



Kemnal
Technology
College



PROBATION POLICY

This Policy was reviewed:

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The Policy will next be reviewed by TKAT &
Kemnal Technology College by:

May 2025



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INTRODUCTION

The Kemnal Academies Trust (the Trust) is committed to providing an inclusive and supportive working environment. It is the Trust’s policy to operate probationary periods for all new support employees, unqualified teachers and in some cases, at the Trust’s discretion, employees in a support or unqualified teaching role, who have been transferred or promoted into a new role or to other academies within the Trust.

This policy is intended to allow both the employee and the Headteacher/ Manager to assess objectively whether or not the employee is suitable for the role. The Trust believes



that the use of probationary periods increases the likelihood that new employees will perform effectively in their employment.

The use of probationary periods is intended as a constructive process to allow the employee to;

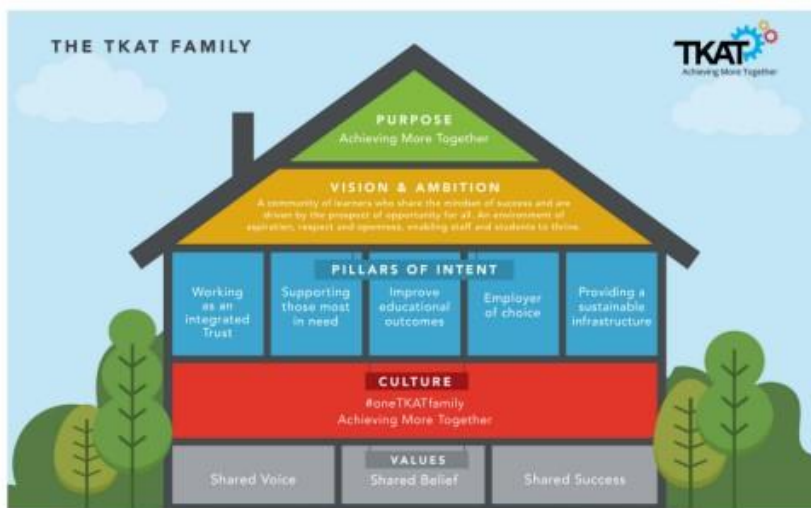
- a. Understand the Trust, the School, the TKAT Corporate Team (if relevant) and their own role and how these fit together
- b. Understand the expectations, standards, behaviours' and job tasks required for their role and how to fulfil these

VISION AND VALUES

The Kemnal Academies Trust (TKAT) aims to foster a culture of the highest professional standards in line with the Trust's purpose, vision and values.

TKAT - OUR STRATEGY

Our Culture	Our Mission	Our Values
#oneTKATfamily Achieving More Together	TKAT is a Multi-Academy Trust of 45 primary, secondary and special schools in the South and East of England. Our purpose is to work together as a community of schools to ensure that every child, whatever their background, receives a high quality education.	Shared Voice Shared Belief Shared Success



The aim of this policy are:

- ❖ To create a positive working environment where employees are encouraged and enabled to fulfil their roles to the best of their ability
- ❖ To set out a clear process for Managers to follow when managing probation periods



EQUALITY, DIVERSITY AND INCLUSION

The trust is committed to:

- ❖ Promoting equality and diversity in its policies, procedures, TKAT toolkits and other relevant guidance, adhering to the Equality Act 2010.
- ❖ Delivering high quality teaching and services that meet the diverse needs of its student population and its workforce, ensuring that no individual or group is disadvantaged.
- ❖ Conditions that are identified during processes may meet the definition of an 'impairment' under the Equality Act and therefore careful consideration must be
- ❖ Given to accommodate reasonable adjustments in the workplace. Should any employee require any reasonable adjustments throughout any identified process within this.

SCOPE

This policy applies to all employees with the exception of qualified Teaching roles. A summary breakdown for who this policy applies to is provided below;

- ❖ Support Roles - All employees in support roles within the trust, whether centrally employed by TKAT and/ or in Academies. This includes those employed within an Apprenticeship scheme, permanent, fixed term/ temporary and/or casual appointments.
- ❖ Teaching roles - This policy applies to all Unqualified Teachers however does not apply to qualified Teachers as this is included as part of their induction period during their ECT years.

Employees with prior service in other Academies, maintained Schools and other local government employers will be required to undertake a probationary period with the Trust.

