



Probation (Academic Staff) procedure

Section 1 - Preamble

(1) This Procedure is effective from 22 November 2019.

Section 2 - Purpose

(2) This Procedure outlines the process to be followed by Academic staff and supervisors during a staff member's period of probation.

Section 3 - Scope

(3) This Procedure applies to continuing and fixed-term Academic staff and supervisors with Academic staff on probation. It does not apply to casual staff, staff on Senior Staff Performance Contracts or the Executive.

Section 4 - Policy

(4) This Procedure is pursuant to the [Performance and Development policy](#).

Section 5 - Procedure

(5) All new Academic staff appointed to a continuing or fixed-term position will normally be required to serve a period of probation.

(6) The period and terms of probation are in accordance with the provisions specified in this Procedure, the [Deakin University Enterprise Agreement 2017 \(EA\)](#) and the staff member's contract of employment.

(Refer also to the [Recruitment of Staff procedure](#) and Deakin's [Probation website](#).)

Continuing appointments

Periods of probation

(7) An Academic staff member (other than a casual) may be required to serve an initial probation period of three years. This initial period of probation may be extended for a further period of up to two years, in accordance with 22.3 of the [EA](#).

(8) When determining the length of a staff member's probationary period, or whether to waive the probationary period, the University will consider the nature of the work to be performed, the staff member's prior service and performance at other universities, and their qualifications and experience. A probation period of three years would be appropriate for a staff member with no prior full-time or part-time service at a university.

(9) This initial period of probation may be reduced or waived at the discretion of the Head of School/Department or the

Director of an Institute where:

- a. the staff member has previously performed a substantially similar role and duties at the University or another university, and
- b. the staff member has demonstrated successful performance and behaviour in a substantially similar role at the University.

(10) For Level E appointments, a probationary period of six months may be deemed appropriate by the Head of School/Department or the Director of an Institute.

(11) A staff member who has previously been employed by the University on a fixed-term appointment for a period of at least three years will not be required to serve a probationary period provided that the:

- a. staff member has demonstrated successful performance of the range of academic duties consistent with the academic level at which the continuing appointment is being offered; and
- b. cessation of the staff member's fixed-term appointment with the University was less than six months prior to the commencement of the continuing appointment.

Graduate Certificate of Higher Education Learning and Teaching (GCHELT)

(12) Academic staff appointed to continuing positions involving teaching (Level A—D) must complete the [Deakin University GCHELT](#) before the end of their probation period, unless an exemption is granted in accordance with this Procedure.

(13) Where a staff member is required to complete the [GCHELT](#), this will be included by their supervisor as a performance objective on the staff member's DeakinAchieve Probation Plan in DeakinPeople.

(14) Up to two credit points may be granted towards the [GCHELT](#) in accordance with the [Recognition of Prior Learning policy](#).

(15) A staff member required to complete all or any part of the [GCHELT](#) will be exempt from all fees associated with the course.

(16) Staff may be exempted from the requirement to complete the [GCHELT](#) if they:

- a. have satisfactorily completed an equivalent qualification or a qualification at a higher level focused on teaching in higher education at a recognised institution
- b. provide evidence demonstrating their proficiency in teaching to enable student learning relevant to the discipline. Such evidence is likely to be comprised of several of the following:
 - i. current or recent success in teaching in higher education, based on comprehensive quantitative and qualitative student feedback over time
 - ii. receipt of a teaching award, or a grant or fellowship strongly related to teaching and learning
 - iii. publications relating to teaching and learning
 - iv. completion of a teaching qualification not focused on higher education
- c. are appointed primarily to a research or clinical position, provided they do not undertake a role as Course Director or Unit Chair.

(17) Applications for exemption from the requirement to complete the [GCHELT](#) are to be submitted by the staff member to the Course Director [GCHELT](#). Such applications will be considered and, if appropriate, approved by the Deputy Vice-Chancellor Education (DVCE) on the advice of the Course Director [GCHELT](#) and the Executive Dean, Faculty of Arts and Education.

(18) The DVCE will notify the staff member in writing of the outcome of their application for exemption, with copies also provided to Human Resources Division (HRD) and the staff member's Faculty or Portfolio.

Responsibilities of the supervisor during probation

(19) The supervisor of an Academic staff member on probation should be the Head of School/Department or the Director of an Institute, unless the role has been delegated by the Faculty Executive Dean to another senior academic within the School, Institute or Department, in accordance with the [Delegations policy](#).

