

Probation Policy and Process for

Academic-Related Staff, Other-Related Staff, Research Staff,
 Technical, Clerical and Certain Related Staff

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Statement of Probation Policy

The purpose of this policy is to make explicit SOAS's commitment for the fair, equal and consistent treatment of staff with regard to the probation period.

This policy sets out procedures for inducting new employees to the SOAS and carrying out probation reviews. A good probation process is vital to enable SOAS to provide the appropriate level of support and learning to new employees.

This policy provides managers with a flexible framework which promotes good employment practices and adopts a pro-active approach to equality and diversity issues whilst supporting fully SOAS's core business.

This policy sets the lead responsibility for the management of the probation process with line managers, who will be supported by the Human Resources Department.

Guidelines on probation which form the basis for the implementation of this policy are also provided. They have been designed to maximise flexibility to meet the needs of all areas. For these reasons, while still ensuring that SOAS complies with relevant legislation any significant variations in practice must be discussed with the Human Resources Department to minimise risk to SOAS.

Professional advice and support from the Human Resources Department is available to all employees throughout the probation review process. Managers are encouraged to discuss issues with a senior member of the HR Department at the earliest opportunity.

Scope

This policy relates to all new non-academic employees of SOAS (including all non-academic staff on part-time and fixed term contracts) whose contract of employment includes a period of probation.

Existing non-academic employees who are promoted, re-graded or transferred within SOAS will not normally be subject to a probation period unless their initial probation period is not yet completed. In this case, the probation period will be carried over to the new contract and the appointment will not be confirmed until the original period has been successfully completed

Employees on probation will not be subject to staff development review until such time as their probation period is successfully completed.

Aims of the Policy

1. To assist the employee to develop his/her career in a manner which is both personally satisfying and consistent with the needs and goals of SOAS.
2. To provide SOAS with an opportunity to assess the performance and future potential of the employee before deciding whether or not to confirm the appointment.

3. To help identify the employee's training and development needs and provide appropriate development activities to assist in achieving his/her full potential.

Principles

The probation process will be conducted in accordance with the SOAS's policies on equality and diversity. SOAS aims to secure equality of opportunity in all its activities, and in this respect, the probation review process must be objective, clear, transparent and free from discrimination.

Documentation relating to employees will be treated with the utmost confidentiality and related documentation will be subject to the provisions of the Data Protection Act 1998 (DPA) as appropriate. Employees will have the right to feedback and to access any documentation held on them which falls within the scope of the DPA. Those responsible for maintaining probation records must ensure that the records are held in a secure place and made available to authorised staff only.

At their induction, employees will be made aware, by their line manager, of the performance standards expected of them and will be given support, training and feedback necessary to achieve these standards.

Clear, comprehensive and accurate records of probation interviews must be maintained, including how standards are set, what methods are used for measuring them and what timescales are given for reaching them.

All employees will have the opportunity to attend appropriate staff development events organised by SOAS.

Staff in managerial roles will be offered appropriate management development for managing the probation process.

From the outset of any episode of poor conduct/performance during the probation period, line managers should discuss remedial action required by the employee and where necessary give clear, unambiguous warnings if standards are not met. These should normally be recorded in writing.

Employees have the right to be accompanied by another person at any formal probationary review hearing(s). This right will not normally apply in the case of informal discussions between the employee and line manager. The other person shall either be a work colleague or trade union representative

Definition of terminology

Area: the term area means the relevant Academic or Service Department.

Probationer: this term refers to members of staff newly appointed to SOAS and subject to a probation period.

Line manager: the line manager will be the individual nominated by the Dean of Faculty or Head of Service area to have supervisory responsibility over the employee on probation.

Senior manager: Head of Academic Department or Centre; or Manager of Service Section, or equivalent.

Head of Service Area: e.g. Head of Library Services, Director of Development & Alumni Affairs, Director of Human Resources.

Transparent: Processes that are clearly defined, easy to understand and which are open to scrutiny.

