Probation Policy and Procedure

The Dales School

This policy was adopted from NYES HR template dated:	December 2023
Policy reviewed and adopted	**May 2026**

1. Introduction

1.1 The school is committed to recruiting and retaining employees with the right skill, competence, and motivation to undertake their duties in line with their job descriptions, any relevant professional standards, the school code of conduct and ethos. The school will ensure that their recruitment processes are effective and robust, so that only the candidates with the right skills, competence and motivation are appointed to positions.

1.2 When appointments are made, the school is committed to ensuring a robust and effective induction period to enable new starters to develop into their role and receive appropriate levels of support and training.

1.3 Employees have the right to be accompanied by a recognised trade union representative or work colleague at any formal meetings held to address serious performance, conduct or attendance issues that have arisen during their probationary period, and where the employee's continuing employment is potentially at risk. This right will not apply in the case of informal discussions between the employee and line manager or at the normal review meetings.

1.4 Copies of documents and records relating to the probationary period will be held confidentially on the employee's personal file in line with GDPR.

2. Scope

2.1 This policy applies to all employees new to the school who have not previously been continuously employed by North Yorkshire Council (including within NY maintained schools), with the exception of those employed under School Teachers pay and conditions of service, and those transferred by TUPE or Statutory Transfer Orders. This policy is in line with the North Yorkshire Council Probation Policy, the details of which apply equally to employees of maintained schools in the county. For the avoidance of doubt, this policy applies to new employees who have joined from schools outside North Yorkshire, Trusts within or outside North Yorkshire, or other Local Authorities and public services organisations. Those on Teachers terms and conditions are subject to separate, statutory induction arrangements. A probationary period is a one-off event and employees will only be subject to one probationary period whilst in continuous employment with North Yorkshire Council (including in NY maintained schools).

2.2 If existing employees who are part way through their probationary period move into a new position within the school, their probation period continues. However, the manager may wish to consider the structure of future meetings and potentially an extension of the probation period.

3. Probationary Period

3.1 The probation period for most new employees is initially set as six months from the start date of employment. New employees will only be confirmed in post if they demonstrate the required standard of performance, conduct and attendance during their probationary period. All new employees will be informed in writing of the probation period and this policy and procedure at the conditional offer of employment stage in the recruitment process.

3.2 As outlined within this procedure, there may be instances where it is appropriate to extend the period. The probation period equates to six months of working time; therefore, any

extended periods of non-contractual working time should be discounted (for instance school holiday periods).

3.3 Apprentices will follow their established review pattern and processes over a twelve-month period.

3.4 This period provides the employee and manager an opportunity to discuss the employee's performance, conduct and attendance at regular intervals, and for support to be provided as appropriate where there are any areas of concern. During the probation period, the employee is not subject to the school's disciplinary, developing performance / capability and/or attendance management procedures in respect of any management action. Any areas of concern regarding the employee's performance, conduct or attendance will be addressed through the probationary procedure.

3.5 Whilst it is hoped that, with effective and robust recruitment methods in place, plus a detailed induction programme, probation periods will be completed satisfactorily, the procedure does provide the school with an opportunity to end the employment of an employee, where they are found to not meet the standards required by the school.

4. Probation Procedure

4.1 During the probationary period and as part of the induction process the employee will meet regularly with their line manager for the following reasons:

- to confirm standards of behaviour, conduct and performance expected, including attendance, and discuss any questions and concerns
- to ensure that the employee receives appropriate support, training, and guidance to carry out their duties to the expected standards
- to assess their performance in the post
- to enable the manager and employee to assess the suitability of the post

4.2 During the probationary period, a series of planned review meetings should take place between the new employee and their line manager. It is the manager's responsibility to schedule these meetings and ensure they take place. The suggested timetable for this is:

- An initial meeting within the first week of appointment.
- On a monthly basis as part of one-to-one supervisory meetings.
- A meeting to review progress at one month.
- A meeting to review progress at three months.
- A meeting to review progress at five months and consideration of whether an extension is required.
- A final probation review meeting, usually at six months leading to a decision on future employment.

4.3 Managers are responsible for conducting structured, planned meetings and to ensure accurate records are kept (a template probationary review meeting record form is available). At the end of each meeting, the individual should be provided with a copy of

the record of the meeting to ensure they are fully aware of all the points which have been discussed. These meetings are in addition to normal day-to-day supervision.

5. Initial Meeting

5.1 The initial meeting should be held within the first week of appointment. At this meeting the manager should set performance targets for the probationary period, clearly clarifying the expectations of the employee in line with their job description and setting out the support available to them. These performance targets will form part of the discussions at future probation review meetings. Targets set will be relevant to the individual's job role and contribute to the school's strategic objectives and will be fair and equitable when judged across employees with similar roles and responsibilities but will also consider the skills and experience of the new employee. Every effort will be made to reach agreement regarding an individual's targets.

6. Review meetings

6.1 The review meetings will include the following:

- Review of progress against targets set at the initial probation meeting and discuss any amendments that may be required to the targets.
- Discuss the induction programme and any support provided
- Identify other support needs and solutions where appropriate.
- Discuss and clarify duties and responsibilities of the post.
- Discuss standards of conduct, performance and attendance expected and the implications of them not being met.
- What to expect at the next meeting as the process progresses.

