Probationary Procedure for Support Staff in Schools

This procedure applies to employees who are:

- employed on ‘Green Book’ terms and conditions of service who are new to a Luton Borough Council Community School and do not already have more than 9 months continuous service or
- new to a Voluntary Aided, Foundation School or Academy.

The procedure is designed to help and encourage support staff to achieve and maintain the required standards expected within the school.

It is important that the probation process is undertaken for all eligible support staff, and is applied in a fair and consistent manner. No employee should be treated less favourably than any other person or group because of their age, disability, ethnicity, gender, gender reassignment, HIV status, marital status, sexuality or religious belief.

Whilst the employee is within their probationary period they are not subject to the School’s disciplinary, capability or sickness absence procedures. Areas of conduct and concern that require addressing during their probationary period will be addressed through this procedure.

LENGTH OF PROBATIONARY PERIOD

The duration of the probationary period is 9 months. During this period the employee’s performance and attendance will be reviewed periodically and subject to the provision of suitable warnings of concerns and opportunity for improvement, their employment may be terminated at any time during the nine-month period if they are deemed to be unsuitable for the employment. The school reserves the right to extend a probationary period in exceptional circumstances.

Regular meetings will be held to provide feedback. Please refer to the attached probationary form for further details.

PROBATIONARY MEETINGS

The probationary form should be completed at every probationary meeting with the employee. The manager and employee should both sign the form at the end of each probationary meeting. If the employee disagrees with the feedback from the probationary meeting then the employee may send in a written submission which will be held alongside the probationary form.

If the line manager and/or employee identify that further additional support and training needs are required to assist the employee in reaching the standards, the school have a responsibility to provide reasonable additional support and training to the employee. Training is not required to be an internal or external course and may consist for example, of shadowing or similar on the job training.
It is essential that the employee is advised in the probationary meetings if there are concerns about their progress or their suitability for the post, that targets are set and a reasonable time allowed to demonstrate improvement prior to a subsequent meeting. The employee must be clearly advised what improvements are required and that should the school deem them not to be suitable/satisfactory their employment with the school will be terminated.

There may be circumstances in which an employee is not afforded the opportunity to demonstrate an improvement in their performance. If the employee commits an act that may constitute gross misconduct, a fact finding investigation will be undertaken prior to them being invited to a Probationary Review Meeting with the Head teacher at which dismissal would be a possible outcome.

If an employee does not meet satisfactory standards of performance, after support and training has been given and following recorded review meetings, a probationary review meeting will be held with the Head teacher.

**PROBATIONARY REVIEW MEETING WITH HEADTEACHER**

The employee will be written to giving 14 calendar days notice of the hearing. A template letter can be found at appendix 2. Any documentation in addition to the Probationary Report which will be referred to by the employees Manager at the meeting will be supplied to the employee 7 days before the hearing. The employee will be expected to provide the Headteacher with a copy of any documentation that they will refer to at the meeting at least 3 days prior to it.

The employee may be accompanied to the meeting by a Trades Union Representative or a workplace colleague. The Head teacher may be accompanied by a HR Adviser.

For community schools, where dismissal is a possible sanction, a representative of the Director of Children and Learning has the right to attend the meeting

If an employee, or their representative, is unable to attend the meeting for reasons that were unforeseeable at the time the meeting was arranged (e.g. illness) then the School will reschedule once. If the employee is unable to attend the re-scheduled meeting, it will convene in the employee’s absence. The employee may send written representation, a trade union representative or work colleague on their behalf.

At the meeting each party will be entitled to present their case, and in exceptional cases may call witnesses provided their intention to do so was confirmed within the timescales set out above. The procedure is as follows:

- The manager will confirm the concerns about the employee’s performance, attendance and/or behaviour and the support provided.
- The employee or their representative may ask questions of the manager.
- The Head teacher may ask questions of the manager.
- The employee or their representative will respond and present the employee’s case.
- The manager may ask questions of the employee.
- The Head teacher may ask questions of the employee.
- At the end of the meeting each Party will have the opportunity to sum up their case. Both Parties will then leave the meeting and the Head teacher will make a decision.

The decision will be confirmed in writing to the employee within 7 days of the Meeting. An employee who is dismissed will be given notice in accordance with their contract of employment and their probationary period will be extended for the duration of the notice period. A template letter can be found Appendix 3.

Probationary Procedure
Written by LBC Human Resources
To be reviewed September 2018
**APPEAL HEARING**

An employee who is dismissed will be entitled to appeal against the decision by writing to the Chair of the Governing Body within 7 calendar days of receiving the written confirmation of the decision. The letter must clearly state their grounds for appeal.

The Appeal will be heard by a panel of not less than two governors. The Chair of the Appeal Panel will write to the employee giving 14 days notice, in writing, of the date of the Appeal Hearing. Any documentation that will be relied upon at the Appeal Hearing will be sent to the employee 7 days before the hearing.

The employee must provide the Chair of the Appeal Hearing with a copy any documentation that they will refer to at the Appeal Hearing at least 3 days prior to the Appeal. Only evidence directly related will be considered.

The Manager that attended the Probationary Review Meeting held with the Head teacher may be required to attend the Appeal Hearing. In exceptional circumstances other witnesses may be called.

The procedure to be followed at the Appeal Hearing is as follows:

- The employee will confirm their grounds for appeal and present their case.
- The Head teacher may ask questions of the employee.
- The Appeal Panel may ask questions of the employee.
- The Head teacher will confirm the concerns about the employee’s performance, attendance and/or behaviour, the support provided and the reasons for dismissal. (The Head teacher may ask the Manager to confirm the concerns about the employee’s performance attendance and/or behaviour and the support provided).
- The employee or their representative may ask questions of the Head teacher/Manager.
- The Appeal Panel may ask questions of the Head teacher/Manager.
- At the end of the meeting each Party will have the opportunity to sum up their case. Both Parties will then leave the meeting and the Appeal Panel will make a decision.

