

DEALING WITH INDUCTION AND THE PROBATION AND ASSESSMENT PERIOD FOR SUPPORT STAFF IN SCHOOLS

**GUIDANCE, POLICY AND PROCEDURE FOR
HEADTEACHERS AND LINE MANAGERS**

JUNE 2009



INVESTOR IN PEOPLE



**SCHOOLS PERSONNEL
A COMPLETE HUMAN
RESOURCE SERVICE**

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DEALING WITH INDUCTION AND THE PROBATION AND ASSESSMENT PERIOD FOR SUPPORT STAFF IN SCHOOLS

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1. INTRODUCTION AND AIMS

The induction of new employees, or employees in new roles, is an extension of the recruitment process. Good recruitment and selection procedures help to ensure that the best available candidate is appointed to the post but, just as important, is his/her induction into the new role. For an individual to perform to the expected standards and be effective in his/her new job, an appropriate induction programme, including the necessary support, as part of the probation and assessment period, is essential.

The aims of the probation and assessment period, including an induction programme, are to:

- assist a new employee, or someone in a new role, to adjust to the job and/or new environment by providing a well-planned and structured programme of support;
- ensure that the employee has the material and resources needed to perform effectively in his/her new role;
- ensure that the employee understands the values, vision, aims and policies of the school;
- ensure that the employee is clear about professional standards and boundaries in respect of child protection and generally safeguarding and promoting the welfare of the pupils;
- enable the School to quickly identify any potential problems or difficulties; and
- enable the School to decide by the end of the probation and assessment period whether or not the employee is suitable for the post.

2. APPLICATION OF THE PROBATION AND ASSESSMENT PERIOD

The Probation and Assessment Period in its current form was brought in for Support Staff in Schools with effect from 20th April 2009.

It applies to new employees taking up a position on or after that date.

For this purpose '**new employees**' include both:

- '**new entrants**', who are staff newly appointed by Enfield Council or by the Governing Body of a Voluntary Aided or Foundation School (this includes those who have previous Local Authority/School experience);

and

- '**new starters**', who are existing staff transferring to a new or different job role (but not including those who have been matched to a job, or obtained a position under the redeployment procedure).

References to 'new employees' in this document should be taken to include both 'new entrants' and 'new starters'.

It is important to note that a new starter, i.e. an employee who transfers to a new role, is subject to the Probation and Assessment Period, and receives appropriate induction, to ascertain if s/he has the necessary skills and abilities to fulfil the requirements of the new post. It is possible that the duties, responsibilities, objectives and/or training needs of the new role may differ significantly from those of the previous role.

All new employees are subject to an assessment period of up to 21 weeks.

Where the appointment is for a shorter period, for example, three months or a one-term fixed term contract, regular meetings to review the employee's performance and an appropriate induction programme should still be put in place. This is because:

- all new employees, regardless of the duration of their contracts, should be set objectives, receive regular feedback about their performance and appropriate training, evaluation of training, advice and support; and
- it is not uncommon for fixed term contracts to be renewed (e.g. a one-term contract renewed for a further term, or a year).

Any employee who leaves the School (or another School or the Council) and is subsequently re-employed shall be regarded as a new entrant and will, therefore, again be subject to the 'Probation and Assessment Period' of up to 21 weeks.

3. **PREPARATION FOR THE INDUCTION PROGRAMME AND THE PROBATION AND ASSESSMENT PERIOD**

In order to provide a structured and well-planned induction and Probation and Assessment Period for the new employee, attention should be paid to the details described below.

A number of questions should be considered and appropriate action taken to ensure that the new employee's basic needs and essentials will be catered for on his/her arrival. Consider the following:

- Do the new employee's immediate colleagues and wider contacts know that s/he will be taking up the post?
- Who will greet the new employee on arrival?
- Has the Line Manager diarised time to spend with him/her on the first day?
- Will the workstation, desk, chair and/or tools (as appropriate) be ready on his/her arrival?
- Have basic materials and resources been made available for him/her, e.g. stationery, telephone list/directory, any other relevant information about the school and/or working arrangements (perhaps in the form of a welcome pack)?
- Has his/her work for the first day, week etc. been planned?
- Have plans been made for either the Line Manager and/or other colleagues to show the new employee the different aspects of his/her work?

