

Probationary Policy

1.0 Policy Statement

1.1 The initial period of employment is a time in which new employees settle into their roles by learning about the specific duties of the post and applying their skills and competencies to undertake those duties well. This policy facilitates this, by identifying a period of time for newly appointed employees to develop and meet the standards required in terms of performance, conduct and attendance in their new role.

This policy has been adopted after consultation with the recognised Trade Unions, UCU and UNISON.

1.2 This policy applies to all members of staff of Staffordshire University and Staffordshire University Services Ltd.

2.0 General Principles

2.1 The main objectives of the probationary period are:

- To identify a period of time for new employees to adapt and become familiar with the requirements of their new role (e.g. duties, responsibilities, performance, expectations, working environment, standards of behaviour and modelling University's values).
- To take necessary supportive action at the earliest opportunity if the required standards of performance, conduct and attendance are not being achieved and to give a clear indication to the employee as to what support and guidance will be provided to enable him/her to meet the required standard.
- To identify employees who do not meet the required standards after managers have exhausted all reasonable and practicable remedial action (e.g. closer supervision, training etc.).
- To enable the employee to demonstrate they have met the required standards of performance, conduct and attendance by the end of the probationary period.

- It is the expectation that the vast majority of staff will complete their probationary period without any issues arising.

2.2 Staffordshire University has the right to terminate the contract of an employee at any time during the probationary period. Staff whose contracts are terminated during the probationary period will be entitled to one month's notice. However, in circumstances where the employee's performance, conduct or attendance fail to meet expected standards, the University will normally terminate the employee's contract with immediate effect and pay the employee in lieu of notice. On successful completion of the probationary period, the notice periods as outlined in individuals' contracts of employment will apply.

2.3 The following University policies will be subservient to this policy during the probationary period; Disciplinary Procedure, Performance Improvement Procedure and the Sickness Absence Management Procedure. This does not affect any statutory employment rights. In addition, with regards to the Performance and Development Review process, new starters should be brought into the process at the earliest opportunity following their commencement in post.

2.4 The policy and procedure will be reviewed periodically by Human Resources and Organisational Development, giving due consideration to legislative changes.

2.5 This procedure will not discriminate, either directly, or indirectly, on the grounds of gender, race, colour, ethnic or national origin, sexual orientation, marital status, religion or belief, age, disability or any other personal characteristic in line with the Equality Act 2010.

2.6 The length of probation periods for permanent positions will usually be as outlined below. In exceptional circumstances where it is considered that it may not be possible to reach a decision within the specified probationary period, a longer probationary period may be agreed. In such circumstances, the Dean/Director should contact Human Resources and Organisational Development for advice. Details of the probation period will be outlined in both the appointment letter, and the contract of employment.

Grade/Contract Type	Length of Probationary Period
Grades 1 - 6	6 months
Grades 7 and above	12 months
Academic, Professorial & Grade 7 and above Research posts	24 months

2.7 Probationary periods will apply to all new employees at Staffordshire University.

2.8 Probationary periods will apply to fixed-term contracts, including appointments that are for a shorter duration than the probationary procedure specified for the relevant contract type. In these instances, the whole period of employment will be probationary, with objectives being set and agreed that are appropriate to the nature of the post and the period of employment. If the employment is extended, the probationary period should also be extended, up to the maximum period for the contract type, outlined above.

2.9

All newly appointed full-time and fractional contracted members of academic staff who have less than three years teaching experience and do not have the equivalent qualification from another University, are required to undertake and complete the most appropriate route from either the Academic Professional Apprenticeship (APA), Post Graduate Certificate in Higher and Professional Education (PgCHPE) or Post Graduate Diploma in Professional Education in Healthcare (PgDPEH). This must be commenced within 24 months of appointment as a condition of their employment with Staffordshire University. In addition, all members of academic staff will be expected to achieve Fellowship of the HEA within an agreed timescale after commencement. Managers should ensure that both requirements are reflected in objectives set for new staff as part of the onboarding process where appropriate, with progress being reviewed at milestone review meetings in accordance with the probationary procedure and when making the decision as to whether to confirm the individual in post at the end of their probationary period.

