

## ACADEMIC STAFF PROBATION AND CONFIRMATION PROCEDURES

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<b>Document URL</b>	<a href="http://policies.griffith.edu.au/pdf/Academic-Staff-Probation-and-Confirmation-Procedures.pdf">http://policies.griffith.edu.au/pdf/Academic-Staff-Probation-and-Confirmation-Procedures.pdf</a>
<b>TRIM document</b>	2017/0000513
<b>Description</b>	This procedure outlines the process to be followed by academic staff and supervisors during a staff member's probationary period. These procedures are to be read in conjunction with the Academic Staff Career Development Framework and related procedures.

### Related documents

[Academic Staff Career Development Framework](#)

[Academic Staff Career Development Procedures](#)

[Academic Staff Career Development Plan](#)

[Academic Staff Career Development Website](#)

[Academic Studies Program](#)

[Code of Conduct](#)

[Conflict of Interest](#)

[Griffith University Academic Staff Enterprise Agreement](#)

[Our People Plan](#)

[Performance Management for Academic Managers Policy and Procedures](#)

[Personal Relationships in the Workplace](#)

[Promotion of Academic and Research Only Academic Staff Policy](#)

[Promotion of Academic Staff Procedures](#)

[Promotion of Research Only Academic Staff Procedures](#)

[Staffing Delegations – Academic Groups](#)

[\[Introduction\]](#) [\[Scope\]](#) [\[Probation Periods\]](#) [\[Probation Process\]](#) [\[Probation Standards\]](#) [\[Confirmation of Appointment\]](#) [\[Termination of Employment\]](#) [Termination of Appointment](#) [\[Delegated Authority\]](#)

## 1. INTRODUCTION

Attracting and retaining the best staff allows the University to fulfil its goals. By accepting an appointment at the University, academic staff members undertake to uphold and promote these goals and adhere to the [Code of Conduct](#).

All new academic staff appointed to a continuing or fixed-term position will normally be required to serve a period of probation. The probation period is part of the appointment process and offers a period of mutual testing to determine whether there is an appropriate match between the individual, the job and the work environment.

During probation, academic staff members are required to demonstrate to an acceptable level, that they have performed the duties and responsibilities assigned to them, including meeting the relevant academic classification and professional conduct standards, by the University as part of their position.

It is expected that, subject to meeting the probation standards, the staff member will continue employment until the completion of the fixed-term contract, or for continuing appointments, be confirmed.

## 2. SCOPE

These procedures apply to all continuing and fixed-term academic staff.

## 3. PROBATION PERIODS

Probation would not normally extend beyond the periods specified in the table below, with the exception of some leave and/or absence periods. The standard length of a probation period for academic staff on a continuing appointment is three (3) years. A probation period of up to 5 years for Level A academics may be required; for example where a condition of confirmation is the completion of a PhD.

In the case of a fixed-term staff member being appointed to a continuing position, probation periods will apply:

- where there has been a break in service of 3 months or more;
- when they are appointed to another position which involves duties substantially different to their previous position; or
- where they are appointed to a position involving a similar role and duties, probationary periods served will count as part (or all) of the probationary period required under the continuing appointment.

The following table outlines the probationary periods for academic staff and the notification periods for decisions to terminate employment during probation.

Term	Academic Level	Probationary Period	Termination Notice Period
Fixed-term - all periods	All levels	Minimum three months and/or up to one third of the fixed-term contract.	8 weeks for a probation period of 12 months or less  12 weeks for a probation period of greater than 12 months
Continuing	A	Up to 5 years	6 months, or where agreed, salary in lieu of notice
Continuing	B – E and Academic Manager positions	Up to 3 years.  A recommendation to extend, reduce or waive a probation period must be approved in accordance with the staffing delegations.	6 months, or where agreed, salary in lieu of notice

### 3.1 Extending a Probation period

The University may extend a staff member's probation period in cases of absence from work. Consideration may also be given in cases of exceptional circumstances which would require approval by the Deputy Vice Chancellor (Academic).

For absences, any extension to the probationary period will be for a period no greater than the duration of the staff members' absence from work.

