



Windsor Academy Trust

Probation Policy for Professional Services Staff	
Responsible Committee:	Windsor Academy Trust, Board of Directors
Date revised by Board of Directors:	15 July 2021
Implementation Date:	1 September 2021
Next review date:	September 2023

1. Introduction

1.1 This procedure applies to Professional Services employees of Windsor Academy Trust (WAT), regardless of their permanent, fixed-term, full or part-time status.

1.2 The probation procedure provides a consistent and fair framework for:

- monitoring and reviewing performance of new employees;
- providing feedback and opportunity for discussion;
- a structured approach to address any concerns.

1.3 Definitions:

Chief Executive means the Chief Executive of WAT.

Headteacher refers to all or any of the Executive Headteachers, Headteachers, Head of Schools at all or any of the academies within WAT.

Companion refers to a person chosen by the employee to accompany them, who shall be a trade union representative or a workplace colleague.

Probationers refer to the employee who is serving the probation period.

Line manager refers to the person delegated to manage the probation period. This may be a Senior Manager other than the direct line manager.

Appeals Panel means: the Chief Executive, a Director or panel of up at least two Directors.

2. General Principles

2.1 This procedure is non contractual, although reduced notice of termination provisions by WAT are covered in the contract of employment. The exception to this is substantiated allegations of gross misconduct, which normally warrants summary dismissal without notice.

2.2 It is the responsibility of the Headteacher / line manager to implement the procedure and to ensure that the procedure is communicated to Probationers and that it is applied consistently.

2.3 The probation period is for six months from the start date of employment and may be extended (see Section 4).

2.4 It may also be agreed at the outset of the employment that the probation period will be longer than 6 months where:

- the probation period spans the school summer holidays
- the Probationer is employed on a term time only contract
- the Probationer is on a period of leave (i.e. long term absence)

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

- 2.6 The capability, disciplinary and sickness absence policies and/or procedures do not normally apply during the probation period. If issues of conduct, poor performance or sickness arise during the probation period, the probation procedure will normally be used to address such matters. Where allegations have been made against a probationer, a management investigation will be conducted into the matter. In cases of alleged serious misconduct the Chief Executive/ Headteacher (or person with delegated responsibility for suspension) will undertake a risk assessment to establish whether suspension is necessary.
- 2.7 The following employees are excluded from a probationary period:
- When transferring between the Trust's Academies
 - Following an internal promotion
 - Following any variations to the terms and conditions of employment

3. Reviews during Probation

- 3.1 The Headteacher/line manager is responsible for ensuring that the Probationer is properly monitored during the probation period. In the event that the Probationer's standards fall below expectations, the Headteacher/line manager is responsible for initiating and taking action in accordance with this policy.
- 3.2 The Headteacher/line manager should review and assess the probationer's performance, capability and suitability for the role by conducting at least two review meetings (appropriately timed) with the Probationer, in which there is opportunity for two-way discussion. In exceptional circumstances, where there are serious concerns with regards to suitability of a Probationer, the Headteacher/line manager may decide to progress to a final review meeting and omit the second review.
- 3.3 A clear record of any reviews/discussions should be made and kept on the Probationer's file.
- 3.4 There may be circumstances where the Headteacher/line manager may bring forward the review if an improvement of performance and/or conduct is required of the Probationer.

4. Extending Probationary Periods

- 4.1 WAT reserves the right to extend the period of probation at its discretion. An extension may be implemented in circumstances where the Probationer's performance has not been entirely satisfactory but it is thought likely that an extension to the probationary period may lead to an improvements, or where the Probationer has been absent from the workplace for an extended period during probation and it has not been possible to assess performance.
- 4.2 The Headteacher/line manager will confirm the terms of the extension in writing to the Probationer including:
- The length of the extension, the date on which the extended period will end
 - 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 Probationer is required to achieve by the end of the extended period
 - Any support, for example further training, that will be provided during the extended period

- A statement that, if the Probationer does not full meet the required standards by the end of the extended period (maximum 12 months from the start date), his/her employment will be terminated.

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

5. End of Probation

5.1 If the Probationer has passed the probation period, the Headteacher/line manager will issue a letter of confirmation of appointment to the employee.

5.2 If the performance standards have not been met by the Probationer, despite support having been offered, the employee will be invited to a meeting to consider terminating their employment on the grounds of unsatisfactory performance or conduct during the probationary period. This meeting may be held prior to the end of the 6 month probationary period where there are serious concerns with regards to suitability of a Probationer

5.3 The meeting will be chaired by the Headteacher or Chief Executive. The employee will be given at least 5 days' notice of the meeting and may be accompanied by a companion.

5.4 Where a decision is taken to terminate the Probationer's employment, the employment will come to an end immediately and arrangements made to give the employee notice, which may be paid in lieu. The decision will be confirmed in writing within 5 days of the meeting, offering the right to appeal.

6. Right of Appeal

6.1 The employee has a right of appeal against a decision to dismiss.

6.2 An appeal should be made in writing, stating their grounds for appeal, within 5 working days of the receipt of the written decision.

6.3 The appeal will be heard by the Appeals Panel.

6.4 All appeal hearings will be held as soon as practicably possible after receipt of the appeal.

6.5 The outcome of the appeal will be confirmed in writing as soon as possible and usually within 5 workings days of the appeal hearing. There is no right of further appeal against such a decision of the Appeal Panel.

6.6 In the event that the Appeal Panel decides not to uphold the decision to dismiss, the notice of dismissal shall be immediately withdrawn and reinstated without loss of pay.