

# Probation for officers of the teaching service policy

This is a mandated policy under the operational policy framework. Any edits to this policy must follow the process outlined on the [creating, updating and deleting policy documents](#) page.

## Overview

This policy outlines the probation conditions for officers of the teaching service appointed in schools and preschools under the [Education and Children's Services Act 2019](#) (the Act) and [Education and Children's Services Regulations 2020](#) (the Regulations).

It also outlines:

- the standard length of probation for a teacher's first ongoing appointment with the teaching service
- the length of probation for a teacher's term appointment with the teaching service
- the application of probation to casual employees
- the impact of probationary conditions on employment
- when service can be included for the purposes of determining the probationary status of a teacher.

## Scope

This policy applies to:

- all employees starting their first ongoing appointment
- term appointments from 1 July 2020 where an employee has not been previously engaged as a teacher with the department.

The Act requires probation periods to be applied to employees:

- first ongoing appointment – section 101(1)
- term appointments – section 101(3) and regulation 46.



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# Detail

## Purpose of probation periods

Probation periods give employers and employees the opportunity to determine whether the employment relationship should continue into the future.

They provide an opportunity to assess an employee's suitability for the role they were recruited for through:

- regular performance development conversations
- performance development plans (PDPs)
- if required, conversations to manage unsatisfactory performance.

Given the impact that educators have on student outcomes, it's critical that the department is confident in the capability of its workforce to ensure expert teaching.

## Ongoing (permanent) employees

Probation applies to an employee's first ongoing appointment as an officer of the teaching service with the department. It applies whether or not they've previously been appointed as a term or casual teacher.

Probation will be confirmed in the employee's appointment letter. In most cases, the probation period is for 12 months. There is the option for the Chief Executive or delegate to apply a further 12 months' probation, which may bring the total probation period to a maximum of 2 years, as provided for in the Act. The Chief Executive or delegate may also reduce the probation period of an employee appointed on an ongoing basis.

If an employee resigns from the teaching service during an ongoing appointment with the department before completing their full probation period, a probation period may apply to their next ongoing appointment.

## Term (temporary) employees

When a teacher is appointed to the teaching service as a term employee, they will be on probation for a total period of 12 months unless the Chief Executive or delegate elects to reduce the probation period. This probation period will be outlined in their letter of appointment.

The 12 month probation period required for a term employee starts from the date of the employee's first term contract and continues for a cumulative period throughout further terms. This probation is subject to rules outlined in the [service to count as probation](#) in this policy.

## Temporary relief teachers (TRTs)

TRTs are casual employees and their employment is not subject to probation.

## Conditions of probation

Employment while on probation may be terminated at any time. Where employment is terminated while under probation, an application for review to the South Australian Employment Tribunal cannot be made.

If an employee has completed at least half their probation period, the delegate may decide to confirm their employment. This would remove the requirement to complete the rest of the probation period.

Letters of appointment confirm whether an employee is subject to a probation period, and its length.

If the employee remains employed after the expiry of the probation period indicated on their letter of appointment, it's considered their probation is successfully completed and their employment continues.

## Service to count as probation

Twelve months of probation will be counted in calendar months for both part time and full time employees, regardless of an employee's full-time equivalent (FTE).

An employee's probation period will be extended by any periods of leave without pay.

Effective service worked within the department or public sector when not employed as an officer of the teaching service will not be included as service to count towards probation for a teaching appointment.

## Reducing probation in a temporary role

For employees appointed on a term basis, service from previous term appointments may count towards determining the probation period to apply to their current contract.

However, if there is more than 3 calendar years between their appointments, the employee's previous service will not count and the full 12 month probation period will restart.

## Reducing probation in an ongoing role

Employees who are converted to permanency after undertaking the same or similar duties in their temporary role, or employees who are industrially entitled to their first ongoing teacher appointment after serving an eligible period in temporary leadership positions, may apply to have the probation period in their new ongoing appointment waived.

The probation period in an ongoing role may also be reduced by considering an employee's previous temporary service.

Line managers of teachers seeking to reduce their probation in either of the above instances should contact People and Culture for advice.

If an employee is placed on probation for their first ongoing appointment and does not complete the probation period due to resignation or change of appointment, a probation period may apply to their next ongoing appointment. In this case, only previous service in an ongoing appointment will count towards the probation period.

# Roles and responsibilities

## Executive Director, People and Culture

Make sure that employment conditions follow the arrangements set out in relevant legislation and industrial requirements instruments.

Ensure that review of this policy is undertaken within required operational policy timeframes.

## Director, Workforce Management

Develop, maintain and review this policy and appropriate resources, such as letters of appointment, to make sure that employees are aware of their appointment conditions.

## Site leaders

Monitor the performance of employees during their probation period and give them meaningful feedback, which can be done through regular formal or informal performance development conversations and performance development plans (PDPs). This ensures that employees are aware of expectations and can make any necessary improvements before the end of the probation period.

Seek early involvement and support from the Performance Support Team on 8226 1899 or via [education.PerformanceSupport@sa.gov.au](mailto:education.PerformanceSupport@sa.gov.au) if concerns about conduct, behaviour and/or performance are raised during the probation period. This will ensure People and Culture can support site leaders to make an appropriate decision about ongoing employment before the end of the probation period.

Keep accurate records of any leave without pay taken by employees to make sure that service to count as probation is correctly calculated.

## Employees

Be aware of employment provisions that govern their appointment, including any probation period and its effect.

Participate fully in performance development conversations. Consider feedback provided either verbally or through their performance development plan that may influence the outcome of any probation period they may be subject to.

# Supporting information

## Related legislation

[Education and Children's Services Act 2019 \(SA\)](#)

[Education and Children's Services Regulations 2020 \(SA\)](#)

## Related instruments

[South Australian School and Preschool Education Staff Enterprise Agreement 2024 \(PDF 6.6MB\)](#) (particularly clause 4.4.1)

## Related policies

[Managing unsatisfactory performance guideline \(PDF 231KB\)](#) (staff login required)

[Performance and development guideline \(PDF 190KB\)](#) (staff login required)

[Recruitment and selection of teaching staff in preschools policy \(PDF 159KB\)](#)

[Recruitment and selection of teaching staff in preschools procedure \(PDF 619KB\)](#)

[Recruitment and selection of teaching staff in schools policy \(PDF 197KB\)](#)

[Recruitment and selection of teaching staff in schools procedure \(PDF 304KB\)](#)

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## Contact

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