

Probationary Procedure for Academic-Related, Assistant and Research Staff



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2. Eligibility

- This probationary procedure is applicable to academic-related, assistant and research staff at the University and should be read together with the University's Probationary Policy.
- This procedure forms part of the Career Management Scheme for research staff (<https://www.cam.ac.uk/research-staff/employment-and-career-management/employment-and-career-management-scheme>).

3. Procedure

3.1 How will the Probationary Scheme work in practice?

- Probation is a formal arrangement at the start of employment where new staff members have the opportunity to confirm their suitability for the role. In order for the probationary period to be used effectively, it is important that:
 - the duties of the probationer are clear and understood by the probationer at the outset;
 - induction is completed and any further training required is arranged in a timely way;
 - the work of the probationer is monitored;
 - any issues around performance are discussed directly with the probationer as and when they arise; and
 - a written record is kept of feedback and any steps required of the probationer, using the templates indicated in this procedure where appropriate.
- The probationary process is managed by the probation reviewer. This is the Head of Institution¹, although, depending on the size of the department or faculty and the nature of the probationer's job role, the Head of Institution may delegate these duties to another member of staff, for instance the probationer's line manager, supervisor or Principal Investigator. However, in these instances, the Head of Institution will retain overall responsibility for the probationary process and will decide (or recommend as appropriate) whether to confirm the appointment or otherwise.
- The length of the probationary period is as set out in section 4.2 of the Probationary Policy.

3.2 Performance Criteria

- Probationers will be assessed with reference to:
 - the role profile;
 - their demonstration of the skills and knowledge required for the role;
 - the performance of their duties to an acceptable standard (with reference to the quality of their work and the volume of their outputs);

¹ The term *Head of Institution* used throughout this policy (and related probationary procedures) refers to Heads of Departments and of other academic institutions; Chairs of Faculty Boards not divided into Departments; and the administrative Heads of Institutions.

- their ability to work with others, including acting as a positive role model, adhering to the University's expected standards of conduct and promoting the University's values of mutual respect and a sense of belonging for all within the University community;
 - attendance and timekeeping; and
 - their general contribution to projects (if relevant to their role).
- The duties and responsibilities of a research staff member are set out in the Career Management Scheme: Section 2 – Researcher's employment: policies and protocols at <https://www.cam.ac.uk/research-staff/employment-and-career-management/employment-and-career-management-scheme/researchers-employment-policies-and-protocols/job-titles-and-duties>
- In the case of clinical research staff:
 - it is recognised that input is required from the probationer's Clinical Director or Deanery at the relevant NHS Trust/Body. Accordingly, assessment of performance of clinical activity will be taken into account when making recommendations on probation.
 - if, during the course of the probation, concerns arise regarding the probationer's clinical practice in their NHS Trust/body role, the probation reviewer shall consider the impact of this in assessing the probationer's performance and ability to carry out the full duties of their role for the University.
 - it is a requirement of the relevant NHS trust that the probationer is subject to NHS appraisals or Annual Reviews of Competence Progression ("ARCP") as appropriate, alongside their probation with the University.
 - if the probationer is employed under a contract with the University which is co-terminous with another role, should that role be terminated their employment with the University will also come to an end.

3.3 Formal Assessments

- The probation reviewer should hold a preliminary one-to-one meeting with the probationer soon after their start date, to confirm the expectations of the post; to set objectives, to arrange induction and to agree any further training required.
- Thereafter, formal assessments should take place at regular intervals; for example, two formal assessments and one final assessment over the period, where progress is satisfactory.
- Formal assessments should be a two-way process:
 - The probation reviewer will review progress, addressing competence in particular duties and capability to perform at a level that meets the operational requirements of the department.
 - The probationer should be invited to comment on progress to date and specify any areas in which further training or development is needed.
 - The probation reviewer will set objectives for the next phase, agreeing the next formal assessment date. They should ensure that induction is being completed in a timely way and identify and agree any further training needs or support.

- The tone of the formal assessments should be constructive, giving positive feedback on what has been done well and helpful advice on how to make improvements and/or develop aspects of the role. They should consider the extent to which the probationer meets the performance criteria as set out at 3.2 above.
- It is important that formal assessments are held regularly even where there are no concerns about performance, in order that the probationer may raise any concerns and request further support and to ensure that induction is completed in a timely way.
- Each formal assessment should be documented on the Formal Probation Assessment Form, with copies signed and retained by the probationer and the probation reviewer. Where performance and progress are satisfactory, the record may be less detailed, however it is important to be aware that this documentation will form part of any decision to confirm or terminate an appointment or to extend the probationary period. If, at any stage, a third party contributes formally to the assessment, this should be recorded and signed accordingly.
- Where progress has been unsatisfactory, the probation reviewer, should set out the nature of the concerns and the improvements needed, together with details of how and by when these need to be achieved. For example, this may involve making appropriate adjustments to the level of supervision and support given to the probationer and/or setting time-bound targets to be reviewed at the next formal assessment. It may also be appropriate to hold more frequent formal assessments in this case.
- If the performance of the probationer is clearly unsatisfactory and is unlikely to improve despite the provision of reasonable support, the probation reviewer may hold a final assessment and may recommend the early termination of the appointment. It is not necessary to wait until the end of the probationary period to do this, provided that the probationer has been made aware of the problems and has been given the opportunity to improve performance or conduct with appropriate support. Details of the final assessment process are set out below.
- Probation reviewers can find practical guidance on how to support and assess probationers in the University's Practical Guidance for Probation Reviewers, which is intended to be a toolkit for institutions.

