROBATION PROCEDURE**

## Policy Review

<b>Next Review Date:</b>	January 2027 This document should be reviewed 2-years after ratification or earlier if there is any change to national guidance, changes in process, legislation or best practice.
<b>Version No:</b>	2.0
<b>Ratified by:</b>	Trust Board
<b>Date Ratified:</b>	1 January 2025, version 1.0 (version 2.0 – not required – minor amendment only)
<b>Dissemination:</b>	The policy will be made available to all employees

## Document Control - Policy Amendments

Date	Version	Amendments/Comments	Reviewer/s
November 2021	1.0	Previous procedure for support staff only	
November 2024	1.0	New Policy to incorporate teaching staff.  Reformatted, updated, and added contents page, including a flow chart and a section on preparation for meetings. Full rewrite.	ELT, People Directorate and Unions (through the JCC consultation process)
October 2025	2.0	New branding  Removal of probation paperwork - this is now through the new appraisal system (Maps and Pathways)	Amanda Ankin, People Partner

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## 1. Terms of Reference

- 1.1. This procedure applies to all new members of teaching and support staff regardless of their permanent, fixed-term, full, or part-time status. Those engaged on a relief or casual basis will not be required to undertake a period of probation.
- 1.2. Probation is a period during which both the line manager and the employee can assess objectively whether the new employee is suitable for the role, considering the individual's overall capability, skills, performance, and general conduct in relation to the job.
- 1.3. All new employees' performance will be supported, monitored, and assessed regularly during the probation period to ensure they can fulfil their new role and responsibilities and are well equipped to do so.

The probationary process will run alongside the appraisal procedure and will ensure new employees are provided with appropriate induction, training, and support to enable them to properly carry out their duties and address any problems as and when they arise.

### 1.4. Definitions:

"Trust" refers to The Active Learning Trust.

"Headteacher" also refers to any other title used to identify the Headteacher, where appropriate, or other Senior Manager delegated to deal with matters by the Headteacher. For Central Team employees, this includes members of the Executive Leadership Team and Academy Improvement Leads.

"Probationer" refers to the employee who is serving the probation period.

"Line Manager" refers to the person delegated to manage the probation period. This may be a Senior Manager other than the direct Line Manager.

"Governors Disciplinary Committee", or an appropriate senior member(s) of the Trust Central Team, may be convened for a Formal Hearing where the Headteacher considers that they must act in the role of Line Manager. In this event, substitute 'Headteacher' with 'Governors Disciplinary Committee' throughout the procedure.

## 2. Scope

- 2.1. All new entrants to the employment of the Trust will be subject to the satisfactory completion of a probationary period unless their appointment arises from a statutory transfer, or they are an Early Career Teacher subject to a Statutory Induction Period.
- 2.2. Any employees who are internally promoted or who change their role and have been employed by the Trust for more than 6 months will not be covered by this procedure and will not be required to complete a probationary period with the exception of a move to a more senior role when a probationary period may be undertaken.
- 2.3. Contracts will either be confirmed, terminated, or extended at the end of the probationary period, subject to notice requirements.
- 2.4. The probation period may be extended at the employer's discretion (for example, where there has been significant absence) for up to 12 additional weeks (or longer if the extension includes academy closure periods).

- 2.5. Notice periods applicable during the probationary period are reduced to six weeks (teachers) and one working week (support staff) by either party. The Academy/Trust may decide, at its discretion, to waive this notice requirement.
- 2.6. The capability, disciplinary, and sickness absence policies and/or procedures do not apply during the probation period. If issues of conduct, poor performance, or sickness arise during the probation period, the probation procedure will normally be used to address such matters.
- 2.7. Where allegations have been made against a Probationer, a management investigation will be conducted into the matter. In cases of alleged serious misconduct, the Headteacher (or person with delegated responsibility for suspension) will normally suspend the Probationer pending an investigation. For any safeguarding matters, please speak to the People Directorate.
- 2.8. During the probationary period, whilst the principles of reasonableness and natural justice reflected in the ACAS Code will apply, it may be appropriate to foreshorten procedures, processes, and relevant timescales, depending on the individual circumstances of each case.
- 2.9. The Trust reserves the right to terminate employment at any time. However, any decision taken to do so will be fair and consistent, and (with the exception of gross misconduct) supporting evidence will be required to demonstrate that the employee has been made aware of the concerns and given every opportunity to address these.

