

2018 -2019

Potential in Everyone Academy Trust
CEO – David Whitehead



PROBATIONARY PERIOD AND PROCEDURES

September 2018

Committee	Finance and Staffing
Approved on	01/09/2018
New Review date	01/09/2020

Associated Documentation	
Induction Policy	
Trust Code of Conduct	
Appraisal Policy	
Pay Policy	

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1. Policy Statement

This procedure applies to all new support staff employees of Potential in Everyone Academy Trust. It applies equally to permanent, fixed term and temporary employees.

As a primary only mixed Church of England Trust with both Church of England and community schools there is a commitment to our key moral purpose of ensuring every child meets their full potential through positively promoting Christian and British values. We believe that by creating a fair and transparent probationary period policy, it will enable all staff to be recognised for their contribution in enabling the Trust to provide outstanding outcomes for all children.

In Potential in Everyone Academy Trust, we are committed to an effective induction and probation for staff as the best opportunity to ensure new employees are clear about their role and management expectations. A probationary period is the formal period of time in which an employee, with the support of management, must demonstrate their ability to perform all the functions of their new role to a satisfactory level. An induction is the initiation provided by the Trust to a new employee, governor or volunteers to ensure they have all the information they require to carry out their role effectively

The main purpose of the probationary period, and of this policy and procedure, is to enable new employees to gain a full understanding of the requirements of their post and of the organisation, and to achieve an acceptable level of performance within a reasonable time frame. It should be read in conjunction with the Induction policy.

This policy and procedure is also designed to provide managers with a framework to assess the performance of new staff. It will provide a process for feeding back good performance and for improving performance if necessary.

The probationary period is intended to be a positive experience which gives an individual the opportunity to learn and settle into the organisation. However it is important to recognise the potential for someone to fail their probationary period. Another purpose of this document is therefore to describe the process by which employment with the Trust will be terminated if performance does not meet the required standard during the probationary period.

2. Scope of the Policy

This policy procedure applies to all Employees of Potential in Everyone Academy Trust.

3. Adoption Arrangements and Date

This policy procedure was adopted by the Board of Directors of Potential in Everyone Academy Trust on 1 September 2018 and supersedes any previous Probationary period policy.

This policy/procedure will be reviewed by the Board of Directors every two years or earlier if there is a need. This will involve consultation with the recognised unions.

4. Responsibilities of the Trust

- To provide induction and training relevant to the role
- Provide clear and constructive feedback to the Employee on their performance, clarifying any areas of concern at the earliest opportunity and giving an opportunity to improve
- To provide appropriate support, help and where necessary appropriate training, to assist the Employee improve their performance
- To ensure new Employees are set objectives which are reviewed at appropriate intervals and that appropriate training/support is provided to assist the Employee to complete their probationary period
- To ensure staff probation is accurately recorded, monitored and reviewed effectively, via six monthly reporting to the Finance and Staffing Committee

5. Responsibilities of the Employee

- Attend all review meetings
- Prepare for review meetings including gathering evidence of their performance, achievement of objectives and examples of how they have demonstrated the Trust/school values

- Take responsibility for their own development including completing any training arranged for them, making use of learning resources and informing their line manager if they require further support
- To fully engage in induction/initial training opportunities
- To alert their line manager at the earliest opportunity to any difficulties they are experiencing meeting the expectations of the role and work positively to achieve the required performance standards
- To actively participate in any meetings/discussions/ supportive measures put in place as part of this procedure
- Ensure they inform their line manager of any circumstances that may impact upon their performance
- Carry out their job to the standard that is expected of and required for the role and grade

6. Probationary Period Monitoring

In order to manage induction effectively the Trust will record, monitor and review this on a whole Trust basis. Any data gathered will not identify individual Employees

Part B - Procedure

7. Management and Organisation of Probation

The probationary period at Potential in Everyone Academy Trust is 6 months unless it is extended for reasons of poor performance or if it has not proved possible to adequately assess the performance in that period.

The requirement to serve a probationary period will be communicated during the recruitment process and the contract of employment will advise that employment is subject to a satisfactory period of probation.

During the probationary period new employees will undertake an induction programme which will provide them with key information about the Trust and introduce them to key activities required for their role. Completion of induction activities is an essential element of the probationary period. The line manager of the new employee will agree a programme of induction activities with the new employee.