ROLES AND RESPONSIBILITIES

Manager

- ❖ Responsibility for monitoring and supporting the new employee/ transferees performance and progress during the probationary period by encouraging an honest and open dialogue
- ❖ Apply the probationary process in a fair and consistent way
- ❖ Will meet with the employee in the first week to set out the standards and assessment criteria that will be used to evaluate their performance during the probationary period (including setting appraisal objectives and agreeing a programme of induction and appropriate training, taking into account the development needs identified at recruitment)
- ❖ Provide clear and constructive feedback during the probationary period



- ❖ If any problems arise, address these promptly to ensure the employee is aware that some aspect of their performance or conduct is unsatisfactory and prevent the problem from escalating
- ❖ Communicate the policy and procedure with the new employee
- ❖ Seek advice from the TKAT HR team and relevant Director for support in process and decision making
- ❖ Keep a clear record and details of any formal review meetings. A copy of the record should be passed to the employee and the original retained in the employee's personnel file.
- ❖ Signpost the new employee to school policies (including expectations when reporting absence/ lateness, responsibilities regarding safeguarding and the school Code of Conduct), the employee assistance programme, internal training and any other support mechanisms available to them as a TKAT employee.

Employee

- ❖ To fully contribute and engage with the induction and probationary process
- ❖ To clarify expectations with their Headteacher/ Manager if they are unclear about them
- ❖ Inform the Headteacher/ Manager of any development needs or concerns that might lead to the employee not being able to successfully complete the probationary period
- ❖ Reach a level of performance which is not only satisfactory to the Trust but is also being sustained at that level
- ❖ To understand and demonstrate both behaviour and safeguarding expectations of the Trust
- ❖ Be aware of the Trust's and Academy's policies and procedures including TKAT's Code of Conduct

TKAT HR team

- ❖ Advising and supporting the Headteacher/ Manager in the application of this policy
- ❖ May attend and advise at formal meetings/ appeal hearings

Headteacher/ TKAT Director

- ❖ A decision to dismiss may only be made by the relevant Headteacher or Manager
- ❖ Should a Headteacher/TKAT Director/Manager have concerns regarding an employee's performance then they must contact TKAT HR for support at their earliest opportunity to discuss the matter.
- ❖ All decisions to dismiss will be ratified by the relevant Director and/or CEO as appropriate



TERMS OF EMPLOYMENT DURING THE PROBATIONARY PERIOD

During the probationary period, employees will be subject to the terms and conditions of their contracts of employment.

During the probationary period, either party may terminate the employee's contract of employment by giving one week's notice.

Once the probationary period has been completed, the notice periods will be as defined in the employee's contract of employment.

In the case of existing employees who have been transferred or promoted into different roles with another Academy within the Trust, the amount of notice that the employee must give to the Trust if they wish to resign, and the amount of notice the Trust must give to the employee of dismissal will be as defined in the employee's contract of employment.

PROCEDURE - STRUCTURING THE PROBATION

The standard period of probation is 6 months; however, Headteachers/ Managers do have the option to extend on one occasion for a maximum of up to 3 months. This is further explained at point 10 of the Probation Policy.

Once employment has commenced, it is recommended that the Headteacher/Manager, as in 5.1 above, should meet with the employee within their first week, to discuss;

- ❖ The standards of performance required
- ❖ The behaviours and conduct required
- ❖ The importance of the Safeguarding culture at TKAT including reporting protocols
- ❖ TKAT's/the school's policies, procedures and practices including reporting absence expectations.
- ❖ Their induction plan and any training /development including statutory online training required for this role
- ❖ Clear signposting to the support and assistance available to the new employee during their probation
- ❖ What the employee is expected to achieve during/ by the end of the probationary period
- ❖ The process for monitoring performance during the probationary period

The Headteacher/ Manager is encouraged to review and assess the employee's performance, capability, conduct and suitability for the role at least every 6 weeks during the employee's probation, and again before the end of the probationary period. It is recommended that formal review meetings are held at week 6, week 12, week 18 and



week 24. These meetings should be documented. School closure periods should be considered when scheduling formal review meetings.

The employee is encouraged to reflect on their own performance, bring evidence along to formal review meetings to identify where targets have been met or progress has been made towards achieving set goals and raise any concerns about their employment during these meetings.

At the end of the probationary period, the Headteacher/ Manager should conduct a final review of the employee's performance and suitability for the job. This will involve a meeting with the employee to discuss their performance and progress throughout the period of probation.

The final review **MUST** be conducted on or shortly before the date on which the employee's probationary period comes to an end. Consideration again must be given to school closure periods when scheduling a Final Review Meeting. If probation comes to an end during a school holiday period, then it may be relevant, subject to both parties' agreement, to extend the employee's probationary period until the school closure period has ended in order for both parties to hold a meaningful review. If this is the case the Headteacher/Manager is advised to contact TKAT HR for guidance.