(20) The supervisor is responsible for:

- a. meeting with the staff member within the first month of the staff member's commencement of employment (or as soon as reasonably practicable) and establishing probationary performance and behavioural objectives (see the Completing the DeakinAchieve Probation Plan in [DeakinPeople](#))
- b. scheduling all other formal probationary review meetings (see the DeakinAchieve Probation Plan in [DeakinPeople](#) — Critical Dates)
- c. ensuring that the staff member is aware of their responsibility, and the support which will be provided, to enable them to complete the [GCHELT](#) during their probationary period, unless an exemption has been granted
- d. assigning a mentor, within one month of the staff member's commencement of employment, to the staff member to provide advice and guidance to assist the staff member to achieve their probation goals. The mentor will normally be an Academic in the same discipline area as the staff member, or a related discipline, and of the same or higher academic rank as the staff member. In some cases, more than one mentor may be assigned, or a School mentoring group may be used (see also [Professional Development \(Academic Staff\) procedure](#))
- e. facilitating and encouraging regular dialogue with the staff member regarding their performance and behaviour during probation which will include:
 - i. monitoring the staff member's progress and providing constructive feedback and counselling (in both scheduled and informal meetings) to assist the staff member to achieve their probationary objectives (on a more regular basis)
 - ii. developing strategies to resolve any identified difficulties which, if appropriate, will include the opportunity to participate in staff development programs to develop and refine their teaching and research skills
 - iii. maintaining a record of meetings, agreements and outcomes and providing copies to the staff member where appropriate.
- f. contacting their Senior HR Business Partner/HR Business Partner, HRD for advice in situations where they have any concerns in relation to the staff member's performance or behaviour.

Responsibilities of the staff member during probation

(21) The staff member is responsible for:

- a. working towards meeting the performance and behavioural objectives set by their supervisor
- b. actively participating in all probationary discussions with their supervisor
- c. completing the [GCHELT](#) (unless an exemption has been granted)
- d. providing feedback to the supervisor in relation to performance matters including:
 - i. seeking further clarification of expectations as required, and
 - ii. advising the supervisor of any concerns in relation to the achievement of their objectives should this arise during the probationary period.

Early confirmation of appointment during probation

(22) Where a supervisor considers that a continuing Academic staff member on probation has demonstrated sustained [achievement relative to opportunity](#) in terms of the demonstrated quality and impact of the outcomes in at least two of the following academic fields:

- a. Learning and Teaching;
- b. Research and Scholarship; or
- c. Service

the supervisor may encourage and support the staff member to apply for promotion in accordance with the [Academic Promotion policy](#) and the [Academic Promotion procedure](#).

(23) If the relevant Promotions Committee recommends promotion of an Academic staff member still on probation, the Vice-Chancellor (or nominee) may exercise their discretion to waive the remainder of the probationary period and make an early confirmation of the staff member's appointment. This will be included in the letter from the Vice-Chancellor (or nominee) advising the staff member of the outcome of their application for promotion.

Fixed-term appointments

Period of probation

(24) An Academic staff member who is offered an initial fixed-term position with the University will normally be required to serve a probationary period.

(25) Subject to clause 22.3 of the [Deakin University Enterprise Agreement 2017](#) and clauses 33 and 34 of this Procedure, the University may waive the requirement for a further probationary period where a staff member is appointed to a second or subsequent fixed-term position within the University. In deciding whether to require a staff member appointed to a second or subsequent fixed-term position, the University may have regard to whether the staff member's duties are substantially different from their initial fixed-term appointment. Where a supervisor is considering requiring a second or subsequent probationary period, the supervisor must contact their HR Adviser, HRD for advice before proceeding with that decision.

(26) In determining the length of a fixed-term probationary period, the Head of School/Department or Director of an Institute will consider the duration of the appointment and the nature of the position. The following initial probationary periods may be determined as reasonable by the Head of School/Department or Director of an Institute:

LENGTH OF FIXED-TERM CONTRACT	SUGGESTED PROBATIONARY PERIOD
More than 3 years	3 years
More than 2 years and up to 3 years	2 years
More than 12 months and up to 2 years	1 year
Up to 12 months	6 months
6 months	3 months

(27) For shorter fixed-term contracts (less than six months) a formal probationary process may not be deemed appropriate or necessary by the Head of School/Department or Director of an Institute. In such circumstances this Procedure will not apply. However, the supervisor should still ensure that the staff member is provided with an induction into the work area, is given clear performance and behavioural requirements associated with the role, and is aware of available support.

(28) Where a staff member is employed pursuant to a fixed-term Early Career Development Fellowship (ECDF), a

probationary period of 12 months will apply.

Responsibilities of the supervisor

(29) A Head of School/Department or Director of an Institute may nominate an alternative Academic within their School, Institute or Department to supervise any fixed-term staff member on probation.

(30) Supervisors of fixed-term Academic staff members on probation will need to tailor the DeakinAchieve Probation Plan in DeakinPeople and the responsibilities of the supervisor and the responsibilities of the staff member in clauses 20-22 of this Procedure which specify probationary requirements for continuing appointments, to meet the needs of the University and the fixed-term staff member.

(31) In tailoring the staff member's probationary experience, supervisors should consider the nature and duration of the fixed-term contract to assess the frequency and level of support and supervision required during probation.

(32) Supervisors of fixed-term staff should review the DeakinAchieve Probation Plan in DeakinPeople and contact their HR Partner, HRD for further advice and support in relation to the expectations and options for providing a positive probationary experience and managing fixed-term Academic staff on probation.