Soon after an Employee commences in role they will have the opportunity to meet with their line manager to discuss:

- The standards of performance/conduct required
- What the Employee is expected to achieve during/by the end of the probationary period
- Their induction plan and any training/development activities which may be of benefit
- Any arrangements for mentoring/buddying of new Employees
- The process for monitoring performance during the probationary period

Upon successful completion of the probationary period the employee will be subject to the Performance Management Cycle, Capability and Disciplinary procedures.

Although the probationary review will consider evidence in respect of the factors set down in the relevant pay progression criteria, Employees within their probationary period will not be eligible for performance related pay or bonuses.

8. Reviewing Performance

Throughout the probationary period there will be opportunities for the Employee to meet with their line manager to discuss their performance progress. The Employee is encouraged to reflect on their own performance and raise any concerns about their employment at these meetings.

Notes may be taken of these meetings and a copy placed on the Employee's personnel file and also shared with the Employee

During the probationary period new employees will be assessed on:

- Performance in the job role
- General competence, conduct and behaviour
- Achievement of objectives
- Attendance and timekeeping
- Training and support requirements

Probation period review meetings will take place at the following times:

- 6 weeks
- 3 months
- 5 months

9. Concerns during the Probationary Period

Where the line manager is concerned the Employee is not making the required level of progress at any stage of the probationary period, the line manager will raise these concerns at the earliest opportunity with the aim of supporting the Employee to improve their performance or conduct. The line manager will:

- Explain where performance/conduct improvement is required and targets to be met to address this
- Give the Employee opportunity to discuss their views about own performance in the role.
- Source training/support to help the Employee meet the required standards
- Set timescales for improvement and arrangements for further monitoring/meetings
- Decide whether an extension of the probationary period is appropriate
- Explain that continued underperformance could lead to non-confirmation of employment
- Confirm the outcome of the discussion in writing

Additional meetings may be arranged to assist with the support and monitoring of the Employee as they work towards addressing these concerns.

If there is clear evidence at an earlier stage to suggest that the employee is unsuitable for the role and it is evident that further training or support is unlikely to change the situation, the contract may be terminated prior to the end of the probationary period.

10. Responsibilities of the Line Manager

Line Managers have responsibility for ensuring that all review meetings take place in a timely manner. Meetings throughout the probationary period should be arranged by the line manager within one week of the new starter joining the Trust.

If meetings are delayed for any reason they should take place as soon as possible after the planned date.

The three review meetings **must** take place. Line managers must not skip meetings and then attempt to “catch up” reviews at the next scheduled meeting. For example, if the six week review is delayed due to holidays, it is not acceptable to forgo that meeting and simply have a review at three months. Instead it should be timed to take place as close to six weeks as possible.

Line managers are responsible for completing the probationary period paperwork after each review meeting and submitting it to the Headteacher or Trust Business Manager for centrally based non-educational staff at the end of the probationary period.

Line managers must liaise with the Headteacher or Trust Business Manager for centrally based non-educational staff at the earliest opportunity if they are concerned that the new employee is not meeting the required standards.

Line managers must ensure the new employee understands the probationary period, the requirements it places on them and the consequences of failing the probationary period. They should also ensure the new employee has a reasonable understanding of the standard of performance and behaviour required of them.

Line managers have responsibility for ensuring that the new employee has a reasonable understanding of how well they are progressing throughout their probation, particularly if there is a deterioration or lack of improvement between review meetings. The final outcome of the 5 month review meeting should build upon discussions that have taken place throughout the probationary period.

Line managers must ensure they set SMART objectives for the new employees.

Line managers are responsible for ensuring that the new employees receive the training and support they need to undertake their role. This includes the provision for regular coaching conversations for relevant employees.

11. Concerns relating to an ongoing medical consideration or disability

Where issues are identified relating to the performance of an Employee who is considered to have a disability (as defined by the Equality Act 2010) due consideration will be given to reasonable adjustments to support the Employee in the workplace.

12. Probationary Period Programme

During the First 6 Weeks

There are no formal review meetings during the first 6 weeks of a new employee's service. It is important however that regular informal discussions take place with the new starter to check that they are settling in, that their basic needs have been met and that any concerns they have are addressed.