A personalised schedule, or induction plan, should be prepared to ensure that all areas and topics are covered with the new employee. The schedule will need to include basic equipment needs, facilities, health and safety information, introductions to colleagues and others, arrangements for team meetings, absence reporting procedures, requesting leave, any training or other needs, information about school policies (including the child protection policy and the school's commitment to safeguarding and promoting the welfare of pupils) and specific arrangements for the probation and assessment period.

A Model 'Induction Checklist for New Staff and Staff in New Roles' is attached at Appendix 1 to this document. The checklist is only intended as a guide and can be used and/or adapted as considered appropriate. (Note that the checklist also refers to teaching staff. Although this policy and procedure applies only to Support Staff [as newly qualified teachers have their own statutory induction arrangements] the checklist may also be useful for teachers as part of their introduction to the school itself).

When each area has been covered with the new employee, it is suggested that it is initialled by both parties (i.e. the new employee and the Line Manager, or other member of staff responsible for that particular topic or area). This will provide a record of the induction which can be used, or referred to, during assessment reviews, as appropriate.

4. THE PROBATION AND ASSESSMENT PERIOD – SETTING OBJECTIVES, CARRYING OUT ASSESSMENT REVIEWS AND GIVING FEEDBACK

The Probation and Assessment Period will last for up to 21 weeks. Throughout this period, the Line Manager should be regularly assessing how the new employee is progressing. Consider the following:

- Has the new employee reached the level of performance expected at this stage of the assessment review period?
- Has s/he received any relevant training, mentoring and/or other instruction, and within the originally agreed timescales?
- Do the new employee's objectives need to be reviewed?
- Have any additional needs arisen? Are there any specific areas for further development or improvement?
- Is attendance and conduct satisfactory?

Setting Objectives

Objectives set should be clear and unambiguous. There should be no room for misunderstanding or misinterpretation which may later lead to difficulties and problems arising. Managers are, therefore, advised to set 'SMART' objectives.

'Setting SMART Objectives' is explained in more details in Appendix 2 to this document.

Carrying Out Assessment Reviews and Giving Feedback

Managers should ensure they have four assessment reviews with a new employee, during the 5th, 10th, 15th and 20th weeks of employment in the post.

An 'Assessment Review Form' is attached at Appendix 3 to this document. This form can be used at each of the four review meetings, i.e. to assess weeks 1 to 5, 6 to 10, 11 to 15 and, finally weeks 16 to 20.

Managers should diarise the assessment review dates as soon as the new employee commences in post. This will help to ensure that the Probation and Assessment Period programme is completed within the required timescales.

The new employee must be given regular feedback on his/her performance (including attendance and conduct) at the assessment reviews and at any other 'one-to-one' meetings that take place. The reviews and meetings must be two-way, giving the new employee the opportunity to comment and provide feedback on his/her employment/job induction experience and any ideas s/he may have about improvements, either to the induction process or to service provision.

Managers should not overlook giving positive feedback, as and when appropriate, as this will ensure that a new employee knows what is going well and can prove to be a great motivator.

Managers may find it helpful to bring the following documents to each Assessment Review Meeting:

- Job Description
- Person Specification
- Completed form(s) from previous Assessment Review Meetings
- Notes from any 'one-to-one' meetings
- Induction Checklist
- Any Training Plan in place.

At the end of each Assessment Review Meeting, the Manager must:

- Ensure that both parties have completed and signed the Assessment Review Form; and
- Keep the original of the form and give a copy to the new employee.

By the 20th week of the Probation and Assessment Period, the new employee should have completed his/her initial training and the Manager should be in a position to confirm whether s/he is able to fulfil the requirements of the job role.

The Manager and/or employee, as appropriate, should complete the final Assessment Review Form (weeks 16 to 20).

The Probation and Assessment Period Report, attached at Appendix 4 to this document, should also be completed at this stage. This confirms, in writing, one of the following:

- 1) That the new employee's performance is satisfactory and meets the requirements of the job role;

or

- 2) **New entrants only** – that his/her performance is not satisfactory and the 'Probation and Assessment Period Capability Procedure' will be instigated (See 6. below);

or

- 3) **New starters (existing employees) only** – that his/her performance is not satisfactory and the School's Capability/ Disciplinary and/or Attendance Procedure will be instigated, as appropriate.

A copy of the Report should be given to the employee. (Where it is confirmed that the employee's performance is satisfactory and s/he meets the requirements of the role, it may also be decided to issue him/her with the letter attached at Appendix 8). Where a new employee satisfactorily completed the Probation and Assessment Period, the Line Manager should arrange to meet with him or her as soon as possible to set objectives in accordance with the School's Performance Management, or Appraisal, arrangements for Support Staff.