Human Resources will advise the staff member in writing.

### 3.2 Reducing or Waiving a Probation period

A probationary period may be reduced or waived in circumstances where probation has already been successfully served in full at the University and/or in recognition of and as an attraction strategy for a candidate of exceptional standing and reputation verified through the selection process.

The supervisor must submit in writing a request to reduce or waive a staff member's probationary period. Any decision to reduce or waive the probationary period must be agreed to in accordance with the staffing delegations.

Human Resources will advise the staff member in writing.

## 4. PROBATION PROCESS

### 4.1 Academic Staff Career Development

A probationary staff member's progress through the specified probationary period and the goals that are to be met are managed through the Academic Staff Career Development (ASCD) cycle.

The ASCD cycle includes the expectation that the supervisor and probationary staff member have an initial meeting, a mid-cycle and end of year annual performance and career planning discussion. The commencement date of the staff member will determine at which point of the ASCD cycle the first and final probationary reviews are undertaken.

For example, an academic staff member who commences on a three year probationary period in July would have the following review meetings with their supervisor:

Example review schedule		Timing
Year 1 (Setting expectations)	Initial meeting within 4 weeks of commencement to formalise requirements of the role and develop an ASCD plan including any goal/s specifically related to the probation standards in the letter of offer.	By end August
	End of year performance and career planning discussion with the supervisor to assess progress against established objectives and drafting of objectives, outcomes and professional development activities for the forthcoming review period.	January/February
Year 2 (Monitoring progress)	Mid-year check-in to discuss progress, establish new or revise existing goal/s or objectives and establish additional development activities where required.	June
	End of year performance and career planning discussion	January/February
Year 3 (Consideration for confirmation of appointment)	Mid-year check-in	June
	End of year performance and career planning discussion. A staff member on a 3 year probationary appointment is required to engage in their final review meeting at least 3 months prior to the expiration of the probationary period (April in this case). At this end of year review meeting, the supervisor will either:  a) Consider this as the final review meeting and recommend to the Head of Element that the appointment be confirmed early where the staff member has met the probation standards and demonstrated outstanding ongoing performance.  b) Recommend that the staff member serve the full probationary period of 3 years (to July).	January/February

	<p>In this case the final review meeting would be held in April (3 months prior to the expiration of the probationary period).</p> <p>c) Where there have been ongoing concerns about the staff member's ability to meet the probationary standards and the staff member has been afforded reasonable opportunity to improve without demonstrating sufficient progress, a report will be provided to Staff Committee for consideration to terminate the appointment.</p>	
	<i>End of the 3 year probationary period.</i>	<i>July</i>

Supervisors of fixed-term staff members are expected to schedule ASCD meetings in accordance with the ASCD annual cycle to meet the needs of the University and the fixed-term staff member. When tailoring the staff member's probationary experience, supervisors should consider the nature and duration of the contract period in order to assess the frequency of meetings and level of support and supervision required during probation.

#### 4.1.1 Initial Meeting

The supervisor is expected to meet with a probationary staff member to formalise their career development plan (relative to the academic level and timeframe of appointment) within the first month of their commencing employment.

The initial meeting will formalise:

- the requirements of the position, key aspects of the role and associated workload allocation;
- the key goals and objectives that the staff member will be expected to achieve during the probation period, including meeting the applicable academic classification and professional conduct standards;
- any career development obligations;
- orientation and induction training requirements; and
- other conditions of probation (refer letter of offer), such as the completion of the [Teaching for Learning: Foundations of University Teaching](#) program.

Following the initial meeting, the probationary staff member is expected to begin to formulate their career development plan in line with the ASCD cycle ensuring that they also include any goal/s specifically requiring them to achieve the probationary standards (refer letter of offer) within the career development plan. This ensures that the staff member and supervisor discuss and review the staff member's progress towards meeting the conditions of probation throughout the probationary period.

#### 4.2 Probation Reviews – Critical Dates

Regular engagement in the early stages of any probationary period is critical for a successful probationary experience.

At the initial meeting, the supervisor confirms the required mid-cycle and end of year annual performance and career planning discussion meetings with the staff member.