CONFIRMING A SATISFACTORY PROBATION PERIOD

If the employee's performance is deemed satisfactory at the final review meeting, successful completion of their probationary period will be confirmed in writing by the Headteacher/ Manager.

CONCERNS DURING THE PROBATIONARY PERIOD

During an employee's probation, the Headteacher/ Manager should provide regular feedback to the employee about their performance, behaviours, conduct and progress.

Should there be any problem areas, these should be raised with the employee as soon as possible, not waiting until the next scheduled formal review meeting, with a view to resolving them. The Headteacher/ Manager is responsible for providing guidance and support and for identifying and arranging any necessary training or coaching.

If progress is not satisfactory, the Headteacher/ Manager should inform the employee where performance is falling short of expectations, give further opportunity to improve, and state clearly in writing:

- ❖ In what way the targets have not been achieved;
- ❖ If relevant, where behaviours and/or conduct is of concern and clarity of the Trust's expectations going forward
- ❖ Setting specific measures in relation to the quality and quantity of work to be delivered;



- ❖ Establishing criteria by which the required improvement will be measured;
- ❖ Establishing the training and support measures to assist the employee;
- ❖ Signposting the employee to the support and assistance available to them during this time
- ❖ Reviewing specific TKAT policies if relevant to the concern i.e. TKAT's Code of Conduct if the concern relates to behaviour expectations
- ❖ The timescales for improvement; and
- ❖ Formal notification that failure to improvement will lead to the termination of their employment.

Additional meetings may be arranged to assist with the support and monitoring of the employee as they work towards addressing these concerns.

The Headteacher/ Manager will seek advice from TKAT HR and refer to the relevant Director.

EXTENDING A PROBATIONARY PERIOD

If, during or towards the end of the probationary period and despite addressing concerns with the employee, there remains areas where performance is deemed unsatisfactory and/or evidence shows that performance expectations are not being sustained, the Headteacher/ Manager, with the Headteachers / Head of the Corporate Department approval, may extend the probationary period.

The maximum extension of the probation period is up to a further three months.

Only one extension is permitted during the probation period. The total period of probation will be no longer than nine months.

At the end of the extension a final review meeting will take place. The final review must be conducted on or shortly before the date on which the employee's extended probationary period comes to an end. Should performance be deemed satisfactory, the employee should receive written confirmation of the successful completion of their probationary period. Should performance be deemed unsatisfactory, the employment will be terminated.

PERIODS OF LEAVE DURING THE PROBATION PERIOD

There may be circumstances in which the employee takes a period of absence during the probationary period. This could be due to maternity, adoption, shared parental leave or an extended period due to ill-health.

Probation is for both the employee and the Headteacher/ Manager to assess objectively suitability for the role and therefore should there be a period of absence, extending the probation will be discussed on a case by case basis in consultation with the individual. This may be extended by a further three months.



Where the summer closure period falls within the probationary period, or the probation end date is during the closure period, the manager may decide to extend the probation over this period in order for both parties to assess suitability for the role. It is important to refer to point 10 in this policy when considering an extension.

Headteachers/ Managers are encouraged to seek guidance throughout the process from TKAT HR.

TERMINATING EMPLOYMENT DURING THE PROBATIONARY PERIOD

If the employee's performance has not met the standards required, the Headteacher/Manager should discuss the matter with their Headteacher/ Head of Corporate Department, Director and TKAT HR before any action is taken. Before the end of the period of probation, the employee may be invited to a review meeting, which will be led by the Headteacher/ Manager and supported by TKAT HR. The letter, giving 5 working days' notice, inviting the employee to the meeting will state:

- ❖ The time, date and location of the meeting
- ❖ Their right to be accompanied by a recognised Trade Union Representative or a workplace colleague
- ❖ Details of how their performance has fallen short of requirements; and

That the end of this meeting a decision will be taken to either:

- ❖ Extend the probationary period; or
- ❖ terminate employment.

It is the Trust's view that to give the employee the fullest opportunity to meet the required standard, the employee should complete the designated period of probation rather than terminating employment before the probation has come to an end. If, however, there is clear evidence prior to the end of the period of probation that suggests the employee is wholly unsuitable for the role, the Headteacher/ Manager should consult with TKAT HR with a view to terminating the employee's contract early.

Any decision taken to dismiss will be taken fairly and consistently. Supporting evidence will be provided to demonstrate that the employee has been made aware of any concerns and given every opportunity to address these.