The process of performance management does not end at this point. Managers should arrange for regular 'one-to-one's' to take place in order to review performance on an on-going basis.

5. **PERFORMANCE, CONDUCT AND ATTENDANCE ISSUES**

If the Line Manager has concerns regarding a new employee's performance, conduct or attendance, it is important that these are addressed promptly. Managers should **not** wait until the end of the Probation and Assessment Period to take appropriate action.

It is far more effective, and fairer to the new employee, to draw attention to any concerns as early as possible.

The Manager should aim to have completed any appropriate action by the time the assessment period is due to end, at the latest.

Where performance, capability and/or attendance issues are identified, **at any stage during the assessment period**, the manager should take action as set out below.

Where a **new entrant's** performance is not satisfactory, the Manager should refer to Section 6. below and instigate the 'Probation and Assessment Period Capability Procedure'.

Where a **new starter's** performance is not satisfactory, it will not be appropriate to use the Probation and Assessment Period Capability Procedure as s/he is an existing member of staff who has changed job role and may have been in employment for some time. In these circumstances, appropriate action should be taken under the School's Capability, Disciplinary and/or Absence Procedures, as appropriate.

Managers may consider extending the assessment period in exceptional circumstances. This may be appropriate, for example, if the employee has had a period of absence or if s/he has a disability. In the latter case, an extension may be considered to be a 'reasonable adjustment' (See below).

If no action is taken by the end of the 21st week (e.g. the new employee has not been made aware of any performance, conduct and/or attendance issues) the new employee's appointment will be confirmed by default. If this situation arises, any issues or difficulties with the employee will need to be dealt with in accordance with the appropriate School Procedure and **not** the Probation and Assessment Period Capability Procedure, even if s/he is a new entrant.

Additional Note relating to the Disability Discrimination Act (DDA) 1995

The DDA defines a disabled person as someone who 'has a physical or mental impairment which has a substantial and long-term adverse effect on his/her ability to carry out normal day-to-day activities'. The law provides a statutory right for disabled people not to be discriminated against on grounds related to disability.

The DDA covers a wide range of physical and mental disabilities and illnesses, including conditions such as kidney disease, asthma, diabetes, cancer, AIDS, severe back problems, manic depression and (probably) clinical depression. Those involved in the management of absence and performance must be mindful of this factor.

The Council's Occupational Health Service can advise whether individual cases fall within the definition of the Act.

Under the DDA, there is a legal obligation to make 'reasonable adjustments' in employment, including the management of absence.

It is recommended that Schools contact the Schools Personnel Service for further advice in relation to any issues arising during a new employee's Probation and Assessment Period, including where s/he is experiencing difficulties for reasons that may be connected with a disability.

6. PROBATION AND ASSESSMENT PERIOD CAPABILITY PROCEDURE

The Probation and Assessment Period Capability Procedure **must** be used if a manager has concerns regarding a new entrant's performance/attendance / Conduct **at any time** during his/her assessment period or a new entrant has reached the end of the assessment period of up to 21 weeks, and the manager is unable to confirm that s/he has satisfactorily fulfilled the requirements of the job role.

Managers must follow each of the stages set out in this procedure to ensure that the statutory dismissal procedures are followed.

Informal Discussion

The informal discussion should be between the Manager and the new entrant. There is no requirement for either party to be accompanied at any informal meeting. **This discussion may be conducted as part of the 5th, 10th, 15th or 20th week assessment.**

In many cases the right word at the right time and in the right way may be all that is needed, and will often be a more satisfactory way of dealing with a breach of rules, or unsatisfactory performance than a formal meeting, involving the right to be accompanied by a Trade Union Representative, colleague or friend. Additional training, coaching and advice may be appropriate. However, the new entrant must be made aware that formal action will commence if there is no improvement, or if any improvement is not sustained.

At the informal discussion, the Manager must:

1. Discuss the new entrant's performance/conduct/attendance (ensuring that the new entrant has an opportunity to respond to any points raised)
2. Confirm what the new entrant should be doing and to what standard
3. Establish what has led to unsatisfactory performance/conduct /attendance (e.g. lack of knowledge, understanding, training or some other factor, whether this is work-related or not)
4. Agree steps to be taken, including what the new entrant is expected to do and arranging any appropriate training and support (which in the case of ill-health could include referral to Occupational Health Service)
5. Confirm that the new entrant's performance/conduct/attendance will remain under review throughout the assessment period
6. Inform the new entrant that failure at any stage to achieve and maintain the required standard of performance/conduct/attendance could result in Formal Action
7. Confirm the above in writing, so that both parties have a record of what was discussed and agreed.