Extending probation (for continuing and fixed-term appointments)

(33) If, at the end of the initial probation period, the supervisor forms the view that a further period of probation is required to assess the staff member's suitability for confirmation, the supervisor may seek to extend the staff member's probation in accordance with clause 22.3 of the [EA](#).

(34) A supervisor must submit in writing any request to extend the staff member's probationary period to the Executive Director, Human Resources. Any approved extension of probation will be confirmed in writing by HRD to the staff member and the supervisor.

Outcome of probation (for continuing and fixed-term appointments)

(35) Prior to the end of the probationary period, ideally no later than five months prior to the expiry of the probationary period, the supervisor will conduct a formal final review to determine whether the staff member's appointment will be confirmed, extended or terminated. If the consultation takes place later than this time, and a decision is made not to confirm the appointment, up to four months' notice (or subject to clause 22.6 of the [Deakin University Enterprise Agreement 2017](#), payment in lieu of the period of notice which exceeds 10 working days) will be provided to the staff member.

(36) In undertaking the review, the supervisor should seek the views of other relevant senior Academic staff members, including any mentor(s), about the progress and contribution made by the probationary staff member in relation to the staff member's probation goals.

Confirmation of employment

(37) After the formal final review, where the supervisor considers that the staff member has demonstrated achievement of their performance and behavioural objectives, the supervisor will complete the DeakinAchieve Probation Plan in DeakinPeople, that is then forwarded to the Faculty Executive Dean or other relevant member of the Executive, for approval.

(38) The staff member will then receive confirmation from HRD confirming their continuing or fixed-term appointment with the University.

(39) Any staff member whose employment is confirmed is required to participate in the DeakinAchieve process for the remainder of the DeakinAchieve cycle or for the remainder of their fixed term contract. The staff member and the

supervisor should complete the DeakinAchieve Plan and utilise either the mid-year or end of year timeframes for review, depending upon the stage in the DeakinAchieve cycle that probation is confirmed.

Termination of employment during probation

(40) In circumstances where the supervisor has concerns in relation to the staff member's performance or behaviour, the supervisor, following advice from their Senior HR Business Partner/HR Business Partner, HRD, may recommend to their Faculty Executive Dean or other relevant member of the Executive that a decision be made not to confirm an appointment of an Academic staff member on probation.

(41) This recommendation, including supporting evidence, from the supervisor may be provided at any time during the Academic staff member's period of probation. Any final review and recommendation should ideally be provided no later than five months prior to the expiry of the probationary period (to minimise the financial costs of providing notice or making a payment in lieu of notice).

(42) Where the Faculty Executive Dean or other relevant member of the Executive is satisfied that the staff member has not satisfactorily achieved their probation goals, they will ensure that the staff member is advised of, and given an opportunity to respond to, any adverse material about the staff member that may be taken into account in a decision to terminate the staff member's employment upon or before the expiry of the period of probation.

(43) The Executive Dean or other relevant member of the Executive will review the adverse material and any response the staff member made and make a decision about whether to terminate the staff member's employment in probation. Any decision to terminate employment will be confirmed in writing to the staff member. The letter will also include provision for four months' written notice.

(44) At the discretion of the Faculty Executive Dean or other relevant member of the Executive, a payment in lieu of the notice period may be made to the staff member (in accordance with clause 22.6 of the [Deakin University Enterprise Agreement 2017](#)) in lieu of part or all of the notice period that exceeds 10 working days.

(45) As per clause 22.7 of the [EA](#), Unsatisfactory Performance (clause 65), Misconduct and Serious Misconduct (clause 66) and Review of decision – termination of employment or demotion (clause 67) do not apply to staff on probation.

Seeking an independent review of a decision to terminate

(46) Following receipt of the letter from the Faculty Executive Dean or other relevant member of the Executive advising of the decision not to confirm their probation and the subsequent termination of the staff member's employment, the staff member may elect, within 10 working days of the written notice, to request an independent review of the decision to terminate their employment in accordance with clause 22.8 of the [EA](#).

(47) Independent reviews will be conducted in accordance with clauses 22.9-22.15 of the [EA](#).

(48) The Vice-Chancellor will consider the Independent Reviewer's report in accordance with clause 22.16 of the [EA](#) and will then advise the staff member and their supervisor in writing of the decision as per clause 22.17 of the [EA](#).

(49) Where the Vice-Chancellor confirms the original decision, any remaining notice periods (or payment in lieu) will then apply from the date of the original written notification (see clause 46 above and clauses 22.18 and 22.5 of the [EA](#)).

Section 6 - Definitions

(50) For the purpose of this Procedure:

- a. probation: an initial defined period of employment during which a supervisor closely monitors and assesses a staff member's suitability for the position (this may include, but is not limited to, monitoring performance and behaviour to determine whether there is an appropriate match between the person, the position and the work environment).

Status and Details

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