



## **Probationary and Introductory Policy**

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## **1. Vision**

- 1.1 Loreto College is centred in God, rooted in Christ and animated by the spirit of Mary Ward, the founder of the Institute of the Blessed Virgin Mary. our vision is that it will be an educational community where each person has the experience of being loved and valued as a sacred individual created by a loving God; a community where students enjoy an enriching and liberating education that helps them grow into the fullness of life and empowers them to be men and women of courage who are alive to the needs of humanity and committed to making a better world.

## **2. Introduction**

- 2.1 The College aims to be an educational community which gives expression to the core values of Mary Ward – freedom, justice, sincerity, truth, joy, excellence and internationality.
- 2.2 Loreto College has the highest expectations about the personal, academic and professional conduct of our employees. This document sets out the procedure the College will follow in operating probationary and introductory periods. Whilst ensuring it fulfils its legal obligations, the College will be mindful of its mission and core values in how it deals with probationary and introductory periods. It will exercise its duty of care to all staff and will endeavour to act at all times with justice, compassion and respect for the dignity and worth of all those involved in the process.

## **3. Policy Statement**

- 3.1 It is the college's policy to operate probationary periods for all new enabling staff employees, and introductory periods for all new teaching staff employees. Additionally, in some cases the college will operate a probationary period, at the college's discretion, in respect of employees who have been transferred or promoted into different posts within the College.
- 3.2 This policy allows both the employee and college to assess objectively whether or not the employee is suitable for the role. The college believes that the use of probationary and introductory periods increases the likelihood that new employees will perform effectively in their employment. The use of probationary and introductory periods also enables the line manager to provide guidance and support and to identify and arrange any necessary support, training or coaching that is relevant to the role

## **4. Scope and Purpose**

- 4.1 This policy applies to all new employees and to existing employees who have been transferred or promoted into a different role.
- 4.2 In the first instance the line manager is responsible for ensuring that all new employees are properly monitored during their probationary or introductory period. If any problems arise, the line manager should address these promptly and in accordance with the policy. The employee should be made aware that some aspects of their performance or conduct or attendance is unsatisfactory. This will help prevent any problems from escalating and hopefully lead to sufficient improvements.
- 4.3 Where the employee is the Principal, the Chair of Governors shall be responsible for managing the probation process and determining whether their employment is confirmed or their employment is terminated.

- 4.4 This policy does not form part of any employee's contract of employment and may be amended at any time.

**5. Length of probation or introductory period**

- 5.1 The length of the probationary or introductory period applicable to an employee will be as set out in the contract of employment of that employee.

**6. Extending probationary or introductory periods**

- 6.1 Six months' probation period and twelve months' introductory period should be an adequate period of time to effectively assess an employee's suitability for the role. In exceptional circumstances, the college may decide to extend an employee's probationary/introductory period. This will be limited to one extension and will not normally be longer than three months.

- 6.2 An extension may be implemented in circumstances where:

- (a) The employee's performance, conduct or attendance during probation or introductory period has not been entirely satisfactory, but some improvement has taken place and it is thought likely that an extension to the probationary or introductory period may lead to satisfactory improvement.
- (b) The employee or the line manager has been absent from the workplace for an extended length of time during the probation or introductory period.
- (c) It has not been possible to assess an employee's suitability for the role due to exceptional circumstances e.g. a national lockdown requiring remote working.

- 6.3 Before extending an employee's probationary or introductory period, the line manager may consult with relevant member of the Senior Leadership Team, as well as with the Human Resources Manager. If an extension to the probationary or introductory period is agreed, the college will confirm the terms of the extension in writing to the employee, including:

- (a) the length of the extension and the date on which the extended probation or introductory period will be reviewed and when it will end;
- (b) 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;
- (c) the performance standards or objectives that the employee is required to achieve by the end of the extension of the probation or introductory period;
- (d) any support, for example further training, that will be provided during the extended probation or introductory period; and
- (e) a statement that, if the employee does not fully meet the required standards by the end of the extended probation or introductory period, their employment will be terminated.