A Model 'Informal Discussion' Letter is attached as Appendix 5 to this document.

Where the informal discussion does not bring about the desired improvements the action set out below should be taken.

Stage 1 – Meeting with the New Entrant

The manager must arrange a meeting with the new entrant, to formally discuss the new entrant's unsatisfactory performance/conduct/attendance. The new entrant has the right to be accompanied by a Trade Union Representative, colleague or friend, who may ask questions on the new entrant's behalf.

A Model 'Invitation to Probation and Assessment Period – Capability Procedure Meeting' Letter is attached as Appendix 6 to this document.

At this stage of the procedure the manager must set further objectives for the new entrant to achieve and set a time limit of up to a maximum of 4 weeks, for improvement(s) to be evident. The manager should send a letter to the new entrant outlining what has been agreed within 5 calendar days of the meeting.

A Model 'Outcome of Probation and Assessment Period - Capability Meeting' Letter is attached as Appendix 7 to this document.

Review of Performance, Conduct and/or Attendance - At the end of the period (up to a maximum of 4 weeks) the manager should arrange to review the performance, conduct and/or attendance of the new entrant to assess whether the desired improvement(s) have been made. If the new entrant has reached the required standards, this should be confirmed in writing.

A Model 'Confirmation of Successful Completion of Probation and Assessment Period' Letter is attached as Appendix 8.

If the new entrant has not achieved the desired improvement(s) the manager should instigate Stage 2 of this procedure.

Stage 2 – Capability Hearing (Probation and Assessment Period-Capability Procedure)

The manager must write a letter to the new entrant advising that, in the manager's opinion, s/he has not achieved the improvements discussed in the Stage 1 meeting. In these circumstances, s/he is required to attend a Probation and Assessment Period - Capability Procedure Hearing to consider whether s/he should be dismissed. S/he is entitled to be accompanied by a Trade Union Representative, colleague or friend.

A Model 'Invitation to Probation and Assessment Period - Capability Procedure Hearing' letter is attached at Appendix 9 to this document.

The Hearing will need to be conducted by the Headteacher who has the power to take dismissal decisions. (This will apply unless the Headteacher has had previous involvement in the case, such as monitoring the employee. In these circumstances, the case would need to be referred to Governors on a similar basis to any subsequent appeal. See Stage 3 – Right of Appeal below). The Headteacher must then confirm his/her decision, in writing, within 7 calendar days of the date of the Hearing taking place. The decision will be either to:

1. Dismiss the new entrant; or
2. Extend the time limit for improvement agreed at Stage 1 of the Probation and Assessment Period – Capability Procedure.

In the event that the new entrant is dismissed s/he will be entitled to his/her contractual notice (other than in the case of gross misconduct, when summary dismissal will apply).

A Model ‘Probation and Assessment Period – Capability Procedure Hearing Decision’ Letter is attached at Appendix 10 to this document.

The new entrant has the right to appeal against the decision. S/he must do so, in writing, within 7 calendar days of the date of the written notification of the decision. The Appeal letter must be acknowledged and a date for the Appeal arranged.

The new entrant will be entitled to be accompanied by a Trade Union Representative, colleague or friend.

A Model ‘Acknowledgement of Receipt of Appeal/Appeal Hearing’ Letter is attached at Appendix 11 to this document.

Stage 3 – Right of Appeal

In the event of an Appeal, the Appeal will be heard by a Panel of not less than three Governors. (This will apply unless there are not enough governors who have had no previous connection with the case and/or personal interest in the matter).

The Panel of governors will either:

1. Uphold the original decision; or
2. Revoke the original decision.

If the original decision is revoked, the panel must determine whether to:

1. Confirm that the new entrant has successfully completed the Probation and Assessment Period; or
2. Extend the time limit for improvement agreed at Stage 1 of the Probation and Assessment Period – Capability Procedure.

A Model ‘Outcome of Appeal Hearing’ Letter is attached at Appendix 12 to this document.

It should be noted that the model letters attached to this document will need to be adapted and used as appropriate to the circumstances. The Schools' Personnel Service will be pleased to provide further advice on wording, as required.