Any issues or concerns regarding performance during these first 6 weeks should be addressed at the time by the line manager and noted and referred to during the 6 week review meeting.

6 Week Review Meeting

The 6 week review will be used to assess the following:

- Assessment of performance in the job role
- Application of the Trust's competencies/values/behaviours

The 6 week review section of the Probationary Period Review form should be completed and a copy given to the new employee.

The objectives for the rest of the probationary period will be set by the line manager and agreed with the new employee at this meeting. Objectives should reflect the new employee's level of experience and provide realistic goals to be achieved during the probationary period. This may be a combination of objectives relating to familiarisation with the work of Trust and/or school and objectives which contribute to the achievement of school improvement objectives and the Trust business plan. All objectives should meet the SMART criteria (Specific Measurable Achievable Realistic and Timely). It is expected that there should be no more than 4 objectives set. It may be necessary for objectives to be revised at future meetings.

Training and development needs should be identified at the meeting and agreement reached to determine how they will be addressed.

Any issues or concerns regarding performance should be addressed at the time by the line manager and noted formally at the meeting.

If the line manager has concerns about the new employee's performance, capability or behaviour they should discuss this with the Headteacher or Trust Business Manager for centrally based non-educational staff.

3 month Review Meeting

The 3 month review will be used to assess the following:

- Assessment of performance in the job role
- Application of the Trust's competencies/values/behaviours
- Activity towards completion of new starter objectives, reviewing the relevance of objectives and setting revised objectives if necessary.

The 3 month review section of the Probationary Period Review form should be completed and a copy given to the new employee.

Training and development needs should be identified at the meeting and agreement reached to determine how they will be addressed. Employees who have access to coaching should use this opportunity to discuss the areas of concern and develop appropriate, actionable strategies to address the issues.

Any issues or concerns regarding performance should be addressed at the time by the line manager and noted formally at the meeting. The line manager must inform the probationer of any areas concern which could potentially lead to a failed probationary period. Actions must be agreed to address the areas of concern and provide the

opportunity for sufficient improvement by the next probationary review meeting at 5 months. It may be necessary to hold further review meetings before the 5 month review meeting in order to manage progress.

If the line manager has concerns about the new employee's performance, capability or behaviour they should discuss this with the Headteacher or Trust Business Manager for centrally based non-educational staff.

5 month Review Meeting

The 5 month review will be used to assess the following:

- Assessment of performance in the job role
- Application of the Trust's competencies/values/behaviours
- Activity towards completion of new starter objectives

An overall assessment of the employee's performance and suitability for continued employment at Potential in Everyone Academy Trust will also be made. A judgement will be made with one of the three following outcomes:

- The employee has successfully completed their probationary period and their employment will be confirmed
- An extension is required to the probationary period
- A recommendation is made that the probationary period is failed

Successful Completion of Probationary Period

If the probationary period is successfully completed the line manager will complete the Probationary Period Review form and return it to the Headteacher or Trust Business Manager for centrally based non-educational staff. A letter will be sent to the employee confirming their employment (appendix 2).

The line manager and employee should agree objectives for the time between completion of the probationary period and their annual appraisal. The number and type of objectives should take into consideration the amount of time available until the annual appraisal takes place.

Extension to the Probationary Period

If the line manager is considering extending a new employee's probationary period they should agree this with the Headteacher or Trust Business Manager for centrally based non-educational staff prior to advising the new employee.

If an extension is being considered the line manager must be of the view that there is a realistic prospect of the employee improving sufficiently within the period of the extension to meet the required standards.

Extensions should not normally exceed 12 weeks.

A letter will be sent to the employee confirming their probationary period is to be extended and by how long (appendix 3).

A formal meeting must take place at the end of the extended probationary period (appendix 4). This review will consider overall performance with a particular focus on the outstanding areas of concern. After this review meeting the line manager must decide if the new employee has successfully completed their probationary period or if they recommend that the probationary period is failed.

If the line manager's assessment is that they have passed then the process for "Successful Completion of the Probationary Period" should be followed.

If the line manager's assessment is that the new employee should fail their probationary period then the process "Recommendation for Unsuccessful Probationary Period" should be followed.

Recommendation for Unsuccessful Probationary Period

If a line manager's assessment is that a new employee's probationary period be unsuccessful they should consult the Headteacher or Trust Business Manager for centrally based non-educational staff for advice prior to the review meeting with the employee.

