



Tudor Grange Academies Trust

Probation Procedure for Associate Staff

Document title	Probation Procedure for Associate Staff
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Date of Approval/Review	2 nd March 2023
Approving Committee	Finance and Personnel Committee
Version	2.1
Policy review date	Biennial - March 2025

Date updated	Version	Change from last version
-	1.0	New document
23.03.2021	2.0	Paragraph 5.3 updated with the constitution of an appeals panel
02.03.2023	2.1	<ul style="list-style-type: none"> • Update to Definitions table (Section 1) • Update to para 5.2 and 5.4

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1 Definitions

“Companion”	Refers to a person chosen by the employee to accompany them at a Formal Hearing, who shall be a trade union representative or a workplace colleague.
“Formal Hearing”	A meeting at which a recommendation to dismiss the Probationer is considered. For a Formal Hearing where the Principal considers that they must act in the role of Line Manager the matter will be heard by an executive officer.
“Appeal Committee”	May be convened to hear an appeal against a decision to dismiss. The panel may consist of one or more executive officers and may include a Trustee or Local Governor.
“Line Manager”	Refers to the person delegated to manage the probation period. This may be a Senior Manager other than the direct Line Manager.
“Probationer”	Refers to the employee who is serving the probation period.
“Principal”	The person responsible for the day to day running of a particular school within the Trust.
the “Trust”	Tudor Grange Academies Trust (company number: 07365748) whose registered office is at Tudor Grange Academy, Dingle Lane, Solihull, West Midlands, B91 3PD.

2 Introduction

- 2.1 This procedure applies to associate staff regardless of their permanent, fixed-term, full or part-time status.
- 2.2 This procedure is non contractual and for guidance only, although reduced notice of termination provisions by the employer are covered in the contract of employment. The exception to this is substantiated allegations of gross misconduct, as outlined in paragraph 4.3 below, which normally warrants summary dismissal without notice.
- 2.3 It is the responsibility of the Line Manager to implement the procedure and to ensure that the procedure is communicated to Probationers and that it is applied consistently.
- 2.4 The probation period is for 6 months from the start date of employment and may be extended by an additional 3 months, or longer if the extension period includes school holidays (see paragraph 4.8).
- 2.5 It may also be agreed at the outset of the employment that the probation period will be longer than 6 months where the Probationer is employed on a term time only contract and the probation period spans the school summer holidays.
- 2.6 The purpose of the probation period is to enable an assessment to be made regarding a Probationer's suitability for the job for which they have been employed.
- 2.7 The probation procedure provides a consistent and fair framework for the following:
 - 2.7.1 Monitoring and reviewing the performance of new employees in relation to:
 - quality of work and understanding of role;
 - attitudes and motivation;
 - conduct and attendance;
 - compliance with all policies and procedures, particularly those relating to safeguarding and promoting the welfare of children and young people;
 - health and safety;
 - training and development needs.
 - 2.7.2 Providing feedback and opportunity for discussion.
 - 2.7.3 A structured approach to address any concerns linked to 2.7.1.
- 2.8 If issues of conduct, poor performance or sickness arise during the probation period, the probation procedure will normally be used to address such matters. Where allegations have been made against a Probationer, a management investigation will be conducted into the matter. In cases of alleged gross misconduct, the Principal (or person with delegated responsibility for suspension) will normally suspend the Probationer pending an investigation and the matter will be handled in line with the disciplinary procedure.
- 2.9 The following employees are excluded from a probationary period:
 - when transferring between Trust schools and a probationary period has already been served;
 - following an internal promotion and a probationary period has already been served;
 - following any variations to the terms and conditions of employment.

3 Equality and Diversity

- 3.1 The procedure will be operated in accordance with our Equality and Diversity Policy. We are committed to developing, maintaining and supporting a culture of equality and diversity in employment. The impact of the procedure will be monitored in accordance with the Equality Act 2010.

4 The procedure

- 4.1 The Line Manager is responsible for ensuring that the Probationer is properly monitored during the probation period, and that meetings and paperwork are completed in a timely manner. The Probationer will be provided with a copy of the procedure and indicative dates for the probation meetings. In the event that the Probationer's standards fall below expectations, the Line Manager is responsible for initiating and taking action in accordance with this procedure.
- 4.2 The Line Manager should, in normal circumstances, conduct 3 reviews with the Probationer. Reviews should take the form of a confidential meeting between the Line Manager and the Probationer, in which there is opportunity for two-way discussion.
- 4.3 In exceptional circumstances, where there are serious concerns over the suitability of a Probationer, the Line Manager may decide to progress straight to the Final Review and omit the Second Review, or to reduce the time between the review meetings. Such concerns may include substantiated safeguarding or health and safety concerns or substantiated allegations that may constitute gross misconduct or during an extended probation period.
- 4.4 **The First Review** (to be completed within weeks 4 to 6 of the Probationer's start date).
- 4.4.1 The purpose of this meeting is for the Line Manager to evaluate the Probationer's performance and discuss any key issues. If improvements in performance are required, full details should be given, including appropriate management support/training.
- 4.4.2 Upon completion of this review meeting, the Line Manager should complete the Probation Period Review Form (Appendix 1). This should be signed by the Line Manager and the Probationer. A copy should be given to the Probationer and a copy saved on the Probationer's personnel file.
- 4.5 **The Second Review** (to be completed after 3 months' service).
- 4.5.1 The purpose of this meeting is to review the Probationer's performance over the first 3 months. Where the First Review indicated that improvements in performance were required, the Second Review meeting should be used to consider the extent of any improvement that may or may not have taken place.
- 4.5.2 Where the Probationer has not met the required standards, they will be informed that continued failure to meet those standards could result in dismissal.
- 4.5.3 Upon completion of this meeting, the Line Manager should complete the Probation Period Review Form (Appendix 1). This should be signed by the Line Manager and the Probationer, and a copy should be given to the Probationer and a copy saved on the Probationer's personnel file.
- 4.6 **The Final Review** (to be completed after at least 5 months' service).