3.0 THE PROCEDURE

3.1 Onboarding

As part of the local onboarding (staff induction) process, the line-manager will be responsible for meeting with the new employee to clarify the requirements of the role, to set objectives and to outline the programme of support and development they will put in place to enable the probationer to develop in their new role. The line-manager should also explain the purpose of the probationary policy along with outlining the progress review process.

3.2 Review Meetings

During the probationary period, progress reviews will be held with the member of staff on a regular basis (please also see section 3.3 below regarding the timing of Milestone Review Meetings). Topics to be discussed at these review meetings will include:

- A review of performance in the role together with supporting information and performance metrics where appropriate
- A review of attendance and conduct
- Any areas of emerging concern, including the actions to be taken to address these concerns
- Identification of support where necessary, for instance training, coaching, mentoring etc.

However, where concerns arise with any aspect of an employee's performance or standards of behaviour during their probationary period it is important that these are addressed as soon as possible without waiting until scheduled review meetings. The areas of concern will then be reviewed and discussed further at the scheduled review meeting.

3.3 Milestone Review Meetings

In addition to regular review meetings, there will also be two milestone review meetings during the probationary period. For those staff employed on Grades 1 - 6 with a 6-month probationary period, these meetings will usually take place **at the end of month 2 and month 5**. For those staff employed on grade 7 and above with a 12-month probationary period, these meetings will usually take place **at the end of month 5 and month 6**. For academic, professorial and research staff with a 24-month probationary period, these meetings will usually take place **at the end of month 11 and month 23**. Either of these Milestone Review Meetings may be brought forward by management if required. Review meetings will normally take place between the Line Manager and the probationer. Where there are significant concerns about progress, a member of Human Resources and Organisational Development may also be in attendance at these meetings and, where this is the case, the employee will also be entitled to be accompanied by a representative of a recognised Trade Union or an employee colleague.

3.4 It is the managers' responsibility to schedule milestone review meetings in a timely manner and to ensure that the employee is given a minimum of **5 working days' notice** of the milestone review meetings in writing taking account of the schedules associated with the employees work pattern. A template letter can be found in appendix A.

3.5 **First Milestone Review Meeting**

The employee's performance in their new role, will be reviewed in detail at the first milestone review meeting through discussions between the line manager and the employee. The Line-Manager will seek to establish whether the employee is making satisfactory progress within their role from the discussion. Employees will be provided with feedback on progress made, of any discrepancy between their actual and expected performance, conduct and attendance and what, if any, improvement is expected. Standards, objectives and areas of improvement will be reviewed and determined. In circumstances where performance and progress have not been in-line with expectations, the manager should seek to understand whether there are any underlying reasons contributing to concerns and put in place any required support to assist the individual in achieving the required standards. The employee should also be advised that failure to improve their performance within the required time scale will result in dismissal.

3.6 Employees will be given the opportunity to discuss their progress and any issues that they are experiencing which are impacting on their performance, attendance or conduct. Managers will offer advice and support as appropriate and may seek additional advice from Human Resources and Organisational Development where required.

3.7 Managers should use the Milestone Review Meeting form (Appendix B) to keep a written record of each meeting. The employee should be given a copy of this form following the meeting. A copy should also be sent to Human Resources and Organisational Development for retention on the individual's personal file.

3.8 In addition to reviewing progress and identifying any areas of performance or standards of behaviour requiring improvement, it is important to remember that Milestone Review Meetings are also an opportunity for managers to praise the individual's progress where it

is appropriate to do so. Areas where the individual has made positive progress should be highlighted in addition to discussing areas requiring further action.

