



## Probationary Procedure for all staff other than Early Career Teachers

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Approved By	Trust Board	Status	Non Statutory
Last Review	July 2024	Next Review	July 2026

### Details of Policy Updates

Date	Details

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Note The job title Headteacher is interchangeable with Head of School and Principal Designate in all North Star Academy Trust's Policies.

### **1. Purpose Scope and Principles**

1.1 The purpose of a probationary period is to give a new employee, and the CEO/headteacher/ manager the opportunity to determine whether he/she is competent at doing the job. In the case of the CEO, the process will be managed by the Chair of Trustees.

The process should always be supportive and the policy will ensure staff are treated in a fair and equitable way. During this time there should be two-way discussions and informal/formal reviews to ensure that the employee has an opportunity to develop and adapt to both the organisation and the particular duties of the post.

This policy will support the Trust to fulfil the requirements of the Equality Act 2010 and ensure there is equality of opportunity for all staff employed by the Trust.

1.2 The probationary period operates in conjunction with the induction and initial training offered to new employees. The probationary period allows both the employee and the Headteacher/manager to assess objectively whether the individual is suitable for the role.

1.3 The use of probationary periods is intended as a constructive process to allow the employee to:

Understand the Trust, the school and their own role and how these fit together.

Understand the expectations, standards, behaviours and job tasks required for their role and how to fulfil these responsibilities.

1.4 During the period of probation an employee's performance will be supported and monitored by their Headteacher/manager. Concerns will be addressed at an early stage with the aim of supporting the employee to improve their conduct or performance.

1.5 Should the required improvements not be made the probationary period may be extended or if performance remains unsatisfactory termination of employment within the probationary period may be considered.

1.6 The standard probationary period is 26 working weeks and applies to **all new starters** except Early Career Teachers.

**Note: The current policy applies to leadership and support staff but does not include teachers other than those on leadership scales. The policy could be considered to be unfair since it applies to all support staff but does not apply to all teachers. One point to consider is notice under the new policy is a clear departure from the STPCD and it could possibly make the recruitment of teachers more difficult, although a probationary period has not deterred any recent teaching appointments and has been useful in managing staff who are not performing.**

1.7 During the probationary period the Trust need give **one week's notice** for the cessation of a contract of employment subject to following the appropriate process to terminate the contract.

**Note: One week's notice complies with the current support staff contract which states that staff with 6 months service or less are entitled to one week's notice. However under the Burgundy Book teachers are entitled to 2 or 3 month's notice and Headteachers are entitled to 3 or 4 month's notice so this is a significant departure from STP&CD. However we do need to take into consideration that staff have only worked for the Trust for 6 months or less.**

**Other Trust's probationary policies notice periods vary between 1 week, 1 month and Burgundy Book notice periods for teachers.**

1.8 Staff within their probationary period are not included within the scope of the Trust's Disciplinary, Grievance, Capability or the Improving Performance Procedures. However, the Probationary Procedure ensures that the Trust has a well-defined and consistent process to ensure that all new employees within the scope of the policy are dealt with fairly.

## **2. Managing the Probationary Procedure**

2.1 Regular meetings should take place between the employee and the CEO/headteacher /manager during the period of probation. This should also link with the induction process (see Appendix A). A well-being meeting should be held during week 4. A target setting meeting should be held during week 8. The interim review meeting should be held with the employee after eight weeks but before 12 weeks. Employees must be informed from the outset of their employment of the purpose of the 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.

### **INTERIM REVIEW MEETING**

2.2 After a reasonable time scale, (but at latest 12 working weeks) after the employee's start date, a first formal review of the employee's position should take place with the CEO/headteacher/manager. The employee will be provided with a copy of the probationary review form that will have been partially completed (see appendices A & B).

2.3 The purpose of the review is to give the employee feedback on how s/he is performing in the role and provide support where required.

### **Outcome of the interim review meeting**

2.5 If the employee is meeting the required standards this will be reflected at the meeting and on the review form, confirming the status of the employee's suitability.

2.6 If there are concerns as to the employee's suitability for the post these should have already been drawn to the employee's attention.

