



ASPIRATIONS

PROBATION POLICY

Version control	
Aspirations Probation Policy 2019-09-01	Update to align with revised job titles and changed governance arrangements.
AAT Probation Policy 2019-06-01	Provisional review undertaken. No changes other than to logo.
AAT Probation Policy 2016-09-01	<p>This Policy has been subject to consultation with the recognised trade unions but has not been jointly agreed. Despite the absence of joint agreement about the Policy, The Trust has decided to implement the Policy with effect from April 2016.</p> <p>Earlier version control details are shown on “consultation version 2016-04-05” available from the Trust’s Director of HR.</p>

Date of next review:	September 2021	Owner:	Director of HR & Compliance
Type of policy:	Network	Approving Body:	Board

Probation Policy and Procedure

1. Introduction

- 1.1 The probationary period is a 'trial period', to enable the assessment of an employee's suitability for the job for which they have been employed. Everyone involved in the probationary period for a new employee must appreciate that this is a two way process: the degree to which a new entrant develops into a fully effective staff member depends not only on their own skills and attributes but also on the assistance and encouragement received during the probation period.

2. Purpose

- 2.1 The procedure allows for monitoring, formally reviewing and providing feedback on the performance of new employees in the following areas:
- Quality and quantity of work
 - Attitudes and motivation
 - Conduct and attendance
 - Compliance with policies and procedures
 - Leadership and management (if appropriate)
- 2.2 Examples of the ways that these criteria may be displayed is found in appendix 1. Reference should also be made to the job description and person specification of the post held by the probationary employee.

3. Scope

- 3.1 This procedure applies to all new support staff. Where a six month (or less) fixed term contract is issued the probationary period will run concurrently with the contract. Newly qualified teaching staff (NQTs) have their own national arrangements regardless of their permanent, fixed-term, full or part-time status. After this performance is generally managed through the Appraisal Policy.
- 3.2 Employees in their probationary period will normally not be subject to procedures set out in the Trust's capability, absence management and disciplinary policies (however, these documents will be a suitable point of reference in respect of standards, e.g. for examples of misconduct and gross misconduct in the Disciplinary Policy). If issues of conduct, sickness and/or poor performance arise during the probationary period, the probationary procedure should be used to address such matters.

4. Equal Opportunities

- 4.1 The probationary procedure must always be applied fairly and in accordance with employment law and the Aspirations Academies Trust Equal Opportunities Policy.

5. Responsibilities

- 5.1 The Aspirations Academies Trust is responsible for maintaining fair, consistent and objective procedures for matters relating to employee probation. Accordingly it shall arrange for the Probation Policy to be reviewed periodically (at least on a two year cycle) consulting as appropriate, including with unions in accordance with the Aspirations Trade Union Recognition Agreement.

5.2 Within a particular academy, the Principal has general responsibility for the internal organisation, control and management and other members of the SLT are delegated responsibility for the organisation, control and management of designated areas.

5.3 Managers are responsible for:

- Ensuring the employee is aware of this probation policy and procedure;
- Explaining the expected standard of performance, how performance will be monitored, and expected standards of conduct to the new employee;
- Completing a probation review for the new employee at the first, second and final probation review stages;
- Ensuring that probation review forms are completed in a timely manner;
- Notifying the employee of the probation review meetings in advance so that both parties have time to prepare;
- Identifying any potential for the employee to fail to meet the standards required and taking appropriate action quickly whilst maintaining liaison with HR if appropriate
- Ensuring that systems are in place to support and monitor the employee's work throughout the probationary period in order that they receive such assistance as is reasonable to fulfil the duties and responsibilities of the post.

5.4 Employees are responsible for:

- Ensuring that they understand the Probationary Policy and procedure;
- Ensuring that they are familiar with the standards and requirements of the job role;
- Ensuring that they take an active part in the probation review meetings;
- Undertaking any learning and development activities agreed with the manager

6. Timing

6.1 Probation reviews should normally be conducted within the timescales laid down in the procedure. However, if there is a valid reason to do so, timescales can be varied by management. The employee should be given an explanation if this occurs and informed when a response or meeting can be expected. Delays should not normally exceed 10 working days.

7. Managing the probationary procedure

7.1 Timescales for probation

7.1.1 The probation period is normally six months (and may, in certain circumstances, be extended, generally by no more than ten weeks).

7.1.2 Unless otherwise specified in the employment contract, for staff subject to probation the notice period to terminate employment is one month.

