

SCHOOL OF ORIENTAL AND AFRICAN STUDIES

PROBATION PROCEDURE FOR EXPERIENCED ACADEMIC (TEACHING & RESEARCH) STAFF

1 Introduction

The probationary period is a time for mutual assessment: by the School of the academic and by the academic of the School. It provides an opportunity for academics to demonstrate their capabilities in order to move on to confirmation of appointment by the Academic Staff Probation Review Panel (the Panel).

Experienced staff appointed to full or part-time lecturer posts shall normally serve a probationary period of two years, after which time they may be confirmed in their appointment. Experienced staff appointed to full or part-time Senior Lectureships, Readerships or Professorships shall normally serve a probationary period of one year, after which time they may be confirmed in their appointment. The initial period of probation will be decided on appointment. For all probationers confirmation will be subject to the Panel taking the view that the probationer has met the requirements agreed in their probationary programme.

(Staff new to the academic profession appointed to full or part-time lecturer posts will be subject to the Probation Procedure for New Academic Staff).

To assist the probationer, the School may appoint an appropriate academic colleague to act as a Mentor during their probation. (Please refer to Section 9 for more information on the role of Mentor). Where a probationer believes that another mentor would be more appropriate, he/she should draw the issue to the attention of his or her Dean of Faculty.

The probationer's progress will be assessed by his or her Head of Department during the period of probation and by the Panel towards the end of his or her final year of probation. During the probationary period, the Head of Department is responsible for assessing the progress of the probationer and for ensuring that the probationer is provided with the necessary support to enable them to progress, including ensuring that an appropriate Mentor is assigned.

If the Panel is not satisfied with the probationer's progress, the staff member's probation may be extended by a maximum of 12 months. If the Panel decides that the probationer has not met the requirements after the extension of probation, the staff member's appointment will be terminated with appropriate notice at the end of the extended probationary period, in accordance with the School's Standing Order for Academic Staff: Dismissal, Discipline and Grievance Procedures and Related Matters (Part V: Other Dismissals, paragraph 16: Probationary appointments).

Please note that in certain circumstances (e.g. Gross Misconduct) the School's Disciplinary Procedures for Academic (Teaching & Research) Staff may take precedence over these probationary procedures.

2 The Procedure

The Head of Department will be responsible for assessing the progress of the probationer. Part of this assessment must involve formal review meetings with the probationer and the completion of Progress Review Reports, which must be discussed with the probationer (see Form ACP04 for 1 Year Probation Period / Form ACP05 for 2 Year Probation Period). The Head of Department will be requested by the Human Resources Directorate to conduct a

review of new academic staff after 7 months (end of the second term) in post for those on 1 year probation periods and after 9 and 18 months in post for those on 2 year probation periods. The Progress Review Report will be copied to the Dean of Faculty, to the relevant Human Resources Officer and to the probationer.

The purpose of the review is to assess progress achieved against an agreed probationary programme. To this end, at the time that a new appointment is taken up, the Head of Department should agree with the probationer their probationary programme which should include specific objectives relating to Teaching, Research, Administration and Knowledge Transfer & Enterprise Activity to be achieved by the time of the first review meeting. For those on 2 year probation periods, these objectives would then be reviewed and revised as appropriate, with further targets set to be achieved by the time of the next review meeting.

At each review point, probationers should be requested to submit a brief summary of their progress against these objectives. This will provide the basis for discussion at the formal meeting with the Head of Department. Any necessary remedial action recommended by the Head of Department will be initiated following discussion with the Dean of Faculty.

The Progress Review Report must state whether:

- i) performance is satisfactory in the four areas of teaching, research, administration and knowledge transfer & enterprise activity;
- ii) performance is unsatisfactory in one or more of these areas, in which case the report must give details of the areas causing concern and the remedial action proposed.

Dealing with unsatisfactory performance

Heads of Department should seek advice from their Dean of Faculty and their designated senior member of the HR Directorate whenever a probationer's performance/conduct gives cause for concern or when problems first arise. If appropriate, the senior member of the HR Directorate may be present at formal review meetings.

Where problems with meeting the appropriate standard(s) are highlighted and/or relevant training needs identified, appropriate opportunity/support shall be provided to assist the probationer in meeting the agreed objectives.

The Head of Department shall meet formally with the probationer to:

1. discuss any problems identified;
2. explain what aspect of the work/conduct is not considered satisfactory
3. explain which objectives/standards are not met and the shortfall between standards and timescales expected of the probationer and those achieved;
4. discuss what remedial guidance and training will be provided;
5. give clear early warnings of what may happen if required standards are not met;
6. give unambiguous indication of any necessary improvements.
7. agree a course of remedial action and timescales.
8. record the outcome of the meeting in writing and give a copy to the probationer.