At any time during the probationary period, the relevant Dean (Academic) has the option to meet with a probationary staff member.

The following table outlines the timeframe by which the final review probationary meeting is to be held:

Appointment Type	Probation Period	Final Probationary Review
Fixed-Term	12 months or less	No later than 2 weeks prior to the expiration of the specified probationary period.
	Greater than 12 months	No later than 4 weeks prior to the expiration of the specified probationary period.
Continuing	All periods	No later than 3 months prior to the expiration of the specified probationary period.

### 4.3 Promotion During the Probation Period

A staff member who is promoted while on probation will normally have their appointment confirmed from the effective date of promotion. In this case, Human Resources will provide written notification to the staff member of their confirmation following approval from the relevant decision maker in accordance with the staffing delegations.

For the remainder of that year's ASCD cycle, the staff member will have their performance and career planning discussions assessed at their current level.

## 5. PROBATION STANDARDS

The probation standards set out the expectations that the staff member will need to meet in order to achieve confirmation of appointment. These standards refer to any conditions outlined in the letter of offer and the duties and responsibilities of the role along with the relevant academic classification and professional conduct standards.

The ASCD will be the primary tool by which a staff member's career development and progress will be assessed. Other evidence may be considered in order to gain an overall assessment of the staff member's progress against the standards to determine whether they have met all the relevant conditions of employment.

The supervisor may require additional clarification in order to make a decision, and where there is uncertainty, they may:

- arrange a meeting with the staff member to seek clarification and discuss areas of concern;
- seek clarification on any aspect of the staff member's performance from appropriate academic staff provided that the staff member is informed of the source of that information and given an opportunity to respond to any adverse comments/reports;
- seek referee's reports.

### 5.1 Failing to meet the probationary standards

At any stage during the probationary period, should a staff member's performance be identified as not meeting the probationary standards, the supervisor will arrange to meet with the staff member as soon as possible and advise them of the reason for the meeting.

The supervisor is to prepare a report identifying specific area/s in which the staff member is deficient. Where performance concerns are based on student complaints, the supervisor must ensure that the staff member was made aware of the complaints at the time and has sufficient details as to the nature and content of those in order to adequately respond.

A copy of the report is provided to the staff member, Head of Element and either the Dean (Academic) for fixed-term appointments or the relevant Staff Committee for continuing appointments. A probationary staff member is to be afforded a reasonable opportunity to improve.

Where it is to be recommended that the staff member has made insufficient progress after being afforded a reasonable opportunity to improve, the process outlined in [7. Termination of Employment](#) will be followed.

## 6. CONFIRMATION OF APPOINTMENT

Prior to the expiration of the specified probationary period, the supervisor will conduct a formal final review taking into account the probation standards required and provide a recommendation on confirmation of appointment as per the table below:

Appointment Type	Confirmation of Appointment Decision Maker
Fixed-Term	Head of Element to forward recommendation for confirmation of appointment to the relevant Dean (Academic) in accordance with the <a href="#">timeframes specified above</a> .
Continuing	Head of Element to forward recommendation for confirmation of appointment to the relevant Group Pro Vice Chancellor in accordance with the <a href="#">timeframes specified above</a> .

### 6.1 Early Confirmation of Appointment

A Head of Element may recommend that the confirmation decision be made ahead of the date specified in the letter of offer in recognition that the staff member has met the probation standards and has demonstrated outstanding ongoing performance.

The Head of Element's recommendation must include a detailed report and argued case for early confirmation taking into account the probation standards and including relevant evidence.

For early confirmation of appointment to take place, the minimum period of probation to be served will be one year's service and, unless the staff member is research-only, will include at least one teaching period.

Where the relevant decision maker upholds the recommendation that the probationary staff member's appointment be confirmed early, the staff member will receive written notification by Human Resources.

### 6.2 Confirmation of Appointment

Prior to the expiration of the specified probationary period, and where the relevant decision maker upholds the recommendation that the probationary staff member's appointment be confirmed, the staff member will receive written notification by Human Resources.

