

# Academic Probationary Procedure

## Human Resources Department

Lead Director: Director of Human Resources
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# ACADEMIC PROBATIONARY PROCEDURE

## 1. INTRODUCTION

- 1.1 The University recognises that a supportive and developmental probation process is vital in providing an appropriate level of support and training for new members of staff on commencement of employment. All staff who are new to the University are subject to a probationary period appropriate to career stage, during which they will be supported to achieve performance standards that are required to deliver the main duties and responsibilities of their post.
- 1.2 This procedure is applicable to early career staff and newly appointed Lecturers with less than three years' experience in an academic role, whose appointment is subject to the successful completion of an academic probation period and should be read in conjunction with the "Probationary Personal Development Planning (PPDP) and the Probation Process: Guidance for Academic Probationers" document and referred to henceforth in this procedure as "Guidance for Academic Probationers".
- 1.3 Employment of academic staff is not governed by Statute 31 during the probationary period.
- 1.4 The Academic Probationary Procedure provides guidance on:
  - a) The appropriate use of academic probationary periods;
  - b) The academic probationary review process.
- 1.5 It is anticipated that the majority of those to whom the procedure applies will be successfully confirmed in post at the end of the probationary period. However, this Procedure also provides for the appropriate management of emergent concerns or problems. In cases where a probationary member of staff fails to achieve the expected standards, this procedure ensures that fair, equitable and consistent processes are applied in respect of termination of the appointment within, or at the end of, the probationary period.
- 1.6 The University is committed to ensuring that the effect and application of this procedure accords to the commitments set out in its Equality and Diversity Strategy and will monitor this as appropriate.

## 2. GENERAL PRINCIPLES

- 2.1 The primary purpose of a probationary period is to ensure an individual's capability, reliability and suitability for continued employment. In line with the Guidance for Academic Probationers, it is expected that:
  - a) Expectations and performance standards for individual probationers are clearly articulated and agreed and are aligned to the role expectations for the grade;

- b) Performance, conduct and attendance (consideration will be given to personal and family circumstances which may result in time away from work, see 7.2.5) are assessed throughout the probationary period;
  - c) The member of staff is fully informed of progress throughout the probationary period and any issues that do arise are discussed at the earliest possible date.
- 2.2 Whilst misconduct is addressed through the Staff Disciplinary Procedure, probationary assessments cannot be considered in isolation from matters connected with a member of staff's conduct.
- 2.3 Existing members of academic staff who are transferred within the University, or whose fixed-term contracts are extended, will not be subject to a probationary period unless their initial probationary period is not yet completed. In this case, the probationary period will be carried over to the new contract and the appointment will not be confirmed until the original period has been successfully completed.
- 2.4 Should a member of staff transfer to an academic post from a non-academic post within the University then this Procedure will apply.

### **3. SETTING THE PERIOD OF PROBATION**

- 3.1 Newly appointed early career academic staff and those with less than three years' experience in an academic role will normally be appointed on a three year probationary period.
- 3.2 Heads of School may make a case for setting a probationary period less than 3 years in length. In these circumstances, the Head of School should make the case for the reduced probationary period in writing to the Dean for approval. Heads of School should seek guidance from HR in setting out the case to ensure consistency across the University. In making such a case, the level of experience of the new member of staff will be taken into account, including whether they have completed or partly undertaken an academic probationary period at another Institution.
- 3.3 It is expected that a probationary period of up to 3 years is sufficient time to be able to establish that a member of academic staff is performing satisfactorily in their role.
- 3.4 Exceptionally, following advice from HR, the Head of School may consider it appropriate to extend the probationary period up to a maximum period of 4 years. Extensions will be confirmed in writing to the member of staff, see section 7 for further details.

### **4. NOTICE PERIODS**

- 4.1 During probation, the periods of notice the University is required to give to academic staff upon termination of their contract is:

- a) During the first year of appointment – 1 month
- b) During the second year of appointment – 2 months
- c) During the third year of appointment – 3 months

## **5. Objective Setting and Progress Reviews During the Probationary Period**

5.1 The Guidance for Academic Probationers sets out roles and responsibilities with respect to the management of probation and explains the process for setting objectives and reviewing them within a prescribed timeframe.

5.2 Objectives should:

- Enable the individual to work towards the required role expectations at the end of the probationary period
- Be set and reviewed in line with the timescales provided in the Guidance for Academic Probationers document
- Provide measurable targets which clearly demonstrate the requirements of probation
- Take into account matters beyond the control of the individual

## **6. Interim Probationary Review Meeting(s)**

6.1 Where problems with meeting the appropriate performance standard(s) are highlighted and/or needs for relevant training identified, the Head of School should meet with the member of staff to identify and seek to resolve any issues at an early stage through discussion, coaching and training. Exceptionally a delegate reviewer may be appointed on the grounds of equality. The purpose of the meeting(s) is to:

- a) Discuss any problems identified;
- b) Explain what aspect of the work is not considered satisfactory;
- c) Explain which objectives/performance standards are not met and the shortfall between standards and timescales expected of the member of staff and those achieved;
- d) Consider the support provided by the School and any personal or family circumstances which may have resulted in a lack of opportunity for individuals to perform to their full potential;
- e) Discuss what remedial guidance and training will be provided;
- f) Advise the member of staff of the required standards and agree appropriate actions and/or objectives, clearly specifying the required improvements and timescales;

- g) Inform the member of staff of possible steps if required standards or objectives are not met (including that the appointment may be terminated).
- 6.2 These meetings are more formal in nature and the Head of School should record the outcome of the meeting, in writing, including agreed actions, and give a copy to the member of staff.