7.1.3 Employees must be informed from the outset of their employment about the purpose of probation and the standards of performance, attendance and conduct expected of them. They must be told that their progress will be carefully monitored by their manager throughout the probation period and they should be encouraged to seek help and guidance whenever necessary (the initial meeting section of the probationary form should be completed, see appendix 2).

7.1.4 The appraisal of new probationers is a continuous process. Managers should make regular checks of the employee's work, attendance and conduct and tell them how their progress is viewed. They should also be ready to listen to any comments made by the employees themselves. It is good practice for managers to hold regular one to one meetings with the

employee in order to ensure a good working relationship and provide feedback on the employee's progress.

7.1.5 The manager should conduct a total of three formal probationary reviews with a new employee.

7.1.7 Probationary reviews will generally take place at the following intervals

- On completion of six weeks' service (first review)
- On completion of three months' service (second review)
- On completion of six months' service (final review)

However, should it become apparent that there are significant concerns regarding an employee's performance and suitability at any point during the probationary period, the timing of the reviews may be amended to an earlier time and/or additional reviews may be arranged.

7.1.8 These reviews should take the form of a confidential meeting between the manager and employee. The timescales must be observed so that any concerns or developmental needs are addressed in a timely manner and in the event that performance is insufficient, appropriate notice (see 7.1.2) given within the probationary period.

7.2 The First Review

7.2.1 This meeting is for the manager to evaluate the employee's performance and discuss any significant issues with the member of staff. If improvements in performance are required, there should be a discussion about how to make the necessary improvements, including appropriate management support and training.

7.2.2 After discussion at the first review meeting, in circumstances where there is significant indication that the employee may not meet the required standard, managers should consider whether an additional review meeting should be scheduled or, in exceptional circumstances, arrangements made to consider the termination of employment (this would be at a brought forward final review meeting carried out in accordance with section 9). Where the probation process is to continue, the employee must be informed that continued failure to meet the standards required may result in their dismissal.

7.2.3 Outcomes of the meeting should be documented (the first review section of the probationary form should be completed, see appendix 2) and a record kept on the employee's file.

7.3 The Second Review

7.3.1 The purpose of this meeting is to review the employee's on-going performance. Where the previous review indicated any areas of particular concern, the second review meeting should be used to consider the extent of any improvement that may have taken place.

7.3.2 After discussion at the second review meeting, in circumstances where it is evident the employee will not meet the required standard, managers should consider whether an additional review meeting should be scheduled or arrangements made to consider the termination of employment (this would be at a brought forward final review meeting carried out in accordance with section 9). Where the probation process is to continue, the employee must be informed that continued failure to meet the standards required may result in their dismissal.

7.3.3 Outcomes of the meeting should be documented (the second review section of the probationary form should be completed, see appendix 2) and a record kept on the employee's file.

7.4 Additional review

7.4.1 One or more additional review meetings will only take place if there are serious concerns about an employee's suitability and effectiveness. Before any additional probation review meeting, the manager should consider whether it is a likely outcome that:

- The employee has made sufficient progress to proceed to the next scheduled probation review meeting, or
- If the employee should be dismissed at this stage (in which case the meeting should be arranged in accordance with section 9)

7.4.2 After discussion at the meeting, outcomes of the meeting should be agreed, documented (using the additional probation review pro-forma) and a record kept on the employee's file.

7.5 The Final Review

7.5.1 Before the final review meeting, the manager should consider whether it is a likely outcome that:

- The employee's appointment should be confirmed
- The probationary period should be extended (in which case the meeting should be arranged in accordance with section 8), or
- If the employee should be dismissed (in which case the meeting should be arranged in accordance with section 9).

7.5.2 After discussion at the meeting, outcomes of the meeting should be documented (the final review section of the probationary form should be completed, see appendix 2) and a record kept on the employee's file.

8 Extensions of the probation period

8.1 An extension of the probation period may be allowed in exceptional circumstances only if there are significant indications, that the employee will achieve the standard required within the extended time. An extension period will not normally exceed 10 weeks.

8.2 Where an extension of the probationary period is a likely outcome of the final review meeting, the manager must consult with the Trust's Director of HR and Compliance before proceeding with the final review meeting. The following three step process must be followed.

a) Stage 1 – Notification

The manager must write to the employee giving five days' notice of the meeting and setting out:

- The date, time and purpose of the review meeting
- The reasons why performance is considered to have been unsatisfactory to date
- The individual's right to be represented at the meeting by a trade union representative or work colleague
- That an extension of the probationary period may result and that the Principal head or other appropriate senior manager will attend and chair the meeting.

b) Stage 2 – The meeting

The employee and the manager will meet to discuss the issues. Advisors will be invited as appropriate. The manager will decide the outcome of the meeting (which may be an extension to the probationary period or other appropriate measure) and will communicate this to the employee.

c) Stage 3 – Written confirmation of decision

The manager will confirm their decision and the right to appeal (see section 9) to the employee in writing within five working days.