3.9 Second Milestone Review Meeting

The focus of this meeting will again be a comprehensive review of the employee's performance in the role, through discussion between the line manager and the employee.

The employee's performance in their new role, will be reviewed in detail at the second milestone review meeting through discussion between the line manager and the employee. The Line-Manager will again seek to establish whether the employee is making satisfactory progress with their role from the discussion. Employees will be provided with feedback on progress made, of any discrepancy between their actual and expected performance, conduct and attendance and what, if any, improvement is expected. Standards, objectives and areas of improvement will be reviewed and determined. In circumstances where performance and progress have not been in-line with expectations, the manager should seek to understand whether there are any underlying reasons contributing to concerns and put in place any required support to assist the individual in achieving the required standards.

The second milestone review meeting will have one of three outcomes:

- The employee's progress has been satisfactory and the individual should be confirmed in role (see point 3.10 below)
- In exceptional circumstances, extension of the probationary period (see point 3.11 below)
- The employee has failed to meet the expected levels of performance, attendance and conduct and a recommendation will be made that their employment should be terminated (see point 3.12 below).

3.10 Confirmation in Role

If at the second milestone review meeting the employee's contribution has been satisfactory, the manager should advise the individual that their employment will be confirmed. The manager should complete the milestone review form and send this to Human Resources and Organisational Development, along with advising that the individual should be confirmed in role. Human Resources and Organisational Development will then write to the employee confirming them in post (please see letter template in Appendix C). Consideration should also be given at this meeting to future development requirements and setting of objectives with these being included in the employee's next Performance Development Review. It should be noted that the probationary period can only be confirmed for academic staff with less than three years' previous teaching experience and who do not have the equivalent qualification from another University where they have enrolled and are making satisfactory progress on either the Academic Professional Apprenticeship (APA), Post Graduate Certificate in Higher and Professional Education (PgCHPE) or Post Graduate Diploma in Professional Education in Healthcare (PgDPEH) as outlined in point 2.9 above. In addition, academic staff should also only be confirmed in post where they have either

achieved or are making satisfactory progress towards achieving Fellowship of the HEA within the timescales agreed when they were appointed.

3.11 Extensions of Probationary Period

In circumstances where an employee has not achieved the required level of contribution, in exceptional circumstances it might be appropriate to consider an extension to the probationary period in order to allow the employee further time to demonstrate their contribution. The length of any extension to a probationary period should not exceed 6 months in total and should only be extended when there are marginal concerns regarding contribution. If an extension to the probationary period is being considered, it should be discussed with a member of Human Resources and Organisational Development prior to discussion at the milestone review meeting.

A representative from Human Resources and Organisational Development may be in attendance at any meeting where an extension to a probationary period is being considered. Where this is the case, the employee may also be accompanied by a recognised Trade Union representative or employee colleague at such a meeting should they wish. In the event that the chosen representative of the individual is unavailable on the date of the meeting, the employee may request the meeting be re-scheduled once, by up to 5 working days, to enable the chosen representative to attend.

3.12 Where an extension to the probationary period is considered to be appropriate, at the milestone review meeting the line-manager will outline to the employee the reasons for the extension, the duration of the extension and will determine clear objectives. Sources of support will be highlighted to the individual where proportionate and appropriate. The manager should return the milestone review form to Human Resources and Organisational Development, along with a copy of the letter sent to the individual confirming the extension period(see example letter in Appendix D).

3.13 A further milestone review meeting will be scheduled prior to the end of the extended probationary period at which point a decision will be made on whether the employee will be confirmed in post or the manager will make a recommendation for dismissal.

3.14 Considering Termination of Employment

Where, having followed the above procedure, a manager has determined that the individual's performance and progress remain unsatisfactory, consideration must be given to terminating their employment. In this situation, the manager must contact a member of Human Resources and Organisational Development to discuss their concerns before holding the second milestone review meeting.

