

Academic Staff Probation Policy

UPR HR31 version 01.0

Policies superseded by this document

This is the first UPR with this title.

Summary of significant changes

Simplification of the probation process to enable staff and managers to clearly understand how to operate the policy, recognising that the line manager is key to the probation process and not the Dean of School. Allowing initial decisions about extensions related to absence to take place with the local line manager (as would be usual practice) rather than escalating to Dean level. Providing additional advice reflecting common practice where suitability issues may not be picked up until later in the probation period, e.g. at 8, 10 or even 12 months Including situations in ten and twelve month reviews (which is common where the probationer starts at the end of SEM B and teaching does not happen until SEM A). Clarity of the different appeals processes.

Glossary

A glossary of approved University terminology can be found in [UPR GV08](#).

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1 POLICY STATEMENT

- 1.1 The University of Hertfordshire (“the University”) recognises that a supportive and development probation process is vital in providing an appropriate level of support and training for new members of staff on commencement of their employment.
- 1.2 This policy and procedure sets out the University’s approach to probation for new academic employees on academic contracts, including those on Academic Manager contracts aiming to ensure the University meets its commitment to the fair, equal and consistent treatment of staff with regard to the probation period.
- 1.3 Employees on Research or Professional contracts and Professional Manager contracts are not covered by this policy.

2 PURPOSE AND SCOPE

- 2.1 The purpose of the probationary period is to assess the individual's performance and progress to ascertain suitability for the position to which they have been appointed. Equally, the line manager will make appropriate arrangements to support the development of the probationer providing them with appropriate support, assistance and training (including the Induction and CPAD). During the probation period, this policy and not UPR HR02 (Staff Disciplinary Policy) or UPR HR19 (Managing Poor Performance) should be used to manage academic conduct and performance.
- 2.2 In accordance with the provisions of the National Agreement and its local application, a probationary period of 12 months will be applied to all newly appointed full-time and fractional lecturing staff. However, where the new recruit has had recent previous teaching experience in higher education (or other teaching experience considered as relevant), this requirement may be waived with the approval of the Director of Human Resources.
- 2.3 All newly appointed lecturing staff will be required to attend the University's Induction and where appropriate, Professional Development Programme (Continuing Academic Development Programme (CPAD) - detailed in Appendix 1.
- 2.4 Each formal letter and contract of employment will make clear to staff whether or not the probationary period will apply.
- 2.5 A number of courses are mandatory and successful completion of probation will not be confirmed until they have been completed. Details of the latest mandatory training courses for Probation will be available on [HertsHub here](#).

- 2.6 In determining the amount of formal scheduled teaching to be undertaken by new members of the academic staff, line managers will have regard to the local agreement on "Guidelines on the Allocation of Workloads" and pay due regard to the relatively high amount of preparation time required at the start of an academic career. In addition, line managers should also note the requirements of CPAD with respect to probation (Appendix 1).
- 2.7 In the case of internally promoted staff a probationary period may be applied where the new job has very different responsibilities, for example where an individual previously employed as a Professional or Technical member of staff moves to take up an Academic appointment. The successful candidate will be informed at the offer stage if this applies.
- 2.8 During the probationary period any concerns, unsatisfactory performance, misconduct, sickness and other absences, will be dealt with under this policy. Following successful completion of a probationary period the relevant University policy will apply, i.e. Managing Poor Performance (UPR HR19), Managing Sickness Absence & Ill Health (UPR HR20) and Staff Disciplinary (UPR HR02).
- 2.9 Extended periods of absence, e.g. long-term sickness absence, maternity leave, shared parental leave and other extended periods of time off work will not be counted as part of the probationary period. Instead, the probationary period will be extended by the line manager for an appropriate period which takes into account the duration of such absences.