### **3. Roles and responsibilities**

- 3.1. The probation procedure will be operated by the employee's line manager, and it is their responsibility to ensure that it is communicated to the probationer and applied consistently.
- 3.2. A decision to confirm, or not to confirm, the appointment under this procedure (including appeals) should be taken by the person specified in the table below.

#### **3.3. Specific roles and responsibilities**

##### **Headteacher/Line Manager**

- Responsible for conducting regular probation meetings, providing constructive feedback, and supporting the employee throughout the probationary period.
- Provide training, if appropriate, to undertake the work (it is recognised that certain professional and senior employees are recruited on their ability to undertake the requirements of the role from the first day of employment).
- Ensure probation assessment is completed in line with this procedure.
- Support the employee where performance improvement has been identified.

##### **Employee**

- Expected to proactively engage in the probation process, seek feedback, meet performance standards, align with Trust policies and values, and cooperate with strategies to support them.

<b>Employee</b>	<b>Manage procedure and make initial decisions</b>	<b>Hear appeal</b>
Academy Employee	<ul style="list-style-type: none"> <li>• Line Manager</li> <li>• Senior Leadership</li> <li>• Head of School/ Headteacher/ Executive Headteacher</li> <li>• CEO</li> </ul>	<ul style="list-style-type: none"> <li>• Head of School/ Headteacher/ Executive Headteacher</li> <li>• Academy Improvement Lead</li> <li>• CEO</li> <li>• Trust Panel**</li> </ul>
Trust Employee (Central Services)	<ul style="list-style-type: none"> <li>• Line Manager</li> <li>• Executive Leadership Team</li> <li>• CEO</li> </ul>	<ul style="list-style-type: none"> <li>• Executive Leadership Team</li> <li>• CEO</li> <li>• Trust Panel**</li> </ul>

The term “Headteacher” is used to identify the person with responsibilities of headship within each Academy, who may be referred to locally as, e.g., Headteacher, Principal, Executive Headteacher, or Executive Principal.

\*\*A “Trust Panel” can be a single individual or any number of individuals from the relevant group.

## 4. Aims of this Procedure

4.1. The use of probationary periods is intended as a constructive process to allow new employees to:

- understand the Trust and its Academies, their job role/tasks, including any specific responsibilities;
- establish their suitability for the role;
- understand the expectations and standards of performance, e.g., Teachers, HLTA, and any other relevant Standards, standards of conduct, and behaviour; and
- understand their responsibility for their own continuous development.

4.2. To support these aims:

- All new employees must be made aware, during the selection process, that there is a probationary period and that review meetings will be held during this period to confirm their suitability for continued employment;
- All new employees are properly inducted in their role, including being advised of their responsibilities, including safeguarding, data protection, and health and safety. Inductions should also include an introduction to the duties and objectives of the role, expectations for performance, and access to Trust/Academy policies and procedures. It should also include an introduction to the Trust values and other working arrangements.
- Line managers responsible for managing, coordinating, and reviewing new employees' probation periods will receive appropriate training as necessary.

## 5. The Probationary Procedure

- 5.1. The employee's line manager will monitor and review performance on a day-to-day basis and through the Appraisal process.

Formal probation reviews with the employee will take place at the following intervals after the commencement of employment:

### Support Staff (26 weeks)

- 8 working weeks;
- 16 working weeks; and
- 24 working weeks - Final Review Meeting

### Teachers (5-6 months/2 terms)

Before the end of each half-term

### Apprentices

Apprentices may be subject to different review timescales under their contract of employment if supported by an Apprenticeship Agreement.

