



## Academic Probation Procedure

### 1. Purpose

- 1.1 All new Lecturers, (including Clinical Lecturers, though the process for this small group of staff is currently under review), are normally required to successfully complete a probationary period.
- 1.2 The purpose of probation is to provide a period of both professional development and assessment. It allows the probationer to develop, with appropriate guidance and support, the necessary skills to become fully effective within their post, and integrate into their department. Whilst also enabling them to understand and assess their own suitability, for meeting the required performance standards of their post. For the University probation supports the highest levels of performance whilst allowing the assessment of the new Lecturer's contribution, potential and suitability for confirmation of employment as a Sheffield Academic.
- 1.3 This process requires the input from a number of participants with defined roles and responsibilities. Heads of Department may, with the Faculty Pro Vice-Chancellor's agreement, allocate some of their activity to be undertaken by suitably experienced senior colleagues e.g. in large departments or where high numbers of new academic appointments are made.

### 2. Allocation and Duration

- 2.1 Probation is usually for a period of three academic sessions, though the Chair of the Appointment Committee, which includes the Head of Department may at their discretion recommend to the Director of Human Resources (or delegate) a lesser period if the candidate has successfully completed part or all of a probationary period in another University in an equivalent academic post. For new appointees' taking up a post at times other than at the beginning of the academic year the first review period will normally exceed 12 months. Where it is not clear whether a further probationary period should be served, the Head of Department should seek advice from the Human Resources.
- 2.2 Following appointment the Head of Department will allocate a Probation Adviser, ensure appropriate induction and agree with the probationer and their Probation Adviser (if not the Head of Department) a Probation Plan, for the full review period (see Section 3).
- 2.3 Exceptionally, a review period may also apply to more senior appointments, where the individual is new to academia with no (or limited) evidence of successfully working in the academic field. Those internally promoted into a role are not usually subject to a



review period, as they would have attained the promotion on their ability to evidence that they are already effectively fulfilling the needs of the role.

- 2.4 Upon appointment the staff member will be advised, within the appointment letter, of the duration of the probationary period, and that their appointment will only be confirmed once this review process has successfully concluded and the decision to confirm has been communicated to them in writing by Human Resources.
- 2.5 Exceptionally, where the Head of Department is confident that the staff member fully meets the requirements of the post, a recommendation for early conferment may be made at any time, and submitted to the Faculty Pro Vice-Chancellor for consideration.

### **Prolonged Absences**

- 2.6 To ensure the equitable treatment of all new Lecturers, any prolonged leave of absence, such as maternity leave, or long term disability related absence, will not normally count towards completion of probation. The Faculty Pro Vice-Chancellor may approve any pausing of probation after discussion with the individual staff member and their Head of Department, seeking advice from Human Resources as appropriate. Any such pausing will be confirmed in writing along with details as to any revised review/confirmation timescales.

### **Staff on fixed term contracts**

- 2.7 Probationers holding temporary, including fixed-term; appointments should follow the same probationary process as those holding open-ended positions with the objectives agreed, appropriate for the period of employment.
- 2.8 At the end of their appointment, they may request from the Head of Department, documentary evidence of satisfactory completion of that part of the probation process. This should count toward any subsequent review period, if appointed to a similar open-ended post, requiring a similar skills/knowledge set, in the University of Sheffield.

## **3. Early Engagement and the Development of a Probation Plan**

### **Induction**

- 3.1 Staff induction is an important activity to support all new staff in familiarising themselves with their role and the University. All new Lecturers are required to participate in the local induction provision within their own departments and faculty. They are also encouraged to access University-wide staff induction information, and participate in centrally organised induction events.



- 3.2 The probationary review process enshrines the principles of, and meets the requirements of, the University's Staff Review and Development Scheme (SRDS) and it is not deemed necessary for staff under probation, to participate in SRDS.

### **Assigning Probation Adviser**

- 3.3 A Probation Adviser assists with the provision of appropriate supervision, guidance and support during the probationary period to encourage successful integration into the Department and the University. The Probation Adviser may be the Head of Department but will normally be a professorial member of the Department who is deemed by the Head of Department to be best placed to carry out this role.

