



## **SCHOOL SUPPORT STAFF PROBATIONARY PERIOD POLICY AND PROCEDURE**

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## **SECTION 1 - INTRODUCTION, ROLES and RESPONSIBILITIES**

- 1.1 The Governing Body recognise that a supportive and developmental probation process is vital in providing the appropriate level of support and training for new employees on commencement of their employment.
- 1.2 This policy sets out the school's approach to probation for new employees, aiming to ensure that Governing Bodies and Cardiff Council meets their commitment to the fair, equal and consistent treatment of staff with regard to the probationary period.
- 1.3 This is a model Probationary Period Policy and Procedure recommended by the Council for adoption by Governing Bodies. It is based on Council Policies/ Procedures and adapted, as appropriate, for schools.

### **Role and Responsibilities**

- 1.4 It is important that everyone clearly understands their roles and responsibilities within this process.

#### **1.5 New School Employee Responsibilities:**

- a) Demonstrating their suitability for the post for which they are appointed
- b) Participating as required in their induction
- c) Meeting any reasonable objectives within deadlines set
- d) Identifying to their line manager at the earliest opportunity any difficulties they are experiencing
- e) Raising with their head teacher/ line manager any training, development or support which they believe to be necessary in order for them to fulfil the requirements of the role.

#### **1.6 Headteachers/ Managers Responsibilities:**

- a) Establishing the standards of performance consistent with the requirements of the position, in line with the job description/ role profile
- b) Communicating the required standards, responsibilities and objectives to the new employee
- c) Ensuring the new employee is inducted thoroughly
- d) Making sure that the employee is aware that records of induction activities may be used to support the probation process
- e) Maintaining induction records which will provide complete and documented evidence to support the probationary procedure
- f) Providing training and guidance as necessary
- g) Monitoring the performance of the employee.

- h) Holding regular one-to-one meetings with the employee in order to ensure a good working relationship and provide feedback on the employee's progress
- i) Providing appropriate supervision to monitor progress or identify difficulties and provide opportunity for resolution
- j) Advise HR People Services of the outcome of the probationary period following an extension of or difficulties during the probationary period

### **1.7 HR People Services Responsibilities**

- a) Providing HR advice on the probation period for both head teachers/ line managers and the new employee
- b) Advising on cases of unsatisfactory performance/ progress and, where appropriate, supporting head teachers/ line managers during formal meetings to address serious cases.
- c) Confirming in writing the outcome of the probationary period following an extension of or difficulties during the probation period.

## SECTION 2 – POLICY

### PURPOSE

- 2.1 A probationary period at the start of an employment contract ensures a framework for the monitoring of performance, providing feedback on work performance and making provision for supporting improvement in the crucial initial months of the employment contract.

### WHO IS COVERED

- 2.2 The Policy applies to all new employees appointed to support posts in the school with the exception of employees transferring from other schools in Cardiff Council or other local authorities. It aims to ensure that there is a fair, systematic and consistent approach to the enforcement of the school's rules, regulations and standards irrespective of grade or status. **Separate arrangements are in place for the induction of teachers within the school.**

In the case of employees working wholly or primarily within schools, but appointed to centrally established posts (in Pupil Support/ EMTAS etc.), **Council** Policies and Procedures will apply. For practical purposes of implementation of specific policies, however, it may be necessary for the appropriate line manager within the school to be properly involved with the process. The specific arrangements which might apply in such cases **must** be clearly identified and agreed between the Education Service and the school. The Education Service will be responsible for initiating such discussions and ensuring that any such arrangements are clearly identified, agreed and documented.

### KEY PRINCIPLES

- 2.3 In order that future difficulties can be avoided, it is important that particular emphasis is given to the appointment of the right person through a rigorous recruitment and selection process.
- 2.4 All offers of employment, (except in the case of new employees excluded in paragraph 2.2 above) will be conditional on completion of a six months probationary period. Where an employee serving a probationary period transfers to the school from another school in Cardiff or another Council or between posts in the school the remaining time of the probationary period will transfer to the new post.
- 2.5 All new employees of the school will be given an induction during their probationary period.
- 2.6 Ongoing monitoring and feedback should be given to employees during the probationary period.