3 PROGRESSION THROUGH THE PROBATIONARY PERIOD

- 3.1 All new Academic staff (including Academic Managers) appointed to the University will be subject to a twelve-month probation period.
- 3.2 Reviews of the probationer's progress will be carried out throughout the probation period with formal reviews at four, eight, ten and twelve months from the date of taking up appointment, with the probation period ending at twelve months, or sooner if the appropriate performance and progress is not met.
- 3.3 The HR Department will send the Line Manager the probation review forms at appointment stage, which confirm the dates for review meetings. Line managers are responsible for ensuring probationary meetings are held in a timely manner. It is wise for the employee and manager to agree the date for the next meeting at the same time as agreeing objectives to be met by that date.
- 3.4 A probationary review meeting may be held sooner if there is clear evidence that the employee's performance is not meeting the required standards, and that more time will not address this shortfall. This evidence would need to demonstrate that appropriate support had been put in place, and the employee was given sufficient opportunity to improve. A meeting may also be held sooner if there are concerns about an employee's conduct. If a manager wishes to bring forward a meeting in this way, they should first consult with their HR Business Partner.

- 3.5 All formal probationary review discussions must be noted on the necessary probation review forms. The forms should be shared with the employee with copies kept by the line manager and also sent to HR.

4 FORMAL REVIEW PERIODS

4.1 Four Month Review

- 4.1.1 The line manager will undertake a formal review of the progress made by the probationer to date, consulting with appropriate staff in the School/Department and, where appropriate, staff running the institution's CPAD, as well as personally observing the probationer's teaching. The line manager will meet with the probationer to discuss fully their progress and performance to date.
- 4.1.2 If progress and performance are satisfactory, the Line Manager will complete the review form accordingly and confirm this in writing to the probationer, with copies sent to HR.
- 4.1.3 If satisfactory progress has not been made, the line manager should discuss this with their HR Business Partner. At the review meeting, the areas of concern should be clearly identified to the probationer, and the performance, conduct or attendance standards clearly specified and a course of action jointly agreed within a Performance Improvement Plan (Appendix 6). This will include the support that will be offered to the probationer. The informal performance improvement plan will be put into place consequent to the review meeting.
- 4.1.4 A record will be kept of the meeting, and the probationer will be informed of the outcome of the four-month review and a confirmatory note sent to them with the Performance Improvement Plan arising from paragraph 4.1.3 above. Copies of these and the completed review form should be sent to Human Resources.
- 4.1.5 If a performance improvement plan has been put in place, performance and/or conduct and/or attendance will be reviewed regularly (at least every two weeks) until the next formal review. Further adjustments may be considered.

4.2 Eight Month Review

- 4.2.1 The line manager will undertake a further review of the probationer's progress to date and meet with the probationer to discuss this.
- 4.2.2 Where satisfactory progress has continued to be made, or where there was previously a cause for concern and the performance has improved and now reaches acceptable standards, the probationer will be informed of this verbally and a confirmatory note will be made by the line manager to that effect and sent to Human Resources with the completed review form for the personal file.

4.2.3 Where the probationer's progress or performance, however, has:

- (i) deteriorated to the point where it is no longer satisfactory, or
- (ii) has not improved despite remedial action taken in accordance with the steps agreed at the four months' review,

The line manager should discuss this with their HR Business Partner without delay.

4.2.4 At the review meeting, the areas of concern should be clearly identified to the probationer, and the performance, conduct or attendance standards clearly specified, and a course of action jointly agreed within a formal Performance Improvement Plan. This will include the support that will be offered to the probationer.

4.2.5 A record should be kept of the meeting and the probationer will be informed of the outcome of the eight-month review and a confirmatory note sent to them with the Performance Improvement Plan arising from paragraph 4.2.4 above. Copies of these and the completed review form should be sent to Human Resources.

4.2.6 If a performance improvement plan has been put in place, performance and/or conduct and/or attendance will be reviewed regularly (at least every two weeks) until the next formal review.

4.3 Ten Month Review

4.3.1 The line manager will undertake a further review of the probationer's progress to date and meet with the probationer to discuss this.

4.3.2 Where performance at the four and/or eight-month review had been reported as satisfactory and continues to be so at the ten-month review, the line manager will complete the review form and send a confirmatory note to the probationer, with copies sent to Human Resources.