### **Professional Accreditation**

- 3.4 Probationers are required to gain Fellowship of the Higher Education Academy (FHEA) prior to the confirmation of their appointment.

### **Development of Probation Plan**

- 3.5 The plan should be generated by no later than the start of the academic year, or within one month of appointment whichever is most practicable.
- 3.6 The Plan will detail specific and clear objectives and annual milestones in relation to the key areas of the role, aligned with the University's strategy. The aim being to:
- provide a clear overview of what must be achieved in order to be successfully confirmed,
  - agree annual milestones for the entire probationary period (with the recognition that in some cases these may not always be identifiable immediately but incorporated during subsequent annual reviews, and may need to be adjusted over the period, depending upon the rate of progress) and;
  - enable the timely identification of training and development needs and the provision of guidance, to support the achievement of these.
- 3.7 The Head of Department has primary responsibility for the management of the probationer, ensuring that their workload is manageable, and that the requirements of the post are communicated effectively to the probationer. Also, that the probationer is supported in setting standards for their own performance and provided with regular feedback.
- 3.8 The Head of Department should ensure that any identified development/training needs are structured to enable the individual to work towards competent performance by the end of the full probationary period and incorporated into their Departmental Staff Development Plan. It is also expected that all staff will be self-motivating and take appropriate responsibility for considering and identifying their development needs within the context of their role and taking account of their career development.



- 3.9 Once the Head of Department and probationer has signed the Plan, the Head of Department should seek the Faculty Pro Vice-Chancellor's (or nominee), and/or Faculty Director of Research and Innovation's endorsement of the Plan (subject to locally agreed arrangements). Probation Plans are shared via Google Drive and are visible to all Faculty Pro-Vice-Chancellors, Heads of Department in the relevant Faculty and a designated departmental administrator and Probation Advisor. As part of this process the plan may need to be revised to reflect the feedback gained from the Faculty. In such cases, the Head of Department should ensure that any changes are discussed with the probationer and the plan revised accordingly.
- 3.10 The Faculty Director of Research and Innovation should be satisfied that throughout the probationary period the new Lecturer is meeting the expected levels of competence and performance in developing and carrying out research.

#### **4. Review Process**

- 4.1 The probationer will be expected to consult regularly with the Probation Adviser and attend review meetings. The regular review meetings will be held throughout the probationary period between the new Lecturer and the Probation Adviser to communicate the requirements of the post, review and discuss progress. This will include the identification of strengths and any shortcomings; and providing clear indications, in consultation with the Head of Department, of any remedial action that may be required to address these, together with any personal or professional development needs. It will be the responsibility of the probationer to ensure that these meetings are diarised. The frequency of meetings should be discussed and agreed by the probationer and their Probation Adviser.
- 4.2 A record of each review meeting will be prepared by the Probation Adviser and shared with the Probationer and Head of Department.
- 4.3 If at any time during the probationary period concerns arise that indicate that the probationer may not be reaching the required standard, and these have not been able to be informally resolved through the review meetings or it is not appropriate to do so, the Probation Adviser should raise these immediately with the Head of Department (or nominee), who is responsible for addressing any such concerns with the probationer, taking advice where necessary and for initiating formal performance reviews under this procedure.
- 4.4 A list of all those on probation will be sent to each Head of Department, by Human Resources during the Spring Semester, to support the commencement of the annual review process. The purpose of the annual review is to:
- Assess progress during the previous year against agreed objectives/milestones
  - Confirm/amend milestones/training needs etc.