3.15 A representative from Human Resources and Organisational Development will be in attendance at any meeting where termination of employment is being considered. The employee may also be accompanied by a recognised Trade Union representative or employee colleague at such a meeting should they wish. In the event that the chosen representative of the individual is unavailable on the date of the meeting, the employee may

request the meeting be re-scheduled once, by up to 5 working days, to enable the chosen representative to attend.

3.16 The manager, with support from the Human Resources and Organisational Development representative, will consider the information available regarding the individual's contribution and will determine whether the case should be referred to a Dismissal Recommendation Meeting to consider termination of employment. It is recognised that it may not be possible to make the decision at the meeting due to the requirement to consider the case in detail, but a decision should be taken and the employee informed as soon as possible thereafter.

3.17 If, as a consequence of discussions at the meeting and the consideration of all available information, the line-manager remains dissatisfied with the individual's contribution and where an extension to the probationary period is not considered to be appropriate or has been completed already, the line manager should inform the individual that they will be making a recommendation for dismissal. The line-manager will then confirm the outcome of the meeting in writing, clearly stating the decision to recommend the individual's dismissal, that this will now proceed to a Dismissal Recommendation Meeting for consideration by a panel and to confirm the process going forward for the Dismissal Recommendation Meeting. A copy of this letter should be returned to Human Resources and Organisational Development for retention on file. An example letter can be found in Appendix E.

3.18 **Dismissal Recommendation Meeting**

Dismissal Recommendation Meetings will be chaired by the Executive Dean or Director of the relevant School/Service. If the Executive Dean or Director has previously been involved with the case, the meeting will be chaired by a member of Executive. A member of Human Resources and Organisational Development, previously unconnected with the case, will also consider the case in conjunction with the Executive Dean/Director. They will be known as the Panel. As well as participating as a full panel member, the member of Human Resources and Organisational Development will be responsible for the organisation of the Dismissal Recommendation Meeting, act as Secretary to the meeting and provide procedural advice as appropriate.

3.19 The individual will receive a letter from the Executive Dean/Director confirming the details of the Dismissal Recommendation Meeting. Individuals will be given a minimum of **5 working days' notice** of the Dismissal Recommendation Meeting in writing. In the event that the chosen representative of the individual is unavailable on the date of the meeting, the employee may request the meeting be re-scheduled on one occasion to enable the chosen representative to attend. A standard template letter is contained in Appendix F.

3.20 The individual will have the right to be accompanied at the meeting by an accredited Trade Union representative or employee colleague.

3.21 If the individual fails to attend the Dismissal Recommendation Meeting without good reason, the meeting will take place and a decision will be made in his/her absence. In the event that the chosen representative of the individual is unavailable on the date of the

Dismissal Recommendation Meeting, the employee may delay the date of that meeting once, up to five working days, to enable the chosen representative to attend.

3.22 Also present at the Dismissal Recommendation Meeting will be the line manager who made the recommendation for dismissal of the individual, supported by the member of Human Resources and Organisational Development who was present at the review meeting following which the recommendation for dismissal was made. These individuals will be known as the Management Representatives.

3.23 In order for the Panel to fully consider the recommendation for dismissal, both the Management Representatives and the individual and his/her representative are required to submit a written statement outlining all the information on which they will wish to rely in the Dismissal Recommendation Meeting.

This information will be submitted by both parties to the Secretary of the Panel who will ensure these are exchanged and supplied to all parties as soon as is reasonably practicable. This will normally be at least five working days prior to the meeting.

3.24 If the Panel, having considered all the information put forward during the Dismissal Recommendation Meeting, determine the individual's progress, performance, conduct and/or attendance during their probationary period to have been unsatisfactory, that there is no likelihood that the individual will attain the required standards within a reasonable time-frame and that all reasonable and practical steps have been taken to support the employee, then the employee will be dismissed.

