

PROBATIONARY PROCEDURE FOR ACADEMIC STAFF



This document sets out the University's Academic probationary policy and procedure.

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Officer Responsible for Policy/ Procedures	Richard Billingham, Executive Director of Human Resources and Organisational Development
Consultation Process	Joint Union Consultative Committee
Date of Approval and Committee and/or Executive Officer	Joint Union Consultative Committee

1. INTRODUCTION AND CONTEXT

Staff taking up the post of Lecturer at Grade 8 or Grade 9 on a permanent basis will normally be subject to a probationary period. The purpose of the probationary period is to allow the University to review the performance of a new member of staff and ensure that any development and training needs are identified and addressed. The probationary period also allows the individual to become familiar with the culture of the University and the working environment. Academics appointed at Senior Lecturer, Reader/Associate Professor and Professorial levels will not be subject to a probationary period. Staff who have already successfully completed a probation period through other teaching or research role(s) within Aston will usually have a shortened probation period. Those who have already carried out an equivalent role in another University may also have the probation requirement shortened or waived if they have previously successfully held a similar post. Academic staff on probation will be covered by the commitment to academic freedom in the Statute.

2. PROBATIONARY PERIODS

The length of the probationary period will normally be up to 3 years (or the length of the contract if shorter). Time served in a previous academic role at Aston will be taken into consideration. In circumstances of extended absence such as parental leave, adoption leave, maternity leave, significant illness etc. the probation period will be extended by the length of absence or longer in appropriate circumstances. Where an individual demonstrates exceptional performance across research, teaching, external engagement and citizenship, the Executive Dean may recommend transfer to a continuing appointment sooner than 3 years. The probation period for staff on part-time contracts will be adjusted appropriately. In some instances, due to part time working arrangements, it may not be possible for the full requirements of the role to be satisfied during the normal length of the probationary period e.g. completion of the PGCert within 2 years. In these circumstances, the probation period will be extended accordingly.

3. NOTICE PERIODS

Termination during the probationary period will be subject to a notice period, on either side, of at least 2 months with the last day of employment to be 31 December, 30 April or 31 August.

4. DISCIPLINARY PROCEDURE

During the probationary period, conduct, performance and disciplinary matters will be considered under this procedure. It should not be necessary to invoke the full University Disciplinary procedure contained within the University Statutes for matters relating to conduct and/or performance.

5. REVIEW OF PERFORMANCE

A Probationary Advisor will be nominated from amongst the staff of the School/ Department. This will usually be the Head of Academic Department. The Probationary Advisor will be responsible for:

- ensuring that local and University induction procedures have been completed within the first 2 months of starting;
- meeting the individual within 2-3 weeks of their start date to define the objectives to be achieved during the probationary period;
- planning regular scheduled meetings to review progress and discuss performance;
- ensuring that the new member of staff receives guidance and help; facilitating access to training and development;
- appointing teaching and research mentors as required during the review period;
- holding formal progress review no later than 12 months and 24 months after start date;
- the workload of probationary staff needs to take into account the need to achieve all the objectives;
- training needs (such as undertaking the PG Cert) must be taken into consideration in workloads and when measuring performance against other objectives; and
- where the new member of staff is undertaking a PhD, progress will be considered as a research element.

In order to review performance during the probationary period it is essential that the Probationary Advisor sets clear objectives which can be monitored. The person specification and job description list the skills, knowledge, qualifications/training and behaviours that are required of the post holder. They provide a basis for defining standards of competence, identifying objectives against which performance can be assessed and identifying the support which should be provided.

Objectives should be specified, agreed and recorded in an initial meeting. Any training needs or other support should also be discussed and agreed. Further informal review meetings, no less frequently than every 2 months, should be held to discuss progress, and notes should be taken. Progress should be formally recorded as part of the ongoing probationary process. Objectives should be signed off by both the Probationary Advisor and the member of staff to indicate that both parties agree with the discussions that have taken place and any suggested actions. Where agreement cannot be reached, a note will be made of the points on which the member of staff disagrees.

