

## **Probation Policy & Procedure**

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### 1. Purpose of Policy and Procedure

1.1 This document sets out the University's policy and procedure for providing:

- a structured probationary period for all new employees to introduce them to the main duties and responsibilities of their post and to help ensure they get the necessary support and training to help them become proficient in the role;
- the opportunity for both the individual and the line manager to objectively assess whether or not the employee is suitable for the role;
- a framework for addressing any concerns, offering support and training to address perceived unsatisfactory performance or conduct at an early stage; and
- a process to end employment fairly and consistently across all employee groups during, or at the end of, the probationary period, at a point where it becomes clear that no further training or support would allow the employee to reach the required standards.

1.2 Managers should also refer to St Mary's Induction Guidelines to support new employees' orientation and supporting employees in new roles.

### 2. Scope

2.1 This Policy and Procedure applies to all employees, including those on fixed term contracts, who are new to the University. It does not apply to agency workers or self-employed contractors.

2.2 This Policy and Procedure refers to 'Holders of Senior Posts' and these are identified in the University's Articles of Association of 23 January 2014 as the Vice-Chancellor, Deputy Vice-Chancellor, any Pro-Vice Chancellors, any Assistant Pro Vice-Chancellors and the holders of such other posts as the Governors may determine.

- 2.3 This Policy and Procedure does not apply to existing employees who have already successfully completed a probationary period with St Mary's University and who are appointed internally to a new role. Employees appointed to a new role during their probationary period will continue to complete their probationary period, though objectives may be amended.
- 2.4 This Policy and Procedure does not form part of an employee's contract of employment and the University may make amendments to the Policy and Procedure including varying of procedures and time limits, where it considers it appropriate, and in accordance with appropriate consultation with recognised Trade Unions.
- 2.5 All employees have a responsibility to ensure the fair application of this Policy and Procedure.

### **3. Probation Periods**

- 3.1 For professional services staff - 6 months.
- 3.2 For academic staff and holders of senior posts - 12 months.
- 3.3 For employees with a fixed term contract or funding end date shorter than the length of the relevant probationary period, the normal probation process will be followed for the duration of employment. If employment is subsequently extended, the probation period will be extended up to the standard period.

### **4. Probation Procedure**

- 4.1 The role will be explained to the new employee by their line manager who must make clear any service standards of the Department/Faculty/Service within which the employee works and the performance standards related to their particular post in terms of:
- Quality and quantity of output
  - Skills that must be acquired
  - Protocols that must be learnt
  - Deadlines which must be met and how any changes to deadlines will be communicated
  - Working relationships that must be developed with employees and students
  - Behaviours
  - Overall contribution to the team
- 4.2 The manager should also make clear how these standards will be monitored throughout the probation period and the frequency with which they will be reviewed.

- 4.3 Essential training will be provided to ensure employees have an understanding of core legal and governance matters, including those relating to health and safety, equality and diversity and data protection, etc.
- 4.4 The line manager's final assessment following the end of probation review meeting will consider the following factors in terms of the employee's contribution to the University:
- Effectiveness of teaching work
  - Engagement in research/scholarly activity
  - Effectiveness of professional or technical work
  - Interpersonal skills
  - Relationships with others
  - Timekeeping and attendance
  - Progress against objectives
- 4.5 The manager will complete regular reviews through the probation period and conduct an end of probation review at the end of the period.
- 4.6 Managers are advised to schedule probation reviews at the commencement of employment. Managers will be reminded of the requirement to complete the end of probation review by the HR Department before the end of the probation period.

## **5. Essential Training**

- 5.1 As outlined, there are a number of essential e-learning training modules which all employees new to St Mary's are expected to complete during the course of their probationary period.
- 5.2 It is important for the modules to be completed to ensure new staff are fully aware of and understand their responsibilities in relation to key topics and areas of compliance. These relate to (for example) equality and inclusion, unconscious bias, dignity at work, health and safety, data protection and information security.
- 5.3 When completing the End of Probation Report, managers should check the new employee has successfully completed all of the essential training modules before confirming a successful probation.

## **6. Reviews During Probation**

- 6.1 During an employee's probation, the line manager should have regular one to one meetings in addition to formal probation reviews.

- 6.2 For academic staff and holders of senior posts there should be four probation meetings during the 12-month probation period – at the 3, 6, 9 and 12-month stages.
- 6.3 For support staff there should be three probation meetings during the 6-month probation period – at the 2, 4 and 6-month stages.
- 6.4 The probation meetings should provide feedback to the employee on their performance and progress and are also an opportunity for the employee to provide feedback. Any problem areas should be raised with the employee as soon as possible with a view to resolving them.
- 6.5 If performance is deemed to be unsatisfactory during the probation period the line manager must discuss this with the employee and issue a Probation Personal Improvement Plan setting out the performance issue, the improvement that is required, the timescale for achieving this improvement, review dates and any support that will be given to assist the employee achieve the standard required.
- 6.6 The employee should be asked if s/he considers that any further assistance and/or training is necessary to enable them to complete tasks to the standard expected of them.
- 6.7 A clear record should be kept of each meeting using either the 'Probationary Report for Support Staff' or the 'Academic Staff Probationary Report' forms, available on StaffNet. The original of the form should be scanned and emailed to the HR Department after each meeting.