If the required standards of conduct are not met the disciplinary procedure may be invoked.

The Academic Staff Probation Review Panel

During the final year of the probation period, or earlier if recommended by the Head of Department and supported by the Dean of Faculty, the work of the probationer will be

reviewed by the Academic Staff Probation Review Panel, with a view to confirming to permanent / fixed term appointment.

The Panel meets annually, normally during the third term and will consider the Head of Department Progress Review Reports for all probationers in their final year of probation. The Panel is chaired by the Pro-Director (Research and Enterprise), who will nominate the other three members of the panel in consultation with the HR Directorate at the beginning of each session. Panel members will be drawn from the academic staff cohort, normally Senior Lecturers or above. The Panel shall make recommendations to the relevant Faculty Board. The Panel will consider whether the probationer's performance in the four areas of Teaching, Research, Administration and Knowledge Transfer & Enterprise Activity has been satisfactory and fully meets the School's expected standards for the relevant grade/post.

The Academic Staff Probation Review Panel can recommend to the Faculty Boards that the probationer:

- a) be confirmed to permanent / fixed term appointment or;
- b) be subject to an extension to the probationary period, normally of six months duration, but no longer than a maximum of twelve months, during which time they will be expected to show demonstrable improvement in Teaching, Research, Administration or Knowledge Transfer & Enterprise Activity as appropriate to their areas of identified weakness

Where the Panel recommends an extension to the probationary period, the Head of Department is responsible for setting appropriate and reasonable objectives, and timescales for achievement, for the probationer.

Such objectives should normally be agreed in advance between the Head of Department and the probationer, but where such agreement is not possible, the matter should be referred to the Dean of Faculty for a view on the reasonableness, or otherwise, of the objectives being set by the Head of Department. This should be done in writing by the Head of Department, including the written objections of the probationer. The decision of the Dean of Faculty in such circumstances is final and not subject to any further appeal.

a) Confirmation of appointment

Where a positive recommendation of the Review Panel is unanimous, it shall be reported to the Faculty Boards for record purposes only and the confirmation to permanent / fixed term appointment shall be deemed to have effect from the end date of the probationary period. The Human Resources Directorate will write to the probationer confirming appointment, copying in the Head of Department. This does not affect the probationer's date of continuous employment.

A probationer on a 1 year or 2 year probationary period is entered from the date of appointment into the School's Research Leave Scheme that entails an opportunity to apply for one term's paid research leave after twelve terms.

b) Extending the probation period

Exceptionally, SOAS reserves the right to extend the probation period for the following reasons:

- The probationer has not performed to the expected standards of performance/conduct but there is evidence that the performance/conduct is likely to improve given the extra time.
- Due to the probationer's sickness or other authorised absence, it has not been possible to adequately assess the probationer's performance. The probation period will not normally be extended if the period of absence relates to a disability or maternity leave. In this regard, due cognizance will be taken of SOAS's obligations under the Equality Act. Advice should be sought from the designated Human Resources Manager for the area.

Where the probation is extended, the following must be communicated in writing to the probationer by the Head of Department:

1. The reasons for the extension.
2. The length of the extension period.
3. The assistance / training that will be given during the period of extension.
4. The areas for improvement and specific objectives relating to these areas as appropriate (i.e. Teaching, Research, Administration, Knowledge Transfer & Enterprise Activity).
5. That the appointment will be terminated at the end of extension period if the probationer fails to meet standards of performance expected for their grade/post as set out in the objectives at point 4 above.

Where the probationer is unhappy with the decision of the Review Panel, following their discussion with their Head of Department, they can request a meeting with the Chair of the Review Panel to highlight their concerns. They can be accompanied to this meeting by their trade union representative and a senior member of HR should also be present. There is, however, no right of appeal against the Review Panel's decision at this stage.

During the Extended Probationary Period

During the extended probationary period (up to twelve months, but as agreed above), the Head of Department is responsible for monitoring progress against set objectives. This will include:

- Holding regular meetings with the probationer (at least twice per term for all probationary extensions) to discuss progress against objectives and the assistance/training required by the probationer to achieve them;
- Providing written feedback to the probationer about their continued performance following each review meeting, including alerting them where objectives have not been met, that this may result in their dismissal;
- Providing a written report on the performance and progress against objectives of the probationer to the Review Panel Chair (see below) at the end of the agreed extended probationary period, including all written feedback reports following the review meetings conducted during the probationary extension period.