- 5.2. Interim meetings may be held as necessary, as well as informal discussions throughout the probationary period. Every employee should be made aware of concerns and given every opportunity to address them.
- 5.3. Review meetings may be deferred where there have been significant periods of absence (e.g., sickness/family-related leave).

Such periods of absence will, however, be considered, where relevant, when assessing whether attendance has been satisfactory during the probationary period.

- 5.4. The content and outcome of all meetings will be recorded, and a copy given to the employee. If using the Trust Appraisal process for probation meetings, a copy of the final appraisal outcome should be emailed to [appraisals@activelearningtrust.org](mailto:appraisals@activelearningtrust.org).
- 5.5. The following should be discussed at each review meeting:
- performance in the role and against any relevant Standards;
  - general competence, conduct, attitude/behaviour;
  - attendance, training, and support provision and needs.

Throughout the probationary period, employees are expected to demonstrate:

- **Professionalism:** Consistently uphold the Trust's values, maintain a positive attitude, and interact respectfully with students, staff, and the academy's community.
- **Commitment:** Exhibit dedication to the role, including reliability in attendance, punctuality, and knowledge development.
- **Adherence to Policies:** Follow all Trust/Academy policies and procedures, including safeguarding policies, data protection, and health and safety protocols.
- **Effective Performance:** Teachers should deliver quality teaching, support learning objectives, and foster a positive learning environment. Support staff

should contribute effectively to their respective roles in supporting the academies or the Trust's operations.

- 5.6. An employee's contract will either be confirmed or terminated by the end of the probation period, subject to contractual notice requirements.

Probationary periods should only be extended in exceptional circumstances (see section 6).

- 5.7. If there is clear evidence, at an earlier stage, to suggest that the employee is wholly unsuitable for the role or incapable of performing the role (whether as a result of their conduct or lack of competency), and it is clear that further training or support is unlikely to alter the situation, the contract may be terminated at any point before the end of the probationary period.

In this case, the employee will be invited to attend a meeting to confirm that they have failed to successfully complete their probationary period, and the employee will normally be given notice under their contract of employment (see 2.5)

- 5.8. Where the contract is confirmed, employees will then be subject to the capability, absence, and disciplinary procedures, as appropriate. Their performance will then be supported through the appraisal procedure.

- 5.9. At any point where the employee's progress is unsatisfactory in any respect:

- they will be advised of the areas where improvement is required;
- appropriate training and support will be identified and a support plan/detail of expectations provided;
- they will be advised that failure to improve could result in non-confirmation of appointment.

**5.10. Safeguarding concerns**

Where concerns are raised regarding safeguarding, the People Directorate's advice must be sought.

**5.11. Final review meeting**

The final review meeting will be conducted by the line manager, with confirmation of the appointment being provided by the Headteacher or a member of the Executive Leadership for Central Team members. At least 5 working days' notice should be given of this meeting, unless agreed by both parties to waive this notice period.

**5.11.1 Successful probation period**

Where progress has been satisfactory, the probationary period will be formally signed off following the final review meeting. A letter will be sent to the employee informing them that they have successfully completed their probationary period and confirming their appointment.

**5.11.2 Unsatisfactory probation period**

Where an employee's progress has not been satisfactory, the employee will be formally invited in writing to the final probation review meeting with the Headteacher (or, in the case of the Headteacher, a senior member of the Trust's



Education Team, or a member of the Executive Leadership Team for Central Team members.

Before the meeting, the line manager should compile relevant documentation evidencing the concerns, actions taken, and procedures followed, and provide this to the employee with the meeting invitation letter, at least 5 days in advance of the meeting.

