

# ACADEMIC PROBATION AND CONFIRMATION PROCEDURES 2020

Issued by: Chief Human Resources Officer

Dated: 17 August 2020

Last amended: 5 October 2023 (administrative amendments only)  
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Signature:

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## 1 Purpose and application

- (1) These procedures are to give effect to the [Academic Probation and Confirmation Policy 2020](#) (“the policy”).
- (2) These procedures apply to the management of:
  - (a) all continuing and fixed term academic staff during their probation period;  
and
  - (b) continuing academic staff during their confirmation period.

## 2 Commencement

- (1) These procedures commence on 24 August 2020.

## 3 Interpretation

- (1) Words and phrases used in these procedures and not otherwise defined in this document have the meanings they have in the policy.
- (2) In these procedures:

**AP&D system** means the Human Resources on-line process for implementing the planning and development cycle for academic staff.

**hiring manager** means the staff member nominated by the relevant delegate as the point of contact for the recruitment, selection and appointment for a position.

**Human Resources Partner** means the contact person within the Human Resources Partnering team for the faculty, University school or administrative area.

#### 4 Before employment

- (1) When a new fixed-term or continuing academic staff member is to be appointed, Human Resources will insert the University's standard conditions of probation into the appointee's letter of offer.
- (2) When a new or existing academic staff member is to be appointed on a continuing basis, Human Resources will insert the standard conditions of confirmation into the letter of offer.
- (3) A hiring manager may seek the approval of the relevant delegate to do any of:
  - (a) waive the probation period;
  - (b) for continuing academic staff, waive the confirmation period;
  - (c) amend or include additional conditions of probation or confirmation (including reducing the length of the relevant period).
- (4) When seeking the relevant delegate's approval the hiring manager must provide a completed [Proposal to Waive Probation or Confirmation or Amend Standard Conditions Form](#).
- (5) If the relevant delegate approves the proposal, the approved [Proposal to Waive Probation or Confirmation or Amend Standard Conditions Form](#), must be submitted with the Job Requisition.
- (6) Human Resources will check that any proposed amendments or additions to the standard conditions for probation or confirmation are:
  - (a) consistent with the University's obligations under the [Enterprise Agreement](#) and other legislative or regulatory requirements;
  - (b) appropriate for an academic staff member at that academic level (by reference to the position descriptors in Schedule 2 of the [Enterprise Agreement](#));
  - (c) not inconsistent with any other performance expectations which will apply to the staff member (e.g. through the University's performance or other frameworks); and
  - (d) enforceable as conditions of employment.
- (7) Human Resources may do any of:
  - (a) refer the proposed changes back to the hiring manager for reconsideration;
  - (b) suggest changes to the wording; or
  - (c) seek the advice of the Office of General Counsel.
- (8) Human Resources will include any approved and finalised amendments to the standard conditions of probation or confirmation in the staff member's letter of offer.

**Note:** Refer to the [probation and confirmation process maps](#) to see the end-to-end process.

## 5 Academic probation

- (1) On commencement with the University, the AP&D system will:
  - (a) provide a new academic staff member with a probation plan template; and
  - (b) notify each of the staff member and supervisor to commence AP&D planning.
- (2) Human Resources must upload the probation conditions in the staff member's letter of offer to the AP&D system.
- (3) In developing their probation plan, the staff member must:
  - (a) refer to the probation conditions in their letter of offer;
  - (b) set objectives and goals that will position them to meet the conditions of their probation; and
  - (c) address and include any faculty-specific expectations discussed and agreed with their supervisor.
- (4) In reviewing the staff member's probation plan, the supervisor must confirm within the AP&D system that the goals will position the staff member to meet the conditions of their probation.
- (5) Three months after commencement the staff member and supervisor must meet to review the staff member's progress towards the goals in the probation plan.
- (6) If at any stage during the probation period a supervisor has concerns regarding the staff member's performance or conduct, they must immediately contact their Human Resources Partner for advice.
  - (a) The supervisor may:
    - (i) prepare a *Probation Monitoring Plan* to set specific goals and expectations to support the staff member to lift their performance to the required standard; or
    - (ii) take other remedial action.
- (7) The staff member and supervisor will meet as required during the probation period to review the staff member's progress and discuss what guidance or support the staff member may require.
- (8) Halfway through the standard probation period, the AP&D system will notify the staff member and supervisor to conduct a mid-probation review.
  - (a) Following this review, the supervisor must confirm within the AP&D system whether the staff member is on track to meet expectations.
- (9) If the staff member is not on track to meet expectations, the supervisor:
  - (a) must immediately contact their Human Resources Partner for advice; and
  - (b) may:
    - (i) prepare a Probation Monitoring Plan or
    - (ii) take other remedial action, as appropriate.
- (10) If a *Probation Monitoring Plan* is prepared, the supervisor must attach it to their records in the AP&D system.