3.25 Where it has been determined after careful review that the individual's progress and performance has not been at the required standard, their employment will be terminated and the employee will be paid in lieu of notice. The Chair of the Dismissal Recommendation Meeting will confirm the outcome of the meeting in writing, clearly stating:

- that the employee has been dismissed and the reasons for this
- the effective date of termination and that they will be paid in lieu of notice
- the individual will be entitled to monies due under his/her contract of employment
- payment for any accrued but untaken annual leave

3.26 If the Chair of the Dismissal Recommendation Meeting deems that the individual should not be dismissed and that either no further action will be required or that other appropriate steps should be taken, such as an extension to the probationary period with further review, this will be confirmed in writing by the Chair of the Dismissal Recommendation Meeting with a clear indication of the next steps for both the line manager and the employee.

3.27 The decision of the Chair is final and binding. There is no right of appeal against the decision.

4.0 Operative Date

4.1

This procedure was originally approved by the University's Senior Leadership Team and was implemented with effect from 1 March 2018 for new employees appointed to the University following this date. The procedure was reviewed and updated in September 2022.

APPENDIX A

Date

Strictly Private and Confidential

Name

Address

Dear

MILESTONE REVIEW MEETING

With reference to your current probationary period, you are required to attend a Milestone Review Meeting with me on **date, time, venue**.

(Where there is significant concern regarding performance include)

XXXX XXXXXX, (Assistant) HR Business Partner will also be in attendance at the meeting. You may be accompanied at the meeting by a recognised Trade Union representative or employee colleague should you so wish. If you do wish to be accompanied then you should make the appropriate arrangements.)

The purpose of the meeting is to discuss your progress in relation to performance and development in your role and will also be the opportunity for you to highlight any issues that you have in relation to your post.

I look forward to meeting with you.

Yours sincerely

Name

Title

APPENDIX B

Milestone Review Meeting

Review Date			
1st Milestone Review		2nd Milestone Review	

Summary of Discussion			
Comments of Manager			
Comments of Employee			
Action Agreed			

	Line Manager	Employee
Signature		
Print Name		
Date		

APPENDIX C

Date

Strictly Private and Confidential

Name

Address

Dear XXXXX

CONFIRMATION IN POST

Following your recent second milestone review meeting with XXXXXX, I am pleased to confirm that you have now successfully completed your probationary period and are therefore confirmed in your post of **XXXXXXXXX on a permanent/fixed term basis until XXXXX (delete as appropriate)**.

May I congratulate you and wish you every success in your new role.

Yours sincerely

Name

Title

APPENDIX D

Date

Strictly Private and Confidential

Name

Address

Dear **XXXX**

EXTENSION OF PROBATIONARY PERIOD

Following the Milestone Review Meeting held on **Date**, I am writing to confirm that your probationary period has been extended by **X month(s)** to **Date**. At our meeting I explained that this decision had been reached as I remained concerned in respect of **(insert reasons)**.

Regular reviews will take place during the extended probationary period to assess your progress and a further Milestone Review Meeting will take place on **Date** at which a decision will be made on your continued employment at the University. (A member of Human Resources and Organisational Development will be in attendance at this meeting. You may be accompanied at the meeting by a recognised Trade Union representative or employee colleague should you so wish. If you do wish to be accompanied then you should make the appropriate arrangements.)

I do hope that we can work together during this period to enable you to achieve the expected level of performance. If you have any queries following our meeting or require any additional support then please do not hesitate to contact me

Yours sincerely

Name

Title

APPENDIX E

Date

Strictly Private and Confidential

Name

Address

Dear **xxxxx**

RECOMMENDATION OF DISMISSAL

I refer to the recent Milestone Review Meeting held on **Date** at which we reviewed your progress and performance in your probationary period.

As a consequence of our discussions, I explained that I remained concerned with your **performance/attendance/conduct (delete as appropriate)** due to **(summarise concerns)**.

I also explained that as a result of my ongoing concerns I would now make a recommendation for your dismissal to the **Dean of School/Director of Service (delete as appropriate)**.