The employee will be informed of the decision reached by the Appeal Panel in writing within 7 days.
PROBATIONARY REPORT
For School Support Staff / ‘Green Book’ employees

Probation applies to those employees who are either new to a Luton Borough Council community school or new to a VA/Foundation School or an Academy and do not already have more than 9 months continuous service. Employees are advised that their appointment is subject to a probationary period in their contract of employment.

The employee must be made aware at meetings to discuss progress that he/she is on probation and the implications of this for continuing employment. Basic induction procedures must have been carried out. Employees during their nine-month probationary period are not subject to the School’s Disciplinary, Capability, Appraisal or Sickness Absence Procedures and thus employees failing to reach standards required in any area of work, conduct or attendance can be dismissed with notice without the school having to follow the above stated procedures. Please contact the Schools HR Team BEFORE taking such action. Full notes of any such action should be made on this form.

The assessment necessary to complete this form should be made during an interview with the employee who should sign the form at the appropriate place to indicate understanding of the comments and any action plan and targets and the possible consequences of failure to meet these. A copy of the form should be given to the employee after each probationary appraisal interview.

The form suggests probationary appraisal interviews take place at the 6th, 12th, 20th and 30th week of employment. It is not mandatory that the school adheres to those intervals, nor that the school hold all of the four meetings. What is essential is that employees are advised at a meeting if there are concerns about their progress or suitability for their post, that targets are set and a reasonable time allowed to demonstrate improvement prior to a subsequent meeting and that the employee is clearly advised that should the school deem them not to be suitable / satisfactory their employment with the school will be terminated. Should two or three meetings take place the final meeting should be recorded on this form at week 30.
Name of Employee ........................................ Date Appointed ........................................

Post ..............................................................................................................................

Title .......................................................... Date Probation Ends.................................

<table>
<thead>
<tr>
<th>EMPLOYEE NAME</th>
<th>6th Week</th>
<th>12th Week</th>
<th>20th Week</th>
<th>30th Week</th>
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<tr>
<td>Add in Date for each week</td>
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<td>1. Timekeeping</td>
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<td>2. Meeting job requirements</td>
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<td>3. Standard of work</td>
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<td>4. Initiative</td>
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<td>5. Relationship with colleagues</td>
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<td>6. Relationship with superiors</td>
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<td>7. Sickness Record:</td>
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<td>No. of <strong>working days</strong> absence during period</td>
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<td>Please add extra information on</td>
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<td>sickness record if required</td>
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</tbody>
</table>
Please answer "yes" or "no" to the following questions.

If the answer to any question is "yes", please give appropriate information in the relevant section below:

<table>
<thead>
<tr>
<th>6th Week</th>
<th>12th Week</th>
<th>20th Week</th>
<th>30th Week</th>
</tr>
</thead>
</table>
| 8. Has it been necessary to discuss with the employee:  
   (a) any recurring deficiency in the performance of his/her duties?  
   (b) any misconduct? |

9. Has it been necessary to give:  
   (a) any additional training?  
   (b) more than normal supervision? |

Employees who are not meeting the required standards of work or conduct at any stage during their probationary period should be set aims and objectives with reasonable target dates which will enable them to overcome any of these difficulties. These must be discussed with the employee to ensure that they understand the aims and objectives, the reasons for setting them, as well as the consequences of failing to achieve them. These may be set at any time but details of them must be entered on the probationary form as well as the employee's personal file and a copy given to the employee.
6th Week Probationary Appraisal

Manager’s Comments:

Employee’s Comments

Action Plan and Targets Set (Where appropriate)

..............................................................Manager’s signature     Date......................................

I understand the above comments, action, plan and targets, which have been discussed with me. I understand that failure to achieve these targets to the agreed standards will jeopardise my continuing employment with the school.

..............................................................Employee’s signature     Date......................................
12th Week Probationary Appraisal

Manager’s Comments:


Employee’s Comments

Action Plan and Targets Set (Where appropriate)

.................................................................Manager’s signature     Date.................................

I understand the above comments, action, plan and targets, which have been discussed with me. I understand that failure to achieve these targets to the agreed standards will jeopardise my continuing employment with the school.

.............................................................Employee’s signature   Date.....................................
20th Week Probationary Appraisal

Manager’s Comments:


Employee’s Comments

Action Plan and Targets Set (Where appropriate)


I understand the above comments, action, plan and targets, which have been discussed with me. I understand that failure to achieve these targets to the agreed standards will jeopardise my continuing employment with the school.


Probationary Procedure
Written by LBC Human Resources
To be reviewed September 2018
30th Week Probationary Appraisal

Manager’s Comments:

Employee’s Comments

..............................................................Manager’s signature  Date..............................................

I understand the above comments. I understand that I may now be invited to a meeting with the Headteacher to determine whether or not I have successfully completed my probation.

..............................................................Employee’s signature  Date..............................................

I CONFIRM THAT THE ABOVE MENTIONED EMPLOYEE IS/IS NOT** SUITABLE FOR TRANSFER TO THE PERMANENT ESTABLISHMENT OF THE SCHOOL

Signed........................................................................................................Date............................................................

Headteacher

** Please delete as appropriate

Please attach outcome letter from the meeting with the Headteacher. This document should be kept on the employee’s personal file.