During the review meeting the line manager should highlight the areas of concern and give the new employee an opportunity to comment upon them. Any issues will have been raised with the individual during the probationary period. The issues of concern should not be raised for the first time in a meeting that could result in the employee failing their probationary period, unless there is a good reason, such as the issues only just having come to light.

It is not the line manager's responsibility to decide if an employee fails their probationary period. A recommendation is required from them, but the decision to terminate employment because of a failed probationary period will be by a member of Trust Leadership Team.

The line manager will advise the employee that they are recommending that the person has been unsuccessful in their probationary period and that they will be required to attend a meeting with a member of the Trust Leadership Team. This will be confirmed by the line manager by letter within 5 working days of the review meeting (appendix 5). The employee should continue to attend work until the date of the hearing.

Invitation to Probationary Period Meeting with Trust Leadership Team (TLT)

Where possible, this meeting will take place within 10 working days of the line manager making a recommendation for a failed probationary period and providing at least five working day' notice of the meeting (appendix 6).

The meeting will be attended by:

- The new employee
- A workplace colleague of the new employee (if they choose to be accompanied)
- The line manager who has made the recommendation

At the meeting the TLT member will ask the line manager to set out where progress has been insufficient, with reference to the previous review meetings. The employee will be given the opportunity to make representations either verbally at the meeting or in writing prior to the hearing. The TLT member will consider the representations made and will advise their final decision:

- That the employee has met the required standards for the role and should have their employment confirmed
- That the probationary period should be extended further
- That the employee has failed their probationary period and that their employment should be terminated

In reaching their decision the TLT member will consider factors such as whether there has already been an extension to the probationary period, if there is a realistic chance that the employee will meet the required standards and the degree to which performance and/or behaviour was below the required standard.

The outcome of the meeting will be notified to the employee within five working days (appendix 7) of the meeting.

If the decision is taken to end the employment, then the employee will be paid in lieu of notice and not required to attend work.

In the event of termination of employment the employee has the right of appeal.

Appeals

Employees have the right of appeal against a decision to terminate their contract. Any appeal must be made within 10 working days of receipt of the letter advising their employment is to be terminated.

Appeals should be heard by a more senior manager to the manager who initially considered terminating employment. In instances where there is not a higher level of management within the Trust's structure – appeals may be heard by a panel of no more than 3 Directors and/or local governors.

Staff governors will not be a member of an appeals panel.

The decision of the appeal will be confirmed in writing and will be final.



Appendix 1: Probationary Period Review Form

Name of Reviewee:	
Job Title:	
Line Manager:	
Date of Appointment:	
End Date of Probationary Period:	

6 Week Review

Date of Review:	
------------------------	--

Review of Performance

Values	Excellent	Good	Unsatisfactory
Attendance			
Timekeeping			
Supporting Children's Learning			
Working collaboratively with others and encouraging strong teamwork			
Positivity in work and working relationships			
Wider contribution			
Summary of Discussion (elaboration of judgements made above):			

New Starter Objectives

Objectives
Objective 1:
Objective 2:
Objective 3:

Training & Development Needs

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Main Achievements and General Comments

Action Plan <i>(include outstanding or additional tasks, support, reasonable adjustments)</i>			
Actions to be taken	Owner	Deadline	Resources Required

Overall I am/am not satisfied with the progress this employee is making.

Signed: (manager)		Date:	
Signed: (employee)		Date:	

Employee Comments:

6-week review reminders:

- Ensure both reviewee and Headteacher or delegated manager have a copy of the 6-week review paperwork
- Ensure training and development actions are implemented



3-month Review

Name of Reviewee:	
Job Title:	
Line Manager:	
Date of Appointment:	
End Date of Probationary Period:	

Date of Review:	
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Review of Performance

Values	Excellent	Good	Unsatisfactory
Attendance			
Timekeeping			
Supporting Children's Learning			
Working collaboratively with others and encouraging strong teamwork			
Positivity in work and working relationships			
Wider contribution			
Summary of Discussion (elaboration of judgements made above):			

Review of Performance against Objectives

	Performance to Date	Support Required
Objective 1		
Objective 2		
Objective 3		

Training & Development Needs

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Main Achievements and General Comments

Action Plan <i>(include outstanding or additional tasks, support, reasonable adjustments)</i>			
Actions to be taken	Owner	Deadline	Resources Required

Overall I am/am not satisfied with the progress this employee is making.