A decision to dismiss may only be made by the relevant Headteacher or Head of Department if centrally employed. All decisions to dismiss will be ratified by the relevant Director or CEO as appropriate.

If a decision to terminate the employment due to unsatisfactory performance is made, the Trust will immediately inform the employee and, within 5 working days of the meeting, confirm the decision in writing. The letter will set out:



- ❖ The reason(s) for the termination;
- ❖ The effective date of the dismissal;
- ❖ The right to appeal the decision;
- ❖ To whom the appeal must be made; and
- ❖ The timescales for appeal

If an employee's suitability for their role is a cause for concern after the expiry of the probationary period, or if the employee is an existing employee who has been transferred or promoted into a different role, the Trust's capability/disciplinary procedure will be applied.

In the event that the Trust decides to terminate the employee's employment under this policy, the employment will come to an end immediately and the employee will receive pay in lieu of the one week's notice together with any outstanding holiday pay.

Irregularities discovered during the probationary period

If, during a new employee's probation, it is established that the employee does not have the qualifications, experience or knowledge that they claimed to have at the time of recruitment, the matter will be discussed with the employee to establish the facts. If the evidence suggests that the employee misrepresented their abilities in any way, the Trust may terminate employment giving one week's pay in lieu of notice.

In instances where an employee has commenced employment and references, DBS checks or other employment checks are subsequently found to be unsatisfactory the Trust may also consider the termination of employment. This will be discussed with the employee before any decisions are taken.

If the Trust is informed that an individual is subject to a police investigation and/or allegations relating to a safeguarding matter, before employment commences or within the probationary period, then the Trust has the right to deem the employee unsuitable for the position and employment will be terminated immediately. In this case, the employee will receive pay in lieu of the one week's notice together with any outstanding holiday pay. In cases relating to Safeguarding, it is likely that the Trust would still carry out an investigation under the Disciplinary Policy, even after the employment has been terminated although this would be dealt with on a case by case basis under guidance from the LADO.

RIGHT OF APPEAL

An employee may appeal against a decision to dismiss. The employee must set out the grounds of their appeal, in writing, to the Director of HR if the employee is centrally employed or the Headteacher/ relevant Director in the case of school based employees within 5 working days of receiving the written confirmation of dismissal.



Appeals will be heard by a panel of three, consisting of the Headteacher/s (if not previously involved in the case or may be a Headteacher from another TKAT Academy), TKAT Directors and/or Governors and supported by a member of the TKAT HR team.

The appeal panel may decide to:

- ❖ confirm the original decision;
- ❖ revoke the original decision;
- ❖ substitute an alternative solution;
- ❖ re-engage / reinstate.

The decision of this panel is final and there is no further right of appeal.

A letter confirming the decision will be sent to the employee within 5 working days of the date of the hearing.

RIGHT TO REPRESENTATION

An employee has a right to be accompanied by a recognised trade union representative or workplace colleague during any meeting to consider terminating employment during the probationary period.

If an employee's recognised trade union representative or workplace colleague is unavailable to attend on the first given date, the meeting may be rescheduled to an alternative date or time, providing this is both reasonable and usually not more than 5 working days after the date originally proposed.

RECORD KEEPING

Summary notes may be taken at meetings with the employee held under this procedure. Where notes are taken a copy will be made available to the employee.

APPENDIX 1 - RELIABLE SOURCES AND SUPPORT

SOURCE	LINK	AIMED AT
TKAT	TKAT-Template-Probation-Review	Headteacher/ Manager



APPENDIX 2 TKAT EMPLOYEE SUPPORT

TKAT is committed to continually identifying and investing in platforms of support for employees and students. Below are some of these reliable sources for employees;

SOURCE	LINK
TKAT HR Team	https://sites.google.com/tkat.org/tkat-hr-one-stop-shop/home
Employee Assistance Programme (DAS)	https://sites.google.com/tkat.org/tkat-hr-one-stop-shop/employee-support/wellbeing
Union Representative	<p>NEU https://neu.org.uk/joining-neu</p> <p>ASCL https://www.ascl.org.uk/join-us</p> <p>NAHT https://www.naht.org.uk/joinus</p> <p>NASUWT https://www.nasuwt.org.uk/why-join.html</p> <p>VOICE https://community-tu.org/join/?comsource=NewWebJoinerMainNav</p> <p>GMB https://www.gmb.org.uk/join-gmb</p> <p>UNISON https://joining.unison.org.uk/join-unison-today/</p> <p>UNITE https://www.unitetheunion.org/</p>