A Dismissal Recommendation Meeting will be arranged shortly to consider the recommendation for dismissal. You will have the right to be accompanied by an accredited Trade Union representative or employee colleague at this meeting. Further details of the meeting will be confirmed to you shortly.

Should you have any queries regarding this letter or our discussions then please do not hesitate to contact me.

Yours sincerely

Name

Title

APPENDIX F

Invite to Dismissal Recommendation Meeting

Date

Strictly Private and Confidential

Name

Address

Dear **XXXXX**

DISMISSAL RECOMMENDATION MEETING

I refer to the letter dated **(date)** from **(line manager)** outlining the recommendation for your dismissal in accordance with the University's Probationary Policy.

I can now confirm the arrangements for the meeting as follows:-

Date:

Time:

Venue:

I will act as Chair of the meeting and **(name)**, Human Resources and Organisational Development will be acting as Secretary and will be responsible for co-ordinating this process.

For your information, **(line manager) (job title)** and **(name)**, (Assistant) HR Business Partner will present the Management Statement of Case.

In accordance with the Probationary Policy, you have the right to be accompanied during the meeting by an accredited Trade Union representative or employee colleague if you so wish, to assist you in the presentation of your case.

You are required to submit a written statement as part of this process. This should be received by **(name)**, Human Resources and Organisational Development by no later than **(time)** on **(date – 5 working days prior to meeting)**. I should also be grateful if you would advise **(name)** of the name of any representative you may wish to accompany you.

(Name) will ensure that **he/she (delete as appropriate)** has received a written statement from the management representatives by this date and that these documents are subsequently exchanged and distributed to all parties to allow preparation for the meeting to be undertaken.

Arrangements have also been made for you to have access to room **(room number)**, **(building)**, to use prior to the meeting and during any adjournment. This room will be available from **(time)**.

For your information, I have enclosed a copy of the format for the Dismissal Recommendation Meeting. **(Appendix XX of the Policy)**

Should you require any clarification on the above or require any further information, please to not hesitate to contact me on **(tel)**.

Yours sincerely

Name

Dean of School/Director of Service (delete as appropriate)

Attachment

cc: Human Resources and Organisational Development

APPENDIX G

Format of the Dismissal Recommendation Meeting

The Chair of the Meeting will introduce those present:

- The Panel – Dean/Director of School/Service and member of Human Resources and Organisational Development
- The individual and representative.
- The Management Representatives – the line manager and member of Human Resources and Organisational Development.

Management Statement of Case

- The Management Representatives will present the case in support of the recommendation for dismissal.
- The individual and/or representative may question the Management Representatives.
- The Panel may question the Management Representatives.

Employee Statement of Case

- The individual and/or representative will present their case and explain any special circumstances that may exist.
- The Management Representatives may question the individual and/or representative.
- The Panel may question the individual and/or representative.

Summary of Statement of Case

- The Management Representatives will be asked to summarise their case.
- The individual and/or representative will be asked to summarise their case.

Deliberations by the Panel

- The Management Representatives, individual and his/her representatives will withdraw from the room whilst the Panel deliberates.

Announcement of the Panel's Decision

- Once the panel has reached a decision, all parties will be recalled together and advised of the decision.
- Written confirmation of the decision will be sent to all parties within five working days of the meeting.

General Information

- The Panel are entitled, at any point in the proceedings, to ask a question of any party in order to aid their understanding of the matters being considered.
- During the meeting, adjournments may be requested by either party or by the Panel and these will not be unreasonably refused. Where such a request is denied, an explanation will be provided by the Panel.
- The format is intended as a guide for the conduct of the meeting. In particular circumstances the Panel can apply reasonable discretion to vary the format to suit the individual nature of the case being deliberated.
- The Panel may also adjourn proceedings to request further information relating to the case, if they believe that this will aid consideration of the matters being discussed.