2.7 The employee should be given clear objectives and a timescale within which to improve, confirmed in writing. The employee should be warned that if the standard expected is not reached then his/her appointment will not be confirmed. This warning must be confirmed in writing.

2.8 A copy of the outcome of that meeting should be held on the employee's personal file.

## **SECOND REVIEW MEETING**

If concerns have been identified in the past about the employee's suitability and these concerns remain, please ensure that your HR adviser is briefed and invite the employee to the second review meeting.

2.9 A further meeting should be held with the employee, at the latest after 22 working weeks, but earlier if appropriate. Before this meeting, the employee should be given a further Probationary Review report form (see Appendix C & D).

The employee should be told either:

### **Outcome of second review meeting**

- a. That during his/her probationary period a satisfactory standard has been reached and the appointment will be confirmed; or
- b. That there continue to be problems and, where insufficient improvement has been noted after the timescale specified above, the manager must advise the employee that he/she has determined either;
  - i. to extend the probationary period where there is the strong possibility that the individual will be able to demonstrate the appropriate competencies to undertake the role appropriately. This may require further development activities provided by the CEO/headteacher/manager.

Or:

- ii. not to confirm the appointment (see Section 3)

## **3. Disciplinary/ Capability/ Performance Issues arising during the probationary period leading to warnings and termination of employment.**

3.1 Warnings and dismissal during the probationary period are excluded from the Trust's Managing Attendance, Capability, Improving Performance and Disciplinary Procedures.

3.2 The Trust may terminate the appointment at any time during the period if a probationer clearly falls below the required standards of performance or conduct and insufficient improvement is expected.

3.3 Within North Star Academy Trust the authority to dismiss lies with Trustees, Governors and the Chief Executive Officer.

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

#### 3.4a **Stage 1 - Notification**

The manager must write to the employee giving 5 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 the CEO/Trustees/Governors will attend/Chair the meeting

#### 3.4b **Stage 2 – the Meeting**

The employee, the manager and the CEO/Trustee/Governor will meet to discuss the issues and witnesses may be invited as appropriate. The CEO/Trustee/Governor will decide the outcome of the meeting as follows:

**Levels of sanction that can be considered:**

***Level 1: Written warning***

***Level 2: Final written warning***

***Written confirmation of warnings:***

The CEO/headteacher must give the employee written confirmation of any warning, within five working days together with an explanation of:

\*The reason for the warning;

- \* Whether it is a written or final warning;
- \* The employee's right of appeal;
- \* The fact that a note will be kept on their personal file indicating that a warning has been given, the reasons for it and any required improvements in conduct which have been specified;
- \* The fact that further misconduct may lead to further disciplinary action which could, where appropriate, include dismissal;
- \* The fact that the warning will be disregarded for further disciplinary purposes after the expiry of the time period – 6 months for a written warning and 1 year for a final written warning.

### **Level 3: Dismissal**

If an employee has been warned that their performance/ conduct is not acceptable and they have been given the opportunity to improve however they have not met the required standards of the Trust OR the employee is guilty of gross misconduct they will not be confirmed in post and their contract will end with one weeks' notice.

### **Appeal**

- The employee must lodge an appeal (with reasons) with the Clerk to Governors of school in writing within five working days of receipt of the letter informing him/her of the outcome / decision of the representation hearing.
- The employee has the right to be accompanied by a Trade Union representative or work colleague and must be informed of this in writing.
- The appeal will be considered by a panel of Governors who have not previously been involved. Its role will be to review the decision of the original panel only.
- The panel of Governors should consider the case made and advise the employee of its final decision in writing.
- The outcomes open to the panel of Governors in considering the appeal are:
  1. uphold the appeal and withdraw / reduce the sanction OR
  2. offer a further period of probationary employment during which his/her performance will be monitored OR

3. reject the appeal (if dismissal was the sanction) in which event the employment will continue to be terminated

#### Appendix A – Probation Flow Chart





Appendix B – Interim Probation Review Form

**Interim Probationary Report – 3 month report for all staff other than leadership**

Name:	School:
Post Title:	Date of Appointment:
No. of days sickness & no. of occasions absent since start of appointment:	Date Probationary Period ends:
	Date of Meeting:
	Date of Report:

Please complete the following form as appropriate. These criteria are examples, and others may be used. Please tick most appropriate box for each criterion listed.

