

## **ACADEMIC STAFF – PROBATION GUIDELINES**

### **PROCEDURAL GUIDELINES FOR ACADEMIC STAFF PROBATION**

Recruiting academic staff is an important task which represents a significant investment for Swinburne, therefore it is essential that a clear, supportive process is in place to ensure that the probation period is a constructive and rewarding start to the employment relationship. These procedures have been developed to ensure that the probation process is properly managed for all new staff and to provide support and guidance for managers in undertaking and managing the probation process in accordance with the Probation Policy (see attached policy) .

These procedures apply to all academic staff who have been appointed to Swinburne and who have a probationary period in their offer letter.

It should be noted that staff with teaching responsibility will be required to demonstrate effectiveness as a teacher during their probationary period. This will be evidenced by student evaluations and other documentation such as peer review, completion of professional development required by the Dean and reflection on practice.

In addition to these procedure guidelines a checklist has been developed which may assist supervisors to comply with the policy.

The guiding principles of the probation policy and procedure are that :

- Swinburne is committed to supporting & developing staff. All staff will be afforded adequate training & opportunities to improve their performance consistent with their duties
- Consistent & fair treatment of staff is a value held by Swinburne staff, and
- Staff are encouraged to succeed in their roles through regular feedback on performance and the Performance, Planning, Review and Development (PPRD) process.

In essence, during the first month of employment a supervisor is nominated to manage the probationary process to ensure the new staff member is made to feel welcome and to provide the new employee with sufficient information about their role and tasks, the Faculty, the Division and the University to enable them to become productive and to quickly assimilate the employee into the Swinburne community.

A staff member who is new to teaching will be required to undertake the first subject of the Graduate Certificate in Learning and Teaching in Higher Education OR the Professional Certificate in Teaching Practice.

The supervisor should also explain to the employee:

- ⇒ the meaning of probation

- ⇒ the length of probation period, and
- ⇒ how the employee can access a copy of probation review process.

A good supervisor will have frequent informal contact with the probationary staff member during the probationary period. It is also necessary to formally meet to ensure that both the academic on probation and his/her supervisor have:

- ⇒ a clear understanding of the expectations of the staff member. These objectives must be recorded and should be signed by both parties. The suggested proforma (Attachment A) may be useful. Alternatively the supervisor may wish to use the performance planning, review and development (PPRD) proforma.
- ⇒ the criteria which will be used to determine whether the probationary employment will be converted to continuing employment, or to extend the probationary period or to discontinue the appointment.

Once objectives have been established during the first month, regular meetings should take place at 3, 6 and 10 months in order to track progress against objectives, provide support and to mentor the new employee. This should be a two way process: adequate opportunity should be provided for the employee to raise any issues or concerns they may have, or to clarify their tasks or objectives.

### **Both parties must take responsibility for these meetings taking place**

If all is well at the 3 monthly meeting, this should be conveyed to the staff member and performance should continue to be monitored over the following months. If there are any difficulties identified with the staff member's performance, these concerns should be discussed and recorded.

### **Setting Objectives**

Priorities and objectives should be established as soon after the staff member has commenced employment as is practicable. This assists a rational and impartial assessment of the staff members progress and performance to be made at a later date. Supervisors are more likely to be reluctant to review performance or to assess performance as unsatisfactory if priorities are unclear, objectives have not been set or priorities are ever changing. Therefore it is essential that objectives are established early in the employment.

### **The Causes of Difficulties During Probation**

The University acknowledges that a new staff member may not perform as well as anticipated for a variety of reasons. These include: poor induction, delays in becoming familiar with the organisational culture (how we do things around here), differences between what they thought the job would be and what it actually involves on a day to day basis, lack of clarity about exactly what tasks are to be undertaken, what outcomes are required, standards and guidelines relating to how the work must be done and misperceptions about what are the most important aspects of the role. Insufficient skills to undertake the role may be only one of a number of reasons why a new staff member is experiencing difficulties.

## **Managing Unsatisfactory Performance**

In the face of continued unsatisfactory performance by a new starter despite support, guidance and mentoring supervisors are obliged to carefully manage a complex process.

Swinburne's EB does not allow a probationary staff member to have his/her employment annulled unless shortcomings in performance have been identified, discussed, and remedial action undertaken and support in achieving objectives provided by the supervisor. The supervisor must also allow the employee adequate time to demonstrate improvement.

Documentary evidence of these actions is necessary to ensure that there will be no misunderstandings later and, in the event that employment is annulled, to substantiate this action if it is challenged. **Therefore it is essential that appropriate records are kept and that these are kept by the supervisor in a secure place.**

The supervisor should also discuss any concerns with the relevant HR consultant who will assist in ensuring that the probation process is properly managed in accordance with the probation policy.

According to the policy, the supervisor is obliged to advise the employee of areas of unsatisfactory performance and provide support to the employee to bring about an improvement in performance. Swinburne's policy stipulates that a Probation Review Meeting must be held with the staff member (Clause 17.1.1 and 17.8.1) At this meeting the following must be done:

- areas of deficiency must be clearly indicated,
- employee must be allowed and opportunity to respond to criticisms,
- the employee must be informed of the standard of conduct and/or performance required timeframes for improvement provided to the employee,
- the employee must be advised that continued unsatisfactory performance may result in annulment of appointment with University, and
- a report generated which details the key issues discussed and the goals and outcomes of the meeting established. The employee should have the opportunity to provide comment on the report and should sign it to indicate that they have seen the report. The employee's signature does not necessarily indicate agreement with the assessment of their performance or the goals identified in the report, however it provides proof that the issues were raised at that time.

The Dean has the authority to direct the staff member to undertake appropriate training and/or development to assist the probationary employee meet the agreed objectives.

The university has the ability to extend the probation period (with the agreement of the employee) for up to a maximum of 4 weeks (Clause 17.4.2) to assist with performance and development issues and where the university

is considering termination of employment prior to the conclusion of the initial probation period.

If an employee is deemed unsuitable for the role to which he/she has been appointed or if the performance is unsatisfactory, the university can terminate employment prior to the conclusion of the probation period, or after extension of the probation period (Clause 17.6.2-3).

In order to do this:

1. at least one probation review meeting must have been undertaken,
2. a final probation review meeting must have been conducted at least 1 month prior to the end of the probation period. At this meeting the manager must:
  - ⇒ clearly indicate areas of deficiency,
  - ⇒ detail concerns in a written probation report,
  - ⇒ allow employee to respond to criticisms,
  - ⇒ have the employee sign and date the report,
  - ⇒ provide the employee with a copy of probation report, and
  - ⇒ forward a copy of the report to HR for filing.
3. the probation report should be forwarded to the Director of Human Resources for determination. The Director of Human resources will consider all relevant material and will determine whether the employment should be annulled.

**It is important to note that an employee has access to the university's dispute resolution procedure if the employee –**

- a) believes there has been a breach of process,
- b) is aggrieved by decision to annul their appointment

Human resources consultants are skilled in the management of the probation process and supervisors and managers are encouraged to discuss any difficulties they experience with probationary employees at an early stage.