Signed: (manager)		Date:	
Signed: (employee)		Date:	

Employee Comments:

3-month review reminders:

- Ensure both reviewee and Headteacher or delegated manager have a copy of the 3 month review paperwork
- Ensure training and development actions are implemented



5-month Review

Name of Reviewee:	
Job Title:	
Line Manager:	
Date of Appointment:	
End Date of Probationary Period:	

Date of Review:	
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Review of Performance

Values	Excellent	Good	Unsatisfactory
Attendance			
Timekeeping			
Supporting Children's Learning			
Working collaboratively with others and encouraging strong teamwork			
Positivity in work and working relationships			
Wider contribution			
Summary of Discussion (elaboration of judgements made above):			

Review of Performance against Objectives

	Performance to Date	Support Required
Objective 1		
Objective 2		
Objective 3		

Training & Development Needs

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Main Achievements and General Comments

Is the employee's probation to be confirmed?	Yes / No
Is the employee's probation to be extended?	Yes / No
If yes, please detail reasons	
Period of extension (weeks)	
End of new probationary period	

Action Plan <i>(include outstanding or additional tasks, support, reasonable adjustments)</i>			
Actions to be taken	Owner	Deadline	Resources Required

Overall I am/am not satisfied with the progress this employee is making.

Signed: (manager)		Date:	
Signed: (employee)		Date:	

Employee Comments:

5-month review reminders:

- Ensure both reviewee and Headteacher or delegated manager have a copy of the 5 month review paperwork
- Ensure training and development actions are implemented
- Inform Headteacher or delegated manager of your recommendation so that appropriate letter can be issued to reviewee



Appendix 2: Confirmation of Employment following Probationary Period

<< Print onto Employer's Letterhead or insert address details >>

<<Employee's Name>>
<<Address>>
<<Address>>
<<Post Code>>

<<Date>>

Dear <<Employee's Name>>

CONFIRMATION OF EMPLOYMENT

Following our meeting on <<insert date>>, I am pleased to confirm that you have satisfactorily completed your probationary period with Potential in Everyone Academy Trust. Accordingly, we are pleased to confirm your appointment as a <<job title>>.

If you have any questions concerning this confirmation of your appointment please let us know as soon as possible and we will do all we can to ensure these are answered.

We congratulate you on the satisfactory completion of your probationary period and look forward to your continued contribution to the future success of Potential in Everyone Academy Trust

Yours sincerely

<<Name>>
<<Title>>



Appendix 3: Extension of Probationary Period Letter

<< Print onto Employer's Letterhead or insert address details >>

<<Employee's Name>>

<<Address>>

<<Address>>

<<Post Code>>

<<Date>>

Dear <<Employee's Name>>

PROBATIONARY PERIOD

As you know from your offer of employment letter dated <<insert date>> and your contract of employment dated <<insert date>>, your employment with Potential in Everyone Academy Trust is subject to successful completion of a six month probationary period.

We have carefully monitored your performance and conduct during your probationary period and our concerns were discussed at the meeting on <<insert date>>. We are now writing to advise you that we have decided to extend your probationary period by a further <<[one/two/three]>> month(s) until <<insert date>> for the following reasons:

<<List reasons for extension of probabtionary period i.e employee's conduct or performance during the probationary period>>

We will, of course, continue to monitor your performance and conduct and we will formally review your progress at the end of the extended probationary period as well as providing you with our feedback on an ongoing basis. We must advise you that if you fail to make sufficient progress either during or by the end of your extended probationary period, this may result in your dismissal. You should be aware that we may not be prepared to extend the probationary period again.

We hope that you will work with Potential in Everyone Academy Trust to improve your performance or conduct during the extended probationary period.

Yours sincerely,

<<Name>>

<<Title>>

I agree to the variation in my contract of employment allowing an extension of the probationary period for [enter weeks], expiring on [enter date].

