

UNIVERSITY OF ABERDEEN

ACADEMIC STAFF: PROCEDURES ON PROBATION

The University Court and the Aberdeen Association of University Teachers recognise the joint national *Agreement concerning the procedure and criteria to be used in connection with the Probationary Period*, delivered by Committee "A" in 1974 in response to the requirements of the 1971 salary settlement.

Unless specifically agreed and stated, nothing in the attached Procedure, agreed locally between the University of Aberdeen and the Aberdeen branch of the University and College Union overrides the 1974 Agreement.

The following points have been agreed jointly as appropriate enhancements to the 1974 Agreement:

- i. the Procedures on Probation will apply to all new clinical and non-clinical Academic staff, regardless of whether employment is full-time or part-time, subject to the conditions of paragraphs 3 and 4 of the attached procedure;
- ii. on termination of appointment the University will provide the Probationer with due contractual notice, or payment in lieu thereof;
- iii. a Probationer will be given the automatic right of appeal against a decision to extend his/her period of probation or terminate his/her appointment.

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GENERAL PRINCIPLES

1. The purpose of Probation is:
 - i. to provide each Probationer with the opportunity to become familiar with the academic environment in which he/she has chosen to begin a career;
 - ii. to provide appropriate guidance, support and training to the Probationer to allow the fulfilment of his/her potential as a Lecturer;
 - iii. to allow the Probationer to demonstrate to the satisfaction of the University that he/she has the necessary ability and intellectual quality to succeed in such a career.
2.
 - i. The Staff Promotion Committee is responsible for formulating policies on, and monitoring the application of, all salary structures and grading systems for all groups of staff, including promotions, gradings and discretionary and probationary reviews; it is responsible for the effective monitoring and development of these procedures.
 - ii. The Staff Promotion Committee has delegated authority to the Probationary Review Panel for matters relating to the confirmation or extension of probation. The Probationary Review Panel will comprise the Head of the Probationer's College and one other serving Head of College, or nominated deputy. The Probationary Review Panel has responsibility for equity of application of the probationary procedures across Faculties. Meetings of the Probationary Review Panel will be clerked by a Human Resources Adviser.
 - iii. The Principal has authority to act on behalf of the Staff Promotion Committee in matters relating to the termination of appointment.
 - iv. For the avoidance of doubt, the fact that a person expresses views on any matter which differ from those of his/her colleagues cannot of itself be a reason for not confirming his/her appointment.
 - v. The procedures for appeals against extension of probation or termination of appointment are detailed later within this document.
3. The probationary period of service applies to all new Lecturers. In exceptional circumstances the Principal, on the recommendation of the Convenor of the appointing committee, may apply a period of probation to a new member of staff appointed directly as a Senior Lecturer.
4.
 - i. The period of probation will normally be three years.
 - ii. In circumstances where the new member of staff has served all or part of a period of probation in any institution of higher education covered by the 1974 National Agreement on Probation, and has had all or part of the probationary period of service confirmed as satisfactory, it will be normal practice to reduce or waive a probationary period of service on appointment. Such action will require the Human Resources Section to seek confirmation from the institution concerned and the Principal to approve an appropriate recommendation from the Convenor of the Appointing Committee. Part-completion of probation during a fixed-term contract with the University of Aberdeen will be credited fully towards completion of the probationary process during any further employment at the University of Aberdeen.
 - iii. In circumstances where new appointees have served periods of probation, or its equivalent, in institutions not covered by the National Agreement on Probation the University will seek advice from such institutions in order to determine the degree of equivalence of the scheme, with a view to reducing or waiving the probationary period of service on appointment in the same manner as detailed in ii. above. The University of Aberdeen agrees to respond timeously to requests from other institutions for information on probationary periods of service undertaken at this University.