Monitoring and Review of the Policy

In order to monitor compliance with and the effectiveness of SOAS's Probation policy, a senior member of the Human Resources Department may be invited to, or elect to be present at, any stage of the formal probation process.

Annual reports on trends and statistics relating to probation will be provided to the Senior Management of SOAS and Trade Union Representatives.

This policy will be reviewed regularly in line with any changes in employment legislation.

Publication of the Policy and results of assessment and monitoring

The policy will be publicised widely within SOAS in electronic and paper formats to ensure its profile and impact is highlighted in full. Significant trends arising from assessment and monitoring may also be published.

Breach of the Policy

SOAS will take seriously any instances of non-adherence to the Data Protection legislation and this policy by its staff.

The appropriate Dean of Faculty or Head of Service Area, or other line manager, as appropriate, will investigate any instance of breach of the policy. Where appropriate, action will be considered under the relevant disciplinary policies for staff

Approval

This policy was formally approved by Staffing Committee on 8 March 2007.

This Policy and Procedure was agreed with UCU and UNISON in December 2006.

Probation Process

Introduction

These guidelines are intended to support SOAS's probation process. They are designed to provide a clear and simple process to assist managers in managing new employees and to ensure equality of opportunity for all employees.

The guidelines have been designed to maximise flexibility to meet the needs of all areas, and any significant variations should be discussed with Human Resources to minimise risk to SOAS.

Senior members of the HR team are able to provide professional advice and support at all stages of the process.

A formal probation procedure helps to ensure that:

1. The performance, conduct, attendance, timekeeping and training/support needs of all new employees to SOAS is assessed fairly, consistently and equally across the organisation.
2. Managers provide new employees with the appropriate support, guidance, training, encouragement and feedback.
3. Both managers and probationers understand the purpose of the probation.

Employees have the right to be accompanied by another person at any formal review hearing(s). The other person shall either be a work colleague or a trade union representative.

Length of probation

The length of the probation period shall normally be six months, or otherwise, as detailed in the individual contract of employment.

Existing non-academic members of staff who are promoted, re-graded or transferred SOAS will not normally be subject to a probation period unless their initial probation period is not yet completed. In this case, the probation period will be carried over to the new contract and the appointment will not be confirmed until the original period has been successfully completed

Procedure

Throughout the probation period, the line manager shall pay particular attention to the performance of the employee and shall keep him/her informed of individual progress.

It is the line manager's responsibility to ensure the new employee is inducted locally (i.e. in the department) and given the relevant information necessary to enable him/her to commence work. Consequently the line manager should arrange an appointment with the new employee during their first week (but ideally on their first day) of employment at SOAS.

Introductory meeting:

The line manager shall:

- (a) Clarify the duties and responsibilities of the new employee, in line with the job description. This should include:
 1. Policy and procedures (e.g. absence reporting) that must be followed.
 2. Key aspects of role, structure of the department and how it fits within SOAS's structure.

3. Skills/competences required/that must be acquired.
 4. Standard of work expected (quality and quantity)
 5. Deadlines to be met
 6. Behaviour/conduct (including timekeeping and attendance)
 7. Working relationships
 8. Working environment
 9. Training needs
 10. Any other issues specific to the role/grade.
- (b) Explain how objectives will be monitored and measured and how frequently this will be done.
- (c) Identify and provide relevant training (this may be attendance at internal/external courses, identifying a mentor or providing 'on the job' training).
- (d) Agree and set dates for further review during the probation period and complete Section 1, 2 & 3 of the probation form.

