Probationary Periods for Support Staff in Schools

Guidance for Headteachers

1) Introduction
All support staff who join Tameside MBC must successfully complete a probation period before their employment is confirmed. This guidance advises Headteachers of their role and responsibilities during this period. It covers:

- the purpose of probation periods;
- who probation periods apply to;
- actions of the manager;
- how to confirm the appointment;
- options / actions for consideration if problems occur.

There are also links to other related documents should you require them. An outline of the process is included with this guidance as a quick reference tool.

2) What is the Purpose of the Probation Period?
The probationary period is a critical stage in the recruitment process. Ongoing review will help to:

- embed the practice of performance monitoring and assessment to determine the employee's suitability, capacity and capability;
- reinforce the School's method of employee performance management.
- identify appropriate support and assistance
- contribute towards the decision on whether to confirm the appointment at the end of the probationary period.

3) Who does the Probation Period apply to?
It is Council policy that new employees serve a probationary period of six months. This period, in most cases, is sufficient to satisfy yourself that the appointment should be confirmed. This policy does not apply to teaching staff and separate arrangements exist in this respect.

The whole probation process is concerned with monitoring an employee's capability and supporting them during the first few months of their employment. You should ensure that the School's equality commitments are applied consistently during this period.

Where an employee transfers during their probation period, consider extending the probation period in order to allow time to properly assess them in their new role.

This does not apply where an employee transfers from one job to another within Tameside and has already satisfactorily completed a probationary period. However, the following guidance may assist you when carrying out your assessment.
4) **What Should I Do?**

Your School may already have in place a process that manages the performance of employees during their probationary period. Alternatively, the following guidance may assist you.

**a) Inform your employee**

The requirements of the job and specific performance targets will have been outlined to your employee during the recruitment and induction processes.

At the start of a probation period, and using appropriate information (which as a minimum will probably include your employee’s job description/person specification) you should inform your employee of the following:

- purpose of their probation period;
- the specific performance targets they will be expected to achieve and which their performance will be measured against;
- planned training/development which will support their performance;
- planned meetings/discussions to review their progress.

This will establish a baseline against which to measure your employee’s progress throughout their probation period.

**b) Assess your employee**

The detail of any performance assessment will vary dependent upon the level of skills and competencies required to perform the job effectively, and the number of targets that the employee has been set.

Listed below are some examples of potential sources from which you could make an assessment of performance:

- direct observation
- completed work/targets
- work/targets in progress
- colleague feedback
- team meetings
- performance review meetings
- customer feedback
- third party observations (where appropriate)

Whilst assessing you should:

- be objective
- recognise achievement
- highlight areas that require improvement

**c) Discuss with your employee**

Meet with your employee to discuss their performance. Best practice suggests you arrange meetings every couple of months. However, you may wish to meet earlier, especially if your assessments are raising performance issues you need to address quickly.

Allow the discussions to be a two-way process; provide your employee with the opportunity to comment. Cover the following:

- ask them how they think they are doing;
• tell them how you think they are doing, giving examples;
• recognise achievement;
• offer support.

and where appropriate:-

• identify areas that require improvement;
• ask them how they think they could improve their performance;
• set improvement actions;
• carefully and tactfully discuss the implications of a failure to meet the required standards within the time-scales.

An employee may disagree with your assessment of their performance. In this instance, to demonstrate fairness, you may wish to consider involving a senior colleague who could make an impartial judgment based on your assessment data and your employees’ views.

d) **Record the outcomes**

Record your assessments and the outcomes of discussions, allowing the employee to have a copy also. Ensure your records are kept secure and confidential.

An example **Probation Record** is included for your information.

e) **Confirm the appointment**

Approximately a month before the end of your employee’s probationary period, the HR Service will contact you requesting your decision on whether to confirm the appointment.

Where your employee's performance and conduct during their probationary period has proved satisfactory, their appointment should be confirmed. Contact your HR support team to issue the confirmation letter on your behalf.

5) **Can I Extend the Probation Period?**

You may determine that you would not be happy to recommend confirmation of employment at the end of the current probation period. It may be that there have been aspects of the employee's performance you feel may improve given more time and/or support. Equally you may not have been able to complete your assessment of the employee effectively. In such circumstances, you may wish to consider extending the probation period.

If so:

• outline to your employee the reason for the extension and its length;
• develop an improvement plan, clearly identifying where your employee needs to improve;
• identify appropriate support strategies to support the required improvement;
• contact your HR support team who will confirm the extension in writing on your behalf, including information on the outcomes of discussions/agreed actions which you require putting in this written confirmation;
• continue to monitor and communicate your employee's performance during the extension period.

If during further monitor and review you unfortunately determine that improvement is not at the level required regardless of the support strategies having taken place, then it may be appropriate during the extension period to advise your employee that potentially there may come a time when you feel unable to recommend confirmation of their employment.
N.B. Where any proposed extension would take your employee past one year of employment, you should contact your HR Advisor for additional advice.