9 Consideration of dismissal and/or formal warnings

9.1 The Aspirations Academies Trust may terminate the appointment at any time during the probation period if the employee clearly falls below the required standards of performance or conduct and there is good reason to believe that improvement to the required standard will not be made within a reasonable timeframe.

9.2 Where, at any stage of the process, a dismissal is a likely outcome, the manager must consult with the Director of HR and Compliance before proceeding with the final review meeting. A management investigation will be conducted in more complex cases. The following three-step process must be followed:

a) Stage 1 – Notification

The manager must write to the employee giving five days' notice of the meeting and setting out:

- The date, time and purpose of the next review meeting
- The reasons why performance or conduct has been unsatisfactory to date
- That dismissal may be a potential outcome of the meeting
- That they are entitled to be accompanied to the meeting by a trade union representative or work colleague
- That dismissal may result and that an appropriate senior manager will attend and chair the meeting.

b) Stage 2 – The meeting

The employee and the manager will meet to discuss the issues. Advisors and witnesses will be invited as appropriate. The manager will decide the outcome of the meeting (which may be dismissal or other appropriate measure including written and final written warnings, commensurate with arrangements set out in the Disciplinary Policy) and will communicate this to the employee.

Warnings will be retained on an employee's file and will be taken into account in any subsequent disciplinary matter either during or after the probation period. In any event warnings will normally be disregarded for disciplinary purposes after the following timescales, provided that there is continued satisfactory conduct

- Written warning - 12 months
- Final written warning - 24 months

c) Written notification of decision

The Principal will confirm their decision and the right to appeal (see section 9) to the employee in writing within five working days.

10. Appeals

10.1 Where as a result of the final review meeting an employee has had their probation period extended, or a warning has been issued, or where an employee subject to this probation procedure has been dismissed for reasons of capability/performance/conduct, they will have been informed in writing of the decision and of their right to appeal against it.

10.2 Appeals must be submitted in writing to the Principal within **ten working days** of the date of the letter confirming any decision. Appeals received after this period will not be heard.

10.3 Appeals will be heard (a) by the Principal where the original decision was made by a senior manager other than the Principal or (b) by a panel comprising a member of the Trust's central management team and a member of the Regional Board where the original decision was made by the Principal. Advisers will be invited as appropriate.

10.4 Appeals will normally be restricted to considering one or more of the following:

- i) The **PROCEDURE**, – the grounds of appeal should detail how procedural irregularities prejudiced the decision.
- ii) The **FACTS**, – the grounds of appeal should detail how the facts do not support the decision or were misinterpreted or disregarded. They should also detail any new evidence to be considered.
- iii) The **DECISION**, – the grounds of the appeal should state how the act(s) (e.g. of misconduct) did not justify the level of action taken.

10.5 Appeal hearings will be convened as soon as is reasonably practicable and the employee/appellant will be given five working days' notice of the time and place of the appeal hearing.

10.6 The purpose of the appeal hearing is to review the decision to extend the probation period or issue a formal warning or to dismiss. The outcome will be to confirm the decision, substitute a lesser penalty or to cancel it. The person chairing the appeal will communicate their decision, which will be final, in writing to the individual within five working days of the appeal hearing.

11. Review

11.1 This policy will be reviewed every two years.

Appendix 1 - Examples of Effective Behaviours (this list is not exhaustive and should not be used as a checklist)

- *Quality and quantity of work*, which may include (but is not limited to) consideration of:
 - Understanding and delivery of agreed targets or service
 - Problem solving and developing ideas
 - Managing own workload effectively and contributing to the work of the team
 - Improving value for money

- *Attitudes and motivation*, which may include (but is not limited to) consideration of:
 - Demonstrating commitment to the values of the Aspirations Academies Trust
 - Building positive relationships with colleagues
 - Identifying and undertaking learning activities to meet development needs
 - Effectively handling difficult situations and using sound judgement
 - Accepting responsibility

- *Conduct and attendance*, which will include (but is not limited to) consideration of:
 - Behaving professionally and appropriately at all times
 - Considering the effects of actions on others
 - Timekeeping
 - Attendance and sickness record

- *Compliance with policies and procedures*, which will include (but is not limited to) consideration of procedures relating to the following:
 - Finance
 - Health and Safety
 - HR
 - IT
 - Data protection and confidentiality

- *Leadership and management* (if appropriate), which may include (but is not limited to) consideration of the following:
 - Demonstrating commitment to developing employees
 - Encouraging staff involvement
 - Motivating, empowering and supporting employees
 - Effectively managing the performance of your staff

Probationary Record Form

Name of probationary employee:

Name of manager overseeing the probationary process:

This form should be used to record notes of the probationary process. After notes have been completed a copy should be issued to the employee and a copy retained on the employee's file. In exceptional circumstances serious concerns may arise which may cause one or more of the stages to be cancelled and the final review meeting brought forward.