For ease of reference, two flow charts are also attached to this document, as follows:

Induction, Probation and Assessment Period Flowchart – Appendix 13

Probation and Assessment Period Flowchart: Unsatisfactory Performance - Appendix 14.

MODEL INDUCTION CHECKLIST FOR NEW STAFF AND STAFF IN NEW ROLES

_____ **School/Service**

The following checklist is intended as a guide for the induction of new staff. This may include new entrants to the profession, to the School/Service and/or to a new role within the School/Service. The checklist should be used and/or adapted accordingly.

AREA/TOPIC	WHEN TO BE ACTIONED (eg. 1 st day, 1 st week etc)	Notes	Completed (initials)	
			Emp.	Mgr.
Risk Assessment				
Evacuation Procedures (Fire/bomb threat)				
Health and Safety Information, Policy and Responsibilities				
Facilities – Toilets, Refreshments, Staff Room, Notice boards. Other (Specify):				
Equipment – VDU Use/Workstation Assessment, IT (inc. Passwords, e-mail, etc), Internet, Telephones and Directory, Voicemail, Printing, Photocopying, Fax, Confidential Waste. Other (Specify):				
School/Service Structure				
Team Meetings				
Introduction to Immediate Colleagues				
Introduction to Other Colleagues				
Professional Association/Trade Union Rep (if on site)				
School/Service Provision – Operating hours, Lunch breaks, other breaks, rotas				
Sickness/Absence Reporting Procedures				
Requesting Leave (where applicable)				
Financial Authorisation (where applicable)				
Travel and Expenses (where applicable)				
Discussion about Job Description/Person Specification				
Introduction to duties and responsibilities: <i>(insert any specific arrangements)</i>				

MODEL INDUCTION CHECKLIST FOR NEW STAFF AND STAFF IN NEW ROLES

_____ School/Service

AREA/TOPIC	WHEN TO BE ACTIONED (e.g. 1 st day 1 st week etc)	Notes	Completed (Initials)	
			Emp.	Mgr.
Discussion about any specific needs – e.g. special facilities or equipment, training, development or instruction				
Arrangements for attendance on any initial courses, training or instruction, for mentoring etc.				
Introduction to School/Service Policies , (e.g. Equal Opportunities, Code of Conduct, Whistleblowing Policy, Behaviour and Discipline, Child Protection, Contact and Conduct with Pupils, Flexible Working, etc). Specify:				
<u>TEACHING STAFF ONLY</u> NQT Induction Arrangements, as relevant Arrangements made for allocation of Induction Tutor, LA-based and School-based Induction Programmes, observation and review meetings Performance Management Arrangements, as relevant Arrangements made for appointment of a reviewer, provision of information about school/service performance management policy and process etc.				
<u>SUPPORT STAFF ONLY</u> Probation/Induction and Assessment Period Arrangements, as relevant Arrangements put in place for Probation/Induction and Assessment Period, inc. support/training, reviews and information about School/Service Probation/Induction Asst. Period Policy and process etc. Performance Appraisal Arrangements, as relevant Arrangements put in place for Performance Appraisals and provision of information about School/Service Performance Appraisal policy and process.				
<u>Other Job Specific TASKS:</u> <i>(insert details, as appropriate)</i>				

be signed by employee and Line Manager when all tasks completed and /or necessary arrangements put in place.

Signed: _____ (Employee) Date: _____

Signed: _____ (Line Manager) Date: _____

Completed form to be returned to Headteacher (or state alternative arrangements)

SETTING SMART OBJECTIVES

'SMART' is a useful acronym for setting objectives, which are:

Speific, Measurable, Achievable, Realistic and Time based

Specific objectives are those that are unambiguous, so that all concerned understand precisely what outcome, action or behaviour is required. For example, it is not specific enough to say 'reorganise the filing system'. There needs to be clarity about any

**PROBATION AND ASSESSMENT PERIOD
ASSESSMENT REVIEW FORM**

This form should be used for each of the Assessment Reviews during the new employees 5th, 10th, 15th and 20th weeks.