- Assess the likelihood of satisfactory completion of the review process
  - Agree actions for the future year, in particular actions designed to address any shortcomings in previous progress.
- 4.5 The Head of Department will ensure that each member of staff due an annual review is asked to provide information on their activities and progress during the year within the areas of research, teaching, management/leadership, clinical duties (if appropriate) and professional standing, in relation to their objectives/milestones/development needs, by completing the relevant section of the review form. The Head of Department (or Probation Adviser) will then after due consideration/discussion, as appropriate, completes the relevant section of the review form in order to:
- verify the accuracy of the statement,
  - give comments on the individual's performance,
  - state any perceived need for training/development,
  - update the objectives/future milestones as appropriate,
  - identify whether formal performance reviews have been initiated during the review period and any new support/action required/progress
- 4.6 The Head of Department will recommend to the Faculty Pro Vice-Chancellor (or nominee), either that the new Lecturer proceed automatically to the next year of the probationary period; proceed subject to undertaking particular actions, development or training and/or formal performance improvement reviews (see section 5); or that the probationary period is not continued.
- 4.7 Discussions during the final year of review should also look forward to the next year, in order to define the objectives and personal development plan that will form the basis for continuing development and future participation in the SRDS.
- 4.8 The probationer will see the form again after the Head of Department has commented, and before the Faculty Director of Research & Innovation and/or Faculty Pro Vice-Chancellor (or nominee) are notified that it is available for their endorsement.
- 4.9 The mechanism by which each Faculty Director of Research & Innovation and/or Faculty Pro Vice-Chancellor considers; moderates and endorses the Probation plan and/or the Head of Department recommendations following each annual review, will be dependent upon the internal arrangements put in place by the Faculty Pro Vice-Chancellor. The Probation Adviser should ensure that the individual under review is aware of this process. However, all such arrangements should be based on the following principles:
- Head of Department retains accountability to Faculty Pro Vice-Chancellor for effective implementation of review process.



- Moderation takes place at faculty level of the overall plan and annual review outcomes, to ensure these are appropriately challenging, and the individual is meeting the Faculty's expected standards.
- Provision of feedback from Faculty to the Head of Department and individual. Particularly in relation to any concerns raised and suggested courses of action, especially where these differ from those already proposed in the Probation form.
- Clear timeframes for the completion of the reviews and faculty input.
- Notification of outcomes to Human Resources to enable the monitoring/reporting processes.

4.10 The Faculty's decision regarding progression to the next review period should be communicated to the Head of Department, Human Resources and the probationer.

## **5. Formal Performance Improvement Processes**

5.1 Performance improvement processes must be implemented where it is considered that a probationer is not performing his/her duties to the expected standard and as such can be instigated at any stage of the probation period. In particular, these processes should be applied, if it is considered that, in the absence of any improvement, there are performance issues which could lead to a recommendation that: the appointment of the probationer should be extended, not continued, or not confirmed.

5.2 The primary purpose of the performance improvement process is to bring about a sustained improvement and to ensure that the probationer has had adequate opportunity to achieve this. In such cases, it is important that the University has provided adequate warning and has taken appropriate steps to communicate the areas in which improvement is required, has set targets for that improvement to be demonstrated and sustained, has provided appropriate support, supervision and training, and has regularly monitored progress against the set objectives.

5.3 The responsibility for instigating formal performance improvement processes lies with the relevant Head of Department. He/she should write to the probationer explaining the areas of perceived underperformance, giving examples, and identifying any measures already taken to address these issues, whether formal or informal, and inviting the probationer to a meeting to discuss these issues further. The probationer has the right to be accompanied by a colleague or trade union representative at this and subsequent review meetings. The Probationary Adviser may also be requested to attend this meeting, by the Head of Department.

5.4 The Head of Department will discuss the performance issues with the probationer and where satisfied that performance is below expected standards, he/she shall ensure that the probationer is aware of the areas in which improvement is required. The Head of Department shall also seek to identify any training, support or guidance which can be provided to assist with an improvement in performance. Specific performance



improvement targets will be set, after discussion with the probationer, along with a timescale for such improvements to be demonstrated.

- 5.5 A series of review meetings between the probationer and the Head of Department will be timetabled to allow regular monitoring of progress against the objectives. The staff member will be warned that if he/she fails to meet the performance improvement targets, and to demonstrate a sustained improvement, then his/her employment may not be continued/confirmed, or the review period may very exceptionally be extended.
- 5.6 Any such warning will be confirmed in writing, along with details of the required improvement in performance, and the arrangements for monitoring and assessing progress against those objectives, and details of any training, support or guidance that will be provided. Reviews will take place in accordance with the timetable discussed at the meeting.
- 5.7 If the Head of Department deems the progress and performance of the staff member, to be insufficient to recommend confirmation or continuation of appointment, then s/he will consult with Human Resources with a view to recommending non-confirmation/dismissal (see paragraph 8 of this Procedure).

