

# Fledglings Day Nursery

## Probationary Period for Employment

*“Legally, there’s no such thing as a probationary period. Once you’ve started work, the number of weeks you’ve worked begins on the day you started, not from the time when your probationary period ended. Your full contractual rights also started from your first day of work, unless your contract says otherwise.*

*Your contract could, however, contain terms which only apply during your probationary period and which are less favourable than those which apply when your probationary period has ended. These terms must not take away your statutory rights.*

*Your employer can extend your probationary period, as long as your contract says they can do this. For example, your employer may want to extend your probationary period in order to have more time to assess your performance. However, they can only do this if your contract has a term which says your probationary period can be extended under these circumstances.”* (<https://www.citizensadvice.org.uk/work/rights-at-work/basic-rights-and-contracts/contracts-of-employment/> accessed 13.1.21)

### **Issues that need to be addressed within the contract of employment include:**

- The length of the probationary period.
- Any special terms and conditions that will apply.
- Length of notice that can be given by either party.
- Holiday entitlement during the period.
- The right for the employer to extend the probationary period.

The fact that an employee is ‘on probation’ will not prevent them from bringing a claim for unfair dismissal or for discrimination should they choose to.

## **Procedure**

All offers of permanent employment made by this setting will be subject to a probationary period and contracts of employment will reflect this.

Probationary periods will be for three months, after which a formal review meeting will be held between the employee and the employer. Regular support and supervision sessions will be held with the employee during this three months period in order to review performance and offer support and training where identified. Written records of the support and supervision sessions will be kept by the setting.

Appendix: Probationary Period 3 Month Review Template

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**Probationary Period 3 month review meeting form**

Review meeting held between:

**Employer**

Name .....

Position within organisation .....

**Employee:**

Name..... Job role .....

Date employment commenced.....

Date of probationary period review meeting.....

**Section 1 - to be completed by the employee in advance of the meeting:**

1. Which areas of your work have you been most happy with over the first 3 months of your employment?

2. Which areas of your work have you been least happy with over the first 3 months of your employment? Is there anything that you feel you or Fledglings Day Nursery could do to improve on these areas?

3. Do you feel that you have had enough support from the organisation?  
If not, is there anything that you would like <Name of Setting> to consider doing to address this?
  
4. Do you have any areas of concern you would like to raise?
  
5. Are there any areas in which you would like specific training?
  
6. Have your access needs been met in relation to your employment?
  
7. Is there anything else that you would like to raise with the employer?

**Section 2 - to be completed by the employer in advance of the meeting:**

**Employer**

Name .....

Position within organisation .....

**Employee:**

Name..... Job role .....

Date employment commenced.....

Date of probationary period review meeting.....

1. Which areas of the job do you think the employee has carried out most satisfactorily over the first 3 months?

2. Are there any areas of the employee's work that give you cause for concern?



**Section 3 – to be completed by the employer during the meeting**

Areas discussed:

Actions agreed:

**Section 4 - to be completed by the employer after the review meeting:**

3 month probationary period satisfactorily completed?

Yes / No

If no, list action points for the future:

Signature of employee.....

Signature of employer.....