6.2 Where necessary, and especially if concerns have arisen, additional meetings may take place to provide support to the employee and may be requested by either the manager or the employee.

6.3 At the three-month meeting, if the manager decides, based on evidence, that progress is not sufficient to meet the required standard of performance, conduct and / or attendance, they must ensure the employee is made fully aware of this. They must discuss the required standards of performance, conduct and / or attendance with them and provide additional training, support, and guidance, as appropriate. It may be opportune at this point to alert the employee to the possibility that an extension may be needed to pass the probationary period or, that it may not be passed at all if their performance does not improve.

6.4 Where the review of progress at the five-month meeting indicates the need for an extension the duration of the extension should be considered carefully and confirmed in writing to the employee. This would normally be for no longer than three months.

6.5 An individual's employment may be ended at any time during the probationary period where there are serious concerns regarding the performance, conduct and/or attendance of the employee (see paragraph 7.4). This would usually only be in exceptional circumstances, and in the case of a conduct issue, a decision would only be taken after investigation of the facts. In the case of serious concerns regarding attendance, it is vital to consider whether there are any disability related issues for which the school needs to implement reasonable adjustments to enable the employee to work without barriers.

7. Final Probation Review Meeting

7.1 The school will convene a final probation review meeting, usually at the end of the six-month probationary review period, but in some cases earlier if there are serious performance, conduct and/or attendance issues, or later if the initial probation period has been extended. Reasonable notice of the meeting will be provided to the employee of the meeting.

7.2 Where the manager is satisfied that the employee's performance is of the required standard at the final probation review meeting, they will advise the employee that the probationary period has been satisfactorily completed and following the meeting they will confirm the employee's appointment in writing.

7.3 Where an employee has not met the standards of performance, conduct and/or attendance required to pass their probationary period, either during the six months or any extension, despite additional support being provided throughout that period, the school will inform the employee in writing of the potential that the final probation review meeting may end in their dismissal. The employee must receive a copy of written evidence to be considered at the meeting, where this has not already been provided, in reasonable time. The employee should be given the opportunity to submit any written evidence they wish to refer to at the meeting in advance and be advised of their right to be accompanied.

7.4 To determine who would chair the final probation review meeting, where this may result in the employee's dismissal, the school should consider their scheme of delegation. In some cases, it may be appropriate for the meeting to be chaired by the Headteacher, and for them to reach the decision. In other cases, it may be appropriate for a Governor to act as chair and decision maker. Where authority is delegated to one or more governors, the Headteacher may attend to offer advice at all relevant proceedings and such advice must be considered by the governor(s) to whom the delegation has been made.

7.5 At the final probation meeting the manager will discuss the proposal to end the employment, drawing on information and evidence shared in advance. The employee will have the opportunity to respond to the proposal to end their employment. The manager/Chair of the meeting must give due consideration to points raised by the employee before reaching their decision. The manager / chair will normally inform the employee of the decision at the end of the meeting but may, exceptionally, defer a decision for up to five working days to allow for further consideration. The outcome will be confirmed in writing, normally within five working days of the decision being taken. Where the decision is to dismiss, the employee must be informed, in writing, including the reason for dismissal (usually conduct or capability). Unless in cases of gross misconduct, the employee is entitled to be issued with their notice, details of the pay arrangements for notice, and informed of the date the dismissal will take effect. The letter must also provide details of their right to appeal against the decision to dismiss them, and details of how to exercise this right.

7.6 Where a decision to terminate employment is taken by a maintained school it is the responsibility of the local authority to effect the dismissal, whether this is a dismissal with notice or without notice. Therefore, the school is required to request the local authority to issue a letter of termination to the employee and the LA then has 14 days in which to do

so. The individual remains employed until the letter of dismissal is received by the individual in cases of gross misconduct or until the notice period expires in cases of dismissal with notice. The LA retains the right to send a representative to any formal meeting or hearing that may result in the dismissal of staff.

8. Appeal

8.1 The right of appeal applies to any employee dismissed because of unsatisfactory performance, conduct and/or attendance during their probation period. There is no right of appeal against a decision to extend a probation period.

8.2 Appeals must be made in writing to the dismissing manager / Chair of the meeting within 10 working days of the decision, setting out the grounds for appeal.

8.3 Appeals will be heard in line with the school's Hearing and Appeals Procedure, by a panel of Governors not previously involved in the case. The appellant must receive reasonable written notice of the appeal hearing, including confirmation of the right to be accompanied and any evidence that will be referred to. The appellant should also be informed of the right to provide and present written evidence at the appeal, and the deadline for submission of written evidence (suggest that this is 3 working days prior to the date of the appeal).

8.4 The options available to the appeal panel include upholding the decision to dismiss, seeking to agree to withdraw the notice issued and confirm the employee's continuing employment, or an extension of the probation period. If the probation period is further extended, there will be a further final review meeting at the appropriate time, in line with the policy.

8.5 The employee will be advised, in writing, of the decision of the appeal panel, normally within five working days of the appeal hearing.