The employee has a statutory right to be accompanied to this meeting by a trade union representative, an official employed by a trade union, or a work colleague. The employee must confirm the name and status of their representative before the meeting. Employees are responsible for making their own arrangements for their chosen companion to attend the meeting.

At the meeting, the manager will set out where progress has been insufficient, with reference to previous review meetings.

The employee will be given an opportunity to make representations verbally and/or in writing.

The decision maker will determine at the end of the meeting whether to:

- confirm appointment;
- extend probation;
- not confirm the appointment and terminate the contract. Notice will be given in line with the employment contract.

The decision will be confirmed in writing within 5 working days of the date of the meeting. Where the decision is non-confirmation, the letter will give notice of termination of employment and the right of appeal.

Where considered appropriate, the employee may be redeployed to other duties during the period of notice, not required to attend work or have their notice paid in lieu.

## **5.12. Appeals**

Employees have the right to appeal against a decision to terminate their contract.

Any appeal must be lodged in writing within 5 working days of receipt of the letter of notice of termination of employment. The employee may provide written evidence in advance of the appeal meeting.

All appeals will be heard in line with Section 3.3 above.

The employee will be given at least 5 days' notice of the appeal meeting. The appeal panel will be provided with a copy of the paperwork referred to during the original hearing, minutes of the meeting, the outcome letter, and the appeal letter.

The decision of the Appeal hearing will be confirmed in writing and will be final, subject to the employees' rights in law.

## **6. Extensions to the probationary period**

- 6.1. Extensions to the probationary period will normally only be granted at the final review meeting, where the employee has been absent for a considerable amount of time during the probationary period and therefore been unable to demonstrate their suitability for confirmation of appointment.

There may also be occasions where additional training and support are required to improve performance, and a longer period is necessary to assess the impact of such additional support.

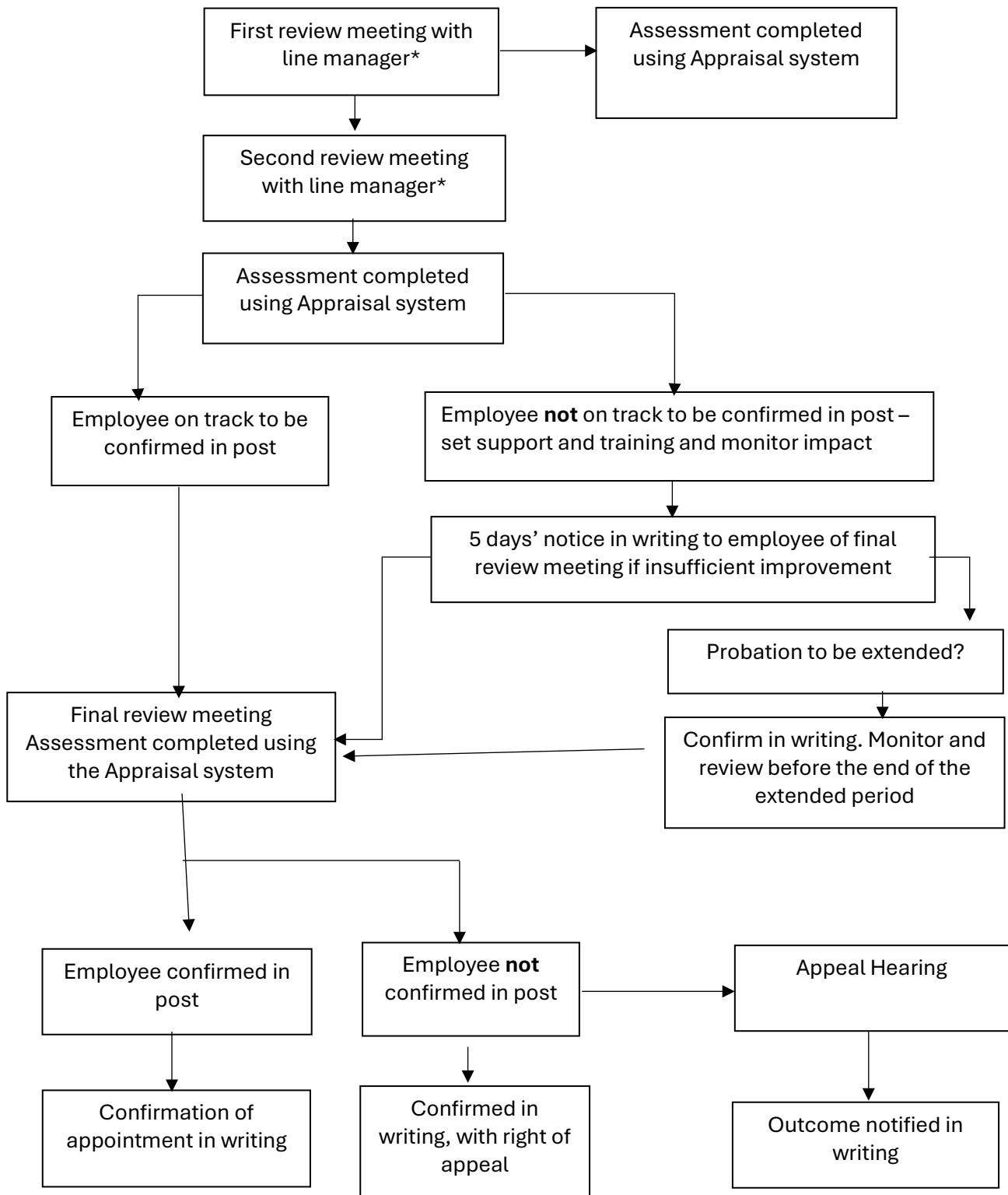
Where it is appropriate, reasonable adjustments will be considered for employees with disabilities (as defined by the Equality Act 2010).