Assessment Review: Week _____ to Week _____ (Insert the weeks that will be assessed, e.g. week 1 to week 5)

Employee's Name

Employee's Job Title

Start Date in Post **Date of Meeting**

ASSESSMENT	
To be completed by Manager and/or Employee, as appropriate	
Objectives for weeks	to (Insert weeks, e.g. weeks 1 to 5)
<p>1. Have all the objectives been met? YES <input type="checkbox"/> NO <input type="checkbox"/></p> <p>Comments:</p>	
<p>2. Is overall performance to date satisfactory? YES <input type="checkbox"/> NO <input type="checkbox"/></p> <p>Comments:</p>	
<p>3. Are there any areas for development/improvement? YES <input type="checkbox"/> NO <input type="checkbox"/></p> <p>Comments:</p>	

<p>4. Have any training and development needs been identified?</p> <p>YES <input type="checkbox"/> NO <input type="checkbox"/> (If Yes, discuss how the training needs will be met and if necessary arrange course, coaching etc.)</p> <p>Comments:</p>
<p>5. How have any training and development activities undertaken affected to employee's performance?</p> <p>Comments:</p>
<p>6. Is the employee's conduct satisfactory? (e.g. timekeeping, behaviour towards colleagues, pupils, parents, governors etc) YES <input type="checkbox"/> NO <input type="checkbox"/></p> <p>Comments:</p>
<p>7. Number of days of sickness and / or unauthorised absence?</p> <p>Comments:</p>
<p>8. Summary of any actions to be taken by employee or manager:</p>
<p>9. Any further comments:</p>
<p>OVERALL ASSESSMENT: weeks to (Insert weeks e.g. weeks 1 – 5)</p>
<p>To be completed by Manager and/or Employee, as appropriate</p>

For completion by Manager

I consider that:

* (1) at this stage the employee's performance is satisfactory

*(2) at this stage the employee's performance requires improvement as specified above

Name of Line Manager

Signature of Line Manager.....Date

For completion by Employee

*I wish to make the following comments (continue on a separate sheet if necessary)/ *I do not wish to make any comments.

Name of Employee

Signature of Employee.....Date

* *delete as appropriate*

The Manager should retain the original of this Assessment Review Form. A copy of the Assessment Review Form should be given to the employee.

PROBATION AND ASSESSMENT PERIOD REPORT

This report is to be completed by the Line Manager in respect of all new employees, including existing staff who transfer to a new or different job role, at the end of the Probation and Assessment Period when the final, 20th week assessment review takes place.

Prior to completing this report, Managers should have read the Guidance, Policy and Procedure for Headteacher and Managers, 'Dealing with the Probation and Assessment Period for Support Staff in Schools'.

The 5th, 10th, 15th and 20th week assessment review forms must also be attached to this report.

Employee's Name
.....

Employee's Job Title
.....

Start Date in Post
.....

Overall Assessment Review

I confirm that, at the end of the Probation and Assessment Period:

- * (1) The new employee's performance is satisfactory and s/he meets the requirements of the job role.
- * (2) The new entrant's performance is not satisfactory and the 'Probation and Assessment Period Capability Procedure' will be instigated.
- * (3) The new starter's (existing employees only) performance is not satisfactory and The School's Capability, Disciplinary and /or Absence Procedure will be instigated, as appropriate.

Name of Line Manager (CAPS).....

Signature of Line Manager

Date.....

The Manager should retain the original of this report. A copy of the report must be given to the employee.

* *delete as appropriate*

MODEL 'INFORMAL DISCUSSION' LETTER

Ref:

Date:

Dear

Re: Your Performance/Conduct/Attendance (*delete as appropriate*) During the Probation and Assessment Period

I thought it would be useful for us both for me to put in writing what we discussed and agreed when we met on [*enter date*].

I explained that I have the following concerns [*explain what these are*] in order to address these [*explain what the new employee must do/standard to be achieved etc. and details of any support, training that has been agreed*].

I also explained that I will continue to review your performance/conduct/attendance [*delete as appropriate*] during your Probation and Assessment Period and I advised you that failure to improve to the standard required could result in further action, in accordance with the School's Probation and Assessment Period Policy and Procedure.

If you have any questions about what we have discussed, or the content of this letter, please do not hesitate to ask.

Yours sincerely

Manager

MODEL 'INVITATION TO PROBATION AND ASSESSMENT PERIOD – CAPABILITY PROCEDURE MEETING' LETTER

Ref:

Date:

Dear

Re: Your Performance / Conduct / Attendance [*delete as appropriate*] During Probation and Assessment Period

Since the commencement of your Probation and Assessment Period I have discussed your performance / conduct / attendance [*delete as appropriate*] with you at Assessment Reviews on [*insert dates*] and one to one meetings on [*insert dates*].