- iv. Where a probationary period of service is required it will not be of less than one year's duration.
- v. The period of probation will be effective from the date of commencement of the appointment.
- vi. In cases where the Probationer has been absent as a result of, for example, long-term sickness, maternity leave, research leave, etc. the Probationary Review Panel may give consideration to the extension of the period of probation, cf. paragraphs [21 - 24](#) below.
5. The award of a discretionary salary increase will not pre-empt the outcome of the review of the probationary period.
6. The Procedures on Probation will normally apply to fixed term contracts and, in such cases where they are applicable, will apply until the expiry of the fixed term or until the appointment is confirmed, whichever is the sooner. However, the Procedures on Probation will not in any way affect the discretion of the University to decide whether a fixed term contract which is due to terminate should be renewed or extended. Termination of employment at the end of a fixed term contract does not of itself imply any adverse judgement on the Probationer's performance.
7. It is acknowledged that the probationary procedures encompass many aspects of the academic and academic-related staff procedures for appraisal, and, as such, a member of staff on probation will not be subject to the formal procedures on appraisal.
8. Overall responsibility for the Probationer's progress during the period of probation lies with the Head of School. Following consultation with appropriate staff in the School, the Head of School will appoint a mentor from amongst the staff* in the School to provide professional advice and guidance to the Probationer during the probationary period. A Head of School will undertake the role of mentor only where he/she is the most appropriate person in the School to do so. The Head of School will advise the Head of College of the appointment of Mentors within the School.

THE ROLE OF THE MENTOR

9. The main responsibility of the Mentor is to support the professional development of the Probationer and to provide reasonable advice, encouragement and support to assist the Probationer to complete successfully his/her probationary period of service. In particular the Mentor will:
 - endeavour to establish and maintain a helpful, open, positive and professional relationship with the Probationer;
 - maintain regular contact with the Probationer to discuss progress. In addition, the Mentor will meet formally with the probationer at least once per term;
 - assist the Probationer with the completion of the probationary monitoring forms including, in particular, the establishment of objectives for the probationary period ([Appendix A](#));
 - support the Probationer, if he/she so desires, during formal probationary meetings with the Head of School or Probationary Review Panel;
 - bring to the attention of the Probationer any matters which the Mentor considers ought to be given attention by the Probationer in order to assist him/her to complete successfully the period of probation.
10. It is recognised that, exceptionally, circumstances may arise which require a change of Mentor for the Probationer. When such a situation arises the Head of School will meet, as soon as practicable, with the Probationer and the new Mentor under the terms of paragraphs 13.i and 13.ii below. The Head of School will advise the Head of College, in writing, of the change and the reasons for it.

* staff on probation will be excluded from undertaking the role of Mentor

THE ROLE OF THE HEAD OF COLLEGE

11. Heads of Colleges have responsibility for equity of treatment of probationary staff within the Colleges. At each stage, the Head of College will advise the Head of School without delay, and in writing, if the Agreed Objectives either (a) are, in his/her view, clearly incompatible with such equity of treatment; or (b) may later be held to have been insufficient to lead to the confirmation of the appointment. In that event, the Head of School will, without delay, meet with the Mentor and the Probationer with a view either to modifying the Agreed Objectives in line with the Head of College's suggestions, or to asking the Head of College to reconsider his/her judgement and record that he/she now accepts the Agreed Objectives.

THE ROLE OF THE HEAD OF SCHOOL

12. Heads of School have overall responsibility for the detailed implementation of the probationary procedures within Schools.
13. When a Probationer takes up appointment the Head of School will:
 - i. ensure that an appropriate Mentor is appointed and confirm the appointment in writing to the Probationer and Mentor. The Mentor will be provided with the Procedures on Probation and will be referred to the guidance contained therein on the role of the Mentor;
 - ii. meet with the Probationer and Mentor to ensure the Probationer understands the purpose of probation (and the role to be played by the Mentor);

Within six weeks of a Probationer taking up appointment the Head of School will:

