

A9 Probationary Policy

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Introduction

1. All appointments to the City of London Corporation are subject to a probationary period, during which time appropriate training and support will be provided and the ability of teachers to perform their duties assessed. It is also a time when the teacher can consider whether the new job is suitable for them.
2. Teachers have the ultimate responsibility for demonstrating their suitability for the post and every encouragement and assistance will be given to help them meet the standards of work required.

3. Managers are responsible for:
 - ensuring that the induction process is fully completed and are aware of required standards of performance, conduct and attendance;
 - ensuring that all new employees are properly monitored during their probationary period and that they raise any concerns at an early stage;
 - ensuring that the employee is informed at the start of their employment about what is expected of them during their probation;
 - taking action at the appropriate time(s).

Scope

4. The Probation Procedure applies to Teachers in the three City of London Schools.
5. This procedure does not apply to agency workers, consultants or other workers providing services to the City Corporation.
6. This procedure does not apply to existing teachers who have transferred or been promoted into a different role and are not within their initial probationary period. See Transfers within the City of London Corporation section.
7. The Director of Human Resources will be responsible for the interpretation, advice and management of this policy on behalf of the City Corporation.

Probationary Periods

8. The standard probationary period for teachers is two terms. This can be extended if there are concerns over their performance. However, employees on fixed term contracts of less than two terms may have a shorter probationary period.
9. Newly Qualified Teachers will have a three term probationary period. This probationary period would not be extended.
10. Probationary periods may be extended once, normally by up to a maximum of one term, if there are concerns relating to performance, conduct or attendance. Every effort will be made to help teachers to settle into their new role and appropriate support will be provided as required. Teachers will be advised of any issues as soon as possible and given an opportunity to discuss them and to improve.
11. If areas of concern arise during the probationary period they will be dealt with promptly as and when they arise. This will ensure that the teacher is aware of any aspect(s) of performance / conduct which is unsatisfactory and can take action to prevent the problem escalating. However, all areas of concern will be taken into consideration when deciding whether to confirm the appointment.

Transfers within the City of London Corporation

12. A teacher employed at one of the 3 City Schools, who transfers to another City School, whilst still in their initial probation when they are offered the alternative post, will have their probationary period extended by up to a maximum of one term.
13. Where teachers are promoted to a new post (permanent, fixed term or a secondment) and are not within their initial probation period with the City Corporation, managers will set objectives as part of the appraisal process. If performance becomes a concern and informal management does not result in a sustained improvement, the capability procedure will apply.

Probation and Formal Procedures

14. During the probationary period teachers will not be subject to the formal capability, disciplinary and sickness absence policies as set out in the Teachers' Guide, however, the general principles of good practice will apply.
15. If employment is terminated either during or at the end of the probationary period teachers will be notified of the reasons in writing, given the opportunity of a meeting to discuss these, and given the right to request an independent review of the decision if the outcome is dismissal.

Notice Periods

16. One half term's notice in writing prior to the first teaching day of any half term is required during probationary periods by either side. The nature of some posts means that longer notice periods are necessary. The teacher's statement of Terms and Conditions will give full details of their notice period. The teacher may be required to stay away from their place of work during this notice period.

Required Standards of Performance, Conduct and Attendance

17. Teachers are expected to meet certain required standards in relation to job performance. These required standards are outlined below. Failure to meet the required standards during the probationary period could result in dismissal.

Performance

18. During the probationary period the general principles of best practice will apply. Following successful completion of the probationary period teachers will then be subject to the appraisal process.
19. At the start of the probationary period the Head of Department and/or Deputy Head or relevant member of staff will discuss with the teacher the objectives, behavioural standards and planned development that will be used to formally assess performance.
20. During probationary periods, teachers will be under continuous assessment and meetings with the Head of Department and/or Deputy Head or relevant member of staff should take place periodically to discuss performance against the initial objectives and to identify areas for improvement.
21. The Head of Department and/or Deputy Head or relevant member of staff will discuss any concerns about attendance, performance or conduct at these meetings and will agree with the teacher revised performance criteria and timeframes and identify any further learning needs.

Conduct

22. The City of London Corporation expects the conduct and integrity of employees to be of the highest standard. The Code of Conduct in the Teachers' Guide sets out the standards of conduct required at work.

Attendance

23. Providing a quality education service to pupils and maintaining punctual attendance from all teachers is a contractual condition and is essential in providing a quality service.
24. The City Corporation is committed to employee health and wellbeing and has established policies, procedures and benefits to support employees.
25. The procedure for reporting sickness absence as explained to teachers and detailed within the Sickness Absence Policy should be followed by all employees, including those in their probationary period. If attendance causes concern during probationary periods it will be addressed and, if found to be unacceptable, may be dealt with, as set out in this procedure.