Following confirmation, the staff member will continue to participate in the ASCD cycle for the duration of their continuing appointment or fixed-term contract.

### 6.3 Non-confirmation of Appointment

Should the decision maker not uphold the recommendation and determine that the staff member has not met the probationary standards, they may recommend that the staff member not be confirmed. In such cases, the process outlined in [7. Termination of Employment](#) will be followed.

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## 7. TERMINATION OF EMPLOYMENT

Termination of appointment for failing to meet the probationary standards can be instigated at any time by the University during the probationary period as outlined in [5.1 Failing to meet the probationary standards](#).

Other than in cases of serious misconduct, before deciding not to confirm the appointment, the staff member must firstly be given a reasonable opportunity to improve. In certain cases the University, at its discretion, may decide to provide the staff member with the full standard probation period of three (3) years (5 years for a Level A appointment) from the staff member's employment anniversary date, to demonstrate improvement.

The staff member will be advised of, and given the opportunity to make a response to, any adverse material about them which the University intends to take into account in a decision to terminate their employment upon or before the expiration of the probationary period.

This process and the notice periods specified for termination of employment while on probation do not apply in situations where a staff member has engaged in serious misconduct.

### **7.1 Fixed-term appointments**

Where the staff member's performance has not improved and sufficient progress has not been made, the University will terminate the staff member's employment with notice or salary in lieu of notice.

The supervisor's report, outlining reasons and details and any applicable response from the staff member, will be forwarded through the Head of Element to the relevant Dean (Academic) for consideration.

The decision of the Dean (Academic) will be forwarded to Human Resources to notify the staff member in writing prior to the end of the specified probationary period. The notice period for termination is set out under [3. Probation Periods](#).

### **7.2 Continuing appointments**

Where the Head of Element determines that the staff member has not met the probationary standards and sufficient progress has not been made, they will provide a report identifying specific area/s in which the staff member is deficient to the relevant Staff Committee for consideration.

Where Staff Committee recommends that the probationary staff member has failed to meet the probationary standards and sufficient progress has not been made, they will recommend to the relevant Group Pro Vice Chancellor that the appointment be terminated.

The Group Pro Vice Chancellor will review the recommendation of Staff Committee, along with any supporting material used to reach a decision, and may:

- uphold the recommendation of Staff Committee. In doing so, the Group Pro Vice Chancellor will prepare a recommendation, ensuring all material considered by the supervisor and Staff Committee and any response by the staff member is included, to the Deputy Vice Chancellor (Academic) for consideration; or
- refer the matter back to Staff Committee for reconsideration should it be considered that the Staff Committee has made an error in judgement, or that the University has failed in a significant way to comply with its own procedures.

Where a decision to uphold the recommendation of Staff Committee is found, the staff member will receive:

- the supervisor's reports;
- a list of any other material considered by Staff Committee; and
- any report relating to the recommendation to terminate during the specified probationary period or any report relating to a recommendation of non-confirmation at the end of a probationary period (excluding referees reports).

Upon being informed of the decision of the Group Pro Vice Chancellor, should the staff member wish to pursue a further review, they will have ten working days to lodge any request for review to the Deputy Vice Chancellor (Academic). The request for review will only be considered on the grounds of:

- procedure: where the University in a significant way has failed to comply with its own procedures; or
- substance: the Staff Committee has made an error of judgement in making a recommendation of termination of employment.

The Deputy Vice Chancellor (Academic) will consider all material in making a final decision and may:

- uphold the decision of the relevant Group Pro Vice Chancellor; or
- refer the matter back to Staff Committee for reconsideration should it be considered that the Staff Committee has made an error in judgement, or that the University has failed in a significant way to comply with its own procedures.

Where the decision of the Deputy Vice Chancellor (Academic) is to terminate the probationary staff member, the University will terminate the staff member's employment with notice or salary in lieu of notice. The notice period for termination is set out under [3. Probation Periods](#).

The decision of the Deputy Vice Chancellor (Academic) is final.

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## **8. DELEGATED AUTHORITY**

Responsibility for probation, confirmation and termination of appointment decisions is set out in the [Staffing Delegations – Academic Groups](#).

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