3.4 Final Assessments

- The Human Resources Division will send regular reports to institutions, notifying them of probationary periods, so that formal and final assessments can be scheduled in a timely way. Assessments for short fixed-term appointments should be in place from an early stage.
- The probation reviewer will hold a final assessment with the probationer. This is recommended to take place within the last 2 months of probation and should be documented in the Final Probation Assessment Form, with copies signed and retained by both probationer and probation reviewer.
- Where performance during probation has been satisfactory, the probation reviewer, in consultation with the Head of Institution, will arrange for written confirmation to be sent to the probationer and for the central staff record to be amended.

3.5 Unsatisfactory performance

- Where performance is judged to be unsatisfactory the Head of Institution, after consulting with the probation reviewer and relevant School HR Team, will consider whether to terminate or extend the appointment, or, in the case of established academic-related staff, where the Head of Institution is not able to confirm that probation has been completed satisfactorily, they will refer the matter to the appointing body² who will decide whether the probationary period should be extended or the appointment terminated.
- In each case the probationer and the probation reviewer will be entitled to make representations to the Head of Institution or appointing body (as appropriate) at a decision meeting, although they may supply written representations in the alternative.
- Copies of the probation assessment forms and supporting documentation should be supplied to all attendees in good time ahead of the meeting.
- The probationer is entitled to be accompanied by a trade union representative or work colleague at the meeting. They must tell the relevant School HR Team, who their chosen companion is, in good time before the meeting. If their companion is unavailable, they should inform the relevant School HR Team immediately so that an alternative time can be arranged. If the companion is unable to attend within a reasonable period of the original meeting date, the University may ask the probationer to choose another companion.
- Where a probationer has indicated that they wish to make representations in person, they must make every effort to attend the meeting. If they fail to attend without good reason, or are persistently unable to do so, the University reserves the right to proceed on the evidence available.
- Where circumstances require it, and in particular, to avoid delay, the meeting may be held by way of video or teleconference.
- The Head of Institution or appointing body (as appropriate) may be supported by a member of the relevant School HR Team at the meeting. The University may also arrange for a further member of HR to act as notetaker.
- The meeting may be adjourned if required to gather further information, provided that any adjournment will not lead to unreasonable delay.
- Where a decision to dismiss is made, the probationer will be given written notice of termination, including reasons and a right of appeal.
- In some instances progress towards successful completion of probation may have been prevented by circumstances beyond the control of the parties, for instance because of a long leave of absence on account of illness or family commitments.
- Where this is the case and there is a reasonable prospect of a satisfactory outcome to probation, the Head of Institution or appointing body (as appropriate) may extend the probationary period usually for a period of up to three months.

² The body specified in the Statutes and Ordinances as having the authority for making an appointment to an office.

3.6 Right of Appeal

Established academic-related staff

- Where the appointment is terminated, the probationer will have the right to appeal, under the provisions of Special Ordinance c (xiii).

Unestablished academic-related, assistant and research staff

- Where the appointment is terminated, the probationer may appeal in writing within 10 working days of the receipt of the notice of dismissal, setting out the grounds of their appeal. They should direct this letter to the Director of HR.
- The Director of HR will appoint an Appeal Chair, who shall be a University officer of equivalent or greater seniority than the decision-maker under 3.5, and who has had no prior involvement in the case.
- The appeal hearing will be arranged within 10 working days of the appointment of the Appeal Chair, or as soon as is reasonably practicable thereafter.
- The probationer and Head of Institution may make representations in person and/or in writing at the appeal hearing. Copies of the probation assessment forms and supporting documentation, and any written representations should be supplied to all parties in good time ahead of the hearing. The Appeal Chair may be supported by a member of the relevant School HR Team at the hearing. The University may also arrange for a further member of HR to act as note-taker.
- The probationer is entitled to be accompanied by a trade union representative or work colleague. They must tell the relevant School HR Team, who their chosen companion is, in good time before the appeal hearing. If their companion cannot attend, they should inform the relevant School HR Team immediately so that an alternative time can be arranged. If the companion is unable to attend within a reasonable period of the original appeal hearing date, the University may ask the probationer to choose another companion.
- Where a probationer has indicated that they wish to make representations in person, they must make every effort to attend the hearing. If they fail to attend without good reason, or are persistently unable to do so, the University reserves the right to proceed on the evidence available.
- Where circumstances require it, and in particular, to avoid delay, the hearing may be held by way of video or teleconference.
- The Appeal Chair may adjourn the appeal hearing if required to gather further information, provided that any adjournment will not lead to unreasonable delay.
- The Appeal Chair will inform the probationer of their decision in writing, wherever practicable within 10 working days of the appeal hearing or adjourned appeal hearing, setting out reasons for the decision. There is no further right of appeal.
- The Appeal Chair may vary the procedure above, as necessary, provided that the appeal is dealt with fairly and impartially and without unreasonable delay.
- Where a probationer appeals against dismissal, the date on which dismissal takes effect will not be delayed pending the outcome of the appeal. However, if the appeal is successful the probationer will be reinstated with no loss of continuity or pay.

3.7 Period of notice required during the Probationary Period

- The period of notice during the probationary period will be 4 weeks on either side.

4. Guidance and Additional Sources of Information

Policies and Guidance	Templates and Documentation
Practical Guidance for Probation Reviewers	Formal Probation Assessment Form – Academic-related assistant and research staff (HR62a) Final Probation Assessment Form – Academic-related assistant and research staff (HR62b) Confirmation of Appointment template letter (HR66)

5. Policy Ownership and Status

- This procedure is not contractual. It will be reviewed by the HR Division on a regular basis and amendments may be made in the light of any changes in legislation or operational requirements.

Version	Summary of Amendment	Date
V1	New Procedure	01/10/21