

## Guidance notes on Managing Probationary Periods

The key points to be aware of:

- There is a **probationary period policy** on Your Charter; please read it, and follow it.
- Probation periods are **only applicable to support staff**; teachers are covered under the ECT scheme. This Trust has **not** adopted probation periods for new teachers.
- In line with the policy, please ensure that **regular reviews** (ideally at 1/3/5 months) are carried out to ensure that the staff receive appropriate support in their early careers with the Trust and that performance issues are identified and corrected at an early stage. All reviews with associated support should be **documented** as part of the employee's record.
- The final review should take place **in good time** before the end of the probation period. Overrunning the end of probation date means that **the employee automatically becomes a permanent member of staff**.
- Ensure that reasonable notice of meetings is given.
- Bear in mind that, although probationers are short-serving employees, a termination will still constitute **a dismissal in law** and therefore a **proper dismissal process** must be followed, including giving written notice of the end of probation review meeting, the potential outcomes and the right to be accompanied.
- Be aware that staff are able to claim **unfair dismissal** with short service where they can point to a protected characteristic as potentially being part of the rationale for dismissal. This is particularly relevant where there is a learning disability or mental health issue. It is particularly important that reasonable adjustments have been considered in order to comply with the Equality Act.
- Ensure that outcomes are **confirmed in writing** and that the correct period of notice is given.
- Always offer the **right of appeal**.
- Get advice from your **HR Business Partner** – they have more regular exposure to these types of cases and can advise you of pitfalls to avoid.

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