	<b>Very Good</b>	<b>Good</b>	<b>Satisfactory</b>	<b>Poor</b>	<b>Very Poor</b>
<b>Reliability: Time keeping, Attendance</b>					
<b>Attitude</b>					
<b>Motivation and commitment</b>					
<b>Initiative</b>					
<b>Aptitude for the Work</b>					
<b>Quality of work / Accuracy</b>					
<b>Output of work / Ability to meet deadlines</b>					
<b>Progress made</b>					
<b>Relationships with others</b>					

General comments relating to the person's performance in the role:

If assessment is poor or very poor, please comment further below and attach additional sheet(s) if necessary. You must include information about:

- details of the areas of work/ behaviour where the individual is not performing well
- objectives the employee should be achieving
- training needs identified
- other additional support that will be given to assist the employee.

**If you consider that the employee is not suitable for the post in which they are employed, please discuss with your manager and HR adviser.**

**1. Please ensure this report is discussed with the employee**

Employee's Comments:

Signed: .....

Date:.....

Review date and time .....

Signed: ..... Print name: .....  
(CEO/Head Teacher or Line Manager)

Date:.....

**Final Probationary Report – 6 month review**

**All staff other than leadership**

Name:	School:
Post Title:	Date of appointment:
No. of days sickness & no. of occasions absent (since start of appointment):	Date probationary period ends:
	Date of meeting:
	Date of report:

Please complete the following form as appropriate. These criteria are examples, and others may be used. Please tick most appropriate box for each criterion listed.

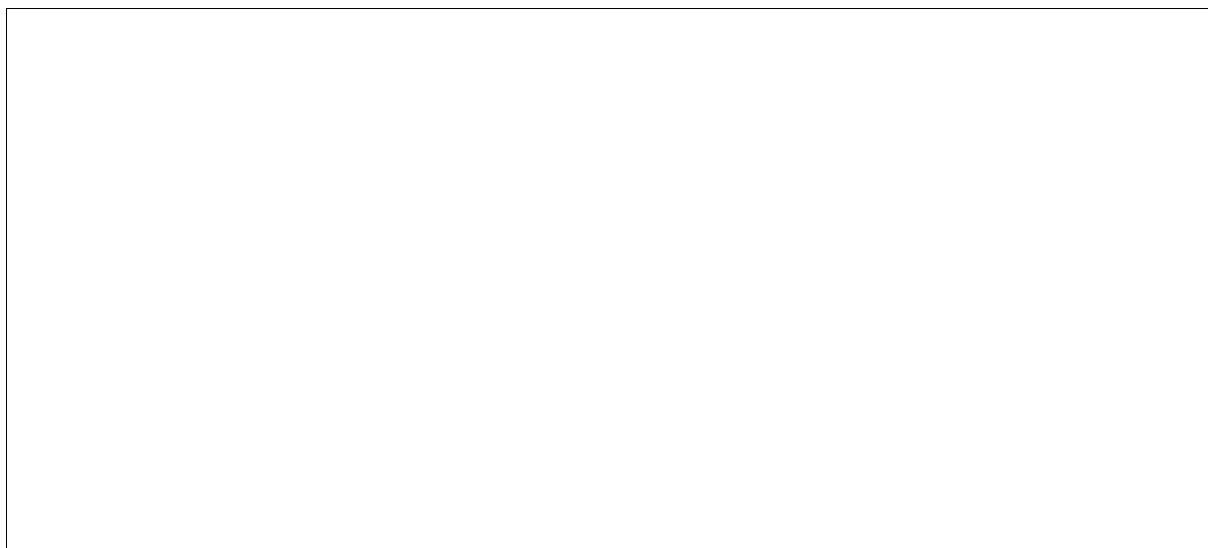
	<b>Very Good</b>	<b>Good</b>	<b>Satisfactory</b>	<b>Poor</b>	<b>Very Poor</b>
<b>Reliability:</b> <b>Time keeping, Attendance</b>					
<b>Attitude</b>					
<b>Initiative</b>					

<b>Aptitude for the Work</b>					
<b>Quality of work / Accuracy</b>					
<b>Progress made</b>					
<b>Relationships with others</b>					

General comments relating to the person's performance in the role:

If assessment is poor or very poor, please comment further below and attach additional sheet(s) if necessary. You must include information about:

- details of the areas of work/ behaviour where the individual is not performing well
- objectives the employee should be achieving
- training needs identified
- other additional support that will be given to assist the employee (if appropriate).