4.3.3 Where performance/conduct/attendance continues to be of concern, the probationer will be informed of the outcome of the ten-month review and a confirmatory note sent to them with any performance improvement plan confirming the performance/conduct/attendance standards required and any further course of action agreed. Copies of these and the completed review form should be sent to Human Resources.

4.3.4 Where the probationer's progress or performance, however, had been considered to be satisfactory at the four and eight-month reviews but has deteriorated to the point where it is no longer satisfactory by the ten-month review, the line manager should discuss this with their HR Business Partner without delay. At the review meeting, the areas of concern should be clearly identified to the probationer, and the performance, conduct or attendance standards clearly specified and a course of action jointly agreed within a Performance Improvement Plan (Appendix 6). This will include the support that will be offered to the probationer. The informal performance improvement plan will be put into place consequent to the review meeting.

- 4.3.5 A record should be kept of the meeting and the probationer will be informed of the outcome of the ten-month review and a confirmatory note sent to them with the Performance Improvement Plan arising from paragraph 4.2.4 above. Copies of these and the completed review form should be sent to Human Resources.
- 4.3.6 If a performance improvement plan has been put in place, performance and/or conduct and/or attendance will be reviewed regularly (at least every two weeks) until the next formal review.

4.4 Twelve Month Review

- 4.4.1 At the twelve-month review, a final assessment should be made of the probationer's performance and progress and the employee should be notified that either:
- they have successfully completed their probationary period (see section 5 below); or
 - their probationary period is being extended; including the reasons why, the length of the extension, any support/training to be provided and any improvements that are required; (see section 8 below) or
 - they have not satisfactorily completed their probationary period and the line manager will be recommending termination of their employment at a formal probation hearing. (see section 6 below).

The line manager should follow the procedures as set out in the subsequent relevant sections below.

- 4.4.2 Where at the four, eight and ten months' review the probationers' performance/conduct/attendance was satisfactory, but it is no longer satisfactory at the twelve-month stage, the line manager should discuss this with their HR Business Partner to determine how to proceed.

5 SUCCESSFUL COMPLETION OF PROBATIONARY PERIOD

- 5.1 Where performance and progress at the final review meeting has been reported as satisfactory and the line manager has returned the completed probation to Human Resources, HR will inform the probationer in writing of the successful completion of their probationary period and confirm their appointment as a permanent member of University staff (or where the probationer is on a fixed term appointment that the probation period has been successfully completed).
- 5.2 Following successful completion of the probationary period an employee will be managed through one-to-one meetings, will be set new and continuing objectives, and be annually appraised.
- 5.3 Should confirmation of the successful completion of the probationary period not be received by Human Resources prior to the end of the probationary period, or the mandatory training not completed without good reason, Human Resources will write to the line manager to advise that the probationer cannot be confirmed in post and will remain on probation terms and conditions (which includes a shorter notice period) until their probation is complete.

The manager will be asked to arrange a review meeting urgently and to advise Human Resources by completing the relevant probation review form.

6 HEARING TO CONSIDER DISMISSAL OF PROBATIONER FOLLOWING UNSATISFACTORY PROGRESS

- 6.1 Where a probationer's performance, conduct or attendance is deemed unsatisfactory, a performance improvement plan was put in place and there is insufficient improvement, the line manager must discuss this with the HR Business Partner and the following steps taken to arrange a hearing:
- 6.2 A full report detailing the circumstances and the actions already taken will be written by the line manager and sent to the Deputy Vice-Chancellor (or their nominee), copied to Human Resources, and the probationer advised accordingly. Note that where delegated, the Deputy Vice-Chancellor's nominee will have had no former involvement in the case.
- 6.3 The Deputy Vice-Chancellor or nominee will convene a meeting which both parties will be required to attend. The probationer will have the right to be accompanied by a workplace colleague or Trade Union representative if they choose.
- 6.4 The Deputy Vice-Chancellor or nominee will then decide whether:
- a) to confirm the probationer in the appointment or
 - b) to extend the probation period by a further period not exceeding six months, or
 - c) to terminate the appointment.
- 6.5 The decision of the Deputy Vice-Chancellor or nominee will be confirmed in writing, and the probationer advised of their right of appeal to the Vice-Chancellor (or nominee).