Probation Review periods

26. The Head of Department and/or Deputy Head or relevant member of staff will meet with the employee to set objectives in their first week ensuring that they understand what is required of them. Progress against these objectives will be monitored during regular 1:1 meetings.
27. Two formally documented review meetings will take place within the probationary period. The first review meeting will be half way through the probationary period. During this meeting the manager will review and assess the employee's performance, capability and suitability for the role.
28. The last probationary period review meeting will take place shortly before the half term of the last probationary term. The purpose of this meeting is to discuss performance with a view to confirming employment, extending the probationary period or providing an intention to dismiss. This meeting will be repeated if the probationary period is extended approximately and will take place shortly before the half term before the end of the extended probation period. A clear record of all meetings will be made and a copy should be provided to the teacher and the HR representative.

Failure to meet required standards

29. If during the probationary period, including any extensions, teachers fail to meet and maintain the required standards of performance, conduct and/or attendance they will be invited to a meeting by the Head of Department and/or Deputy Head or relevant member of staff to discuss concerns. As this is an informal meeting there is no right for teachers to be accompanied.
30. The Head of Department and/or Deputy Head or relevant member of staff should seek advice from their HR representative before this meeting on appropriate action which may be undertaken.
31. During this meeting, standards will be discussed. If necessary a review period set, during which improvements will be expected. Further learning needs may be identified to assist the teacher to achieve these standards. The outcome of the meeting will be confirmed in writing.
32. If standards improve satisfactorily this should be noted. If standards do not improve sufficiently the formal stage of this process will be initiated as outlined below.
33. If, during the probationary period, it is suspected or 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 to establish the facts. If the evidence suggests that the employee deliberately misrepresented his/her abilities, qualifications or experience in any way, their employment can be terminated.

Formal Stage

34. If the required standards of performance, conduct and/or attendance have not been met at the end of the review, the formal stage will be convened at least half a term before the end of the probationary period. If, however, the failure to meet standards is sufficiently serious then the formal stage may be convened at an earlier stage. At this point the Head of Department and/or Deputy Head or relevant member of staff will refer the case to the designated senior manager.
35. The designated senior manager will arrange a meeting, giving 5 working days written notice, setting out the reasons for the meeting and offering the right to be accompanied by a trade union representative or work colleague (whose identity should be notified to line management in advance). This meeting may result in dismissal.
36. The meeting will be chaired by the designated senior manager to the employee, and will also be attended by a HR representative. The Head of Department and/or Deputy Head or relevant member of staff will present the management case at the meeting and the employee will have the opportunity to respond.
37. The outcome of the meeting will be communicated in writing by the designated senior manager within 3 working days. Teachers have the right to request an independent review of the decision (appeal) if the outcome of the formal meeting is dismissal.
38. If dismissal is the outcome, the notice period will be one half term, unless the nature of the post means that longer notice periods are necessary. If a senior manager decides there is evidence of gross misconduct, dismissal may take effect without notice.

Review of Decision (Appeal)

39. Teachers have the right to request a review of the decision to dismiss by a more senior manager. This request must be made in writing to the Director of Human Resources within 7 working days of receipt of the original decision. The request must explain the reasons for requesting a review.
40. The designated senior manager will be asked to prepare a written response to the employee's request to review the decision within 3 working days and this will be shared with the teacher. The teacher may request that the review of the decision is a review of the paperwork only. In these circumstances the reviewing manager will consider the paperwork and confirm their decision in writing within 3 working days of considering the case. In all other cases a meeting as outlined below will be arranged. The manager reviewing the case will be supported by a HR representative.
41. The meeting will usually be heard within 10 working days of the request to review the decision being received. The meeting will be attended by the teacher and the

designated senior manager who took the decision to dismiss. The Head of Department and/or Deputy Head or relevant member of staff who undertook the formal probation review may also be present at the meeting. The teacher has the right to be accompanied by a trade union representative or work colleague (whose identity should be notified to the chair of the meeting in advance).

42. It is not usual to have new information put forward for consideration. If new information is introduced the reviewing manager will determine in consultation with their HR representative why the information was not provided at the time the original decision was made and the extent to which the evidence is material. It will be a matter for the reviewing manager to decide whether the new information should be considered or not.
43. The reviewing manager may dismiss the request, in which case the original decision will stand; or substitute some other decision (e.g. extending the probation period for a short time).
44. The decision should be confirmed to the employee in writing within 5 working days.