

# **PROBATION POLICY**

**This policy applies to:**

**Support Staff**

**Academic Staff including Early Career Academics**

**Senior Staff and Managers**

## 1. INTRODUCTION

University of Suffolk (UoS) aims for excellence and all newly appointed staff are subject to the satisfactory completion of a probationary period, as one way of demonstrating competence. UoS is committed to helping and supporting staff to achieve and maintain standards of job performance consistent with their terms and conditions of service.

The objectives of the probationary period are to:

- Ensure the appointee is fully inducted into their role, that expected standards of performance and behaviours are clear, and that any training and development needs are identified and completed before the end of the probation period.
- Provide the institution with an opportunity to assess the appointee's performance, attendance, behaviours, and conduct in relation to their role and the values of the University before deciding whether to confirm the appointment.
- Provide a fair and consistent framework for dealing with situations where an appointee has not wilfully or deliberately fallen short of required performance standards.
- Assist the appointee to develop their career in a manner which is both personally satisfying and consistent with the needs, goals, and values of the institution.
- Assist academic staff in achieving Fellow HEA in a timely manner. (compulsory requirement for academics undertaking learning & teaching who join without suitable qualification) via PgCAP, Academic Professional Apprenticeship (APA) or PASSPoRT. Section 4 refers.

It is important for managers to address performance issues at an early stage to ensure there is clarity around how standards of performance and behaviours need to improve, and to enable the new employee the opportunity to achieve these improvements in a timely way. Most people want to perform their job well and will welcome timely and appropriate help, support, and guidance in achieving their objectives.

## 2. SCOPE

This policy sets out the procedures for carrying out probationary reviews for all our Staff: Support Staff, Academics (Early Career) \*, Academics (Experienced) and Senior Staff, and Managers, including the process for dealing with unsatisfactory performance.

\*Academics (Early Career) are defined as Lecturers having less than 3 years' teaching experience and not completed a Post-Graduate qualification in learning & teaching (or academic practice) in Higher Education.

The policy applies to all new appointees, whether employed on a full or part-time basis, on a permanent contract, or fixed-term contract. Fixed-term contract staff will follow the probation period relevant to their job role for the duration of their contract. Probation can only be deemed complete where the fixed term appointee is able to serve the full period of the probation assigned to their job role. This will be possible where either; the initial contract lasts at least as long as the probation period; or where the initial contract is renewed such that continuous employment reaches at least the probation duration required for the job role. Probation periods and review intervals are given below.

Existing members of staff who are appointed internally to a new role at the University of Suffolk would not normally be expected to complete a further period of probationary employment. However, managers may agree a development plan to support their induction to their new role.

Those new to the University, are placed under the relevant probation period:

- **Support Staff in grades 1-6 (inclusive) are required to complete a 6-month probationary period, with 2 formal review meetings:**
- **Academic (Experienced) Staff and Senior Staff & Managers (grade 7 & above) are required to complete a 12-month probationary period with 3 formal review meetings:**
- **Academics (Early Career) (grade 8) are required to complete an 18-month probationary period with 4 formal review meetings**

Concerns relating to conduct, performance and behavioural standards including unacceptable levels of absence during an employee's probationary period will be managed under this Probation policy

### **3. INDUCTION ARRANGEMENTS**

It is the manager's responsibility to ensure that new appointees are fully inducted into their roles and that they understand how their role fits within their team and the University. Induction protocols should be followed as part of new appointees' on-boarding including POD, departmental and Corporate Organisation induction. <https://ccucsac.sharepoint.com/sites/Induction>

Within the first month of employment, it is important to set clear and achievable objectives for the probationary period. This process will enable the new appointee to have a full understanding of what is expected of them to assess whether they have achieved the required standard of performance.

As part of the induction process, the manager should also discuss the appointee's training needs with them and agree how any training needs will be met:

New members of academic staff undertaking the HE teaching qualification (whichever route), will meet with their line manager and CELT to discuss the provision of the allocated programme, identify the support needed including the allocation of time and workload particularly around assessment deadlines.

An additional formal eligibility assessment meeting is required for the APA route to assess prior knowledge and experience and determine individual terms of the Apprenticeship Agreement.

Details of the Corporate and Management Development Programme are available in the People & Organisational Development section of the staff intranet/ via Libcal or as advised by the line manager.

