Diocese of Norwich
St Benet's
Multi Academy Trust

# Probation Policy – All Employees

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| **Policy Type:** | **Trust Policy** |
| **Date Issued by MAT:** | **01/07/2026 (to be live from 1st September 2026)** |
| **Approved By:** | **Executive Team** |
| **Approval Date:** | **19/06/2026** |
| **Review Date:** | **June 2029** |
| **Person Responsible:** | **Human Resources Director** |

**Our Christian Ethos and Values**

Our academies are open to all and accepting of all regardless of faith. Our passion and ambition are to see children and young people in all our academies achieve excellent educational outcomes alongside developing and growing into their potential as individuals made in the image of God.

Our culture is one of high aspiration for all. This is rooted in our Christian values as demonstrated in the life and teachings of Jesus Christ. We have a desire to see our academies acknowledged as places of aspiration, high quality learning, achievement and hope making a significant contribution to the communities they serve.

All policies within St Benet's Multi Academy Trust (hereafter referred to as "the Trust"), whether relating to an individual academy or the whole Trust, will be written and implemented in line with our Christian ethos and values.

**Overall accountabilities and roles**

The Trust has overall accountability for all its academies and staff. Through a Scheme of Delegation it sets out the responsibilities of the Trust, its Executive Officers, the Local Governance Committee and the Headteacher. The Headteacher of each academy is responsible for the implementation of all policies of the Trust.

All employees of the Trust are subject to the Trust's policies.

# Contents


1. Purpose ..... 3
2. The role and responsibilities of new employees (the Employee) during probation ..... 4
3. The First Review (on completion of 1 week's service) ..... 4
4. The Second Review (on completion of 8 week's service) ..... 5
5. The Final Review (on completion of 16 week's service) ..... 5
6. What to expect when the probation period is extended ..... 6
7. Termination of employment ..... 6
8. Potential gross or serious misconduct ..... 7
9. Allegations or concerns relating to safeguarding ..... 7
10. Right to appeal ..... 7

Appendix 1: First Review – 1 week ..... 8

Appendix 2: Second review – 8 weeks ..... 11

Appendix 3: Final Review – 16 weeks ..... 14

## This Policy

This Policy is designed to ensure that employees are aware of what to expect during the probationary period, and that probation is managed fairly and consistently for all employees with due regard to equality, diversity and inclusion considerations.

The probation procedure provides a consistent and fair framework for monitoring and reviewing the performance of new employees in relation to:

- Quality of work and understanding of role
- Attitudes and motivation
- Conduct and attendance
- Compliance with all policies and procedures particularly those relating to safeguarding and promoting the welfare of children and young people
- Health and safety

The policy providing opportunities for feedback and discussion and a structured approach to address any concerns.

During the probationary period, the Trust's attendance management, disciplinary, appraisal and capability policies do not apply; any attendance, performance, conduct or capability concerns will be managed in accordance with this Probation Policy. Where allegations or allegations in relation to serious misconduct have been made against an employee on probation, an investigation will be conducted into the matter under the Trust's disciplinary procedures.

However, the provisions relating to wellbeing in the attendance management policy will still apply. Any concerns relating to safeguarding will be managed in accordance with the statutory guidance Keeping Children Safe in Education.

The following employees are excluded from a probationary period:

- When transferring between the Trust's academies or into or out of the Central Trust Team to an equivalent role
- Following an internal promotion
- Following any variations to the terms and conditions of employment.

We are committed to developing, maintaining and supporting the culture of equality and diversity in the employment.

## 1. Purpose

The purpose of the probationary period is to enable an assessment to be made regarding the suitability of new employees for the role that they have been employed to undertake, and for the Trust, ensuring that new employees receive a high standard of induction, support and professional development to enable them to succeed.

Probationary periods apply to all newly recruited employees whether they are working in full-time, part-time, permanent or temporary roles.

It is the responsibility of the Line Manager to implement the procedure and to ensure that the procedure is communicated to employees at the start of their employment and that it is applied consistently.

The Line Manager is responsible for ensuring that the Employee is properly monitored during the probation period and meetings and paperwork are completed in a timely manner. The Employee will

be provided with a copy of the procedure and indicative dates for the probation meetings. In the event that the Employee's standards fall below expectations, the Line Manager is responsible for initiating and taking action in accordance with this procedure.