## **6. Final Review - Criteria for Confirmation of Lecturer Appointment**

- 6.1 Following the final formal review meeting the Head of Department makes a recommendation concerning whether or not the new Lecturer's appointment should be confirmed.
- 6.2 This recommendation is considered by the Faculty Pro Vice-Chancellor (or nominee), with reference to the Academic Probationary Plan & Report Form, who after making a final decision relating to the future of the probationary appointment will notify Human Resources. The Director of Human Resources has delegated authority from the University Council as the employer to approve final confirmation or non-confirmation (or dismissal on performance grounds during the probationary period) in the case of academic staff, and will confirm the decision to the probationer.
- 6.3 When considering confirmation of an appointment, the Head of Department, Faculty Pro-Vice-Chancellor (or nominee) and Director of Human Resources must assure themselves that the individual has engaged in research, teaching, management/leadership, and clinical duties if appropriate, to the required standard and made demonstrable, sustained progress towards the attainment of the professional standing required as a Sheffield Academic. The Faculty Director of Research and Innovation must also be assured that the individual is developing an appropriate research profile.



6.4 Evidence must demonstrate that the probationary member of staff has in line with discipline and faculty standards/expectations and reflecting the grade profile for the role:

- Achievement in scholarship and research, including as appropriate generation of research funding.  
Evidence of, for example: research publications (refereed journal articles and abstracts, books), working/discussion papers, contribution to seminars/and conferences.
- Engagement in curriculum plan, teaching and evaluation of prescribed courses and the supervisory and tutorial work assigned.  
Evidence of, for example: peer review/student feedback of proven ability to teach specific and general subject areas, design and development of courses/course components, short course work.
- The undertaking of assessment and examining duties and the performance of such management/leadership duties as have been required.  
Evidence of, for example: assessment of undergraduate, postgraduate and research students, supervision of research students, governance duties within the department /University, directing staff, managing resources.
- Standing in the profession.  
Evidence of, for example: seminars given, invitations to conferences, relevant professional activity.
- Demonstrated potential to continue to develop as a teacher and as a researcher.
- Completed the University's requirements in respect of achieving Fellowship of the HEA (FHEA).

## 7. Extension of the probationary period

7.1 Following this probationary procedure should ensure sufficient information is available to reach a sound decision to confirm or terminate an appointment. Exceptional circumstances beyond the control of the probationer may lead to some milestones/objectives being unachieved at the end of the review period. The Head of Department may recommend, after seeking advice from Human Resources that probation be extended for a further period of up to but not exceeding one final year.

7.2 The Head of Department's recommendation will be considered and if appropriate, approved by the Faculty Pro Vice-Chancellor as being in the best interests of the probationer and the University. In such cases objectives for achievement should be set



by the Head of Department and approved by the Faculty Director of Research and Innovation and the Faculty Pro-Vice-Chancellor. The terms associated with this extension will be set out in writing, by Human Resources, to the staff member.

- 7.3 Progress towards these goals will be monitored closely by the Head of Department, with regular updates provided to the Faculty Pro Vice-Chancellor. Should it be determined after a reasonable period of time that the staff member is unlikely to meet the required expectations within the defined timeframe, the Head of Department should consult with Human Resources.