Objectives

- (a) The objectives will be statements of what should be achieved in the role (including how and when) within the employee's probationary period to ensure that they have a full understanding of the requirements of the post, the Department/Faculty and SOAS. These objectives should be agreed soon after appointment (but ideally within the first week) in a discussion between the employee and their line manager.
- (b) The objectives should be specific to the activities of the new employee, as detailed in their job description, and should be clearly defined to avoid misinterpretation.
- (c) The objectives should be clear and measurable. Line managers should therefore indicate how the objectives will be measured and what indicators they will use to check whether objectives have been met.
- (d) The objectives set during the probation period shall be realistic, reasonable and commensurate with the grade of the post. Some work may extend beyond the probationary period and in this case, it will be necessary to break the tasks/project down to set realistic objectives.
- (e) The line manager shall give the employee the appropriate support/guidance (including training) necessary to help them achieve the set objectives.
- (f) The objectives will be linked to a reasonable timescale. The line manager shall arrange review meetings at appropriate points throughout the probation period to reflect the timescale of the objectives set.

Reviews

The probation procedure introduces a number of probation interviews/reviews to ensure regular two-way communication between the line manager and their employee, allowing timely action to be taken in the early stages of the appointment.

- (a) There shall be a minimum of two formal probation review/interviews during the probation period, one around the twelfth week/month 3 into the appointment and the final review at the beginning of the final month/month 5 of the employee's probationary period.
- (b) Human Resources will advise departments of the dates for formal reviews as early as possible after the employee has started work at SOAS. Departments will be sent email reminders one month prior to the due date to conduct the review.
- (c) Formal reviews/interviews should be set up in advance so that both parties have time to prepare for them and to ensure that meetings remain free of interruptions.
- (d) Line managers are advised to hold frequent informal meetings with their employee in order to ensure a good working relationship and feedback on the employee's progress. The frequency of these meetings should be determined locally according to the needs of the employee, area or SOAS.
- (e) Any difficulties should be addressed as early as possible and reported to a senior member of the HR Department as soon as possible (i.e. it is not necessary to wait for the next formal review).
- (f) As part of the review, line managers should:
 - 1. Praise good performance/achievements thus far.
 - 2. Review timekeeping/attendance, including sickness absence.
 - 3. Discuss the employee's performance to-date against the objectives set at induction.
 - 4. Review/agree training/development needs, if necessary
 - 5. Provide constructive feedback on progress
 - 6. Identify aspects of performance/conduct that need improving.
 - 7. Explore problems the employee has encountered in their role.
 - 8. Provide guidance/support as appropriate, e.g. mentoring,
 - 9. Introduce/agree any changes to the objectives set.
 - 10. Set next review meeting (if applicable).

It is the line manager's responsibility to ensure that reviews are conducted within the timescale described in this policy and that HR is supplied with the appropriate documentation as soon as possible thereafter. If any issues or concerns are identified, managers should seek advice from a senior member of the HR team.

- (h) Written documentation is crucial to the probation as it will provide very helpful information for the forthcoming staff development review process when the probation period is completed successfully. Equally, it will indicate clearly the reasons why an appointment is not to be confirmed in the case of unsuccessful probation.

- (i) During the final review, discussions should be held between the employee and their line manager about setting objectives and an individual development plan to be reviewed at their first appraisal meeting.

Probation Forms

A probation form should be completed to record details of each review (including agreed objectives and set review dates) after each formal meeting.

The form shall be completed by the line manager and signed by the employee, the line manager and the Head of Department/Centre or Manager of Service Section, or where appropriate, the Pro Director/Head of Service Area.

The form should be completed, signed and a copy forwarded to the Human Resources Department within 10 working days of the meeting.

Confirmation of appointment

- (a) If the employee's performance, conduct, timekeeping and attendance have been satisfactory and fully meet SOAS's expected standards for the relevant grade/post, the line manager shall complete the probation form appropriately and recommend that the appointment should be confirmed.
- (b) Employees will be advised in writing of the successful completion of their probation period.

Dealing with unsatisfactory performance

- (a) Line Managers should seek advice from their designated senior member of the HR Department whenever an employee's performance/conduct gives cause for concern when problems first arise. If appropriate, the senior member of the HR Department may be present at formal hearing reviews.
- (b) Where problems with meeting the appropriate standard(s) are highlighted and/or needs for relevant training identified, appropriate opportunity/support shall be provided to improve performance.
- (c) The line manager shall meet formally with the employee 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 employee and those achieved;
 - 4. 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 employee.