- 2.7 Necessary training and support to do the job will be given to the employee where required.
- 2.8 The employee will be made aware of the standards of performance that are expected, will be advised of the areas where they are doing well and will be made aware of any areas in which their performance could be improved.
- 2.9 As well as informal feedback, formal assessments of the probationary period will occur at set intervals.
- 2.10 If after six months the probationary period has been satisfactory the employee will be written to and informed that their probationary period has been completed.
- 2.11 The Governing Body may, if the employee's performance is unsatisfactory, terminate an employee's contract of employment, but only after following the formal procedure for unsatisfactory performance (see paragraph 3.6 onwards).
- 2.12 If an employee's contract is terminated during the probationary period, a right of appeal against the decision will be given.
- 2.13 Throughout the probationary period, written documentation will be kept of progress, training given, progress meetings, formal assessments, etc.
- 2.14 This Policy and Procedure will be reviewed in light of operational experience.

## **SECTION 3 – PROCEDURE**

- 3.1 A conditional offer of appointment should be given in writing to the successful applicant for a post, in accordance with the Recruitment and Selection Policy. This offer will be conditional on completion of a six months probationary period (subject to paragraph 2.2).
- 3.2 Monitoring of performance and feedback will be given by the head teacher/ line manager during the probationary period by a combination of informal management processes, formal management processes and formal assessments at given intervals. Depending on the management structure within the school, the head teacher may delegate this responsibility to the employee's line manager

### **Informal Assessment**

- 3.3 Informal assessment of an employee's performance should be continually undertaken during the probationary period by the head teacher and informal discussions should take place between the head teacher and the employee. The head teacher should:
- a) Ensure that the employee is aware of how they are performing in their job – what they are doing well and areas of development.
  - b) Ensure that praise is given for good performance
  - c) Explain the standards of performance and behaviour that are expected
  - d) Ensure that appropriate training is being given for the job
  - e) Ensure that the employee has received an appropriate induction.
  - f) If there are areas of concern, try to ascertain why the employee has been performing to an unsatisfactory level, e.g. mitigating circumstances such as personal problems, work place issues, etc.
  - g) If performance is below standard in certain areas then explain what improvement is expected in performance, by when and what support will be given to ensure improvement in those areas.
- 3.4 During these informal discussions the employee will be given the opportunity to openly discuss any problems that they are encountering whether this is work related or personal related issues. The informal discussions should be a two-way process.

### **Formal Assessments**

- 3.5 Formal assessments of performance during the probationary period will take place at 11 weeks and 22 weeks following the date of appointment.
- 3.6 The formal assessments must be completed using the standard forms (see 4.C.120). Head teachers will be responsible for their completion and copies retained on the individual files at school.

- 3.7 The head teacher will complete and sign the formal assessment form and then arrange to go through the form with the employee and discuss the employee's work performance in detail.
- 3.8 The employee will be given an opportunity to add comments to the form. The employee will then be asked to sign the form as confirmation that it has been discussed with them.
- 3.9 The completed form should then be scanned and emailed to HR People Services for placement on the personal file.
- 3.10 If the six months probationary period is satisfactory, HR People Services will confirm in writing to the employee that they have satisfactorily completed the probationary period.

### **Unsatisfactory Performance**

- 3.11 The following process should be undertaken as soon as any serious problems with performance become apparent. It is not necessary to wait for a formal assessment meeting. However, the stages may be incorporated with formal assessments.