6) What if I Consider I Should Terminate The Appointment?

Where you believe your employee’s performance and/or conduct is unsatisfactory and that there would be no prospect of improvement, you may consider recommending termination of the employment contract to Governors by NOT confirming their appointment to the post.

This may be one of the most difficult actions you have to take and so it is important to:

- consider each individual case on its merits;
- ensure you act reasonably and fairly, basing your decisions on sufficient and up-to-date facts and information;
- take action as timely as possible, especially if your recommendation follows an extension as detailed above and your employee is nearing one year in employment with the Council;

The following guidance will assist and support you. However, you should always seek the support and advice of your Human Resource Advisor.

6.1 Discussions with your employee:-

You should meet with your employee and inform them that regretfully you have taken the decision to recommend their employment not be confirmed, advising them of your reasons.

During the meeting you may find it useful to support your recommendation by recapping on:-

- the role expected of the employee at work and its importance;
- the effects and difficulties both the service and the employee has experienced during the probation period;
- the factors you have taken into consideration and decisions you have reached whilst managing their performance during probationary period, including providing examples and the timescales involved;
- the support that you, and others in the School have given to the employee.

6.2 Carrying out the dismissal

The dismissal should be carried out by a quorate number of Governors from the School’s Personnel Committee.

Your employee should be invited to attend a Probationary Review Hearing involving the Headteacher, the employee, and the Governors to discuss the situation and hear the reasons why their appointment is not being confirmed.

You may wish to consider the following points prior to the meeting:

- Your employee may wish to be accompanied at the meeting by a colleague or Union representative;
- An HR adviser should attend;
- Immediately following the meeting the Chair of the Committee should confirm the decision to the employee, in writing; your HR adviser can assist with this (a sample letter is included with this guidance for your information).
Although this will be a difficult situation for both yourself and your employee, by following this probationary process your employee should have already been made aware that this could be a potential outcome.

7) The Right Of Appeal

During the probation period, your employee has a right to appeal against the details of any assessment, your decision to extend their probation period, or your decision not to confirm their appointment.

An appeal should be considered by a quorate number of Governors from the Personnel Committee.

To make an appeal, your employee should write, detailing the basis of their appeal, to the Clerk to Governors within 10 working days of them receiving a copy of the disputed assessment or extension/termination letter.

An appeal committee of Governors will then be convened and should make a decision after considering the basis of the appeal, reviewing the supporting facts and speaking to all relevant parties. Their decision will be final and will be communicated to the employee in writing as soon as possible after the appeal Hearing.

8) General Advice

Whatever course of action you decide to take following a probationary period (i.e. confirmation/extension/termination), it is important that your decision is communicated timely to the employee.

If you require any further advice, contact your HR Advisor.
# Probation Record

**Name:**

**Section:**

**Post:**

**Date Commenced**

**Probation Ends:**

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### Assessment Scoring

- **A** – Very Good
- **B** – Good
- **C** – Acceptable
- **D** – Unacceptable
- **N/A** – Not Applicable

*Review as appropriate*

<table>
<thead>
<tr>
<th>Competency / Review Area *</th>
<th>Time Keeping / Attendance</th>
<th>Reliability</th>
<th>Conduct</th>
<th>Customer Focus</th>
<th>Quality of Work</th>
<th>Communication</th>
<th>Selling Improvements</th>
<th>Working with Change</th>
<th>Team Work</th>
<th>Leadership</th>
<th>Developing Others</th>
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**Review Period (Month):**

- 1
- 3
- 5

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**For use when Probation Period Extended**

- 7
- 10

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### Additional Review Areas

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### General Comments

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### Overall Performance

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**Final Recommendation**

- **Confirm**
- **Extend**
- **Terminate**

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**Signed**

**Date**
Dear [Insert name]

Further to your appointment of [Insert job title]. I am pleased to confirm that you have satisfactorily completed your probationary period with [name of School].

I would like to take this opportunity to wish you well in your future career.

Should you wish to discuss any aspect of your employment, please contact your manager in the first instance.

Yours sincerely

Headteacher
Dear [Insert Name],

I refer to your appointment of [Insert job title], which commenced on [Insert date]. The position was subject to you successfully completing a probationary period during which time you were expected to demonstrate your suitability for the job.

Following our recent discussion on [insert date of discussion], I write to confirm that your probationary period has been extended for a further [Insert time period] and as such I am unable to confirm your appointment to the post at this time.

As explained to you, this extension is to give you the opportunity to develop your capability to meet the organisation’s requirements.

As identified, you should pay particular attention to the following areas:

➢ [Type one line references to improvements]

In order to assist you in achieving these improvements, the following support strategies have been agreed.