## **8. Non-confirmation/Dismissal**

- 8.1 The normal expectation is that all new Lecturers will have their appointment confirmed at the end of the probationary period. Where ongoing performance, despite sustained support, would suggest the possibility of a recommendation for non-confirmation or dismissal on performance grounds during the probationary period, the Head of Department should ensure that at the earliest stage the probationer is made aware of the consequences of non-confirmation or dismissal; that is, the termination of their appointment with the University of Sheffield.
- 8.2 If following consultation with Human Resources (see paragraph 5.7), the Head of Department decides to recommend that the probationer should not be confirmed in post at the end of the probation period, or that the probationer should be dismissed on performance grounds before the end of this probation period, they should submit the Academic Probationary Plan & Report Form to the Faculty Pro Vice-Chancellor.
- 8.3 The Head of Department will prepare a full report for the Faculty Pro Vice-Chancellor via the Academic Probationary Plan & Report Form detailing reasons for their recommendation not to confirm appointment (or to dismiss on performance grounds during the probationary period) and include supporting evidence such as: copies of personal development plans; their job description; Probationary Plan & Report Form; notes of review meetings and records of advice and guidance given.
- 8.4 The Head of Department will copy the Academic Probationary Plan & Report Form and its attachments to the probationary member of staff who will be given the opportunity to make a written response to the Head of Department's recommendation to the Faculty Pro Vice-Chancellor. The Faculty Pro Vice-Chancellor and one Officer of the University, or delegate selected from the approved List of Potential Panel Members provided in accordance with the Statutes, Section 6, paragraph 7, and not being a person subject to or otherwise connected with the proceedings, will review the case, supported by a representative from Human Resources, and will meet with the probationer and the Head of Department.
- 8.5 The Faculty Pro Vice-Chancellor will write to the member of staff to inform him/her of the Head of Department's recommendation and their reasons for this, and invite



- him/her to a meeting, along with the management side, outlining the nature of the proposed discussion and possible outcomes. Notice will also usually be provided no less than 21 calendar days in advance of the meeting, unless exceptionally determined by the Chair of the panel that a shorter period would be appropriate.
- 8.6 Copies of any relevant documentation to be considered at the meeting will also be provided, usually 21 calendar days in advance of the meeting. The exact material to be provided to the staff member shall vary according to the details of the case. Where further time is required to consider the evidence, there will be the ability to seek a reasonable adjournment where appropriate.
- 8.7 The panel membership shall be made known to the staff member in advance of the meeting, and s/he should raise any concerns with regards to this in advance.
- 8.8 Where the staff member wishes to submit a written response to the Head of Department's recommendation/rely upon any evidence, s/he should provide this in advance of the meeting. This may include written documents and witness statements. The staff member will have a reasonable opportunity to call relevant witnesses. The purpose of calling a witness would normally be to contribute to establishing the facts of the case. Witnesses who are to testify to the character of an individual can do so in writing. The staff member will be advised in writing of the timescales (which will usually be a minimum of 7 calendar days unless agreed otherwise) and the process for providing such information. Where further time is required to consider the evidence, the panel have the ability to implement a reasonable adjournment.
- 8.9 During the meeting the management representatives and staff member will each be given the opportunity to state their case and at appropriate points in the process, have along with the panel the opportunity to challenge the evidence provided. The panel has the right to decide to interview any additional persons if they deem it appropriate.
- 8.10 Following full consideration of all the facts the Faculty Pro Vice-Chancellor and Officer will make a final recommendation to the Director of Human Resources. The Director of Human Resources (or their delegate) will formally confirm the decision to the member of staff and the Head of Department, in writing within 7 calendar days following the meeting. Where the usual timeframe is not practicable, this will be communicated to the individual, with reasons and an alternative timeframe specified.
- 8.11 If the staff member is to be dismissed/non confirmed, the staff member's written outcome letter will include information regarding: the reasons for the dismissal/non-confirmation, the date on which the employment will terminate, and the details of the arrangements to follow should s/he decide to appeal e.g. to whom to appeal.