## **7. End of Probation Review**

- 7.1 A review meeting at the end of the probation period must take place before the date on which the employee has been in post for 6 months (support) or 12 months (academic).
- 7.2 Where it is apparent during the probationary period that the employee is clearly unsuited in the role and that training or development is unlikely to achieve sufficient improvement, the manager may bring forward the final review to an earlier point in the probation period, see section 8.
- 7.3 The final review meeting will discuss the employee's performance and progress throughout the probation period. The line manager must complete an 'End of Probation Report' which is signed off by the Head of Department/Service/Faculty Business Manager/SLT Member.
- 7.4 Where probation has been completed satisfactorily, including any essential training modules, the line manager will advise the employee at the final review meeting and the appointment will be confirmed in writing by the HR Department.

7.5 Following satisfactory completion of probation, new work objectives should be set and the employee's performance will then be reviewed in line with the University's annual appraisal process.

7.6 The employee will be confirmed in post and advised in writing once the probation period has been passed.

## **8. Extension of Probation Period**

8.1 The University reserves the right to extend an employee's period of probation. This is the line manager's decision and will be limited to one extension and should not normally be extended by more than three months.

8.2 It may be appropriate to extend the probationary period if:

- Through the employee's sickness or other authorised absence it has not been possible to assess performance; or
- The employee has not performed satisfactorily but the manager has evidence to suggest that performance is likely to improve with a further period of probation.

8.3 In all cases where probation is extended the following must be discussed with the employee and confirmed in writing before the scheduled end of the probation period:

- Reasons for the extension;
- Any assistance/training that will be given in the extension period;
- Period of the extension, the performance standards expected and how performance will be monitored;
- That if performance still fails to meet expectations at the end of the period of extension, employment is likely to be terminated.

8.4 The End of Probation Report form must be completed and emailed to HR indicating that probation has been extended and the period of the extension. At the end of the extension period, a new form should be completed to show whether the employee should be confirmed in post.

8.5 Managers must seek guidance from the HR Department if considering extending a probation period.

## **9. Consideration for Dismissal**

9.1 If, during the probationary period or at the final scheduled probation meeting, it is clear that insufficient improvement has taken place and there is evidence that it is unlikely that further training or support would lead to a satisfactory level of improvement, the manager must arrange a formal meeting in relation to possible termination.

- 9.2 Prior to the formal meeting, the manager must seek advice from HR as any proposed termination must be conducted in line with the Articles of Association.
- 9.3 The Head of Department/Service/Faculty Business Manager or senior manager will chair the meeting and the line manager who conducted the previous reviews will be present.
- 9.4 In the case of holders of senior posts, the meeting will be held with the employee, Vice-Chancellor and the Director of HR.
- 9.5 The chair must give at least five working days' notice of the meeting.
- 9.6 The employee has the right to be accompanied by a St Mary's University work colleague or recognised trade union representative at this meeting.
- 9.7 A member of the Human Resources Department will also be in attendance at the meeting to advise on procedural matters. Notes will be taken by a Note Taker as a formal record of the meeting and provided to the employee.
- 9.8 At this meeting a full review of progress should be held and a final decision made as to whether to terminate the appointment. The decision from the meeting should be confirmed in writing in consultation with the HR department.
- 9.9 If an employee is terminated at the end of their probation period they will normally be given notice or paid in lieu of notice unless the reason for dismissal is gross misconduct. Any outstanding annual leave will also be paid on termination.

## **10. Appeal Against Dismissal**

- 10.1 Employees will have the right to appeal against a decision to terminate their employment for failure to satisfactorily complete their probation period.
- 10.2 An appeal must be lodged in writing to the Director of HR within five working days of receipt of confirmation of termination stating the grounds of the appeal.
- 10.3 An appeal against dismissal will normally take place during the notice period. If the appeal is unsuccessful any period of notice remaining following the appeal may be paid in lieu.
- 10.4 An appeal meeting will be arranged and chaired by a senior manager not previously involved. A member of HR will be in attendance to advise on procedural matters and notes will be taken by a Note Taker.
- 10.5 In the case of holders of senior posts, the meeting will be held with the employee and the Chair of Governors, or in the absence of the Chair, the Vice-Chair of Governors.

- 10.6 The employee has the right to be accompanied by a St Mary's University work colleague or recognised trade union representative at this meeting.
- 10.7 The chair of the appeal meeting will advise the employee within 5 days of the outcome of their appeal.
- 10.8 There is no further right of appeal.

## **11. Relationship with Other Policies**

- 11.1 The University's Disciplinary and Sickness Absence Management policies and procedures only apply to employees who have successfully completed their probation period. For employees on probation, all aspects of conduct and performance are subject to the regular reviews outlined in Section 5 above.

## **12. Misconduct during Probation**

- 12.1 In circumstances involving alleged misconduct, the employee will receive written notice of a meeting which will set out the details of the alleged misconduct.
- 12.2 The employee has the right to be accompanied by a St Mary's University work colleague or recognised trade union representative at this meeting.
- 12.3 Any case of misconduct during the probation period may lead to dismissal. Any case of gross misconduct may lead to summary dismissal without notice.
- 12.4 The employee will be advised of their right to appeal against a decision to dismiss them on the basis of misconduct.

## **13. Review and Document Control**

- 13.1 This Policy and Procedure has been implemented following negotiation with representatives from the University's HR department, UNISON, and the University and College Union ("UCU").



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