6. FORMAL PROGRESS REVIEWS

At the formal progress review meetings, the Probationary Advisor will:

- discuss progress against objectives, noting objectives which have been met and any which have not yet been demonstrated;
- note any support provided and identify any ongoing training and/or development needs; and
- hold formal progress review no later than 12 months and 24 months after start date.

A note of the formal review meetings will be made and, wherever possible, agreed between the individual and the Probationary Advisor. A note of which objectives have been met and those which remain to be completed will be kept. Where an individual academic does not agree with this note, they may request a formal review. This review will be undertaken by another manager at an equivalent or more senior level than the Probationary Advisor. The individual may bring a trade union representative to the review meeting and a representative from HR will also attend.

7. PROBLEMS DURING THE PROBATIONARY PERIOD

If there are concerns about any aspects of an individual's performance these should be discussed with the individual as soon as possible and not left to the next scheduled review meeting. Specific clear objectives should be set which address the development needs, identifying what action needs to be taken, how action will be monitored and what the timescales are for improvement. Consideration should be given to any necessary support and training that is needed to help the individual to improve. It is important that notes of meetings are kept, and that there is evidence of actions taken and any areas of concern in performance as well as where improvements have been achieved. In the event that the individual's performance fails to reach the required standard there should be sufficient evidence provided to support the referral for an extension of probation or termination of employment due to failure of probation. For this reason, if the Probationary Advisor has concerns about an individual's performance, it is essential that advice is taken from the

designated HR Business Partner as soon as possible. Advice for new members of staff can be sought from trade union representatives.

8. DETERMINING THE OUTCOME OF THE PROBATIONARY PERIOD.

A final review meeting should take place no later than 6 months before the end of the probation period. If the probationary period has been satisfactorily completed, the individual can be confirmed in post once the Executive Dean agrees this decision. Human Resources will also confirm this to the individual.

If the conclusion is that the probationary period has not been satisfactorily completed, and that the probation period should be extended or the contract terminated, then the Probationary Advisor should indicate this decision to their Executive Dean and HR Business Partner. In these circumstances, the Probationary Advisor should provide the objectives and notes taken during the probation and appraisal processes to support their recommendation.

9. EXTENSION OF PROBATIONARY PERIOD

If the probationary objectives have not been met, the Probationary Advisor can recommend an extension to the probationary period to allow the individual more time to reach the required level of performance. Human Resources will confirm the extension and specify the objectives to be achieved during this extension. Any extension will not normally exceed one year but will take into account extended periods of absence.

10. TERMINATION OF THE EMPLOYMENT CONTRACT DURING OR AT THE END OF THE PROBATIONARY PERIOD

If the individual has consistently failed to meet the required standard of performance during or at the end of the probationary period and further training, guidance or an extension to the probationary period is considered unlikely to have a beneficial effect, then the University may terminate an employee's contract with due notice. Dismissal is also possible after completion of an extension period during which insufficient improvement in performance has been achieved. A decision to dismiss will only be made following a meeting at which the individual is entitled to attend and present their case. Individuals have the right to be accompanied at this meeting by a trade union representative or workplace colleague.

Before holding a meeting to consider dismissal, the Executive Dean should review with Human Resources whether there is sufficient and detailed evidence to consider the case for dismissal. This review will cover:

- whether clear objectives have been set and reviewed;
- whether relevant support and training has been provided;
- whether an extension or further extension of the probation period would improve performance to satisfactory levels; and
- suitable redeployment will be considered where relevant.

11. APPEALS

- Individuals dismissed for failure of probation have the right of appeal. Appeals should be addressed in writing within 10 working days of receipt of the written confirmation of the dismissal, to the Director of HR. The employee is required to provide grounds of their appeal and any relevant details.
- Appeals can be made on the following grounds:
 - a) There is new evidence not already considered. The employee should say why it was not produced at the original hearing.
 - a) The severity of the outcome
 - b) The correct procedure was not followed
 - c) The decision was unfair because the evidence did not support it
- Appeals will be heard by a senior manager from outside the School or Department from which the individual was dismissed.
- The employee will be given at least 5 working days' notice to attend an appeal hearing.
- Individuals have the right to be accompanied at this meeting by a trade union representative or workplace colleague.



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