The Line Manager should, in normal circumstances, conduct three reviews with the Employee. Reviews should take the form of a confidential meeting between the Line Manager and the Employee, in which there is opportunity for two-way discussion.

In exceptional circumstances, where there are serious concerns over the suitability of a Employee, the Line Manager may decide to progress straight to the Final Review and omit the Second Review, or to reduce the time between the review meetings. Such concerns may include substantiated safeguarding or health and safety concerns, serious capability concerns, serious timekeeping or attendance concerns or substantiated allegations that may constitute gross misconduct during the probationary period or during an extended probation period. The Line Manager should seek advice from their HR Officer immediately when considering progression straight to the final review meeting, whereby the HR Officer will seek approval from the HR Director before proceeding further.

Employees joining on fixed-term contracts should be included to ensure that probation is not overlooked in the event that their contract is extended or renewed.

The probationary period will usually last for 4 months from the date on which employment commences, but for employees working term time only, where the summer break may significantly foreshorten the opportunity for them to demonstrate their suitability, their probation will be over 5 months excluding the summer break.

In exceptional circumstances the probationary period may be extended by up to four weeks, to provide further opportunity for the employee to demonstrate their suitability for a role.

Where a period of family or carer leave coincides with the probationary period, or an employee experiences sickness absence a practical and fair approach will be taken to assessing performance and determining whether any extension to the probationary period may be required.

At the end of the probationary period employees will be informed in writing if they have been successful. If employees do not receive any written confirmation, they should assume that their probationary period is completed.

## 2. The role and responsibilities of new employees (the Employee) during probation

During probation new employees are expected to demonstrate their suitability for the post to which they have been appointed. Employees:

i) Should be familiar with the job description and person specification for their role;
ii) Are required to actively participate in seeking to achieve the expected standards of performance and the objectives set;
iii) Must contribute towards identifying their training and development needs; and
iv) Where concerns are identified, must engage with the implementation of support.

## 3. The First Review (on completion of 1 week's service)

The purpose of this meeting is for the Line Manager to evaluate the employee's performance and discuss any key issues. If improvements in performance are required, full details should be given, including appropriate management support/training.

Upon completion of this review meeting, the Line Manager should complete the Probation Period Review Form (Appendix 1). This should be signed by the Line Manager and the employee. A copy should be given to the employee and a copy saved on the personnel file.

## 4. The Second Review (on completion of 8 week's service)

The purpose of this meeting is to review the Employee's performance over the first eight weeks service. Where the first review indicated that improvements in performance were required, the second review meeting should be used to consider the extent of any improvement that may or may not have taken place.

Where the employee has not met the required standards, they will be informed that continued failure to meet those standards could result in dismissal.

Upon completion of this meeting, the Line Manager should complete the Probation Period Review Form (Appendix 2). This should be signed by the Line Manager and the employee, and a copy should be given to the employee and a copy saved on the personnel file. Both parties should sign the review form.

## 5. The Final Review (on completion of 16 week's service)

The purpose of this meeting is to review the Employee's performance over the sixteen weeks probationary period. Where the Second Review indicated that improvements in performance were required, the Final Review meeting should be used to consider the extent of any improvement that may or may not have taken place.

Prior to the Final Review meeting, which normally takes place after the employee has completed sixteen weeks service, the Line Manager should decide whether:

1. The employee has passed probation.
2. The probation period is extended due to exceptional circumstances. Consideration to extend may include the following, but this is not an exhaustive list:
    - Performance concerns have not been fully addressed but there is a reasonable expectation that satisfactory performance standards may be met by the end of an extension of the probation period.
    - The employee has had an extended period of permitted absence, and it has not been possible to assess performance.
    - Other exceptional circumstances.

Where the probation is extended, please refer to section 6 below.

3. Recommendation that the performance concerns are serious and have not been addressed by the employee through the probationary period to a satisfactory period, therefore, a recommendation is made to dismiss. There the probation period is unsuccessful, and the employee will be dismissed please refer to section 7 below.

Where the employee has passed their probation, they will be advised in writing that they have successfully completed their probationary period, and they will enter the Trust's appraisal process. The final review form will be completed (appendix 3) and signed by the Line Manager and the employee a signed copy will be held on the employee's personnel file.