2.

3. Please ensure this report is discussed with the employee

**Employee's comments:**

**Signed:** .....

**Date:**.....



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**If you are considering terminating employment or extending the employee's probationary period beyond 6 months please discuss with your manager and contact your HR adviser.**

In your view, has the 6 month probationary period been completed

Satisfactorily

Unsatisfactorily

In your view, is the employee suitable for the post in which they are employed?


**Yes**

**No**

**Please return this form to HR.**

Appendix D – Leadership Interim Probation Review Form

Personal and Confidential

<b>Name:</b>			
<b>Job title:</b>			
<b>Line Manager:</b>			
<b>Start Date:</b>			
<b>Probation End Date:</b>			
<b>Week 4 – Wellbeing Check In:</b>	<b>Completed by: (Line Manager)</b>	<b>Date:</b>	
<b>Comments:</b>			
<b>Week 8 – Targets to be agreed:</b>	<b>Completed by: (Line Manager)</b>	<b>Date:</b>	
<b>Target Agreed:</b>	<b>Expectations:</b>	<b>To be completed by: (Date)</b>	<b>Completed – Yes or No</b>


## Interim Probationary Review – 3 months

Please complete the following form as appropriate. These criteria are examples, and others may be used. Please tick most appropriate box for each criterion listed.

	Very Good	Good	Satisfactor y	Poor	Very Poor	Comments
<b>Reliability: Time keeping, attendance.</b>						
<b>Attitude to the work and to the school communities (pupils, parents, staff, govs, etc).</b>						

<p><b>Motivation and commitment to</b></p>						
<p><b>Strategic thinking, ability to contribute to the Trust’s strategic plan and formulate a robust school development plan which includes clear targets and steps to complete the targets.</b></p>						
<p><b>Leadership and Communication, ability to motivate and communicate to staff at all levels so they are clear on the priorities of the organisation and their role in actioning those priorities.</b></p>						
<p><b>Understanding the Trust policies and processes and ensuring they are followed in the school.</b></p>						

<p><b>Using initiative to bring new ideas to the school and Trust team for consideration. Coming up with innovative solutions to day-to-day problems.</b></p>						
<p><b>Management of team, aptitude for leading and developing the management team within the school. Agreeing performance objectives, having regular reviews, giving constructive feedback, support and career development.</b></p>						

<p><b>Quality &amp; accuracy of work reflecting the variety of audiences that senior leaders address on a routine basis (eg parent communication, reports for governors)</b>  <b>Implementing the continuous improvement process across the school.</b></p>						
<p><b>Planning and organising, output of work / ability to meet deadlines to ensure the school runs smoothly.</b></p>						
<p><b>Networking and developing, relationships with teams outside school eg social care, LADO, LA SEN team, the LA, other schools, DFE, etc.</b></p>						
<p><b>Trust wide working-Peer to Peer collaboration</b></p>						

<b>Proficiency, in relation to the tasks in the job description</b>						
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Senior Leader Probationary meetings – the expectations are that Head Teachers are working at the standards set out in the current HT standards and their job description. Where an HT is not functioning well within the full standards then the line manager will set targets for the HT to achieve within 4 weeks.

For all other senior leadership roles then the standards around ethics and professional conduct must be achieved. It may be relevant for those senior leaders (eg DHTs) to use the HT standards alongside the JD for the role as the focus of the interim probationary review (whilst acknowledging that a DHT or AHT will not necessarily demonstrate full compliance with the HT standards) as these do provide an excellent framework for discussion.

Refer to the current Headteacher Standards and the postholders job description.

General comments relating to the person’s performance in the role:

What areas of the role is the person doing well?