- 6.2. Extensions will not normally exceed an additional 12 weeks.
- 6.3. If an extension to the probationary period is agreed, the employer will confirm the terms of the extension in writing to the employee, including:
- the length of the extension and the date on which the extended period of probation 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 that the employee is required to achieve by the end of the extended period of probation;
  - any support, for example, further training that will be provided during the extended period of probation; and
  - 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.
- 6.4. At the end of the extended period, a further review will take place, and a decision will be made regarding whether the employment will be confirmed.

## **7. Records and Data Protection**

- 7.1. A written record of all meetings conducted under this procedure will be made, either by the person holding the meeting or by an alternative person arranged to take notes. The Academy/Trust processes any personal data collected during the probationary procedure in accordance with its data protection policy.
- 7.2. Any data collected is held securely and accessed by, and disclosed to, individuals only to complete the probationary procedure.
- 7.3. After the procedure, the data collected will be held in accordance with the Trust's retention schedule. Inappropriate access or disclosure of employee data constitutes a data breach and should be reported in accordance with the Trust's data protection policy immediately. It may also constitute a disciplinary offence, which will be dealt with under the disciplinary procedure.

## Appendix 1 – Flowchart



\*If there is clear evidence to suggest the employee is wholly unsuitable for the role/incapable of performing the role at an earlier stage, the contract may be terminated before the end of the probationary period

## **Appendix 2 – Preparation for Probation Review meetings**

The following are sample questions for line managers to use at probation meetings:

1. Have you been given induction training for your new role?
2. Do you feel that you have been given enough information and help necessary to settle into your new role?
3. How well do you feel you've settled into the team and the academy?
4. Do you understand the responsibilities and tasks of your role?
5. Is the job as you expected? How are you finding your role so far?
6. What problems, if any, have you encountered? And how do you think these can be overcome?
7. Are there any aspects of your role where you feel you need more guidance or training?
8. Are there specific skills or areas where you'd like to develop further?
9. How are you finding the workload? Is it manageable?
10. Are there any concerns you'd like to raise about your probation period?
11. Is there anything the school could do differently to support new staff?