- iii. meet with the Probationer and Mentor to discuss and agree an overall strategic plan for the period of probation and to agree also realistic objectives, consistent with [Appendix A](#) such a plan, for the following 12 months in terms of teaching, research and administration (cf. [Appendix A](#));
- iv. forward details of i and iii to the Head of College for information (cf. paragraph 11 above).
14. At the start of the period of probation the Probationer and the Mentor will draw up a personal training and development programme for the Probationer. This will include such courses as specified by the Head of School and drawn from the standard programme offered by the University, plus other internal/external courses as appropriate. The Probationer will be required to attend at least one of the annual courses on University teaching methods provided by the University. The Head of School is responsible for ensuring that the Probationer is enabled to attend such training and development activities as part of his/her School responsibilities.
15. If, at any point during the probationary period of service, the Head of School has reason to believe that any aspect of the Probationer's performance is unsatisfactory, he/she must inform the Probationer of his/her concern promptly. Following discussion with the Probationer, the Head of School must record the cause of dissatisfaction and the proposed means of overcoming it in writing (cf [Appendix D](#)), giving a copy to the Probationer and to the Mentor.
- 16.i. Not less than one month in advance of the anniversary of the Probationer's appointment the Probationer will submit to the Head of School a report of his/her year's work (cf. [Appendix B](#)). The Head of School will report on the Probationer's progress taking into account:
 - a. the objectives set at the beginning of the probationary period;
 - b. the overall strategic plan for the probationary period;
 - c. the Probationer's report.

- 16.ii. Reports will be completed on the appropriate form (cf. [Appendix C](#)) and will be discussed in full with the Probationer and, at the same time, objectives will be set for the second year, taking into account any amendments to the strategic plan in the light of experience. In considering the Probationer's research, the Head of School will consider not only the progress made but also the quality demonstrated. The Head of School will also encourage and, where appropriate, assist the Probationer in developing good relationships with other members of staff and with students, and may seek assurances that the Probationer is making reasonable efforts towards this end. It will normally be expected that such efforts will include demonstrating a reasonable degree of active interest in general departmental and university affairs.
- 16.iii. The Probationer will be given the opportunity to comment on the content of the report and on the level of support and guidance he/she has received from his/her School and the University. The Probationer will receive a copy of the report and a copy will be sent to the Head of College
17. During the eighth or ninth month of the Probationer's third year of appointment, the Head of School is required to complete and submit a final report (cf. [Appendix C](#)) on the Probationer's progress for consideration by the Probationary Review Panel. Normally around the tenth or eleventh month of the Probationer's third year of appointment, the Panel will meet with the Probationer, and the Mentor (or an alternative colleague from the Probationer's School) if the Probationer so desires, and may also choose to meet separately with the Head of School before deciding whether:
- (a) the appointment of the Probationer should be confirmed; or
 - (b) the Probationer should continue for a further year on probation; or
 - (c) to recommend to the Principal that the appointment should be terminated giving due contractual notice.
- The Probationer will normally be provided with two weeks' notice of the date of the meeting with the Probationary Review Panel.
18. Exceptionally, and with the prior agreement of the Probationer, the Head of School may recommend to the Probationary Review Panel that the Probationer's appointment be considered for early confirmation after one or two years.

CONFIRMATION OF APPOINTMENT

19. Before the appointment is confirmed, the Probationary Review Panel will require to be satisfied that, having regard to the Probationer's standing, experience and the opportunities he/she has been offered, the Probationer -
- (a) has satisfactorily engaged in the teaching of courses and the supervisory and tutorial work assigned to him/her;
 - (b) has conscientiously carried out such examining duties as have been required of him/her;
 - (c) has satisfactorily engaged in research towards the advancement of his/her subject as demonstrated by publication or other appropriate means and shows promise by work and enterprise of continuing to develop as a University teacher and scholar;
 - (d) has satisfactorily carried out administrative duties as have been assigned to him/her;
 - (e) has endeavoured to establish effective working relationships with colleagues and students.
20. If the Probationary Review Panel decides to confirm the appointment, the Probationer will then be so informed in writing by the Human Resources Section with minimum delay, and normally within one month of the probationary meeting.