## 6. What to expect when the probation period is extended

Where the decision is to extend the probation period, this will normally be limited to one extension and the extension will be no longer than four weeks unless the extension period includes school holidays.

Before extending the probation period, the Line Manager will seek HR advice. The Line Manager will confirm the terms of the extension in writing to the employee, including:

- The length of the extension, the date on which the extension will end and dates of review meetings, adjusted according to the extension.
- The reason for the extension and, if the reason is unsatisfactory performance, details of how and why performance has fallen short of the required standards.
- The performance standards or objectives that the employee is required to achieve by the end of the extended period of probation.
- Any support, for example further training, that will be provided during the extended period of probation and a statement that, if the employee does not fully meet the required standards by the end of the extended period of probation, the employment will be terminated.

There is no right of appeal to the extension of a probation period.

## 7. Termination of employment

If the Line Manager's decision, having sought advice from HR that the decision is to recommend that the employee is dismissed, they will write to the Employee to inform them as soon as practicably possible, at least 5 working days in advance, setting out:

a) The date, time and place of the dismissal meeting.

b) That the purpose of the dismissal meeting is to recommend dismissal and the reasons why.

c) The Employee's right to be accompanied by a Companion. Which can be a work colleague or a trade union representative.

d) The titles of enclosed copies of any documents which may be considered.

e) The name and position of any other person present at the meeting e.g. note taker or HR Officer.

The Employee must advise the Line Manager of the following at least 3 working days in advance of the dismissal meeting:

a) The name and designation of any Companion.

b) Any written documentation to be considered.

The Employee, who may be accompanied by a Companion, will have the opportunity to state their case, before a decision is made.

The dismissal meeting chair may decide:

a) To terminate employment from the date of the dismissal meeting with probation period notice.

b) Extend the probation period. This will revert the process back to the Line Manager.

c) Consider deployment to a suitable available alternative post (in which case a new shortened probation period will be put in place and the schedule and number of review meetings adjusted accordingly).

The dismissal meeting chair will write to the Employee confirming the decision within 5 working days of the dismissal meeting.

The Trust 'Procedure at Disciplinary and Appeal Committee Hearings' document will be used as guidance for the process.

## 8. Potential gross or serious misconduct

In the event of an allegation of gross or serious misconduct being made during the probationary period, any allegation will be appropriately investigated, and the Trust reserves the right to suspend the colleague without prejudice whilst the investigation takes place.

If after the investigation it is considered that there is a case to answer, the following steps will be taken:

i) The colleague will be notified in writing of the allegations against them, provided with relevant documentary evidence and invited to attend a meeting.

ii) The meeting will be for the purpose of presenting the allegations and inviting the colleague to respond to the allegations.

iii) If the Panel Chair is satisfied that the colleague is blameworthy of gross misconduct, they will be informed that they are dismissed without notice;

iv) If the Panel Chair is satisfied that the colleague is blameworthy of such serious misconduct that it would be necessary, under the normal disciplinary procedure, to issue a written warning, to remain on file beyond the expiry of the probationary period, they may be dismissed with notice.

## 9. Allegations or concerns relating to safeguarding

Any concerns relating to safeguarding will be managed in accordance with the statutory guidance Keeping Children Safe in Education and the Trust's Safeguarding Policy.

## 10. Right to appeal

Employees who have their probationary period terminated will have a right of appeal. Notice of an appeal should be submitted within 5 working days of the employee receiving written notification of termination. Appeals will normally be held within 10 working days of the appeal being received. At the appeal the appellant may be accompanied by a trade union representative or work colleague.

There is no right to appeal against an extension to the probationary period.

**Appendix 1: First Review – 1 week**

This meeting should take place at one week of the employee's employment commencement date

| | |
|---|---|
| **Employee name:** | |
| **Job Title:** | |
| **Location:** | |
| **Employment Start Date:** | |
| **Manager, Job Title:** | |
| | **Date Due** |
| **First Review Meeting** | |
| **Second Review Meeting** | |
| **Final Review Meeting** | |

| *(please tick)* | **Improvement required** | **Satisfactory** | **Good** | **Excellent** |
|---|---|---|---|---|
| **Attendance and timekeeping** | | | | |
| **Team working/collaboration** | | | | |
| **Initiative and independent working** | | | | |
| **Communication, oral and written** | | | | |
| **ICT skills** | | | | |
| **Knowledge acquisition (understanding of the job)** | | | | |
| **Attitude and approach** | | | | |
| **Quality and accuracy of work** | | | | |
| **Overall competency in the role** | | | | |
| **If any areas of attendance, performance or conduct require improvement please provide details below** | | | | |