To assist managers with the induction processes, a checklist and guide is also on MySuffolk:

<https://intranet.uos.ac.uk/staff-induction>

### **4. QUALIFICATION ROUTES FOR ACADEMICS**

Early career academic staff joining without the qualification (or accepted equivalent), must complete either full PgCAP or APA (Academic Professional Apprenticeship) within their probation period to gain Fellow HEA. Where staff are eligible for apprenticeship study under the eligibility criteria published by the ESFA and meet entry requirements in relation to Level 2 English and Maths, and are generally employed on a contract of 0.8 FTE or more, the expected route will be via APA which requires 3 modules and an End Point Assessment (EPA).

Eligibility will be determined by the University as part of the staff on-boarding process, commencing with an Apprenticeship Eligibility Check undertaken by the Apprenticeship Hub. Where eligible for the apprenticeship

route, a full application process for the programme of study will follow. Further information on apprenticeship study and requirements is published on the University website -

<https://www.uos.ac.uk/content/our-apprenticeships-0>

Where the new member of staff is ineligible for the apprenticeship route, they will be allocated to the PgCAP route.

It is expected that either route will be successfully completed within the 18-month probation period, other than where the start date of the course prevents this.(see below\*).

Experienced academic staff, with a minimum of 3 years' teaching experience but without appropriate qualification, are required to gain Fellowship, usually via the PgCAP route, within their 12-month probation period.

<https://libguides.uos.ac.uk/celt/cpd/pgcap>

Alternatively, experienced academic new joiners may gain Fellowship HEA via the PASSPoRT portfolio route. This should also be completed within the first 12 months of employment.

<https://libguides.uos.ac.uk/celt/cpd/Fellowship/PASSPoRT>

Determination of the most appropriate route is undertaken on a case-by-case basis by the Centre for Learning & Teaching (CELT).

Failure to gain FHEA may result in dismissal, either through the probationary route, or if employment has been confirmed following the probation period prior to completion of PASSPoRT or PgCAP through the relevant policy.

Exceptionally, where the start date of the qualification does not enable completion to be within the 12-month period, completion must be at the earliest opportunity thereafter. This requires clear evidence of successful progression towards gaining the qualification to be continuously evidenced throughout the probation period and that success is fully expected at the first opportunity for completion.

Experienced new academic staff who have already achieved FHEA are expected to proceed to SFHEA.

*\* Appointees are required to start the assigned qualification pathway at the earliest available course start date following their joining the University. Where the nearest start date means that the course cannot be completed within the first 18 months, provision may be made for completion to be achieved after confirmation of a successful probation outcome, at the discretion of the Dean of School.*

*For a probationer to be confirmed as being successful in completing their probation period whilst the qualification remains incomplete, they must be demonstrating satisfactory performance in their job role overall, including having completed all other mandatory training requirements and are fully expected to pass at the first opportunity following end of probation at 18 months (or 21 months if extension is deemed appropriate). This will be determined by the line manager who must be able to evidence and confirm that performance is at the requisite level against the following indicative standards (to be recorded on the Performance Management System); must have started the PgCAP/APA and made good progress demonstrated by actively engaging, attending workshops and seminars completing, and submitting coursework that meets the requisite standards. Expected standards of overall performance must also be met in all other respects as required of the job role to be able to be considered for probation to be ended at either*

18 or 21 months without the qualification being completed. Full progress details should be recorded on the Performance Management System to support decision making. Where staff are confirmed to their post without completion of the teaching qualification, where it becomes evident that progress is not at the expected level, this would be dealt with under the Capability Policy and may lead to dismissal.

## 5. MENTOR PROGRAMMES/BUDDY ARRANGEMENTS

During the induction and probation period, managers should explore with the new appointee the need for a mentor. Mentors will normally occupy a similar type of role to that of the new appointee, ensuring that the sharing of knowledge and experience is as relevant as possible. Mentors will usually be assigned from another area of the organisation in order that the mentor/mentee relationship can develop without prejudice, enabling the new appointee to freely share any issues with someone not within their department or School. Mentors are established on a case-by-case basis and managers should liaise with their People Business Partner to initiate the process.

Alternatively, or indeed as well as, it is recommended that managers informally use a 'buddy' system, whereby they engage an existing member of staff within the school/department to support the new appointee during the first few months of their employment. Where possible the 'buddy' should be of a similar grade with similar responsibilities.