7 Moving to Probationary Hearing Early

- 7.1 If, during an employee's probationary period, it is suspected that the employee provided inaccurate or misleading information during the recruitment process, for example fraudulent or missing qualification certificates, no right to work, undeclared convictions in a post that requires an enhanced DBS check etc, this will be discussed with the individual and, if established, employment may be terminated without delay, without the need to have completed formal probationary review meetings.
- 7.2 If, at any time during the probationary period, an employee's performance or attendance is deemed to be unsatisfactory, or they have not completed mandatory training or a required qualification, the line manager may request that a Probation Hearing is convened earlier than 12 months after appointment. This is provided that the individual has received reasonable and sufficient support from their line manager, reasonable opportunity for improvement, and that the probation procedure has been followed.
- 7.3 If, at any time during the probationary period, an employee's conduct is called into question then a disciplinary investigation may be commissioned. If the misconduct is substantiated then the matter will be dealt with under the probationary process. Where misconduct is substantiated and a hearing is recommended, then a probation hearing will be convened rather than a separate disciplinary hearing.

8 Extension of Probationary Period

8.1 A probationary period may be extended in the following circumstances:

- there are concerns about the employee's performance, behaviour or conduct where it is believed these can be addressed during the extended period;
- the employee has not completed all mandatory training and needs more time to do so;
- the employee has had a significant amount of time away from work and has therefore been unable to demonstrate competence in all areas;
- the employee has moved to a new post during their probationary period which is very different, or has moved to a different department, and more time is required to demonstrate competence.

8.2 Where the probationer's probationary period has been extended, they will be advised in writing of the areas of concern that have been identified and the standards required, together with an outline of joint actions agreed and timescale to be adopted. Progress will be monitored by the line manager.

8.3 If performance and progress are reported as satisfactory, the probationer will be advised in writing by Human Resources of the successful completion of their probationary period and appointment as a permanent member of University staff (or where the probationer is on a fixed term appointment that the extended probationary period has now been successfully completed).

8.4 Where a probationer's performance, conduct or attendance continues to be deemed unsatisfactory and there is insufficient improvement, the line manager must discuss this with the HR Business Partner and write a full report detailing the circumstances and actions taken which will be sent to the Deputy Vice-Chancellor or nominee (copy to Human Resources), and the probationer advised accordingly, before the end of the extended review date. See also section 9.

9 Proposal to Terminate Employment After an Extended Period of Probation

9.1 Where the line manager reports that the performance and progress have continued to be unsatisfactory during the extended probationary period, the Deputy Vice-Chancellor or nominee will convene a meeting at which both parties will be required to attend and conduct the hearing. The probationer will have the right to be accompanied by a workplace colleague or trade union representative if they choose. The Deputy Vice-Chancellor or nominee will be supported by an HR Business Partner during the hearing.

9.2 The Deputy Vice-Chancellor or nominee will conduct the hearing and decide whether:

- (a) to confirm the probationer in the appointment or
- (b) to terminate the appointment.

9.3 The decision of the Chair will be confirmed in writing, and the probationer advised of their right of appeal to the Vice-Chancellor (or nominee).

10 APPEALS

APPEALS AGAINST DISMISSAL

- 10.1 Appeals against dismissal should be submitted, in writing, to the Director of Human Resources within ten (10) working days of receipt of the probation hearing outcome. The grounds of appeal should state one or more of the following reasons:
- The procedure – a failure to follow procedure had a material effect on the decision.
 - The decision – the evidence did not support the decision reached.
 - The outcome - dismissal was too severe given the circumstances of the case.
- 10.2 An appeal hearing will consist of the Chair (Vice-Chancellor or nominee) and 2 members of the Chief Executive's Group. The panel members will have had no former involvement in the case.
- 10.3 The Chair will be supported by the Director of Human Resources (or nominee).
- 10.4 An appeal hearing will normally be held within 15 working days of the procedure being invoked. The probationer will be given advance notice of the hearing and have the right to be accompanied by a workplace colleague or trade union representative. Copies of all documents/reports to be used at the hearing will be given to the probationer, who may also submit documents and call witnesses. The individual shall present their appeal to the Vice-Chancellor or nominee and 2 members of CEG in the presence of the Chair of the original probation hearing and the HR Business Partner who supported them. The Chair of the original probation hearing will have the opportunity to respond to the appeal submission.
- 10.5 The appeal hearing will not be a re-hearing of the original evidence but will be concerned with procedural integrity and whether the original outcome was fair and reasonable.
- 10.6 The decision of the Vice-Chancellor or nominee will be final and confirmed to the probationer in writing normally within five (5) working days of the appeal hearing.

APPEALS AGAINST EXTENSION

- 10.7 Appeals against extension of probation should be submitted, in writing, to the Director of Human Resources within ten (10) working days of receipt of the probation hearing outcome. The grounds of appeal should state one or more of the following reasons:
- The procedure – a failure to follow procedure had a material effect on the decision.
 - The decision – the evidence did not support the decision reached.
 - The outcome – extension was too severe given the circumstances of the case.

- 10.8 An appeal hearing against extension will normally be held as soon as possible following the procedure being invoked and will be heard by a member of the Chief Executives Group (CEG) who has had no prior involvement in the case. The appeal hearing will not be conducted as a re-hearing of the evidence made when the initial decision was taken and instead will review the previous decision, based on submissions made by the staff member and the Chair of the original hearing.
- 10.9 The probationer will be given advance notice of the hearing and have the right to be accompanied by a workplace colleague or trade union representative. Both the member of staff who is appealing and the Chair who made the original decision must submit all evidence or documents to which reference will be made at the hearing, including where the case for appeal relates to new evidence not reasonably available at the time of the original hearing, the names of any witnesses it is proposed to call (or witness statements where a witness is not to be called). These should be submitted no later than 5 working days before the date set for the hearing to the Director of HR (or nominee) for simultaneous distribution to all parties. Papers not submitted by this date will not normally be eligible for consideration.
- 10.10 The decision will be final and confirmed to the probationer in writing within 5 working days of the appeal hearing.

11 Additional Support Available

- 11.1 For further support and advice on the policy please contact your HR Business Partner directly, or email employeesupport@herts.ac.uk.

Sharon Harrison-Barker
Secretary and Registrar
Signed: **1 January 2024**

Alternative format

If you need this document in an alternative format, please email us at governanceservices@herts.ac.uk or telephone us on +44 (0)1707 28 6006.

APPENDIX 1

Induction and Professional Development Programmes for Newly Appointed Academic Staff

The University Induction and Continuing Academic Development Programme (CPAD) is a major investment in staff development providing a vehicle for the discussion and dissemination of best practice in teaching for staff new to the University. Accordingly, it is an important feature in the maintenance and enhancement of quality in teaching and learning across the Institution.

The Induction element of the programme is relatively short. Its purpose is to describe the structure and procedures of the University and it may be provided at various times in the year. The more substantial CPAD component deals with the practices and principles of teaching and learning in higher education and it takes place on an annual basis.

The nature and extent of the Induction and CPAD will be explained to potential staff members during the recruitment and selection process by the Dean of School who is the Chair of the Appointment Panel and confirmed in the individual's letter of appointment.

All newly appointed teaching staff will attend the Induction programme during their first year of teaching at the University. In addition, those staff without at least two years' successful full time teaching experience or new to teaching in higher education and/or do not have an approved teaching qualification, will also attend and be assessed on the CPAD programme. Academic staff employed on one-year temporary contracts need not necessarily follow the full CPAD and their exact commitment will be determined by the Dean of School in consultation with the CPAD Programme Leader. Details of requirements for CPAD engagement are outlined in the table below:

Teaching Experience	CPAD expectation	Qualification	Professional recognition
New to teaching in HE and significant part of role includes teaching	Successful completion of Teaching and Supporting Learning within 12-month probation period. Completion of other 3 CPAD modules by end of second year.	PGCertLTHE as result of successful completion of all 4 CPAD modules.	FHEA achieved via successful completion of the PGCertHE.
New to teaching in HE (but with experience from a different sector e.g. FE or School)	Successful completion of Teaching and Supporting Learning within 12 month probation period.	Already gained a teaching qualification (e.g. PCGert).	FHEA achieved by end of second year.
Experience of teaching in HE (more than two years)	No requirement to do CPAD modules	Already gained a teaching qualification relevant to HE (e.g. PGCertHE, PGCAP or equivalent).	May have FHEA and if not, should have achieved this by the end of second year.

Academic staff employed part time on fractional contracts will also be required to attend the Induction course and the pattern of attendance with respect to CPAD will be determined by the Dean of School in consultation with the CPAD Programme Leader.

Quality assurance of the CPAD programme will be via the usual academic processes, informed by the responses of the participants (obtained via formal module feedback questionnaires and informal discussions) as well as by external examiner reports.

Following appointment to the University, each new member of academic staff will be inducted into the School/Department and assigned a link colleague from amongst his/her peers within the Faculty/Department. The link colleague will aim to assist the member of staff to integrate fully into the University.

Newly appointed full time and fractional academic staff undertaking the CPAD will also serve a period of probation and their progress on the CPAD will inform the outcome of this probation. In order to complete the 12 months probationary period satisfactorily, those staff so designated must attend and pass the first CPAD module; Teaching and Supporting Learning (which includes an assessed teaching observation). If evidence indicates that a new member of the academic staff is having difficulties with his/her teaching, this will be signalled to the Dean at the earliest possible indication (or by the Dean to the CPAD Programme Leader), in order to enable appropriate support processes to be established before the determination of probation.

As can be seen from the table above, there is an expectation for newly appointed lecturing staff to have a teaching qualification and professional recognition as a Fellow of the HEA by the end of their second year of employment.

Throughout, the approach of the staff associated with the Induction and CPAD modules will be to recognise the staff development needs of teachers new to the University and to provide assistance to enable them rapidly to become effective and proficient teachers of higher education.

APPENDIX 2 – PERFORMANCE IMPROVEMENT PLAN

Description of the underperformance:	
Aim of the Performance Improvement Plan:	
Plan Start Date:	
Plan End Date:	

Improvement Objectives <i>What, specifically must the individual do to improve their performance to meet expected standards?</i>	Success Criteria <i>Expected or required outcome/measurement. How will you know when the expected standards of performance have been met?</i>	Additional Support Required/dependencies <i>What additional development or support does the individual require in order that they are able to achieve the expected standards?</i>	Link to Strategic Objectives <i>Link to SBU’s strategic objectives to show link between their role and overall outputs</i>	Review Schedule <i>When will progress against the improvement objective be reviewed? How will evidence of progress be collected? Who will review progress?</i>	Objective Outcome <i>When will the final review of the plan be undertaken and by whom? What is the final outcome? What action will be taken if expected standards are not met?</i>	Met/Partially Met/Not Met <i>Manager should complete this to record what has/has not been met including any justification/narrative as to why to be discussed at the informal/formal stage</i>

Improvement Objectives <i>What, specifically must the individual do to improve their performance to meet expected standards?</i>	Success Criteria <i>Expected or required outcome/measurement. How will you know when the expected standards of performance have been met?</i>	Additional Support Required/dependencies <i>What additional development or support does the individual require in order that they are able to achieve the expected standards?</i>	Link to Strategic Objectives <i>Link to SBU's strategic objectives to show link between their role and overall outputs</i>	Review Schedule <i>When will progress against the improvement objective be reviewed? How will evidence of progress be collected? Who will review progress?</i>	Objective Outcome <i>When will the final review of the plan be undertaken and by whom? What is the final outcome? What action will be taken if expected standards are not met?</i>	Met/Partially Met/Not Met Manager should complete this to record what has/has not been met including any justification/narrative as to why to be discussed at the informal/formal stage
				Overall outcome if plan objectives are achieved / not achieved: <Enter overall outcome / consequences if the Personal Improvement Plan is / is not completed satisfactorily by the plan end date.>		

Signed/agreed by	
Line Manager: _____	Date: _____
Signed/Agreed by	
Staff Member: _____	Date: _____