



Probation Policy

Policy Code:	HR25
Policy Start Date:	September 2023
Policy Review Date:	September 2026

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Statement of Intent

CIT operate a probationary period at the start of employment for all new employees. In some cases, the Trust may also apply a probationary period to employees who have been transferred or promoted into different posts within the Trust. In these circumstances their original post would normally be filled on a fixed term basis.

The probationary period is a two-way process and is designed to enable the Trust to assess a new employee's suitability and ability to perform in their role and for the employee to judge if the requirements of the role meets the expectations they have.

CIT believe that the effective use of probationary periods greatly increases the likelihood of new employees performing effectively in their new role.

1. Legal Framework

1.1. This policy has due regard to all relevant legislation and guidance including, but not limited to, the following:

- Equality Act 2010
- Employment Rights Act 1996
- DfE (2021) 'Staffing and employment advice for schools'

1.2. This policy operates in conjunction with the following Trust and School policies:

- Child Protection and Safeguarding Policy (Individual schools)
- Code of Conduct – Staff
- Equal Opportunities and Diversity at Work Policy for Employees
- Staff Well-being Policy
- Induction Policy
- Performance Management Policy
- Induction Policy (Early Career Teachers)

2. Scope

2.1. This procedure applies to all new employees regardless of fixed term, full or part-time status.

2.2. In the case of Early Career Teachers (ECTs) their regular mentoring and reporting of their progress to the school's induction tutor/mentor and the Appropriate Body (AB) will take the place of the probation review meetings, but in all other respects they will follow the process described in this policy.

2.3. During their probationary period employees will be subject to the terms and conditions of their contract with the exceptions of the terms detailed within this policy.

2.4. During this period disciplinary, capability and absence will be handled under the terms of this policy and not the CIT Absence Management, Capability and Disciplinary policies.

- 2.5. Any period of absence recorded during a probation period will count towards an employee's ongoing absence record and may be used in future absence management procedures.
- 2.6. Existing employees moving into new positions may also have a probationary period at the start of their new role.

3. Responsibilities

- 3.1. CIT HR is responsible for establishing and maintaining fair, consistent and objective procedures for matters relating to employee probation.
- 3.2. Each Headteacher has overall responsibility for the completion of probation periods for staff within their schools.
- 3.3. For centrally employed staff department heads have overall responsibility for the completion of probation periods for staff within their department.
- 3.4. Line managers have responsibility for the following:
 - Making sure the employee is aware of and has read this Probation Policy.
 - Setting out clearly the expected standard of performance, how this will be assessed and the expected standards of conduct.
 - Arranging, completing and documenting the probation reviews required under this policy.
 - Identifying any areas of performance or conduct that are a concern and raising this in a timely manner with the employee.
 - Informing the relevant Headteacher, Department Head or member of ELT of any concerns.
 - Working with the employee to establish support that can be provided to assist the employee in reaching the required standards.
- 3.5. All new employees have responsibility for the following:
 - Reading and understanding this policy and procedure.
 - Ensuring that the required standards and expectations of performance are understood.
 - Working with their line manager and engaging with any support provided

4. Purpose

- 4.1. The probation procedure allows line managers to monitor, formally review and provide feedback to new employees.
- 4.2. The following areas will be reviewed:
 - Quality and quantity of work;
 - Conduct and attendance;
 - Compliance with policies and procedures;
 - Attitude and motivation;
 - Modelling the CIT Values;
 - Leadership and management (if appropriate).

4.3. More detail of these criteria and expectations are shown in Appendix A.

5. Notice Periods

5.1. The notice period for all employees during their probation period is two weeks.

6. Procedure

6.1. The probation period for all new staff will last for 6 months commencing on the date of employment. All employees will be assigned a Probation Manager, which will normally be their immediate line manager, who will conduct their probation reviews.

6.2. All new employees will have a formal induction meeting on their first day, which is detailed in the Induction Policy. This meeting will set out the Probation Process for the employee.

6.3. During the probation period there are three review meetings that will take place between the Probation Manager and new employee:

- Initial Review – During the first week of employment.
- Interim Review – before 3 months of employment is completed.
- Final Review – before 6 months of employment is completed.