The Extended Probationary Review Meeting

1. If progress and performance/conduct are satisfactory at the end of the extended period, the Head of Department will discuss this with the probationer and recommend in their written report to the Academic Staff Probation Review Panel Chair that the appointment be confirmed and will complete the probation form as appropriate. The probationer will be advised in writing by HR of the successful completion of their probationary period.

2. If progress is still considered unsatisfactory, the Head of Department will inform the probationer and the HR Directorate of his/her assessment. HR will arrange a meeting of the Review Panel to consider the assessment.
 - (a) The probationer will be informed in writing by HR at least five days prior to this meeting:
 - That this meeting constitutes the final review
 - That their performance/conduct is not reaching the required levels
 - The date, time and location of the review
 - That the probationer has the right to be accompanied by a trade union representative or colleague.
 - That a Human Resources Manager will also attend the meeting.
 - That the outcome of the review could result in the termination of the appointment.

In addition the probationer will also be provided with a copy of the Head of Department's written report that was sent to the Chair of the Academic Staff Probation Review Panel.

- (b) At the meeting, it is the responsibility of the Chair of the Academic Staff Probation Review Panel conducting the review to:
 - Ensure that the necessary processes and procedures have been carried out;
 - Ensure that the meeting is conducted fairly, in line with this procedure;
 - Ensure that, as far as possible, all relevant facts relating to the issues are raised at the meeting;
 - Decide what action, if any is reasonable and necessary based on the facts;
 - Ensure that the probationer and/or his/her representative are allowed to present his/her case and respond to the issues raised;
 - Ensure that they have consulted a senior member of the HR Directorate prior to and during the meeting.
 - Inform the probationer of their right to appeal the decision taken.
- (c) The probationer will be informed in writing as to the outcome of the meeting and any further action that will be taken.
- (d) A decision to dismiss would not normally be expected unless problems had been identified at an earlier stage and appropriate formal corrective action taken at that time.

Once the recommendation of the Review Panel **not** to confirm a probationer in post is reported to the Faculty Board, the probationer shall be informed of the decision, with a full statement of the reasons in writing and of their right to appeal. The outcome of Faculty Boards will be noted to Academic Board and to the Governing Body. (Further information on the Appeals process can be found at 8 below).

3 Support Systems

Probationers require information, support and guidance throughout their probation period and Heads of Department and other staff have a responsibility to see that this is provided. On the appointment of an experienced academic, the Head of Department will consider nominating an appropriate Mentor following discussions with the Dean. All Mentors must be post-probationers and normally be of Senior Lecturer status or above. A Head of Department will not normally be a mentor but may decide to take on this role for new staff in

senior positions within his/her department. (More detail on the role of Mentors is given in Section 9 below).

In consultation with the Deans, the Human Resources Directorate will maintain a list of mentors to probationers who will be briefed on the contents of these guidelines and who should normally have attended a mentor briefing session.

4 Monitoring

The success of the probation scheme requires the careful co-ordination of activities of all those concerned. These include the Head of Department, the Mentor, the Dean of Faculty, the probationer themselves and the Human Resources Directorate. It is important that, where problems are identified, remedial action is taken as quickly as possible.

The probationer will progress to the School's Staff Development and Review Scheme (or its successor) on successful completion of the probationary period.

5 Criteria for Confirmation of Probation

In reaching a recommendation about an academic as set out in section 2 above, the Academic Staff Probation Review Panel will be guided by the following statement of criteria for employment at the School: *a post-probation contract of employment at the School is based on the expectation that all academic members of staff will contribute actively to the School's mission as an institution of excellence in research and teaching in Asian and African studies and related fields.* This contribution will be assessed by:

Research: The capacity to have a productive research career as demonstrated by the publication of articles and books of a standard appropriate for submission in research assessment exercises. The Panel will expect probationers to have obtained, by the time the Panel meets, commitment to or evidence of material sufficient to satisfy research assessment exercise requirements. Probationers failing to meet the requirement will be expected, by the end of any extension, also to have met these conditions regarding publication, if they have not already done so.

Teaching: The capacity to teach at all levels as evidenced by the results of course assessments and other indicators of teaching quality, including annual classroom observation. All staff who have less than three years' equivalent teaching experience at the start of their contract would normally be expected to have successfully completed a course of teacher training accredited by the Higher Education Academy or equivalent in order to be considered for a permanent contract. It is essential that any remedial action required for teaching is undertaken by the end of the second year in order to enable a full report to go forward to the Academic Staff Probation Review Panel.