## 6. PROCEDURE

### 6.1 IMPLEMENTATION AND RECORDING OF PROBATIONARY OBJECTIVES

Probationary objectives should be developed/agreed for each new starter upon commencement of employment. The probationary objectives should indicate:

- A description of the 'activity' to be undertaken including any level of achievement required.
- The criteria for success in relation to each objective i.e., how the performance of the objective can be demonstrated and evidenced and any specific behaviours which should be evidenced through the achievement of the objective.
- The details of any training or support that may be required to achieve each objective as well as any core training that must be undertaken.
- A target completion date for each objective.

It is important that the University's values and associated behaviours be incorporated in these initial objectives. The key values and associated behaviours that are of most importance for successful delivery of objectives or success in the role will be identified by the manager. Any identified values and underpinning behaviours should be incorporated in the objectives set for the employee's probationary period, enabling behaviour as well as competence to be assessed in a fair and transparent way; this expands the focus beyond **what** an employee to include **how** they do it.

Probationary objectives should be recorded via the system in place currently (as advised by POD) – separate guidance on this can be found here; <https://intranet.uos.ac.uk/appraisal-process>

### 6.2 REVIEW MEETINGS AND DOCUMENTATION

Following the agreement of the Probationary objectives (which may also incorporate required training or development activity), managers will hold review meetings with the employee at the following intervals:

**For Support Staff (grades 1-6):**

- At 9 weeks of completed service
- At 20 weeks of completed service

**For Academic (Teaching) Staff and Senior Staff & Managers (grade 7 and above):**

- At 12 weeks of completed service
- At 27 weeks of completed service
- At 42 weeks of completed service

**For Academic (Early Career) Staff (grade 8):**

- At 2 months completed service
- At 6 months completed service
- At 10 months completed service
- At 15 months completed service

Review meetings provide an opportunity to discuss and record the individual's progress during their probation period.

Line managers are responsible for arranging probation review meetings which should be held on or as near as possible to the review dates provided by People & Organisational Development. It is advisable that these meetings are arranged at commencement in role to ensure reviews are carried out in good time. Managers are advised to deal with unsatisfactory performance as it arises and not wait for probation reviews to address such matters.

A Probationary Review outcome record must be completed at, or immediately after, each Review Meeting Review. Outcomes should be completed and held on the system (as advised).

The probationary objectives set and captured on the relevant performance management system should be reviewed to assess progress at each probationary meeting. Comments should be captured against the recorded objectives to document progress/ completion/ non completion.

Generally, probationary review discussions about the achievement of objectives may cover:

- Summary comments in relation to the progress made/achievement of that objective.
- Any improvements that may be required together with an associated timescale.
- Any training and/or support required in relation to the objective.
- Any general comments from the manager with regard to the employee's performance, behaviour and progress.

On occasions, the manager may identify that performance improvement is required in an area that was not initially included as an objective. Where this is the case, an additional objective may be loaded.

At each 'review' stage the manager will discuss and document on the probation review outcome record that:

- The required progress/ achievement of objectives is on track, OR

- Improvement is required by the date of the next review or any earlier agreed date (only applicable before final review meeting), OR
- Improvement is required and as a result the probationary period requires extension, OR
- Progress / performance is significantly below expectations and concerns indicate that any further continuation is unlikely to lead to the required level of improvement therefore it is recommended to not confirm appointment/ to consider termination of employment

Review meetings are a two-way process, during which managers must:

- Ensure the individual is aware of the required standards and how their own performance compares
- Listen to the individual's views
- Give balanced and constructive feedback reflecting positives as well as negatives
- Ensure appropriate training and supervision is in place to support the individual
- Ensure reasonable adjustments are made to support staff with disabilities, see section below for more details
- Consider what steps may reasonably be taken to help support employees' health and wellbeing.

Managers must highlight any serious concerns about work performance or behaviour without delay to their People Business Partner. It may be necessary, on occasions, to hold review meetings more quickly than the standard timescales indicated within this policy, and, if there is a more serious matter that requires immediate attention, a final review meeting may be convened early to consider the matter. Under these circumstances, termination of the contract may be implemented if considered appropriate.

## **7. FINAL REVIEW**

The final review meeting will in most cases confirm that agreed objectives have been achieved or significant progress has been made and that suitability for the post is confirmed.

Once confirmed in post, new objectives can be set – these will be what the employee will be assessed against at their annual appraisal. It is recommended that there is a continuation of the selected values and behaviours as part of these objectives. As part of the annual appraisal, a decision can be made as to whether these need to be updated and changed depending on the priorities and context of the role/team.