➢ [Outline support activity agreed here e.g. Training Courses, Mentoring, Job Shadowing etc..]

For clarity, a copy of the most recent probation record assessment is attached.

All other conditions of service remain the same as you currently enjoy with the authority.

Should you wish to discuss this further, or any other aspect of your employment, please do not hesitate to contact me.

Under the terms of your contract you have the right to appeal against this decision. Should you choose to exercise this right, you should submit your appeal, in writing, to [Insert name], Clerk to Governors at the above address within 10 working days of receiving this letter.

Yours sincerely

Headteacher
Dear

Governing Body Committee Hearing – Probation Period

On your appointment to the role of [job title] at [school] you were informed that the position was subject to your successfully completing the probationary period. During this period you were expected to demonstrate your suitability for the job.

I met with yourself on [date] to review your probationary period and informed you that I was not satisfied with your performance in the role.

In view of the above, you are required to attend a Hearing of the Personnel/Staffing Committee of the Governing Body. The Hearing will be held on [day], [date] at [time] at [location].

The Hearing has been convened to consider your failure to satisfy the required standards of the school within your probationary period and to consider your suitability for the post.

You are entitled to be represented at this Hearing by your Trade Union representative or a work colleague. If you choose to be represented at the Hearing and your representative is unable to attend you may request a postponement of up to five working days.

A representative from the Local Authority Human Resource Service will be present at the Hearing to advise the panel and support the process. You will be given the opportunity to put forward any representations you wish during the Hearing.

If you are unable to attend this Hearing and fail to provide a satisfactory explanation for your non attendance, the meeting will be held in your absence.

You should be aware that an outcome of this Hearing could be that your employment is terminated.

No later than five working days prior to the Hearing you will be provided with a list of witnesses that may be called together with copies of any supporting information to be presented at this Hearing. If you wish to provide any information for consideration by the Committee you must present this to myself no later than five working days before the Hearing.

Please confirm you will be in attendance at the Hearing by contacting me on the above number.

Yours sincerely

Headteacher
Dear

Governing Body Disciplinary Committee Hearing Held [date]
Non Confirmation Of Employment – Unsatisfactory Performance During Probationary Period

I write to confirm the decision made by the Disciplinary Committee of the Governing Body of [school] at a hearing held on [date]. The hearing was arranged to consider your suitability for the post of [job title] and also to consider confirmation of your probationary period. You were notified of the arrangements for the hearing in a letter dated [date].

You did not attend the hearing or provide any explanation for your non-attendance. In accordance with the procedure, it was decided that the hearing should proceed in your absence.

The Headteacher informed the Panel of a number of very serious concerns regarding your performance which we accept were raised with you throughout your time at school. The Panel noted that you were offered guidance and support designed to assist improvement. The Panel also noted that your probationary period had been extended by a further 3 months.

After careful consideration of the evidence presented, the Panel determined that you have failed to meet the necessary performance requirements of the role of [job title]. As a result of this determination the Panel are unable to confirm your appointment to the post.

Subsequently, it was determined that the Governors recommend to the Local Education Authority that your employment be terminated with immediate effect. I must therefore inform you that your employment with [school] ceased on [date].

Under the terms of your contract you are entitled to [x] week’s notice. We do not require you to work this period of notice and you will therefore receive appropriate pay ‘in lieu’ of notice. This will be forwarded to you in due course.

If you have any property belonging to school, you must return this as a matter of urgency. Please contact myself directly to make the necessary arrangements.

You have a right of appeal against this decision. In the event that you decide to appeal you should notify the Clerk to the Governing Body, in writing, within 10 working days of receipt of this letter. The appeal would be heard by a committee of the Governing Body. You have the right to be represented at an appeal hearing by your trade union representative or a work colleague.

Yours sincerely

Chair of Committee
Employee Commences

Headteacher monitors employee's progress throughout probationary period. Formally at 1st Month, 3rd Month and 5th Month

Problem(s) identified during the probationary period?

Yes

Headteacher meets employee to discuss and agree area(s) for improvement.
Manager keeps notes/probation record in a confidential place – Copy to employee

No

End of probationary period.

Headteacher completes progress notes / probation record.

Yes

Employee improves to required standard in agreed timescale?

No

Extend probation or recommend terminate appointment?

Terminate

Headteacher completes progress notes / probation record.

Headteacher confirms appointment (via HR support team) in writing to employee

Copies probation records sent to HR support by Headteacher

Yes

Headteacher issues extension to probation letter (via Operational HR section)

No

Headteacher contacts HR Advisor & Governors re potential dismissal

Governors carry out review meeting

Governors decide to terminate / extend?

Extend

Terminate

Governors dismiss employee and confirms (via HR) in writing

Copies of appropriate letters and probation records placed on personnel file by HR support

Monitor Continuously