## **7. Annual Probationary Review Meetings**

### **7.1 Confirmation of Satisfactory Performance**

- 7.1.1 If the member of staff's performance, conduct, timekeeping and attendance have been satisfactory and fully meet the University's expected standards, the Head of School will recommend that the individual moves into the next year of probation.
- 7.1.2 Where an individual is in their final year of probation, the Head of School will review whether they meet the expected performance standards for the role and make a recommendation to confirm their appointment.
- 7.1.3 The Head of School will meet with the member of staff at an Annual Probationary Review Meeting to discuss progress over the year and to set objectives for the forthcoming year.
- 7.1.4 The Head of School will complete the Annual Probationary Review – Summary Form detailing discussions from the review meeting and their recommendation. This form will then be sent to the Dean for review, further input and sign off. Should the Dean have any concerns regarding the discussions or the content of the form, a meeting will be arranged with the Dean and the Head of School to discuss and follow up actions will be agreed and undertaken as necessary.
- 7.1.5 In the final year of probation, the Dean may consult with senior colleagues from the School or Faculty to inform their decision to sign off and confirm successful completion of probation.
- 7.1.6 Exceptionally, the Head of School may make a case as part of the annual review process for early confirmation in post.
- 7.1.7 The fully signed off Annual Probationary Review – Summary Form will be provided to the member of staff to confirm they are moving into the next year of probation, or confirm their appointment. When a Grade 7 member of staff's appointment is confirmed, progression to Grade 8 is also confirmed, please refer to the Staff Grade Progression Procedure.

### **7.2 Non-Confirmation of Probation**

- 7.2.1 Where a member of staff fails to achieve the expected standards, provided the Head of School has arranged at least one Probationary Review meeting

prior to this stage, the member of staff will be invited, in writing, to attend a Formal Probationary Review Hearing. The letter must advise the member of staff that a possible outcome of the meeting could be dismissal and that they have the right to be accompanied by a Keele University employed colleague or Trade Union representative<sup>1</sup>. HR will normally be present at this meeting to advise the designated Reviewing Manager.

7.2.2 The member of staff should be given a reasonable opportunity to consider their response to the issues to be discussed. The member of staff will receive the following, in writing, at least five working days in advance of the meeting:

- a) the date and time and location of the meeting;
- b) details of the concerns;
- c) the name of the person who may be asked to present the case to the manager conducting the meeting;
- d) the names of any witnesses;
- e) the member of staff's right to be accompanied;
- f) any other documentation to which the University will refer.

7.2.3 Not later than two working days before the meeting the member of staff should similarly provide:

- a) the name and status of the member of staff's representative, if any;
- b) any documents the member of staff may wish to rely on at the meeting;
- c) the names of any witnesses.

7.2.4 At this meeting the case will be discussed with the member of staff, including details of the issues causing concern, the measures that have been implemented to assist the member of staff to improve their performance and other relevant issues such as conduct, timekeeping, attendance and any support that has been offered to the member of staff. The member of staff will be given the opportunity to put forward their case.

7.2.5 It is important that consideration is given to any special circumstances that may have resulted in a lack of opportunity for individuals to perform to their full potential and meet the requirements of their probationary period. For example, due to time away from work because of family responsibilities, ill-health or disability. Advice and guidance on such cases must be sought from Human Resources.

7.2.6 A decision will be taken, based on full consideration of the case and any other relevant information. The Reviewing Manager will consider whether to:

- a) confirm that the individual should move into the next year of probation, or if the individual is in the final year of their probationary period, confirm their appointment

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<sup>1</sup> Lay Trade Union officials not employed by the University will be required to provide proof in writing that they have been certified by their union as having experience of, or having received training in, acting as a representative at dismissal and appeal meetings.

- b) continue to the next year of probation recognising that performance is not yet at the required standard
- c) extend the probationary period (if in the final year of probation) to recognise that performance is not yet at the required standard
- d) terminate the appointment.

7.2.7 In cases where the individual is continuing into the next year of probation (a, b and c above), this meeting should also be used to consider objectives for the member of staff for the forthcoming year. Where it is not possible to agree objectives at this meeting, a separate meeting will be arranged for this purpose.

7.2.8 Where concerns are noted (b or c above), the member of staff will continue into the next year of probation and follow the process outlined in this procedure, however, there will be more regular progress reviews and interim probationary meeting(s) to review performance. Should concerns regarding the individual's performance continue, provided at least one interim probation review meeting has taken place, the member of staff will be invited attend a formal Probationary Review meeting at any point during the year.

### 7.3 Appeals

7.3.1 Any member of staff who is dismissed under this procedure will have the right to appeal to the designated Appeals Manager detailed in the letter confirming the outcome of the meeting.

7.3.2 Appeals should be lodged, in writing, within ten working days of the date on which the letter confirming the outcome of the meeting is sent.

7.3.3 The member of staff will be notified of the date of the appeal meeting within ten working days of the submission of the appeal (the meeting itself may not take place within this timescale although every effort will be made to hold the meeting as soon as possible). This timescale may be extended by mutual agreement. The letter must advise the member of staff that they have the right to be accompanied by a University employed colleague or Trade Union representative.

7.3.4 In advance of an appeal meeting, the member of staff must provide copies of any documents on which they intend to rely and/or their statement of case. The member of staff will also receive copies of any documentation, which they have not previously received, which the University intends to rely on.