**7. Terms of employment during the probationary or introductory period**

- 7.1 During the probationary or introductory period, employees will be subject to all the terms and conditions of their contracts of employment with the exception of those terms noted below. During the probationary or introductory period, attendance, conduct (including matters that could potentially amount to gross

misconduct), and capability issues will be managed under this policy rather than the standard college HR policies.

## **8. Line managers' responsibilities**

- 8.1 Under this policy, the line manager has responsibility for monitoring a new employee's performance, conduct, attendance and progress during the probationary or introductory period. The line manager should ensure that the employee is properly informed at the start of their employment about what is expected of them during probation or introductory period, for example the required targets or standards of performance, and for putting in place a plan to support the successful start to any new role.

## **9. Reviews during probation or introductory period**

- 9.1 Probation period - The line manager (or in their absence another appropriate manager or the relevant member of SLT) should review and assess the employee's performance, capability, conduct, attendance and suitability for the role at the one, three and five month points during the employee's probation, this will involve meeting with the employee to discuss progress. The employee will be able to provide a response to the matters raised. At the end of the meeting, the line manager will complete the probationary form and give a copy to the employee and a copy will be provided to the Human Resources team to be stored on the employee's electronic record.
- 9.2 Introductory period - The line manager (or in their absence another appropriate manager or the relevant member of SLT) should review and assess the employee's performance, capability, conduct, attendance and suitability for the role at the one, three and five month points during the employee's introductory period, this will involve meeting with the employee to discuss progress. The employee will be able to provide a response to the matters raised. At the end of the meeting, the line manager will complete the review meetings documentation and give a copy to the employee and a copy will be provided to the Human Resources team to be stored on the employee's electronic record.
- 9.3 During an employee's probation or introductory period, the line manager should provide regular feedback to the employee about their performance and progress, and, should there be any problem areas, raise these with the employee as soon as possible, allowing the employee to respond, with a view to resolving them. The line manager (liaising with the HR Manager or a senior manager, where appropriate) is also responsible for providing guidance and support and for identifying and arranging any necessary support, training or coaching that is relevant to the role.

## **10. Irregularities discovered during the probationary or introductory period**

- 10.1 If, during an employee's probation or introductory 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 with the employee to establish the facts. If the evidence suggests that the employee misrepresented their abilities, qualifications, experience or knowledge in any way, the college will terminate the employment. If the employee is an existing employee who has been transferred or promoted into a different role, the college's normal capability/dismissal procedure must be followed in full.

## **11. End of probationary or introductory period**

- 11.1 Shortly before the end of the probationary or introductory period (or end of the extension, if applicable), the line manager should conduct a final review of the employee's performance, conduct, attendance and suitability for the job. This will involve a meeting with the employee where both parties can discuss performance and progress throughout the probation or introductory period, and the employee can respond to any matters raised. At the end of the meeting, the line manager will complete the probationary or introductory period paperwork, and give a copy to the employee and a copy will be provided to the Human Resources team to be stored on the employee's electronic record.
- 11.2 If the employee's employment is satisfactory, the line manager should notify the Principal and HR Manager in order to issue a letter of confirmation of appointment to the employee.

## **12. Termination of employment**

- 12.1 Ordinarily it is the college's policy to allow the employee to complete the designated probation or introductory period rather than terminating employment before the probation or introductory period has come to an end. This is to give the employee a full opportunity to meet the required standards. If, however, there is clear evidence prior to the end of the probation or introductory period that suggests the employee is wholly unsuitable for the role or there are concerns that are unlikely to improve, the employment may be terminated early. This would also apply to incidents of gross misconduct that happen during the probationary or introductory period (see section 12.5).
- 12.2 During the probationary or introductory period, termination of employment will be with notice, as set out in the contract of employment, unless the employment is terminated for gross misconduct resulting in immediate dismissal without notice or without payment in lieu of notice (summary dismissal).