*During our informal discussion on [*insert date of informal discussion*] I advised you that [*summarise discussion*]. Despite this I am still concerned about your performance / conduct / attendance [*delete as appropriate*].

Or

*During your 20th week Assessment Review on [*insert date of review meeting*] I advised you that I could not at this stage confirm the successful completion of your Probation and Assessment Period.

As a result, I am instigating the Probation and Assessment Period - Capability Procedure, in accordance with the School's Probation and Assessment Period Policy and Procedure. In these circumstances, I am asking that you attend a meeting on [*insert date, time and place, giving at least 5 working days notice*] to discuss your performance / conduct / attendance [*delete as appropriate*].

You have the right to be accompanied by a Trade Union Representative, colleague, or a friend. If you intend to be accompanied, please let me know, in advance of the meeting, who it is that will be accompanying you. [*Also state if anyone will be attending the meeting along with the Manager, e.g. an Officer from the Schools Personnel Service*]

Yours sincerely

Manager

**delete as appropriate*

MODEL 'OUTCOME OF PROBATION AND ASSESSMENT PERIOD – CAPABILITY PROCEDURE MEETING' LETTER

Ref:

Date:

Dear

Re: Outcome of Probation and Assessment Period – Capability Procedure Meeting

I am writing to confirm the outcome of our meeting on *[insert date]*.

*You were accompanied at the meeting by *[insert name]*.

OR

*You chose not to be accompanied at the meeting.

The meeting was to discuss concerns I have about *[state nature of concerns]* and set out your objectives for the next *[insert number of weeks up to a maximum of 6]* weeks, which are as follows:

[List objectives]

Your performance / conduct / attendance *[delete as appropriate]* will be reviewed again on *[insert date]*, and as discussed in the meeting I would like to see the following improvements:

[List improvements]

I will be meeting with you on a regular basis to provide feedback and to give you the opportunity to raise any concerns.

If there is anything in this letter that you do not understand please do not hesitate to contact me.

Yours sincerely,

Manager

** delete as appropriate*

**MODEL 'CONFIRMATION OF SUCCESSFUL COMPLETION OF
PROBATION AND ASSESSMENT PERIOD' LETTER**

Ref:

Date:

Dear

Re: Probation and Assessment Period

I am writing to confirm that you have successfully completed your Probation and Assessment Period in the post of *[insert post title and/or Department, as appropriate]*.

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

Yours sincerely

Manager/Headteacher (*as appropriate*)

MODEL 'INVITATION TO PROBATION AND ASSESSMENT PERIOD – CAPABILITY PROCEDURE HEARING' LETTER

Ref:

Date:

Dear

Re: Invite to Probation and Assessment Period - Capability Procedure Hearing

Since instigating the Probation and Assessment Period - Capability Procedure I have discussed your performance / conduct / attendance [*delete as appropriate*] with you at meetings on [*insert dates*].

I have explained my concerns about your performance / conduct / attendance [*delete as appropriate*] and set these out in writing in my letter to you dated [*insert date*]. For ease of reference, I enclose a copy of that letter.

Since then, I have continued to review your performance / conduct / attendance [*delete as appropriate*] and my concerns remain. Therefore, I am now asking you to attend a Probation Assessment Period - Capability Procedure Hearing on [*insert date, time and place, giving at least 5 working days notice*] to discuss the proposal that you be dismissed for failing to satisfactorily fulfil the requirements of the job role.

The Probation and Assessment Period - Capability Procedure Hearing will be conducted by the Headteacher, [*Insert name or state 'by a Panel of Governors' and insert names if the Hearing is to be conducted by Governors*].

The purpose of the hearing will be to afford you the opportunity to respond to my concerns (detailed in the attached management report). You have a right to provide any written documentation you consider may support your case and/or bring witnesses to the Hearing. You should ensure that I receive any documentation and/or names of witnesses you intend to call by no later than 1 working day before the Hearing.

You have the right to be accompanied by a Trade Union Representative, colleague or a friend. If you intend to be accompanied, please let me know, in advance of the hearing, who it is that will be accompanying you.

I will be attending the hearing and [*Insert name and status/position of anyone else to be in attendance e.g. an officer from the Schools' Personnel Service*], will also be attending as adviser.

Yours sincerely,

Manager

**MODEL 'PROBATION AND ASSESSMENT PERIOD –
CAPABILITY PROCEDURE HEARING DECISION' LETTER**

Ref:

Date:

Dear

Re: Assessment Period - Capability Procedure Hearing - Decision

I am writing to confirm the outcome of the Assessment Period - Capability Procedure Hearing held on *[insert date]*.