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

Extending the probation period

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

- The new employee 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 new employee's sickness or other authorised absence, it has not been possible to adequately assess the employee'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 Disability Discrimination Act and Maternity provisions within the Sex Discrimination Act. Advice should be sought from the designated Human Resources Manager for your area.

Where the probation is extended, the following must be discussed between the line manager and employee:

1. Reasons for the extension.
2. Length of the extension period.
3. Assistance/training that will be given during the period of extension.
4. Areas for improvement and indication of how these will be monitored and measured.
5. Appointment will be terminated at the end of extension period if the employee fails to meet standards of performance expected for their grade/post.

The employee has the right to be accompanied by a Trade Union representative or colleague at this meeting.

Any extension of the probation period will not exceed three months. During the last month of the extended period, the line manager and their employee (with their Trade Union Representative/colleague as appropriate) will meet formally to review progress.

If progress and performance/conduct are satisfactory at the end of the extended period, the Line Manager will recommend that the appointment should be confirmed and will complete the probation form as appropriate. The employee will be advised in writing of the successful completion of their probation period.

If progress is still considered unsatisfactory, the Line Manager will inform the employee and make a recommendation that the appointment be terminated.

Terminating the appointment

Where an employee fails to achieve the expected standards of performance/conduct, for their grade/post, this shall result in the appointment being terminated, subject to notice or where appropriate, pay in lieu of notice.

- (a) Prior to the final review meeting the employee will be informed in writing at least five days prior to this meeting:
- That this meeting constitutes the final review
 - It will specify the areas where performance/conduct is not reaching the required levels
 - It will specify the date, time and location of the review
 - That the employee has the right to be accompanied by a trade union representative or colleague.
 - It will also state that the outcome of the review could be termination of the appointment.
- (b) At the review meeting or extended probationary review meeting, it is the responsibility of the manager conducting the review to:
- Ensure that the necessary investigations 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 come out at the meeting;
 - Decide what action, if any is reasonable and necessary based on the facts.
 - Ensure that the employee and/or his/her representative will be allowed to present his/her case and respond to the issues raised.
 - Ensure that they have consulted a senior member of the HR department prior to the meeting. It is expected that a member of the HR department will attend the review or extended probationary review meeting where dismissal is one possible outcome.
 - Inform the employee of their right to appeal the decision taken.
- (c) If the appointment is terminated employees will be advised in writing that the appointment shall be terminated, inform them of their last date of service and of their right to appeal against the termination. Reasons for such a decision must be clearly explained to the employee and put in writing within three working days of the meeting. A copy of this letter must be sent to the Human Resources Department before the end of the probation period (or extended period).
- (d) If the appointment is not terminated the employee will be informed in writing as to the outcome of the meeting and any further action that will be taken.
- (e) 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.

Trade Union Representatives

The circumstances of any action to be taken against a representative of a recognised trade union will be notified to a full time officer of that union.

Right of appeal

An employee whose employment is terminated shall have the right to appeal against the decision to dismiss them to the next level of management.

The appeal must be in writing within ten working days of the decision to dismiss, stating the reasons for the appeal.

Employees have the right to be accompanied by another person at any formal appeal hearing(s). The other person shall either be a work colleague or a trade union representative.

The appeal will be heard by either a Senior Manager, a Senior Area Manager/Senior Service Manager or their delegated representative and a Senior Human Resource representative, none of whom shall have previously been involved in the case. An employee who cannot attend the appeal meeting should inform the manager conducting the hearing in advance whenever possible. If the employee fails to attend through circumstances outside of their control and unforeseeable at the time the meeting was arranged (e.g. illness) the School will arrange another meeting. If the employee fails to attend the re-arranged meeting, without good reason, a decision may be taken in the employee's absence. If an employee's trade union representative or colleague cannot attend on a proposed date, the employee can suggest another date so long as it is reasonable and not more than five working days after the date originally proposed by the School. This five day limit may be extended by mutual consent.