Are there any areas of the role where the postholder needs to develop their skills, competencies or knowledge?



If assessment is poor or very poor, please comment further below and attach additional sheet(s) if necessary. You must include information about:

- details of the areas of work/ behaviour where the individual is not performing well
- objectives the employee should be achieving
- training needs identified
- other additional support that will be given to assist the employee.

**If you consider that the employee is not suitable for the post in which they are employed, please discuss with your manager and HR.**

**4. Please ensure this report is discussed with the employee**

Employee's Comments:

Signed: ..... Date:.....

Review date and time .....

Signed: ..... Print name: .....

(CEO/Head Teacher or Line Manager)

Date:.....

Appendix E – Leadership Final Probation Review Form

**4. Final Probationary Report – 6 Month Review for Leadership Roles**

Name:	School:
Post Title:	Date of Appointment:
No. of days sickness & no. of occasions absent since start of appointment:	Date Probationary Period ends:
	Date of Meeting:
	Date of Report:

Please complete the following form as appropriate. These criteria are examples, and others may be used. Please tick most appropriate box for each criterion listed.

	Very Good	Good	Satisfactory	Development needed / poor	Very Poor	Comments
<b>Reliability: Time keeping, attendance.</b>						
<b>Attitude to the work and to the school communities (pupils, parents, staff, govs, etc).</b>						

<p><b>Motivation and commitment to the role and development of</b></p>								
<p><b>Strategic thinking, ability to contribute to the Trust’s strategic plan and formulate a robust school development plan which includes clear targets and steps to complete the targets.</b></p>								
<p><b>Leadership and Communication, ability to motivate and communicate to staff at all levels so they are clear on the priorities of the organisation and their role in actioning those priorities.</b></p>								
<p><b>Understanding the Trust policies and processes and ensuring they are followed in the school.</b></p>								

<p><b>Using initiative to bring new ideas to the school and Trust team for consideration. Coming up with innovative solutions to day-to-day problems.</b></p>						
<p><b>Management of team, aptitude for leading and developing the management team within the school. Agreeing performance objectives, having regular reviews, giving constructive feedback, support and career development.</b></p>						

<p><b>Quality &amp; accuracy of work reflecting the variety of audiences that senior leaders address on a routine basis (eg parent communication, reports for governors) and implementing the continuous improvement process across the school.</b></p>						
<p><b>Planning and organising, output of work / ability to meet</b></p>						
<p><b>Proficiency, in relation to the tasks in the job description</b></p>						
<p><b>Networking and developing, relationships with teams outside school eg social care, LADO, LA SEN team, the LA, other schools, DFE, etc.</b></p>						

<b>Trust wide working-Peer to Peer collaboration</b>						
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Senior Leader Probationary meetings – the expectations are that teaching staff in a leadership post are working at the standards set out in the current HT standards and their job description. Where a Headteacher is not functioning well within the full standards then the line manager will set targets for the HT to achieve within an agreed time period.

For all other senior leadership roles then the standards around ethics and professional conduct must be achieved. It may be relevant for those senior leaders (eg DHTs) to use the HT standards alongside the JD for the role as the focus of the interim probationary review (whilst acknowledging that a DHT or AHT will not necessarily demonstrate full compliance with the HT standards) as these do provide an excellent framework for discussion.

Refer to the current Headteacher Standards and the postholders job description.

General comments relating to the person’s performance in the role:

What areas of the role is the person doing well?

Are there any areas of the role where the postholder is not performing ?

If assessment is poor or very poor, please comment further below and attach additional sheet(s) if necessary. You must include information about:

- details of the areas of work/ behaviour where the individual is not performing well
- objectives the employee should be achieving
- training needs identified
- other additional support that will be given to assist the employee.



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**If you are considering terminating employment or extending the employee's probationary period beyond 6 months please discuss with your manager and contact your HR adviser.**

In your view, has the 6 month probationary period been completed

Satisfactorily

Unsatisfactorily

In your view, is the employee suitable for the post in which they are employed?

**Yes**

**No**

**Please return this form to the DFO.**

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Review date and time TBA.....

Signed: .....Printname:

(CEO/Head Teacher or Line Manager)

Date:.....