*You were accompanied at the hearing by *[insert name]*.

OR

*You chose not to be accompanied at the hearing.

At the meeting, you were given the opportunity to ask questions and respond to the contention that you have not met the requirements of job role and should therefore be dismissed. You stated that *[insert relevant text]*.

*[Then, insert **EITHER**]*

[Voluntary Aided and Foundation Schools only]. Having considered your case I have decided that, for the reasons set out below, you are dismissed from your employment. Therefore, this letter constitutes notice of your dismissal and your last day of service is *[insert date]* OR Having considered your case, I have decided that you are summarily dismissed. In these circumstances, you are not entitled to any notice and your last day of service will be *[insert date]*. **[Community Schools only]**. Having considered your case, I have decided that you are dismissed from your employment. It is now for the Director of Education, Children's Services and Leisure to issue you with formal notice of dismissal/confirm summary dismissal, i.e. dismissal without notice *[delete as appropriate]*.

[Insert this paragraph if above dismissal decision applies]. The reasons for the dismissal are that, despite *[enter relevant text about Assessment Reviews, one-to-one meetings, Informal Action, 1st stage Formal Action when new entrant was advised about unsatisfactory performance / conduct and/or attendance (as appropriate), details of training and support provided]* your *[insert performance or conduct and/or attendance, as appropriate]* remains unsatisfactory.

[OR, insert]

Having considered your comments I have decided that, for the reasons set out below, the Probation and Assessment Period - Capability Procedure will be extended for a further period of *[insert number of weeks, normally to a maximum of 4 weeks]*. The reasons for this decision are that *[insert reasons for decision,]*

You have the right to appeal against this decision. Should you wish to appeal, please write to me *[or state alternative contact details]* within 7 calendar days of the date of this letter *[NB: hand deliver or send by recorded delivery]*. Therefore, if I do not hear from you by *[state date]*, the above decision will stand.

Yours sincerely,

Headteacher

**MODEL 'ACKNOWLEDGEMENT OF RECEIPT OF
APPEAL/APPEAL HEARING' LETTER**

Ref:

Date:

Dear

**Re: Appeal Against Probation and Assessment Period - Capability Procedure
Hearing Decision**

You appealed against the decision made following the Probation and Assessment Period - Capability Procedure Hearing held on *[insert date of hearing]*.

Your appeal will be heard on *[give at least 5 working days notice - insert date, time and place]*. The Appeal will be heard by *[insert names of Governors and name/status of any adviser to the Panel]*.

You have a right to provide any written documentation you consider may support your case and/or bring witnesses to the Appeal Hearing. You should ensure that I receive any documentation and/or names of witnesses you intend to call by no later than 1 working day before the Hearing.

Once again, you have the right to be accompanied by a Trade Union Representative, colleague, or a friend. If you intend to be accompanied, please let me know, in advance of the Hearing, who it is that will be accompanying you.

Also attending the Hearing *[state details of anyone else to be in attendance, e.g. Headteacher who made the original decision, any adviser]*.

Yours sincerely

Headteacher *[Or other person e.g. Governor, making the arrangements]*

MODEL 'OUTCOME OF APPEAL HEARING' LETTER

Ref:

Date:

Dear

Re: Outcome of Appeal Hearing

You appealed against the decision made by the Headteacher [*insert name*] under the School's Probation and Assessment Period - Capability Procedure.

Your appeal was heard on [*insert date, time and place*] by a Panel of three Governors [*or state alternative number*].

*You were accompanied at the appeal hearing by [*insert details*]

OR

*You chose not to be accompanied at the appeal hearing.

I am writing to confirm that the decision to [*enter details of the original decision*] is [*insert upheld or revoked as appropriate, and if original decision is revoked give details of decision that replaces it*]. Note that if the original decision was to dismiss and notice has been issued, wording will need to be inserted here about rescinding the notice. Schools are advised to seek further advice from the Schools Personnel Service].

You have now exercised your right of appeal under the School's Probation and Assessment Period Policy and Procedure. The decision of the Governors' Appeal Panel in the matter is final.

Yours sincerely

Chair of Governors' Appeal Panel

**delete as appropriate*

PROBATION AND ASSESSMENT PERIOD FLOWCHART – UNSATISFACTORY PERFORMANCE