Administration: The probationer has performed such administrative tasks as have been given to him/her in a competent and timely manner.

Knowledge Transfer & Enterprise Activity: The probationer has made some contribution to society and the economy through the application of knowledge to the benefit of the broader community (i.e. NGOs, business, government and the general public).

It is important that a probationer should be allocated a no greater than average teaching and administrative load so that s/he can meet the requirements of the Academic Staff Probation Review Panel in respect of teaching and research. This is particularly important where the probationer is undertaking a Postgraduate Certificate course in Learning and Teaching (or similar).

Staff should reach an acceptable standard in teaching and administration, but it is their contribution to research that will be given the greatest weight. Staff can only be considered for a permanent contract if they can show that they have reached the necessary standard of research as established through publication in peer-reviewed outlets, or acceptable alternatives in disciplines where this is not appropriate.

6 Promotion

Staff undergoing probation are eligible for promotion.

7 Academic Staff Probation Review Panel: Notes for Guidance

To assess the probationer's progress in these areas, the Panel will consider the following documentation:

- (i) This Probation Procedure for Experienced Academic Staff and the Equal Opportunities Policy Statement
- (ii) Documentary evidence from a course accredited by the HEA or equivalent;
- (iii) The recommendation of the probationer's Head of Department, in the form of copies of the probation review reports (see Appendix B), the School's Record of Observation of Teaching forms for each year of probation and any other such supporting documentation as s/he feels appropriate;
- (iv) The probationer's curriculum vitae.
This should include, under separate headings:
 - a) book(s) / monographs published (full reference, including the number of pages);
 - b) articles in refereed journals (full reference, including no. of pages);
 - c) articles in other journals (full reference, including no. of pages);
 - d) chapters in books (full reference, including no. of pages).

(NB In subjects where criteria other than publications are recognised by a research assessment exercise (currently the REF), equivalent evidence should be provided and will be given equivalent weight by the Review Panel. This might include research outputs other than monographs and articles in peer review journals, for example, performances, electronic media, exhibitions)

- (v) Any other information appropriate to the individual case e.g. sickness absence report.

The Head of the Panel will be responsible for ensuring compliance with the School's Equal Opportunities Policy and practices.

In assessing a probationer's suitability for appointment to a permanent / fixed term contract, the Panel shall take account of the criteria outlined in Section 5 above. The Dean of Faculty and Head of Department shall be informed of these School procedures and the criteria by which the judgment is to be made. Probationers will be interviewed by the Panel if required e.g. if there is a potential problem.

8 Appeal Procedure

A probationer, given notice (as prescribed by **para 2 (c)** above) that confirmation of appointment has not been recommended, may appeal **on procedural grounds**. These may include:

- (i) irregularities in the conduct of Panel business;
- (ii) failure of the Panel to take account of all relevant information

The probationer must appeal in writing within fourteen days of the notice of termination to the Director of Human Resources, stating the full reasons for the appeal. The Director of Human Resources shall put the matter before an Appeals Panel, which will be constituted in accordance with the School Standing Orders (Standing Order XI: Academic Staff: Dismissal, Discipline and Grievance Procedures and Related Matters, Part V: Other Dismissals, paragraph 16. Probationary appointments).

The Appeals Panel shall normally comprise of a Dean (not from the same faculty as the probationer), who will act as Chair, an academic member of HR Committee and two members of the Academic Board Panel nominated annually.

All review reports will be made available to the Appeals Panel, along with any other such other documentation as they see fit. The Appeal Panel will interview the probationer, the Dean of Faculty, the Head of Department and other such persons as they consider appropriate. The probationer has the right to be accompanied by a colleague or union representative. It is for the Appeal Panel to determine the exact procedures by which this process is conducted, but they would need to be in accordance with ACAS guidelines extant at the time relating to appeals against a decision to dismiss. The decision of the Appeal Panel shall be final.

9 Roles in the Probation Period

The Role of the Head of Department

The Head of Department is required:

- to agree a probationary programme with each new academic appointed to his/her Department, including setting specific objectives relating to Teaching, Research, Administration and Knowledge Transfer & Enterprise Activity, subject to this procedure, on taking up the new post;
- to monitor the progress of the probationer regularly in respect of achieving set objectives and dealing promptly with performance issues as they arise, including arranging appropriate training and support, etc.
- to ensure that the probationer is completely familiar with the procedures governing the probationary period and understands the criteria for successfully completing probation;
- to advise the probationer, in consultation with the Staff Development Manager with regard to his or her HEA accredited course, if being undertaken;