The Manager holding the appeal may adjourn the hearing if necessary and the employee may also request an adjournment.

The appeal shall be heard no later than 10 working days of the appeal being lodged.

The decision of the manager conducting the appeal shall be final.

Other relevant policies/documents

At any time during the management of the probation process, it may be appropriate to refer to the following SOAS procedures, which may be in force from time to time.

Recruitment .Policy and Associated Procedures
Health and Safety at Work.
Disability Policy
Grievance.
Staff Development Review scheme.
In-house (training) Programme.
Disciplinary Procedures.

Table of responsibility and Decision Making Authority

Level	Responsibility
Executive Board	For ensuring SOAS has clear policies to support the effective implementation of, and compliance with employment legislation.
Director & Principal	For working with the Governing Body and Senior Officers of SOAS to ensure that the SOAS policy is implemented effectively and that appropriate action is taken against employees who do not act in accordance with it.
Director of Finance & Administration	<p>For overseeing the effective implementation of the policy by enabling the following: The Human Resources Department in conjunction with Departments and Faculties are responsible for the proper, fair and consistent application of this policy. To support this, senior members of the HR Department are responsible for providing advice, guidance and support on the application of this policy at area level.</p> <p>Managers, including Principal Investigators, as delegated by Deans of Faculty or Heads of Service Area, have responsibility for:</p> <ul style="list-style-type: none"> • consistently applying this policy throughout their department. • ensuring that all staff in their area have been given sufficient training as appropriate. • all other responsibilities as outlined in the policy/guidelines attached.
Pro Director/Heads of Service Area	For ensuring that probation policy and procedure are implemented and adhered to in their area. They are responsible for fostering a culture in which equality and diversity forms an integral part of every day work and for ensuring that it is reflected in all activities.
Heads of Academic Departments/Centres or Managers of Service Sections, or equivalent.	<ul style="list-style-type: none"> • For nominating the appropriate line manager to supervise the new employee. • For ensuring new employees in their area receive adequate training and supervision which will enable them to perform their roles to the required standards. • For signing all formal probation reports in their area.
Line Manager	<ul style="list-style-type: none"> • For clarifying new employees' duties and responsibilities • For planning new employees' work and objectives and ensuring that these objectives are commensurate with the job level and grade. • Providing instruction, guidance and assistance/training as necessary. • Explaining performance standards. • Setting objectives with new employee. • Monitoring/reviewing progress. • Providing encouragement/feedback.

	<ul style="list-style-type: none"> • Arranging and conducting probation interviews. • Highlighting areas for improvement. • Seeking advice from HR in cases of poor performance. • Issuing warnings. • Issuing formal appropriate correspondence following probation reviews. • Confirming in writing the outcome of the probation period (e.g. contracts issued by local area,)
New Employee	<ul style="list-style-type: none"> • For demonstrating their suitability for the post/grade to which they have been appointed. • For meeting agreed objectives within set deadlines • For discussing with their line manager their need for training/guidance/support they feel is necessary to help them achieve the expected standard of performance. • For seeking advice from Human Resource if necessary.
Human Resources	<ul style="list-style-type: none"> • For providing professional Human Resources advice to both line managers and new employees. • For issuing probation review reminders to line managers (except in cases of contracts administered at area level, e.g. visiting appointments). • For advising on cases of unsatisfactory progress, reviewing decisions and if necessary referring up to the next level of management. • For issuing formal appropriate correspondence following probation reviews (except in cases of contracts administered at area level). • For confirming in writing the outcome of the probation period (except in cases of contracts administered at area level, e.g. visiting appointments)
Staff Development Manager	For providing training and development in performance management.
Appeals committee	<ul style="list-style-type: none"> • For hearing appeals. • For making recommendations following appeal.

Advice and guidance

For advice and guidance on the implementation of this policy, contact hr-operations@soas.ac.uk or your HR Business Partner.

