

Probationary Policy

All Salford Academy Trust Staff



1. Introduction

1.1 It is Salford Academy Trust's policy to operate probationary periods for all new employees, including teachers.

1.2 This policy allows both the employee and Salford Academy Trust to assess objectively whether or not the employee is suitable for the role. Salford Academy Trust believes that the use of probationary periods increases the likelihood that new employees will perform effectively in their employment.

1.3 The aim of the probationary period is to ensure that all employees can meet the basic requirements of the job and perform to the standards expected and, where not, adequate support and training will be given to assist the employee.

1.4 The Principal is responsible for ensuring that all new employees in the individual academy are properly monitored during their probationary period at Salford Academy Trust Academies. If any problems arise, the Principal or most appropriate manager as designated by the Principal should address these promptly and in accordance with the policy. The employee should be made aware that some aspects of their performance or conduct is unsatisfactory. This will help prevent the problem from escalating and hopefully lead to sufficient improvements.

1.5 Where the employee is the Principal or a member of the Executive Team, the CEO of Salford Academy Trust shall be responsible for managing the probation process and determining whether their employment is confirmed or their employment is terminated.

2. Length of Probation

The length of the probationary period applicable to an employee will be as set out in the contract of employment of that employee.

3. Extending Probationary Periods

3.1 Six months should be an adequate period of time to effectively assess an employee's suitability for the role. In exceptional circumstances, Salford Academy Trust may decide to extend an employee's period of probation. This will be limited to one extension and the total period of probation will be no longer than twelve months in total.

An extension may be implemented in circumstances where:

- The employee's performance, conduct or attendance during probation has not been entirely satisfactory, but some improvement has taken place and it is thought likely that an extension to the probationary period may lead to satisfactory improvement.
- The employee or the Principal/designated manager has been absent from the workplace for an extended period during the probation.

3.2 Before extending an employee's probationary period, the Principal/designated manager may consult with Salford Academy Trust HR. If an extension to the probationary period is agreed, Salford Academy Trust 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 be reviewed and when it 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 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 meet fully the required standards by the end of the extended period of probation, their employment will be terminated.

4. Terms of Employment during the Probationary Period

4.1 During the probationary period, employees will be subject to all the terms and conditions of their contracts of employment with the exception of those terms noted below. During the probationary period, attendance, conduct, capability issues will be managed under this policy rather than the standard school HR policies.

4.2 The amount of notice that an employee must give to the Salford Academy Trust if they wish to resign, and the amount of notice that Salford Academy Trust must give to the employee of dismissal are different during probation. During probation, either party may terminate the employee's contract of employment by giving one week's notice unless otherwise varied by the contract. In the event that Salford Academy Trust decides to terminate the employee's employment for reasons as outlined in this policy, their employment will come to an end immediately and the employee will receive pay in lieu of the notice together with any outstanding holiday pay.

4.3 Once the probationary period has been completed, the notice periods will be as defined in the employee's contract of employment.

5. Line Managers' Responsibilities

Under this policy, the Principal/designated manager will have responsibility for monitoring a new employee's performance, conduct, attendance and progress during the probationary period. The Principal/designated manager should ensure that the employee is properly informed at the start of their employment about what is expected of them during probation, for example the required targets or standards of performance, and for putting in place a plan to support the successful start to any new role.

6. Reviews during Probation

6.1 The Principal/designated manager should review and assess the employee's performance, capability, conduct, attendance and suitability for the role on an ongoing basis. It is expected that The Principal/designated manager will have at least a monthly review meeting with the employee during the employee's probation, and again at the end of the probationary period.

6.2 The employee must be invited for a midway review through their probationary period to discuss their work. A written record of all meetings must be kept and a copy should be made available to the employee if requested.

6.3 However, if the outcome of the interview is that the manager considers their work is of an unsatisfactory nature, the employee should be advised of the problems and a course of action be agreed to improve their performance. Where necessary, the employee should be given access to any additional training required. A date for a second interview four weeks from the date of the original interview should also be set.

