



South York
MULTI-ACADEMY TRUST

Probationary Policy & Procedure

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This policy has been adopted by the Board of Directors of the South York Multi-Academy Trust (SYMAT) and applies to all Trusts that make up the Trust.

This policy applies to both teaching and support staff within the Trust operating within the South York Multi-Academy Trust unless specific conditions and applications are identified within this policy.

This policy will be monitored regularly by the Multi Academy Trust Board in line with the agreed timetable for policy review or sooner as events or legislation changes require.

South York MAT Probationary Policy & Procedure

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1. Terms of Reference

1.1. This procedure applies to all new employees (Teaching and Support Staff) taking up employment in the South York Multi-Academy Trust regardless of their permanent, fixed-term, full or part-time status. Where a current member of staff is appointed to a new role within the Academy Trust, there will be no probationary period associated with the new post.

1.2. Definitions:

Where reference is made to Manager within this policy, this could mean CEO, Executive Headteacher, Head Teacher, Senior Leader, line manager, Head of Department/ Faculty or School Business Manager.

2. Introduction

2.1. 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.

2.2. It is the responsibility of the Line Manager to implement the procedure and to ensure that the procedure is communicated to new staff members that it is applied consistently.

2.3. The probation period is for six months from the start date of employment and may be extended by an additional three months, or longer if the extension period includes school holidays (see section 4.8).

2.4. It may also be agreed at the outset of the employment that the probation period will be longer than six months where the new staff member is employed on a term time only contract and the probation period spans the school summer holidays.

2.5. The purpose of the probation period is to enable an assessment to be made regarding a new staff member's suitability for the job for which they have been employed.

2.6. The probation procedure provides a consistent and fair framework for:

2.6.1. 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

2.6.2. Providing feedback and opportunity for discussion.

2.6.3. A structured approach to address any concerns linked to 2.6.1.

2.7. Where issues relating to capability, sickness absence or disciplinary arise during the probation period – these would usually be addressed within the probation policy. Where more serious issues arise then these may be dealt with using the Disciplinary Policy & Procedure. The Attendance Management Policy procedure and absence trigger points will be also be used to inform discussions within this procedure.

2.8. The following employees are excluded from a probationary period:

- When transferring between the Trust's Schools
- Following an internal promotion
- Following any variations to the terms and conditions of employment
- Early Career Teachers (ECT) where separate arrangements exist.

The ECT induction arrangements and the appraisal policy for teachers and support staff will run concurrently with the probation period. Where deemed necessary the probation procedure will take precedence over the appraisal policy.

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 new staff member is properly monitored during the probation period and meetings and paperwork are completed in a timely manner. The new staff member will be provided with a copy of the procedure and indicative dates for the probation meetings. In the event that the new staff member'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 three reviews with all new members of staff. Reviews should take the form of a confidential meeting between the Line Manager and staff member, in which there is opportunity for two-way discussion.

4.3. In exceptional circumstances, where there are serious concerns over the suitability of a new member of staff, 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 or serious misconduct or behaviour / conduct which means the employment relationship should be ended. This might occur during an extended probation period.

4.4. The First Review: To be completed within weeks four to six of the new member of staff's start date.

The purpose of this meeting is for the Line Manager to evaluate the new staff member's performance and discuss any key issues. If improvements in performance are required, full details should be given, including appropriate management support/training.

Upon completion of this review meeting, the Line Manager should complete the Probationary Review Form (Appendix 1). This should be signed by the Line Manager and the new staff member. A copy should be given to the member of staff and a copy saved on the personnel file.

4.5. The Second Review: On completion of 3 months service.

The purpose of this meeting is to review the new member of staff'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.

Where the member of staff has not met the required standards, they will be informed that continued failure to meet those standards could result in dismissal.

Upon completion of this meeting, the Line Manager should complete the Probationary Review Form (Appendix 1). This should be signed by the Line Manager and the new staff member. A copy should be given to the member of staff and a copy saved on their personnel file.

4.6. The Final Review: On completion of 5 months service.

Prior to the Final Review meeting, which normally takes place after the staff member has completed five months service, the Line Manager should decide whether:

- 4.6.1. The member of staff has passed probation or;
- 4.6.2. The probation period is extended due to exceptional circumstances.

Consideration to extend 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 member of staff has had an extended period of permitted absence and it has not been possible to assess performance.

- Other exceptional circumstances.

4.6.3 Recommendation to the Line Manager's Manager or other Senior Manager at a Formal Hearing that the member of staff is dismissed.

4.7. Probation period has been passed successfully

Upon completion of the final review meeting, if the member of staff has passed probation the Line Manager will complete the Probationary Review Form (Appendix 2). This will be signed by the Line Manager and the staff member. The form should be placed on the member of staff's personnel file with a copy provided to the employee.

4.8. The Probation period is extended

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 three months unless the extension period includes school holidays, in which case it may be longer.

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 member of staff, 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.

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

4.9. Formal Hearing

If the Line Manager decides that based on the member of staff's performance through the probationary period that their appointment cannot be confirmed and their employment should be ended then they should document their concerns and speak to the Trust's HR Business Partner.

A formal hearing should then be arranged with the Line Manager's Manager or other Senior Manager within the School / Trust.

The Line Manager should write to the member of staff 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 recommend dismissal and the reasons why.
- c) The right to be accompanied by a 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.

The member of staff 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 Trade Union Representative.
- b) Any written documentation to be considered.

The member of staff, who may be accompanied by a Trade Union Representative, will have the opportunity to state their case, before a decision is made.

The Hearing Manager 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 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).

The Hearing Manager will write to confirming the decision within 5 working days of the hearing.

5. Right of Appeal

- 1.1. The staff member has a right of appeal against a decision to dismiss.
- 1.2. An appeal should be made in writing to Headteacher / CEO, stating the grounds for appeal in full, within 5 working days of the date of the written decision.
- 1.3. An appeal will be heard by the Headteacher / CEO supported by HR.
- 1.4. An appeal hearing will, in normal circumstances, be heard within 10 working days after receipt of the appeal. The Headteacher / CEO will arrange for suitable 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 South York MAT Probationary Review – Month 1 & 3

Name:		Job title:	
Start date:		Review completed:	

This form should be completed by the staff member’s Line Manager after each Review Meeting. This should be signed by the Line Manager, the original placed on the personnel file with a copy given to the member of staff.

	Exceeds expectations	Meets expectations	Below expectations
Quality & accuracy of work			
Efficiency / work rate			
Attendance			
Time Keeping			
Work relationships (teamwork & interpersonal / communication skills)			
Competency in the job			
Understanding of the job			
Line Manager Comments			
Staff Member Comments			
Objectives for next review			

Line Managers Signature		Staff members Signature	
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Appendix 2 South York MAT Probationary Review – Month 5

Name:		Job title:	
Start date:		Review completed:	

This form should be completed by the staff member's Line Manager following the final probationary review meeting – a copy should be placed on the staff member's personnel file and a copy given to the staff member.

	Exceeds expectations	Meets expectations	Below expectations
Quality & accuracy of work			
Efficiency / work rate			
Attendance			
Time Keeping			
Work relationships (teamwork & interpersonal / communication skills)			
Competency in the job			
Understanding of the job			
Line Manager Comments			
Staff Member Comments			

END OF PROBATIONARY REVIEW PERIOD

<input type="checkbox"/>	Probationary period passed
<input type="checkbox"/>	Probationary period extended (*clear objectives should be attached)
<input type="checkbox"/>	Recommendation that the staff member has failed their probationary review and should be dismissed (*a statement of reasons should be produced)

Line Managers Signature		Staff members Signature	
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