

Probation Policy and Procedure

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1. Rationale

It is our ambition at The Charter Schools Educational Trust (the 'Trust') that new support staff employees are provided with the tools to support their induction into their new role and be welcomed into our Trust community. Teaching staff are not subject to a contractual probation period, beyond the requirements of the statutory induction period for Early Careers Teachers.

All Headteachers are required to plan an induction programme and ensure line managers are following this effectively. The standard probationary period will be a total of 18 weeks, with formal reviews held at 8 and 16 weeks. For term-time only staff, the probation period will be structured in working weeks to reflect their working pattern.

During this time staff will be able to complete their induction processes and familiarise themselves with the requirements of the role. This will allow for line managers to provide help and support, and for individuals to establish themselves into the Trust.

2. Aim

Staff will be employed for an initial probationary period as detailed in their contract of employment, prior to having their status as permanent employees confirmed.

The aim of the probationary period is to allow time for the Trust to support new staff members in settling into their new role, provide training and development as required and assess their work performance and general attitude, attendance and behaviour at work.

During the probation period, capability matters will fall within the remit of this procedure. In the event of a potential disciplinary matter arising during the probation period, an investigation process will be followed, in line with the Trust's Disciplinary policy.

3. Managing the probationary period

As part of the induction process, all line managers should ensure that any relevant new employees who report to them, are aware of their probationary period and this policy, along with the Trust staff code of conduct.

As part of the induction process, line managers should discuss both departmental and organisational expectations with the employee and set initial and reasonable performance objectives, with time scales for review. This should be seen as a helpful and supportive process, aimed at ensuring the employee is successful in their probationary period and clearly see the progress they are making, rather than being perceived as undue pressure.

There must be interim and final probationary review meetings, for example 8 and 16 weeks after the employee's start date (depending on their individual contract). It is good practice to set the dates of these meetings as soon as the employee begins work, to ensure that they take place on time.

Line managers and employees should use the Probation Review document to create a clear and constructive record of probationary performance. The document is designed to outline key targets, track progress against agreed objectives, and highlight any areas where additional support or improvement may be needed. By completing this document at regular intervals, managers can ensure a consistent and fair approach to the probation process while providing employees with meaningful feedback and guidance. This documentation serves as an important reference point throughout the probation period and provides valuable input, regarding successful completion.

4. First Formal Review

As with all direct reports, line managers should carry out regular 1-2-1 meetings with the new employee on a weekly or bi-weekly basis and hold a first formal probationary review meeting after no more than 8 weeks. The purpose of the review is to give positive feedback about their performance and contribution, along with any concerns and how these can be addressed and supported.

Concerns can range from specific performance and output relating to the role, such as lateness, absenteeism, attitude, aptitude, and other issues relating to their level of professional standards and behaviour.

The aim of providing feedback about concerns is to agree how, with appropriate support, they can be fully addressed before the end of the probation period to allow the employee an opportunity to develop and achieve their objectives. However, if the concerns are serious and significant (and especially if they are impacting on the teaching and learning of students or bringing the Trust into disrepute), it may be that an end of probation review meeting is held. Such a meeting may only be held by a Headteacher or equivalent senior manager, as it may lead to the employment being terminated at this stage.

The employee should be formally invited to the end of probation meeting and provided with previous review documentation. They should also be allowed the right to be accompanied by a workplace colleague or trade union representative. Should the outcome be termination of employment, the employee should be given written confirmation of this and the reason, along with their right of appeal.

The Trust probationary review form is to be used to record all probationary review meetings.

5. Final Review

Before the probation period expires, the line manager will conduct the final review meeting of the probation after no more than 16 weeks and refer the outcome to the Headteacher (or equivalent). All management documentation will be sent to Central Trust HR to be retained upon the individual's personnel file. In most cases, the outcome will be to confirm that the probationary period has been successful. However, if there are still concerns at this point, the Headteacher may invite the employee to an end of probationary review meeting.

6. End of probationary review meeting

The employee should be given at least five working days' notice of the end of probationary review meeting and provided with all the supporting documentation which will be referenced as part of the hearing. There are two potential outcomes at this stage:

- In limited circumstances, to extend the probationary period for a short, fixed period of time, however, this should not extend beyond the 23rd week from the commencement of employment or
- Terminate the employment with notice as outlined in the individual's terms and conditions of employment.

All of these actions should be confirmed in writing and if the probationary period is extended or employment is terminated by the Headteacher, the reasons should be made clear, and the right of appeal explained in the case of dismissal. If the probationary period is to be extended, it should also be made clear what performance standards are expected during the extended period and the support and training that will be given to achieve this, and the review points.

7. Terminating employment at the end of the probationary period

Employees should always be made aware that there are concerns about standards of performance before the probationary period ends, the employee should never be surprised at the final meeting. At the very minimum these concerns should be raised at the interim review meeting.

If the employee has not met the required standards of performance and behaviour despite all the help and support that has been offered, this must be documented, and the individual should be invited to attend a meeting.

Individuals should be given at least five working days' notice to attend a meeting where dismissal during their probationary period is likely, with the reasons clearly stated. The individual has the right to be accompanied by a Trust work colleague or their union representative or official if dismissal is being considered.

The outcome of the meeting should be confirmed in writing, with the reasons again clearly stated and the right to appeal. Their notice period during this probationary period (including if it has been extended) will be expressed in the contract of employment.

8. Matters of Misconduct

Any allegations of misconduct arising during an employee's probationary period will be managed in accordance with the Trust's Disciplinary Policy and Procedures. This ensures that all matters are investigated fairly, consistently, and in line with established processes. Where appropriate, the outcome of any disciplinary process may inform decisions relating to the continuation of employment during the probationary period.

9. Discovery of irregularities during the probationary period

On some occasions it might become apparent that the employee has not been honest about their previous experience or qualifications when applying to the organisation. If the employee has been dishonest this is a potential breach of contract, which could result in termination of the contract of employment.

10. Appeal Procedure

If the probation is terminated by dismissal, the employee may appeal against the decision. The appeal should be sent in writing to the Trust Director of People at HRAppeals@tcset.org.uk within five days of confirmation of the dismissal in writing, outlining the reasons for the appeal. The Trust Director of People will delegate the appeal to an appropriate manager or Trustee.

The individual may be accompanied by a Trade Union representative or an official, or a Trust work colleague. The appeal decision is final and will be confirmed in writing within five working days of the appeal meeting. If the dismissal is upheld, the end date of employment will be from the date of the original decision to dismiss.

11. Monitoring and evaluation

The Trust will monitor the number of staff who do not successfully complete their probation and the reasons why. All probationary review documents will be held on the individuals' personnel file.

12. Related documents

This policy should be read in conjunction with the following Trust policies and documents:

- Probationary review form
- Staff Code of Conduct policy
- Disciplinary policy

- Equality, Diversity and Inclusion policy

This policy should be read in conjunction with the following external regulations and guidance:

- Equality Act 2010