6.4 At all interviews the employee should be given the right of representation.

Employees should be advised that if at the end of the second interview it is considered that the employee's performance has not improved to the level required that either:

- a) A meeting will be arranged with the Principal or a panel of governors to consider their continued employment at the school;
- Or;
- b) That the probationary period will be extended for a period not exceeding 4 weeks.

6.5 Employees may be called to a review meeting at any time during their probationary period should their conduct or performance be unacceptable and cause management concern.

6.6 Consideration should be made to extending the probationary period past the initial 6 months in special circumstances including periods of disability related sickness and maternity leave.

6.7 During an employee's probation, the Principal/designated manager should provide regular feedback to the employee about their performance and progress, and, should there be any problem areas, raise these with the employee as soon as possible with a view to resolving them. The Principal/designated manager is also responsible for providing guidance and support and for identifying and arranging any necessary support; training or coaching that is relevant to the role.

7. Irregularities Discovered During the Probationary Period

If, during an employee's probation, it is suspected or established that the employee does not have the qualifications, experience or knowledge that they claimed to have at the time of recruitment, the matter will be discussed with the employee to establish the facts. If the evidence suggests that the employee misrepresented their abilities in any way, Salford Academy Trust may terminate the employment giving one week's pay in lieu of notice. In addition, Salford Academy Trust may refer the employee to the relevant professional body or may report the matter to the Police.

8. End of Probation

Shortly before the end of the probationary period (or end of the extension, if applicable), the Principal/designated manager should conduct a final review of the employee's performance, conduct, attendance and suitability for the job. This will involve a meeting with the employee to discuss their performance and progress throughout the period of probation.

If the employee's performance is satisfactory, the Principal/designated manager should notify Salford Academy Trust HR in order to issue a letter of confirmation of appointment to the employee.

9. Termination of Employment

Ordinarily it is Salford Academy Trust's policy to allow the employee to complete the designated period of probation rather than terminating employment before the probation has come to an end. This is to give the employee a full opportunity to come up to the required standards. If, however, there is clear evidence prior to the end of the period of probation that suggests the employee is wholly unsuitable for the role, the employment may be terminated early.

10. Performance

If an employee's performance while on probation has been unsatisfactory despite support from the Principal/designated manager and it is thought unlikely that further training or support would lead to a satisfactory level of improvement, the employment will be terminated at the end of the period of probation. Where the concerns are considered serious and have not improved despite support, then the employment may be terminated prior to the end of the period of probation or at an earlier point if appropriate.

11. Conduct

If an employee's conduct while on probation has been unsatisfactory despite support from the Principal/designated manager, and it is thought unlikely that further training or support would lead to a satisfactory level of improvement, the employment will be terminated at the end of the period of probation or at an earlier point if appropriate.

12. Attendance

If an employee's attendance while on probation has been unsatisfactory (despite support from the Principal/designated manager) and it is thought unlikely that further support or reasonable adjustments would lead to a satisfactory level of improvement, the employment will be terminated at the end of the period of probation or at an earlier point if appropriate.

13. Procedure for Termination

Where a decision is taken to terminate the employee's employment, a meeting will be held with the employee to inform them of the reason for the termination. Salford Academy Trust will write to the employee confirming the termination and the reason for it. The employee will be given an opportunity to appeal the decision.

14. Appeals against Termination of Employment

14.1 Should an employee wish to appeal against the decision to terminate their employment they must write to the Principal/designated manager within 5 working days of the decision to terminate the employment being communicated to them. The employee must state the grounds of their appeal in full.

14.2 An appeal meeting will then be arranged with either the Principal/designated manager (if not involved in the original decision to dismiss) or a panel of Local Governing Body and/or Salford Academy Trust representatives. The outcome of an appeal meeting will be confirmed in writing; this will make it clear that there is no further internal right of appeal. Where the employment of the Principal is terminated they should appeal to the Chair of the Salford Academy Trust Board who will make arrangements for the appeal hearing.

15. Policy Review

This policy is reviewed every two years (unless there is a change in employment law of practice) by Salford Academy Trust in consultation with the recognised trade unions. Salford Academy Trust will monitor the application and outcomes of this policy to ensure it is working effectively.