Signed Date



Appendix 4: Extended Probationary Period Form

Name of Reviewee:	
Job Title:	
Line Manager:	
Date of Appointment:	
End Date of Extended Probationary Period:	

Date of Review:	
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Review of Performance

Values	Excellent	Good	Unsatisfactory
Attendance			
Timekeeping			
Supporting Children's Learning			
Working collaboratively with others and encouraging strong teamwork			
Positivity in work and working relationships			
Wider contribution			
Summary of Discussion (elaboration of judgements made above):			

	Performance to Date	Support Required
Objective 1		
Objective 2		
Objective 3		

Training & Development Needs

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Main Achievements and General Comments

Is the employee's probation to be confirmed?	Yes / No
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Signed: (manager)		Date:	
Signed: (employee)		Date:	

Employee Comments:

Extended Probation Period review reminders:

- Ensure both reviewee and Headteacher or delegated manager have a copy of the review paperwork
- Ensure training and development actions are implemented
- Inform Headteacher or delegated manager of your recommendation so that appropriate letter can be issued to reviewee



Appendix 5: Letter Recommending Unsuccessful Probationary Period

<< Print onto Employer's Letterhead or insert address details >>

<<Employee's Name>>

<<Address>>

<<Address>>

<<Post Code>>

<<Date>>

Dear <<Employee's Name>>

PROBATIONARY PERIOD REVIEW MEETING

Further to our meeting held on <date>, I am writing to confirm that I will be recommending that you do not pass your probationary period.

I am recommending this because <insert summary of reasons>.

You will receive another letter confirming the arrangements of a meeting with <Trust Leadership Team member>, in which my recommendation will be considered. You will have the opportunity to present a case if you disagree with my recommendation.

Following the conclusion of the meeting you will be informed by the <Trust Leadership Team member> if they find that:

- You have met the required standards for the role and should pass your probation; or
- That it is felt that there is a realistic prospect of you meeting the required standards and that the probationary period should be extended; or
- That you have failed the probationary period and should be dismissed.

You should continue to attend work as normal until this meeting is convened and you will be entitled to be accompanied at the meeting by a colleague.

Yours sincerely,

<<Name>>

<<Title>>



Appendix 6: Invitation to Probationary Period Review Meeting with Trust Leadership Team

<< Print onto Employer's Letterhead or insert address details >>

<<Employee's Name>>
<<Address>>
<<Address>>
<<Post Code>>

<<Date>>

Dear <<Employee's Name>>

PROBATIONARY PERIOD REVIEW HEARING

I am writing to you following previous discussions regarding your probationary period as a [enter post title].

You are aware that there have been serious concerns about your performance/conduct and these have been discussed with you at previous meetings and you have copies of relevant forms and correspondence. Prior to making a final decision under provisions contained in the probationary procedure, I invite you to a final review meeting with to consider this matter.

[insert name/role] who has been managing your probation period will also attend to contribute information at the meeting

The meeting will be on [enter date] at [enter time] at [enter venue].

You are entitled to be accompanied at the meeting by a colleague and you will be given the opportunity to make written and/or verbal representations during the meeting.

You should be aware that an outcome of this meeting could be that your probation is not confirmed and that your employment is terminated.

If you have any questions regarding this process, please do not hesitate to contact me.

Yours sincerely,

<<Name>>
<<Title>>



Appendix 7: Dismissal at end of Probationary Period Letter

<< Print onto Employer's Letterhead or insert address details >>

<<Employee's Name>>
<<Address>>
<<Address>>
<<Post Code>>

<<Date>>

Dear <<Employee's Name>>

PROBATIONARY PERIOD

Further to our meeting on [date], I am writing to confirm my decision that your performance during the probationary period has not met the required standard:

<<List reasons for dismissal i.e employee's conduct or performance during the probationary period>>

As a result I confirm that your employment with Potential in Everyone Academy Trust will be terminated. You <<[are/are not]>> required to work out your notice period and so the date of termination of your employment will be <<insert date>>.

Your P45 will be sent to you shortly and you will be paid the following:

- (a) All pay up to and including the date of termination of your employment;
- (b) <<Notice pay (only if employee is to be paid in lieu of notice period)>>;
- (c) <<Accrued holiday pay (if applicable)>>.

You have the right to appeal against the decision by writing to <insert name> within 5 working days stating the reasons for your appeal.

If you have any questions regarding this process, please do not hesitate to contact me.

Yours sincerely

<<Name>>
<<Title>>