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| **Where concerns have been identified, please summarise how these have been and will be addressed during the remaining period of probation** |

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| **SECTION A: Objectives**<br>The line manager should identify specific objectives for the colleague (for 3 and 6 months as appropriate) These will be statements of what should be achieved during the probationary period, including indicators of success and timescales for achievement. | |
| **1.** | |
| **2.** | |
| **3.** | |
| **4.** | |

**SECTION B: Training plan**

To support the colleague in achieving these objectives, the manager and colleague should identify any training and development needs. The manager should specify how and when these needs will be addressed during the probationary period.

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|---|---|
| **Employee's Signature:** | |
| **Manager's Signature:** | |
| **Date:** | |

## Appendix 2: Second review – 8 weeks

To be completed by the Line Manager in discussion with the colleague.

| *(please tick)* | **Improvement required** | **Satisfactory** | **Good** | **Excellent** |
|---|---|---|---|---|
| **Attendance and timekeeping** | | | | |
| **Team working/collaboration** | | | | |
| **Initiative and independent working** | | | | |
| **Communication, oral and written** | | | | |
| **ICT skills** | | | | |
| **Knowledge acquisition (understanding of the job)** | | | | |
| **Attitude and approach** | | | | |
| **Quality and accuracy of work** | | | | |
| **Overall competency in the role** | | | | |
| **If any areas of attendance, performance or conduct require improvement please provide details below** | | | | |
| **Where concerns have been identified, please summarise how these have been and will be addressed during the remaining period of probation** | | | | |

| **Summarise the colleague's performance and progress to date – consider strengths and opportunities** | | | |
|---|---|---|---|
| **Have the objectives identified for this period of probation been met?** | | **YES / NO** | **If NO, what will be carried over to the appraisal process?** |
| | **1.** | | |
| | **2.** | | |
| | **3.** | | |
| | **4.** | | |
| **Have the training / development needs identified for this period of the probation been addressed?** | | **YES / NO** | |

**Colleague's comments**

| **Please comment on the above. You may wish to consider what has gone well / not so well, any changes you would like to see, whether the role is what you expected it to be, what you're proud of and any further opportunities for support or development that may assist you.** |
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| | | | |
|---|---|---|---|
| **Employee's Signature:** | | **Date:** | |
| **Manager's Signature:** | | **Date:** | |

**Appendix 3: Final Review – 16 weeks**

To be completed by the manager in discussion with the colleague where probation is to be confirmed successful.

| *(please tick)* | **Improvement required** | **Satisfactory** | **Good** | **Excellent** |
|---|---|---|---|---|
| **Attendance and timekeeping** | | | | |
| **Team working/ collaboration** | | | | |
| **Initiative and independent working** | | | | |
| **Communication, oral and written** | | | | |
| **ICT skills** | | | | |
| **Knowledge acquisition (knowledge of the job)** | | | | |
| **Attitude and approach** | | | | |
| **Quality and accuracy of work** | | | | |
| **Overall competency in the role** | | | | |
| **If any areas of attendance, performance or conduct require improvement please provide details below** | | | | |
| **Where concerns have been identified, please summarise how these have been and will be addressed during the remaining period of probation** | | | | |
| **Summarise the colleague's performance and progress to date – consider strengths and opportunities** | | | | |

| | | | |
|---|---|---|---|
| **Have the objectives identified for this period of probation been met?** | | **YES / NO** | **If NO, what will be carried over to the appraisal process?** |
| | **1.** | | |
| | **2.** | | |
| | **3.** | | |
| | **4.** | | |
| **Have the training / development needs identified for this period of the probation been addressed?** | | **YES / NO** | |

**Colleague's comments**

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|---|
| **Please comment on the above. You may wish to consider what has gone well / not so well, any changes you would like to see, what you're proud of and any further opportunities for support or development that may assist you.** |
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|---|---|---|---|
| **Employee's Signature:** | | **Date:** | |
| I recommend that the employee has successfully completed their probationary period | | | |
| **Manager's Signature:** | | **Date:** | |