In exceptional cases, the manager may consider that an extension of the probationary period is required to determine suitability / make a fair judgement on achievement of objectives or that progress made has been insufficient or performance/behaviours have fallen far short of the expected level in which case termination of employment (dismissal) may be recommended.

## **8. REASONABLE ADJUSTMENTS**

While disability is in no way routinely associated with performance problems, managers must consider the possibility that under-performance is the result of a disability. If this is the case, there is a statutory duty to make reasonable adjustments to the working arrangements to help reduce any disadvantage the appointee might otherwise experience. For example, it may be reasonable to provide specialist equipment to assist the appointee or to re-organise work allocation within a team. Managers should liaise with their People Business Partner for advice.

## 9. EXTENSION TO PROBATIONARY PERIOD

If, as the probation period progresses, there is limited or no progress towards the required performance/behavioural standards required, the manager should seek the support of their People Business Partner. In exceptional circumstances probationary periods may be extended by a period of up to three months, subject to the agreement of the relevant Dean or Director. In the event of such a discussion, individuals may be accompanied by a representative (work colleague or trade union representative), if they wish.

Exceptional circumstances may be deemed to be applicable where performance is in the main satisfactory, but there are one or two outstanding objectives which must be completed before probation is approved as successful. Where it is doubtful that essential objectives will be met to the standards/performance required in an extended period, then it is unlikely to meet the threshold for exceptional circumstances to be applicable, and extension is not to be granted.

During an extension to probation period, managers should advise the individual of the necessary improvements required during the extended period and agree support and further training, as appropriate. Any requirements or support measures offered should be documented within the system.

Four weeks before the end of the extended probation period, a further and final review meeting should be carried out after which a decision should be made by the line manager, based on performance and behaviours, as to whether the individual should be confirmed in post.

## 10. DISMISSAL

The University has the right to terminate the contract of an employee at any time during the probationary period. Employees whose contracts are terminated during the probationary period will be entitled to their contractual notice.

Dismissal on the grounds of unsatisfactory performance, conduct or behaviours during a probationary period will not usually be an outcome until and unless sufficient clear guidance has been given to the individual regarding the areas of improvement required, and appropriate support, guidance and training has been provided. Dismissal will also not usually occur unless the new appointee has been given a reasonable period to make the necessary improvements.

In exceptional cases however, if the actions or the behaviours of the individual are considered to be significantly detrimental, action to dismiss may be taken immediately.

Reasons for dismissal may include the following (however this list is not exhaustive):

- Inability to maintain an acceptable attendance record
- Failure to comply with organisational policies and procedures as directed by management
- Failure to act in the best interest of the organisation
- Unsatisfactory performance in the role e.g. employee fails to display the key attributes and competencies required in the role or does not display appropriate behaviours, including inadequate progress against essential professional qualification requirements
- Failure to consistently deliver work against pre-agreed targets
- Failure to complete mandatory training
- Any repeat activities or behaviours or conduct which is contra to those requested and expected by the university
- Any single activity or behaviours which constitutes gross misconduct



If dismissal is a possible outcome of any meeting, the individual should (wherever possible) be notified in writing of this in advance of the meeting. Individuals may be accompanied by a representative (work colleague or trade union representative) if they wish.

Managers considering dismissal on grounds of unsatisfactory performance during a probationary period must consult with their People Business Partner prior to dismissal.

Should dismissal occur, the individual will receive confirmation in writing including the right of appeal. (see Section 11).

Dismissal during the probation period will be two weeks for staff under the six month probation period and one month under the 12 or 18 month probation period.

It should be noted that there may be occasions when performance or behaviour is considered to be of such a serious nature that it is required to escalate the matter immediately to a final review meeting (and on occasions of significant severity, without the usual notice requirements able to take place). In this situation, termination of contract may be facilitated within a quicker timescale than normal.

## **11. APPEAL**

Following dismissal, the individual has a right of appeal. Appeals should be made in writing to the Dean or Director of School/department within 10 calendar days from the date of their dismissal letter, stating their reasons for appeal.

Appeals will usually be heard by a panel comprising three senior members of university staff, including the line manager's manager, Head of People or a Senior People Business Partner, and one other manager. The individual may be accompanied at the meeting by a trade union representative or work colleague.

Following the meeting, the outcome of the appeal will be confirmed to the individual by the Chair of Panel. The outcome of an appeal might be: -

- The decision to dismiss has been upheld
- Decision to reinstate the appointee with the condition of making the necessary improvements required within a reasonable specified period. Failure to make these improvements would result in dismissal.

[Equality Impact Assessment](#)