Initial probationary meeting held on: [DATE]

Purpose of the meeting (as set out in 7.1.3 of the Probationary Policy):

Employees must be informed from the outset of their employment of the purpose of probation and the standards of performance, attendance and conduct expected of them. They must be told that their progress will be carefully monitored by their manager throughout the probation period and they should be encouraged to seek help and guidance whenever necessary.

Manager's notes:	
Signed: _____	Date: _____
Employee's confirmation of receipt and comments: Within 5 working days of receiving the notes from the manager, the employee should return a signed copy. The employee may add their own comments making reference to any points made by the manager.	
Signed: _____	Date: _____

First probationary review meeting held on: [DATE]

The first review meeting will normally be held on completion of 6 weeks' service (as set out in 7.1.7 of the Probationary Policy).

As set out in 7.2 of the Probationary Policy, this meeting is for the manager to evaluate the employee's performance and discuss any significant issues with the member of staff. If improvements in performance are required, there should be a discussion about how to make the necessary improvements, including appropriate management support and training. After discussion at the meeting, outcomes of the meeting should be agreed, documented and a record kept on the employee's file.

<p>Manager's notes: <i>To include summary assessment of attendance; punctuality; general competencies including communication, team working and adherence to Academy rules; and competencies specific to the job role, e.g. as set out in the job person specification. Note should also be made of training/support provided or considered necessary to arrange. Specific note should also be made where there is cause for concern that the probation period may not be completed satisfactorily and that this could result in dismissal.</i></p>	
Signed:	Date:
<p>Employee's confirmation of receipt and comments: <i>Within 5 working days of receiving the notes from the manager, the employee should return a signed copy. The employee may add their own comments making reference to any points made by the manager:</i></p>	
Signed:	Date:

Second probationary review meeting held on: [DATE]

The second review meeting will normally be held on completion of 3 months' service (as set out in 7.1.7 of the Probationary Policy).

As set out in 7.3 of the Probationary Policy, the purpose of this meeting is to review the employee's on-going performance.

Where the previous review indicated that improvements in performance were required, the second review meeting should be used to consider the extent of any improvement that may have taken place.

If there is concern that the required standard will not be met by the end of the probationary period consideration should be given to arranging a follow up meeting to the second review meeting (e.g. on completion of 18 weeks' service). Where there is such a concern the employee should be informed that continued failure to meet the standards required may result in their dismissal.

Manager's notes: To include summary assessment of attendance; punctuality; general competencies including communication, team working and adherence to Academy rules; and competencies specific to the job role, e.g. as set out in the job person specification. Note should also be made of training/support provided or considered necessary to arrange. Specific note should also be made where there is cause for concern that the probation period may not be completed satisfactorily and that this could result in dismissal.

Signed:

Date:

Employee's confirmation of receipt and comments: Within 5 working days of receiving the notes from the manager, the employee should return a signed copy. The employee may add their own comments making reference to any points made by the manager:

Signed:

Date:

Final review meeting held on: [DATE]

The final review meeting will normally be held on completion of 6 months' service (as set out in 7.1.7 of the Probationary Policy).

As set out in 7.5 of the Probationary Policy, the purpose of this meeting is to determine one of the following potential outcomes:

- Confirmation of the employee's appointment
- Extension of the probationary period (see section 8 of the Probationary Policy), or
- Termination of contract due to failure to complete the probationary period to a satisfactory standard (see section 9 of the Probationary Policy).

Manager's notes: To include summary assessment of attendance; punctuality; general competencies including communication, team working and adherence to Academy rules; and competencies specific to the job role, e.g. as set out in the job person specification. Note should also be made of training/support provided or considered necessary to arrange. The overall determination of the probationary period should be clearly identified.

Signed:

Date:

Employee's confirmation of receipt and comments: *Within 5 working days of receiving the notes from the manager, the employee should return a signed copy. The employee may add their own comments making reference to any points made by the manager:*

Signed:

Date: