

Professional and Research Staff Probation Policy

UPR HR27 version 01.0

Policies superseded by this document

This is the first UPR with this title which updates and replaces the previous HR Policy called “Professional and Research Staff Probation Procedure” which had been last updated in October 2018.

Summary of significant changes to the previous version

Additional information has been provided to include clarity relating to professional/administrative managers and details reflecting common practice for moving through the probation process which were missing from the previous published version, including clarification of appeals.

Glossary

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

Table of contents

1	Policy Statement	2
2	Purpose and Scope.....	2
3	Progression through the Probationary Period.....	3
4.	Formal Review Periods	3
4.1	Initial Review	3
4.2	Interim Reviews.....	4
4.3	The Final Review	5
5.	Successful Completion of Probation Period.....	5
6.	Hearing to Consider Dismissal of Probationer Following Unsatisfactory Progress ...	5
7.	Moving to Hearing Early	6
8.	Extension of Probationary Period	7
9.	Appeals Process	7
APPENDIX 1 – PERFORMANCE IMPROVEMENT PLAN.....		9

1 Policy Statement

- 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 their employment.
- 1.2 This policy and procedure sets out the University's approach to probation for new members of Professional and Research staff, including those on Administrative or Professional 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 Academic and Academic 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 induction).
- 2.2 Each formal letter and contract of employment will make clear to staff whether or not the probationary period will apply.
- 2.3 Successful completion of probation will not be confirmed until the mandatory training courses have been completed. Details can be found on [HertsHub](#).
- 2.4 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 an Academic moves to take up a Professional or Technical appointment. The successful candidate will be informed at the offer stage if this applies.
- 2.5 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, Managing Sickness Absence & Ill Health and Disciplinary.
- 2.6 Extended periods of absence, e.g. long-term sickness absence, maternity leave, shared parental leave and other extended periods of time off work may result in the probationary period being extended by a reasonable time frame taking into account the duration of such absences.

3 Progression through the Probationary Period

- 3.1 All new Professional and Research staff appointed to the University on grades UH2 - UH9 will be subject to a six-month probationary period. The review milestones will be two, four and six months from the start date, with the probation period ending at six months, or sooner if the appropriate performance and progress is not met.
- 3.2 All new Senior Managers on Professional contracts appointed on the AM pay scales will be subject to a twelve-month probationary period. The review milestones will be four, eight, ten and twelve months from the start date, with the probation period ending at twelve months, or sooner if the appropriate performance and progress is not met.
- 3.3 The Human Resources 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 review meetings are held in a timely manner.
- 3.4 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.
- 3.5 A probationary hearing 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 and/or attendance. If a manager wishes to bring forward a meeting in this way, they should first consult with their HR Business Partner.

4. Formal Review Periods

4.1 Initial Review

- 4.1.1 The line manager will undertake a formal review of the progress made by the probationer to date. The line manager will meet with the probationer to discuss fully their progress and performance to date.
- 4.1.2 If progress and performance is satisfactory, the line manager will confirm this in writing to the probationer, with a copy and the completed review form sent to Human Resources.
- 4.1.3 If satisfactory progress has not been made, the line manager should firstly 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. An informal Performance Improvement Plan (see appendix 2) can be used for this purpose. This will include the support that will be offered to the probationer. The informal performance improvement plan will be put into place following the review meeting.

- 4.1.4 A record should be kept of the meeting and the probationer will be informed of the outcome of the two-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/conduct/attendance will be reviewed regularly (at least every two weeks) until the next formal review. Further adjustments may be considered.

4.2 Interim Reviews

- 4.2.1 The line manager will undertake a further review of the probationer's progress to date at four months for a Professional and Research probationer, and at eight and ten months for a Senior Manager. They will 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 manager to that effect and sent to Human Resources with the completed review forms 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 earlier 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 interim 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/conduct/attendance will be reviewed regularly (for example every two weeks) until the next formal review. Further adjustments may be considered.

4.3 The Final Review

4.3.1 At the final review, an 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; 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; or
- they have not satisfactorily completed their probationary period and the line manager will be recommending termination of their employment, following the required period of notice or pay in lieu of notice.

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

4.3.2 Where at the initial and interim reviews the probationers' performance was satisfactory, but it is no longer satisfactory at the final stage, the line manager should discuss this with their HR Business Partner.

5. Successful Completion of Probation Period

5.1 Where progress and performance at the final review meeting has been confirmed as satisfactory and the line manager has returned the completed probation paperwork to Human Resources, HR will inform the probationer in writing of the successful completion of their probationary period and confirm their appointment.

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 subject to the appraisal process.

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 is not completed without good reason, Human Resources will write to the probationer to advise that they remain on their probation terms and conditions. The manager will be asked to arrange a review meeting and to advise HR once complete by returning 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, the line manager must discuss this with the HR Business Partner and the following steps taken to arrange a hearing:

6.2 The Secretary & Registrar may delegate their authority to hear the case to a member of the Chief Executive's Group (CEG) to hear the case on their behalf. The Secretary & Registrar's nominee would have had no former involvement in the case.

6.3 A full report detailing the circumstances and the actions already taken will be written by the line manager and sent to the Secretary & Registrar or nominee, copied to HR, and the probationer advised accordingly.

6.4 The Secretary & Registrar or nominee will convene a hearing 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.

The Secretary & Registrar or nominee will then decide whether:

- a) to confirm the probationer in the appointment, or
- b) to extend the probation period by a period not exceeding 3 months, or
- c) to terminate the appointment.

6.5 The decision of the Secretary & Registrar or nominee will be confirmed in writing and the probationer advised of their right of appeal.

6.6 The appeal hearing will review the earlier decision based on the submissions made by the member of staff and management. It will not be conducted as a total re-hearing of the evidence made when the initial decision was taken but be concerned with:

- i. reviewing the application of the procedures (evidence of procedural or administrative irregularity)
- ii. whether or not the outcome is proportionate; and
- iii. considering any new material evidence not reasonably available at the original probationary hearing.

7. Moving to 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 early. 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 in line with the University's Staff Disciplinary Policy UPR HR02, including considerations for suspension where this is appropriate. If the misconduct is substantiated, then the matter will be dealt with under this probationary policy. 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 for up to three months by the line manager. Examples of circumstances in which an extension may be followed are listed, but not limited to, the following circumstances:
- there are concerns about the employee's performance, behaviour or conduct where it is believed these could be resolved during an extended period.
 - the employee has not completed all mandatory training and would be able to do so in the extension period
 - the employee has had a significant amount of time away from work and has therefore been unable to evidence suitability for the post
 - the employee has moved to a different job during their probationary period which is significantly different, or in a different department and it is not possible to assess their suitability without more time.
- 8.2 Where the probation period has been extended, the probationer will be advised in writing of the areas of concern that have been identified and the standards of performance that are expected together with an account of joint actions agreed and timescales to be adopted. Progress will be monitored by the line manager.
- 8.3 If progress and performance are reported as satisfactory during the extended period, the probationer will be advised in writing by Human Resources of the successful completion of their probationary period.
- 8.4 Where a probationer's performance, conduct or attendance continues to be deemed unsatisfactory and there is insufficient improvement during the extended period, 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 Secretary and Registrar or nominee (copied to Human Resources) and the probationer advised accordingly, before the end of the extended review date. Please see Section 6 for further details on the hearing process.

9. Appeals Process

- 9.1 Where an employee wishes to appeal against the decision to either extend or terminate their employment, they should write to the Director of Human Resources, stating the grounds for appeal (see details in section 6.6 above), within ten working days from receipt of the decision letter.
- 9.2 An appeal hearing will normally be held as soon as possible following the procedure being invoked. In the case of an appeal against an extension, a member of the Chief Executives Group (CEG) will be nominated by the Director of HR to hear the appeal. In the case of an appeal against dismissal, a panel appeal hearing consisting of three members of CEG will be convened. The panel members will have 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.

- 9.3 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.
- 9.4 The decision will be final and confirmed to the probationer in writing.

Sharon Harrison-Barker
Secretary and Registrar
Signed: **1 December 2023**

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 – PERFORMANCE IMPROVEMENT PLAN

Description of the underperformance:						
Aim of the Performance Improvement Plan:						
Plan Start Date:						
Plan End Date:						
Improvement Objectives What specifically must the individual do to improve their performance to meet expected standards?	Success Criteria: Expected or required outcome/measurement. How will you know when the expected standards of performance have been met?	Additional Support Required/dependencies What additional development or support does the individual require in order that they are able to achieve the expected standards?	Link to Strategic Objectives Link to SBU's strategic objectives to show how role and actions contribute to overall UH outputs	Review Schedule When will progress against the improvement objective be reviewed? How will evidence of progress be collected? Who will review progress?	Objective Outcome 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?	Met/Partially Met/Not Met Manager should complete this to record what has/has not been met including any justification/descriptive narrative as to why.

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