## 9. Appeals

- 9.1 Where the Director of Human Resources has authorised non-confirmation or dismissal on performance grounds during the probationary period, the member of staff may appeal.
- 9.2 Appeals should be made in writing usually within 7 calendar days of receipt of written notice of the decision to dismiss/non-confirm, stating the grounds on which the appeal is based. Grounds for appeal might be: the process was not appropriately followed; there is new evidence relevant to the case which was not previously available; or the meeting outcome is deemed to be disproportionate. Should the individual require additional time to submit an appeal, s/he may make a request to Human Resources, for a reasonable extension.
- 9.3 Human Resources should arrange a formal meeting to hear the appeal, as far as reasonably practical within 28 days of receipt of the submitted appeal. The notice will usually be provided no later than 21 calendar day in advance of the appeal meeting, unless exceptionally determined by the Chair of the panel that a shorter period would be appropriate.
- 9.4 A senior member of Human Resources will set up and service the Appeal Panel, which shall include: (i) One Officer of the University, or delegate; (ii) One independent professional or academic nominated by Council, who is not employed by the University (both shall be selected from the approved List of Potential Panel Members provided in accordance with the Statutes, Section 6, Paragraph 7); and (iii) One appropriate staff member of the University nominated by the Chair of Panel (acting on behalf of the University) and agreed by the relevant Trade Union (where applicable). Panel members will not have previous involvement or be otherwise connected with the proceedings.
- 9.5 The appeal is not a rehearing of the original meeting with the Faculty Pro Vice-Chancellor/Officer, but rather a consideration of the specific area with which the staff member is dissatisfied in relation to the outcome of that meeting. Therefore unless the Chair of the appeal determines that new evidence has a bearing on the whole appeal, the panel will confine discussions to those specific areas rather than reconsider the whole matter a fresh.
- 9.6 At the appeal meeting the documentary evidence made available at the original meeting will be made available for reference purposes. The panel may also seek further information about the case from the staff member, the Faculty Pro Vice-Chancellor or from any other individual. Where appropriate the staff member will have the opportunity to comment on any new evidence arising during an appeal. All new evidence will have been disclosed in advance according to timescales agreed for the case.



- 9.7 As the purpose of the appeal is not a reconsideration of all matters, it is the responsibility of the staff member to state the case and bring to the attention of the panel all relevant documentary evidence that should be considered.
- 9.8 Based on the appeal case presented and the associated evidence, the appeal panel may either: uphold the grounds for appeal, reject the grounds for appeal, or require a rehearing of the whole or part of the case.
- 9.9 Where a full or partial rehearing is required, the appeal panel may conduct such a rehearing should the panel deem it appropriate. The staff member can request that such a rehearing takes place at a later date.
- 9.10 Witnesses may only be called with the permission of the Appeal Chair which shall usually only be given where there was good reason for the witnesses not being called to give this evidence at the original meeting. If the staff member requests a witness to be called, s/he should name the individual and explain the reasons for the request in the grounds for appeal.
- 9.11 The staff member will be informed in writing of the appeal outcome, usually within 7 calendar days of the appeal meeting. If the timescales are to be longer this will be communicated to the individual.
- 9.12 In the case of a rehearing, an appeal of the rehearing outcome would be permissible.
- 9.13 The Panel's decision is final.

## **10. Other Provisions**

- 10.1 Human Resources and Workplace Health & Wellbeing are able to provide advice upon request in respect of equipment and support for staff with a disability.
- 10.2 At any potential non confirmation/continuation meeting or appeal, the staff member will have the right to be accompanied by a companion. This may be: either a fellow worker; a workplace Trade Union representative; or an official employed by a Trade Union, who will be able to address the meetings in order to put the staff member's case forward; sum up the case; respond on the staff member's behalf to any view expressed at the meetings; and confer with the individual. The representative should not usually answer questions on behalf of staff member, but may do so with the agreement of the panel.
- 10.3 If a staff member is absent due to sickness prior to a meeting, s/he may be invited to visit the Workplace Health & Wellbeing Service to assess his/her fitness to attend a meeting, and to give advice on any special requirements or adjustments for the meeting.



- 10.4 Where a staff member believes that disability (e.g. hearing difficulties, chronic fatigue etc.) or language skills (e.g. English is not his/her first language) may impact on the ability to participate as appropriate in the procedure, it is the individual's responsibility to raise this with Human Resources as soon as possible. In such cases the University will consider providing appropriate reasonable support/adjustments during formal proceedings. Panel members shall be advised of any reasonable adjustments to be made.
- 10.5 Records associated with the process should be maintained by the Head of Department/Probation Adviser. These will be kept confidential and retained in accordance with the University's Information Security Policy. The handling of personal data is controlled by the General Data Protection Regulation (GDPR) and associated legislation.
- 10.6 During this period the staff member under probation will have the same protections associated with academic freedom, as their confirmed colleagues.
- 10.7 Time limits are indicated in calendar days and are included in the procedures in order to ensure that matters are dealt with promptly and without undue delay. Neither the University nor staff members should unreasonably delay meetings, decisions or confirmation of those decisions. However, in complex matters it may be appropriate to extend time limits provided in the Procedure.
- 10.8 Approved by the Human Resources Committee on 23rd June 2014.