### **Performance**

- 12.3 If an employee's performance during the probation or introductory period has been unsatisfactory (despite support from the line manager), and it is thought unlikely that further training or support would lead to a satisfactory level of improvement, the employment will be terminated at the end of the probation or introductory period. Where the concerns are considered serious and have not improved despite support, then the employment may be terminated prior to the end of the probation or introductory period (or at an earlier point if appropriate).

### **Conduct**

- 12.4 If an employee's conduct during the probation or introductory period has been unsatisfactory (despite support from the line manager), and it is thought unlikely that further training or support would lead to a satisfactory level of improvement, then the employment will be terminated prior to the end of the probation or introductory period (or at an earlier point if appropriate).
- 12.5 If during the probationary or introductory period, an allegation potentially amounting to gross misconduct is made, the facts will be investigated and a meeting held with the employee to make a decision. Where the allegations are considered proven, the employment will be terminated with immediate effect and without notice or pay in lieu of that notice. Gross misconduct is a serious breach of contract and includes misconduct which, in the opinion of the college, is likely to prejudice its business or reputation or irreparably damage the working relationship and trust between the college and the employee. Although allegations of gross misconduct during the probationary or introductory period

are dealt with under this policy, reference should be made to the examples of gross misconduct set out in the college's Disciplinary Policy - Staff. However, allegations in relation to safeguarding will be considered alongside and in accordance with the disciplinary policy and the Safeguarding and Child Protection Policy (Section 5 Dealing with concerns and allegations about staff (teachers, other staff and supply teachers), visitors, volunteers and contractors).

### **Attendance**

- 12.6 If an employee's attendance during the probation or introductory period has been unsatisfactory (despite support from the line manager), and it is thought unlikely that further or support or reasonable adjustments would lead to a satisfactory level of improvement, the employment will be terminated at the end of the probation or introductory period (or at an earlier point if appropriate).
- 12.7 Where a decision is taken to terminate the employee's employment, a meeting will be held (normally by the relevant member of SLT) with the employee to inform them of the reason for the termination. The college will write to the employee confirming the termination and the reason for it. The employee will be given an opportunity to appeal the decision (see Section 13.1).
- 12.8 If the employee is an existing employee who has been transferred or promoted into a different role, the college's normal capability / disciplinary / sickness absence / dismissal procedure must be followed in full.

### **13. Appeals against termination of employment**

- 13.1 Should an employee wish to appeal against a decision to terminate their employment they must write to the Principal within 14 calendar days of the decision to terminate the employment being communicated to them in writing. The employee must state the grounds of their appeal in full. An appeal meeting will then be arranged with either the Principal (if not involved in the original decision to dismiss) or a panel of Governors. The outcome of an appeal meeting will be confirmed in writing; this will make it clear that there is no further internal right of appeal. Where the employment of the Principal is terminated they should appeal to the Chair of Governors who will make arrangements for the appeal hearing.

### **14. Confidentiality and data protection**

- 14.1 It is the aim of the college to deal with matters under this policy sensitively and with due respect for the privacy of any individuals involved. All employees must treat any information communicated to them in connection with the process as confidential.
- 14.2 During any action under this policy, the college will collect, process and store personal data in accordance with our data protection policy. The data will be held securely and accessed by, and disclosed to, individuals only for the purposes of actions taken under the policy. Records will be kept in accordance with our Privacy and Cookies Policy and our Data Protection Policy\_GDPR and in line with the requirements of the **Data Protection Legislation** (being (i) the General Data Protection Regulation ((EU) 2016/679) (unless and until the GDPR is no longer directly applicable in the UK) and any national implementing laws, regulations and secondary legislation, as amended or updated from time to time, in the UK and then (ii) any successor legislation to the GDPR or the Data Protection Act 1998, including the Data Protection Act 2018).

**15. Review of policy**

- 15.1 This policy is reviewed and amended every two years by the college. We will monitor the application and outcomes of this policy to ensure it is working effectively.