



Probation Procedure

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1. Procedure and management guidance on assessing performance

- 1.1 Through the implementation of this procedure, the Governing Board/Trust will be mindful of their obligation to seek to maintain and protect the mental health and wellbeing of all employees as far as is reasonably practicable.
- 1.2 It is the policy of the school that performance during the probationary period is actively managed and assessed (please see the Schools' *Probation policy*). This document and the accompanying *Probation evaluation form* can assist School Leader to manage the probation period and make a decision to either confirm the appointment or not, before the expiry of the probationary period. The documents should also help to ensure that an open, fair and consistent approach is followed. In the case of a central Trust employee this will be the CEO.
- 1.3 At the end of the probationary period in most cases, the employee will have proved satisfactory, and the employment should be confirmed.
- 1.4 However, in some cases there will be cause for concern about the employee's progress and capability. It is essential that the job performance and progress of all probationers are monitored regularly and reviewed during this six-month period and their training and development needs taken into account.
- 1.5 Problems need to be identified, and the employee must be made aware of the School Leader's concerns, at an early stage. Unless there are exceptional circumstances, the probationer must be given the necessary support and training, and time to improve, before termination of employment is considered as an option, as outlined in the Schools' Probation policy.
- 1.6 At the end of this period, taking into account any supportive measures as required, if the probation has been:
 - **Satisfactory**; the appointment will need to be confirmed by the School Leader and authorised by them accordingly.
 - **Unsatisfactory**; the appointment will be terminated.
- 1.7 In addition to performance capability and attendance, issues of conduct and discipline also need to be considered in the probationary period (including any extension of the probation if applicable).

2. Probation evaluation form

- 2.1 A Probation evaluation form should be completed for all probationers
- 2.2 It is important that issues are addressed as they arise with appropriate support and guidance being put in place as early as possible. Where issues with performance are identified, a monthly review cycle for the remainder of the probationary period would be appropriate.
- 2.3 The formal review, including completion of the probation evaluation form, is a means of assessing and feeding back on performance and progress. The form incorporates a first formal assessment, which should be undertaken **within the first three months** of employment, but the School Leader should not wait until the three-month review before raising concerns which have been identified earlier.
- 2.4 A final formal review and decision would need to take place **before the end of the six-month probationary period**. This would take into account any concerns identified before, at or after the three-month review and any subsequent progress made.

- 2.5 The form is completed by the School Leader and discussed with the employee in question. As it is an open process, it is important that the employee reads and understands the School Leader's comments; there is also space on the form for the employee's own comments. If the employee feels that they are struggling or have any problems, then it is important that this is raised with the School Leader as soon as possible. School Leader should encourage this, especially as some new employees may naturally find this difficult.
- 2.6 If there are identified problems/issues, then action plans must be formulated, and set out on the form. The employee must know what is expected of them and that appropriate support and training is given, together with an agreed timescale for reaching the required standard.
- It should be made clear to the employee at this stage that, if the required improvement does not occur, then their appointment will not be confirmed, and their employment will be terminated.
 - Depending on the issues, it may be appropriate for the School Leader to consult with their HR provider at this stage for further notice. If there are still issues/problems at the time of the final review, advice will need to be sought from the HR provider in advance of a decision being made to terminate employment.
 - The School Leader should write to the employee in advance of the final review meeting, detailing the unresolved issues/problems and any action, support or training, which has been implemented to address these. The letter should give the employee five school days notice of the meeting to allow sufficient time to prepare.
 - The purpose of the meeting is to explore the unresolved concerns regarding performance and allow the employee the opportunity to respond to these. The employee may be accompanied at the meeting by a Trade Union representative, companion or colleague.
 - Following the meeting the School Leader should confirm the outcome to the employee and their right of appeal in writing. See the School's Probation policy for further details.

3. Notice periods

- 3.1 If the employment is terminated, the employee is entitled to their normal notice period as specified in their contract/conditions of service, on full pay. Notice must be given and expire before the end of the six-month period.
- 3.2 In order to expedite the process and in recognition of different notice periods, it would be usual to pay in lieu of notice.

4. Data Protection

Personal data collected and processed for the purpose of this procedure will be handled in accordance with the data protection policy and applicable statutory obligations. Any personal data collected is held securely and accessed by, and disclosed to, individuals only for the purposes of employee management or to comply with statutory reporting obligations. Inappropriate access to, or disclosure of, employee data constitutes a data breach and should be reported without delay, in accordance with the data protection policy. It may also constitute a disciplinary offence in which case it would be dealt with under the disciplinary policy and procedure.

5. Associated documents

- Probation model policy
- Probation evaluation form
- Probation – confirmation of satisfactory probation period letter