4.6.1 Prior to the Final Review meeting, which normally takes place after the Probationer has completed 5 months' service, the Line Manager should decide whether:

4.6.2 The Probationer has passed probation or;

4.6.3 The probation period is extended due to exceptional circumstances. Consideration to extending may include the following, but this is not an exhaustive list:

- performance concerns have not been fully addressed but there is a reasonable expectation that satisfactory performance standards may be met by the end of an extension of the probation period;
- the Probationer has had an extended period of permitted absence and it has not been possible to assess performance;
- other exceptional circumstances.

4.6.4 Recommendation to the Principal at a Formal Hearing that the Probationer is dismissed.

4.7 The Probationer has passed probation

4.7.1 Following the final review meeting and satisfactory completion of 6 months' service, if the Probationer has passed probation the Line Manager will complete the Probation Period Review Form (Appendix 2). This will be signed by the Line Manager and the Probationer. The form should be placed on the Probationer's personnel file with a copy provided to the employee.

4.8 The Probation period is extended

4.8.1 Where the decision is to extend the probation period, this will normally be limited to one extension and the extension will be no longer than 3 months, unless the extension period includes school holidays, in which case it may be longer.

4.8.2 Before extending the probation period, the Line Manager will normally seek HR advice. The Line Manager will confirm the terms of the extension in writing to the Probationer, including:

- the length of the extension, the date on which the extension will end, and dates of review meetings, adjusted according to the extension;
- 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 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 fully meet the required standards by the end of the extended period of probation, the employment will be terminated.

4.8.3 There is no right of appeal to the extension of a probation period.

4.9 Principal's Formal Hearing

- 4.9.1 If the Line Manager decides to recommend to the Principal at a Formal Hearing that the Probationer is dismissed, then they will write to the Probationer to inform them as soon as practicably possible, at least 5 working days in advance, setting out:
- (a) the date, time and place of the Formal Hearing;
 - (b) that the purpose of the Formal Hearing is to consider dismissal and the reasons why;
 - (c) the Probationer's right to be accompanied by a work place colleague or Trade Union representative;
 - (d) the titles of enclosed copies of any documents which may be considered;
 - (e) the name and position of any other person present at the meeting e.g. note taker or HR Adviser.
- 4.9.2 The Probationer must advise the Line Manager of the following at least 3 working days in advance of the Formal Hearing:
- (a) the name and designation of any Colleague or Trade Union Representative;
 - (b) any written documentation to be considered.
- 4.9.3 The Probationer will have the opportunity to state their case, before a decision is made.
- 4.9.4 The Principal may decide:
- (a) to terminate employment from the date of the Formal Meeting with probation period notice;
 - (b) extend the probation period. This will revert the process back to the Line Manager;
 - (c) consider mutually agreed deployment to a suitable available alternative post (in which case a new shortened probation period will be put in place and the schedule and number of review meetings adjusted accordingly).
- 4.9.5 The Principal will write to the Probationer confirming the decision within 5 working days of the hearing.

5 Right of Appeal

- 5.1 The Probationer has a right of appeal against a decision to dismiss.
- 5.2 An appeal should be made in writing to the Principal's PA, stating the grounds for appeal in full, within 5 working days of the date of the written decision.
- 5.3 The Appeals panel shall consist of at least 1 and no more than 3 Trustee or executive officer, none of whom will have had any previous involvement in the case. The Appeal Panel may have an HR Adviser present.
- 5.4 An appeal hearing will, in normal circumstances, be heard within 10 working days after receipt of the appeal. The Principal's PA will usually undertake administrative arrangements for any appeal hearing. The outcome will be confirmed in writing as soon as possible and usually within 5 working days of the appeal hearing. There will be no further right of appeal.

APPENDIX 1 Probation Period Review

Review Meeting:	First 4-6 weeks	Second After 3 months	Final After 5 months	Extension
Date:				

This form should be completed by the Probationer's Line Manager after each Review Meeting. This should be signed by the Line Manager and the Probationer, and the original placed on the personnel file with a copy to the Probationer.

Probationer's Name: _____

Start Date: _____

Job Title: _____

Line Manager's Name: _____

Line Manager's Job Title: _____

Review of:

	Exceeds expectations	As expected	Below expectation
Quality and accuracy of work			
Efficiency/work rate			
Attendance			
Time Keeping			
Work relationships (team work and interpersonal communication skills)			
Competency in the job			
Understanding of the job			

Line Manager's Comments: _____

Probationer's Comments: _____

Objectives for Next Review: _____

Line Manager's Signature: _____

Date: _____

Probationer's Signature: _____

Date: _____

APPENDIX 2 Probation Period Review: For Completion following Final Review

Probation Passed (following 6 months satisfactory service)

Line Manager's Comments: _____

Probation Extended

If the probation is extended then an account of the concerns and a support plan for the extension period will be attached to this form.

Line Manager's Reasons: _____

Formal Hearing: Recommendation to the Principal that the Probationer is dismissed

A statement of reasons will be attached to this form.

Line Manager's Signature: _____

Date: _____

Probationer's Signature: _____

Date: _____