6.4. The review meetings are a confidential meeting between the employee and Probation Manager and must assess the current performance of the new employee, discuss objectives and progress towards these and identify training and or support that may be required.

6.5. The associated paperwork must be completed by the Probation Manager following any official meeting.

6.6. If, during the interim meeting the level of performance of the new employee is a concern, it must be made clear that if the required improvements are not made before the final review meeting their contract may be ended.

6.7. Where concerns have been raised of any nature the employee should be reminded of the expected standards and provided with support and training as required. A record of support should be made.

6.8. Alongside these review meetings Probation Managers should have regular informal meetings with new employees to continually assess performance. Although these meetings are informal, it is good practice to keep notes of any minor concerns raised or additional support provided.

7. Final Review

7.1. The final review period must be held before the 6-month anniversary of the employee's start date. If an employee passes their 6-month anniversary without a final review meeting they will be deemed to have successfully passed their probation.

7.2. During the final review meeting the employee's performance will be discussed and a decision made about their suitability to continue in the role.

7.3. There are three potential outcomes at the final review meeting:

- Employment confirmed following successful completion of probation period.
- An extension to the probationary period.
- Termination of employment.

8. Employment Confirmed

8.1. Where an employee's employment is confirmed at the final review meeting this decision confirmed in writing. Employees will then move into normal performance management procedure and suitable objectives will be set.

8.2. Employees have no right to be accompanied at a Final Review Meeting where employment is to be confirmed and there is no requirement to provide 5 days' notice.

8.3. Final Review meetings where employment is to be confirmed will normally be held by the Probation Manager.

9. Extension of probation period

9.1. CIT HR must be contacted before any probation period is extended. Probation periods will normally only be extended where either:

- Concerns have been raised with the employee previously and although the required standard has not been met, significant improvement has been seen.
- Recent concerns have been raised with the employee and there has not been sufficient time for improvement to be evidenced.
- There have been sustained periods of absence or school closure, where it has not been possible to assess performance, but future attendance is not anticipated to be a concern.

9.2. The outcome will be confirmed in writing following the Final Review Meeting.

9.3. A probation period can be extended by a maximum of 6 additional months.

9.4. Employees have no right to be accompanied at a Final Review Meeting where the probation period is to be extended and there is no requirement to provide 5 days' notice.

9.5. Final Review meetings where a probation period is to be extended will normally be held by the Probation Manager.

10. Disciplinary, Capability or Absence concerns during a probation period where dismissal is a possibility.

10.1. It is normal practice to allow an employee to complete the full duration of their probation period. However, The Trust may terminate an employee's appointment at any time during the probation period if the employee clearly falls below the required standards of performance, conduct or attendance and insufficient improvement is expected.

- 10.2. Where, at any stage of the process, a dismissal is a likely outcome, the probation manager must consult with HR before proceeding with a final review meeting. A management investigation will be conducted in more complex cases. If suspension is required the process set out in the Disciplinary Process will be followed.
- 10.3. The employee must be invited to the review meeting and this invitation should:
- Confirm the date, time and location of the meeting, giving the employee a minimum of 5 working days' notice.
 - Set out the concerns that have been identified that will be discussed at the review meeting and include all evidence that will be relied upon.
 - Confirm the employee's right to be represented at the meeting by a Trade Union representative or appropriate work colleague.
 - State that dismissal is a possible outcome.
 - Confirm the name of the Chair.
- 10.4. This meeting will be chaired by an appropriate senior member of staff who will be either a Senior Manager, member of the senior leadership team, Headteacher, ELT member, Local School Board member or member of the Trust Board.
- 10.5. The probation manager will also be in attendance.
- 10.6. A member of CIT HR may also be present at these meetings along with a note-taker.
- 10.7. During the meeting the Chair will set out the performance concerns to the employee. The employee will be given the opportunity to address these concerns or provide any mitigating circumstances.
- 10.8. The Chair will decide the outcome of the meeting which may be:
- the dismissal of the employee.
 - issuing of a management guidance.
 - a warning (first or final).
 - the extension of the probation.
 - a performance improvement support plan.
 - another suitable alternative measure.
- 10.9. It may be necessary for the meeting to be adjourned before a decision is made.
- 10.10. The Chair can issue a first warning or final warning as appropriate. Any warning will count in any future probation review meetings or disciplinary actions. Warnings will stay live on an employee record for the following time periods:
- First warning – 6 months.
 - Final Warning – 9 months.
- 10.11. The Chair will confirm the decision in writing following the conclusion of the meeting.