### **Stage One**

- 3.12 If the work performance has not improved to a satisfactory level following the informal discussions, a formal meeting should be organised by the head teacher with the employee to discuss work performance during the probationary period.
- 3.13 The employee shall be offered the right to representation at this meeting. This representation can be either a trade union representative or a work colleague.
- 3.14 At the meeting the head teacher should:
  - a) Ensure that the employee is aware of what problems there are with their performance, give examples to illustrate the areas of concern and refer to any occasions when the issue was previously discussed.
  - b) Explain the standard of performance and behaviour that is required.
  - c) Establish if appropriate training has been given for the job.
  - d) Ascertain why the employee has been performing to an unsatisfactory level, e.g. mitigating circumstances such as personal problems, work place issues, etc.
  - e) Explain what improvement is expected in performance and by when.
  - f) Explain what the next stage will be if there is no improvement in performance.
- 3.15 At this meeting evidence of any unsatisfactory performance should be presented to the employee by the head teacher and it should be made very clear that a failure to improve performance could result in termination of the employment contract.

- 3.16 The outcome of the meeting should be to produce an action plan to assist the employee achieve satisfactory performance. This action plan should ideally be agreed in conjunction with the employee and should confirm areas of concern, identify improvements required by both the employee and head teacher, confirm support to be provided and by whom and agree a time and date for review.
- 3.17 Following the meeting the head teacher will produce for the employee written confirmation of the outcome of the meeting.
- 3.18 A follow up review meeting should be convened as agreed and if the performance improves and is now satisfactory, it should be acknowledged and the employee should be encouraged to sustain the progress made. If performance continues to be satisfactory then the probationary period will be completed. However, if performance continues to be unsatisfactory a meeting should be held under Stage 2 of this procedure.

## **Stage Two**

- 3.19 If the work performance is still unsatisfactory following Stage One then the employee's head teacher should contact HR People Services to obtain advice regarding whether Stage Two is appropriate.
- 3.20 If a Stage Two meeting is agreed as appropriate, a formal meeting should be arranged, by the head teacher, with the employee. The details of the meeting should be confirmed in writing.
- 3.21 The employee shall be offered the right to representation at this meeting. This representation can be either a trade union representative or a work colleague.
- 3.22 The meeting should:
  - a) Review the discussions and stages taken so far under this procedure.
  - b) Review any progress since the last meeting.
  - c) Specify the areas where performance remains unsatisfactory.
  - d) Give the employee every opportunity to discuss any relevant issues, mitigating circumstances, etc.
- 3.23 The head teacher will then decide which of the following options is appropriate
  - (a) Setting another review date
  - (b) Termination of the employment contract
  - (c) Performance is satisfactory, and probationary period continues to be served until satisfactory completion.
- 3.24 The head teacher will initially inform the employee verbally of the outcome of the meeting and also inform HR People Services.

### **Setting another Review Date**

- 3.25 If the probationary period has at least another 8 weeks to run then a further review date may be agreed.
- 3.26 An action plan detailing the expected improvements in performance and how they are to be achieved should be written and wherever possible agreed with the employee.
- 3.27 A date for the review meeting should be set as part of the action plan (must be at least 4 weeks before the end of the probationary period). The review meeting will be undertaken as a Stage Two meeting.
- 3.28 A copy of the action plan shall be given to the employee following the meeting.

### **Termination of the Employment Contract**

- 3.29 If in the view of the head teacher an employment contract is to be terminated, the matter will be referred to the Governing Body's Staff Disciplinary and Dismissal Committee for consideration. The employee will have a right to attend a meeting with the Committee to make representations. Confirmation of the decision will be given in writing by HR People Services and the reasons for the decision given.
- 3.30 The employee shall be entitled to notice in accordance with the contract of employment from the date of the letter confirming the termination of contract.
- 3.31 The employee shall have a right of appeal against the decision to terminate the contract. This appeal must be made in writing to the Governing Body's Staff Disciplinary and Dismissal Appeals Committee within 5 working days of the date of the letter confirming the termination. The written appeal should outline the reasons why the termination was not felt to be fair.
- 3.32 The Clerk to the Governors shall arrange a hearing to consider the grounds for appeal relating to the decision to terminate the contract. A reply to the appeal shall be given within 5 working days of the receipt of the appeal. The decision of the Staff Disciplinary and Dismissal Appeals Committee is final.

## **SECTION 4 – RELATED DOCUMENTS**

Formal Assessment Form (Ref 4.C.120)