- to monitor the probationer's teaching load and research activities and to ensure that the duties and consequent workload allocated are appropriate and not higher than an average teaching and administrative load;
- to ensure that, where necessary, Mentors are appointed before the beginning of the academic year or term, whichever is appropriate;
- to assess student evaluation forms and comments from students on the probationer's teaching.
- to arrange for the probationer to observe a peer's class(es). This arrangement may be with the mentor and will apply to all full and part time staff.
- to observe at least one lesson taught by the probationer per year of probation using the School's Record of Observation of Teaching (at least one observation for those on less than one year's probation) in order to provide advice and guidance to the probationer in this area.
- to ensure that the necessary records are kept and meetings held in accordance with the procedure.
- to assist and guide when difficulties are encountered and to take forward any recommendations arising from the Probation Review Panel;
- to allocate duties and monitor the workload of the probationer in such a way as to facilitate his or her meeting the criteria for successfully completing probation.

The Role of the Mentor

Where deemed necessary, the Mentor is required:

- to make contact with the probationer as soon as possible after s/he has taken up post and maintain regular contact during the probation period;
- to assist in the process of induction of the probationer into the Department, the Faculty and the School;
- to help the probationer define and develop the skills needed to become an effective member of the Department, the Faculty and of the School;
- to discuss with the Head of Department the allocation of teaching and administrative loads;
- to assist the probationer to manage their research programme;
- to encourage the probationer's participation in training courses organised by the School;
- to give support and guidance to the probationer in teaching activities;
- to provide constructive feedback to the probationer on their work.

The Role of the Dean

- to advise the Head of Department on whether a mentor is required and on appropriate mentors;
- to support the Head of Department and the Mentor in fulfilling their duties under this procedure;
- to ensure that any proposed remedial action is undertaken;
- to ensure that probationer's workloads are such that meeting the criteria for successful completion of probation is facilitated;

The Role of Faculty Colleagues

- to be familiar with the probationary procedures;
- to provide informal advice, help and support to probationary members of their Faculty.

The Role of Probationers

- to ensure that they are familiar with the probationary procedure;
- to ensure that they are fully aware of the criteria for successfully completing their probation;
- to ensure that they comply with the probationary scheme's requirements of them;
- to provide an up-to-date CV and any additional information s/he wishes to submit to the Panel in the final year of probation;
- to participate, if required, in a recognised and agreed course leading to accreditation in teaching, for which the School will meet the fees if there is no suitable internal course available.

The Role of the Human Resources Directorate

- to draw their respective responsibilities to the attention of all staff involved, to ensure the fair application of the probation procedure;
- to monitor the mentor scheme;
- to provide the Head of Department with the probation review reports at appropriate points during the probation period;
- to liaise with the Heads of Department and other relevant individuals to ensure that the Academic Staff Probation Review Panel receives the appropriate information in the format required;
- to advise on the practical operation of the academic probation procedure as a whole;

- to advise and support all those involved in the probationary process, particularly Heads of Department, Mentors and the probationers themselves;
- to advise probationers on the HEA accredited course options available for them;
- to advise on issues relating to employment law and procedures relating to the termination of employment under the terms of this Code of Practice.

10 The Timetable of Activities

Early September

Heads of Department will consider whether a mentor is required and, where necessary, allocate a mentor to the experienced probationer and confirm these names with the probationer, the Mentor, Human Resources and the Dean of Faculty.

End of September

Heads of Department to meet probationers to agree the probationary programme.

End of March

The Human Resources Directorate will write to the following members of staff requesting information required by the Academic Staff Probation Review Panel, for all probationers in their final year of probation:

To probationers: requesting an up-to-date CV and any additional information s/he wishes to submit to the Panel;

To Heads of Department: requesting that they consider the progress made by the probationer during the probation period and write a recommendation which will be made available to the Panel.

April

The end of April is the deadline for replies to the request letters outlined above.

The Academic Staff Probation Review Panel meetings are normally held during the third term. Following the meeting, the Chair of the Review Panel will write to the appropriate Faculty Board informing them of the outcome of the Panel's decisions.

In the event of an appointment beginning on a date other than at the start of the first term, the review of the probationer will be included in the next most appropriate panel meeting.

Ongoing

HR to send periodic probation reviews reminders (or organise automated reminders through Desktop Manager) at appropriate times to the Heads of Department depending on the length of probation and the date of appointment.

Where necessary, mentors to meet regularly with probationary staff.

Heads of Department to observe at least one teaching session per academic year, to hold periodic formal review meetings with the probationer and complete probation progress reviews at the appropriate time.

Flowchart for Experienced Academic Staff Probation Procedure