EXTENSION OF PROBATION

- 21.a. If the Probationary Review Panel decides to require the Probationer to continue for a further year on probation, the Probationer will be informed of the reasons for the continuation normally within one month of the probationary meeting, and will be given details of the improvement to be achieved over the extended period of probation (using [Appendix A](#)).
- 21.b. Where a specific goal (or goals) is set for the Probationer during the period of extension, e.g. the publication or acceptance for publication of a paper, the Probationary Review Panel may decide that the probationary appointment be confirmed automatically on documentary evidence being provided of the attainment of the goal.
22. The Probationer has the right of appeal against the decision to extend the period of probation (cf. [appeal procedures below](#)).
23. With the exception of circumstances where there has been early confirmation during extension, the Head of School will provide a further report (cf. [Appendix C](#)) on the Probationer around 10 months into the extended period of probation. The Probationary Review Panel will reconvene to consider the Probationer's progress and to decide whether the appointment of the Probationer should be confirmed or whether to recommend to the Principal that the appointment should be terminated giving the due contractual notice.
24. If the Probationary Review Panel decides to confirm the appointment, the Probationer will then be so informed by the Human Resources Section.

TERMINATION OF APPOINTMENT

- 25.i. If the Probationary Review Panel decides to recommend to the Principal that the Probationer's appointment should be terminated, the Probationer will be informed of this in writing as soon as possible and normally within three days of the meeting with the Panel.
- 25.ii. If the Principal accepts the recommendation of the Probationary Review Panel and endorses termination of the Probationer's appointment, the reasons for such termination will be conveyed to the Probationer, in writing, with minimum delay, by the Human Resources Section and will also be notified to the University Court.
26. A Probationer who is informed of the decision to terminate his/her appointment will also be advised in writing of his/her right of appeal against the decision.

APPEALS AGAINST EXTENSION OF PROBATION

27. Any appeal against a decision to extend a period of probation must be made in writing and lodged with the Director of Human Resources within 14 calendar days of the date on which the notification was issued to the Probationer by the Human Resources Section. A Committee appointed by the University Court and comprising
 - a Convenor, who will normally be a Vice-Principal hitherto unconnected with the matter,
 - a member of Court not employed by the University,
 - a member of the Staff Grading and Promotions Committee hitherto unconnected with the matter,will hear all such appeals. The Committee's decision on the matter will be final.
28. The Probationer will be informed that he/she may bring a person of his/her own choice to assist and may call a witness or witnesses to speak to the case. The Committee may choose to call, in the Probationer's presence, the Head of School, the Mentor, members of the Probationary Review Panel and any other person that it wishes, and will give the Probationer an opportunity of questioning these individuals and any other person called on their evidence.
29. The procedure for hearing appeals against the extension of probation or termination of appointment is contained within [Appendix E](#).

30. A brief note of the appeal hearing will be made and the decision communicated in writing to the Probationer normally within three days of the hearing.

APPEALS AGAINST TERMINATION OF APPOINTMENT

31. Any appeal against a decision to terminate the appointment must be made in writing and lodged with the University Secretary within 28 days of the date on which the notification was issued to the Probationer by the Human Resources Section. The Secretary will bring any notice of appeal to the attention of the Court. The appeal will be heard by an advocate or solicitor of at least ten years' standing who is not an employee of the University. The person appointed will sit alone unless he/she considers that justice and fairness will best be served by sitting with two other persons. The other persons who may sit with the person appointed will be:
- one member of the Court not being a person employed by the University; and
 - one member of the academic staff nominated by the Senatus Academicus.
32. The Probationer will be informed that he/she may bring a person of his/her own choice to assist and may call a witness or witnesses to speak to the case. The Appeal Committee will call before it, in the Probationer's presence, the Head of School, the Mentor, the appropriate Heads of College and any other person that it wishes, and will give the Probationer an opportunity of questioning these individuals and any other person called on their evidence.
33. The procedure for hearing appeals against the extension of probation or termination of appointment is contained within [Appendix E](#).
34. At the conclusion of its hearing the Appeal Committee may make known its decision to the Probationer or it may inform the Probationer that he/she will receive its decision in writing within seven days of the conclusion of its hearing. In either case, the Appeal Committee will make a report of its findings to the University Court. If the decision is adverse, the Probationer is entitled to receive, in writing, a note of the specific grounds for termination.