- 10.12. Any dismissal made under this policy will be with notice unless the employment is terminated for gross misconduct resulting in immediate dismissal without notice or without payment in lieu of notice (summary dismissal).

11. Appealing

- 11.1. An employee has the right to appeal any of the following decisions made in a Formal Probation Review Meeting:
- Dismissal.
 - First warning.
 - Final warning.
- 11.2. The employee must put their appeal in writing to either their Headteacher, the Director of HR, Clerk to the Local School Board or Clerk to the Trust Board within 5 working days of the outcome being confirmed in writing. Appeals received after this deadline will not be heard.
- 11.3. The appeal must fully set out the grounds for the appeal.
- 11.4. Appeals will normally be restricted to considering one or more of the following:
- The PROCEDURE, – the grounds of appeal should detail how procedural irregularities prejudiced the decision.
 - 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.
 - The DECISION, – the grounds of the appeal should state how the act(s) of misconduct did not justify the level of action taken.
- 11.5. Appeals against warnings will be heard by an appropriate senior member of staff who will be either a Senior Manager, Headteacher, member of the Executive Leadership Team, Local School Board member or member of the Trust Board.
- 11.6. Appeals against a dismissal will be heard by a panel, of at least 2, made up of staff who will be either a Senior Manager, member of a Senior Leadership Team, Headteacher, member of the Executive Leadership Team, Local School Board member or member of the Trust Board.
- 11.7. Appeals will normally be chaired by a member of staff more senior than the individual who chaired the Formal Probation Review meeting.
- 11.8. An appeal meeting will be convened as soon as is reasonably practicable and the employee will be given at least 5 working days' notice. Employees will have the right to be accompanied by either a Trade Union representative or a work colleague.
- 11.9. All paperwork from the original probation review meeting will be provided to the employee and panel prior to the appeal hearing.
- 11.10. The Chair of the probation review will be present at the appeal to present the case for their decision.

11.11. A member of CIT HR will be present at any appeal meeting along with a note-taker.

11.12. The outcome of the appeal will be one of the following:

- Uphold the original decision.
- Revoke the original decision.
- Substitute a lesser penalty,

11.13. The appeals panel's decision is final.

12. Monitoring and Review

12.1. This document will be reviewed every 3 years by ELT or sooner if any significant changes are required.

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

1. Quality and quantity of work

- 1.1 Agreeing targets with line manager and successfully achieving or working towards their completion.
- 1.2 Ability to solve routine problems independently as required.
- 1.3 Developing ideas for improvement and contributing to the overall strategy of the school or Trust.
- 1.4 Managing own workload effectively and supporting other team members.
- 1.5 Meeting the majority of deadline set and producing work at or above the required standard.

2. Attitudes and motivation

- 2.1 Displaying the values of ethos of CIT in their daily practice.
- 2.2 Building and maintaining effective positive relationships with colleagues.
- 2.3 Accepting responsibility for tasks.
- 2.4 Fully committing and engaging with CPD.
- 2.5 Having a flexible and supportive approach to work.
- 2.6 Working cohesively with others to resolve issues and problems.

3. Conduct and attendance

- 3.1 Conducting themselves in a professional manner at all times (in line with the staff code of conduct).
- 3.2 Being respectful of the needs and feelings of others.
- 3.3 High level of attendance at work.
- 3.4 Outstanding timekeeping.

4. Compliance with policies and procedures, for example

- 4.1 Finance.
- 4.2 Health and Safety.
- 4.3 HR.
- 4.4 IT.
- 4.5 Data protection and confidentiality.

5. Leadership and management (if appropriate)

- 5.1 Managing the workload of employees effectively.
- 5.2 Showing a commitment to the development of their team.
- 5.3 Establishing a working environment where staff feel able to challenge and contribute.
- 5.4 Effectively and proactively managing staffing issues.
- 5.5 Empowering and motivating staff.