- (11) If the staff member is on track to meet performance expectations, they will continue with their probation plan as agreed.

**Note:** Refer to the [probation and confirmation process maps](#) to see the end- to-end process.

## 6 End of probation

- (1) The AP&D system will send an email to the staff member and supervisor eight weeks before the end of the probation period requiring them to conduct the end-of-probation review.
- (2) After this review, the supervisor must confirm whether the staff member has met all the conditions of probation and record this in the AP&D system.

**Note:** Meeting the conditions of probation includes completion of the University's mandatory compliance training.

- (3) If the supervisor's assessment is that the staff member is meeting expectations, the AP&D system will notify the relevant delegate.
- (4) If the relevant delegate agrees that the staff member is meeting expectations, they must record in the AP&D system that the staff member has completed probation.
- (5) If the supervisor's assessment is that the staff member is not meeting expectations:

- (a) if the staff member has had a *Probation Monitoring Plan* (or equivalent) in place and has not improved their performance to the required standard, the supervisor may, after consulting their Human Resources Partner, recommend to the relevant delegate that:

- (i) the staff member's employment be terminated, or
- (ii) their probation period be extended.

**Note:** Extending probation is not available for Academic Fellows. See the [Enterprise Agreement](#)

- (b) If the staff member has not previously been provided with a *Probation Monitoring Plan* (or otherwise been advised of their performance deficits and provided with an opportunity to improve), the supervisor should immediately seek the advice of their Human Resources Partner.
- (6) Either or both of the supervisor or relevant delegate may seek advice and guidance from the Chair of the Faculty Confirmation Committee about the staff member's performance expectations and appropriate remedial action, if required.
- (7) The relevant delegate must:
  - (a) consider the supervisor's recommendations and the advice from Human Resources;
  - (b) determine whether the staff member has successfully completed their probation; and
  - (c) record the outcome in the AP&D system.
- (8) Before determining that a staff member has not successfully completed probation:
  - (a) the relevant delegate must obtain the advice of Workplace Relations; and
  - (b) Workplace Relations must obtain advice from the Office of General Counsel.



- (9) The relevant delegate must provide the staff member with written notice of termination of their employment during probation, including any extended probation period, in accordance with Clause 97 of the [Enterprise Agreement](#).

**Note:** Refer to the [probation and Confirmation process maps](#) to see the end-to-end process.

## 7 Confirmation period

- (1) The AP&D system will set up an annual confirmation plan for continuing academic staff (including Academic Fellows) who have successfully completed probation and who are required to complete a confirmation period.
- (2) Human Resources must upload the confirmation conditions in the staff member's letter of offer into the AP&D system.
- (3) The AP&D system will notify the staff member and supervisor to begin confirmation planning.
- (4) The planning and review period for the annual confirmation plan should align with the annual AP&D review period for academic staff within their faculty, school or portfolio.
- (5) In developing their annual confirmation plan, the staff member must:
  - (a) refer to their letter of offer;
  - (b) set objectives and goals that will position them to meet the conditions of their confirmation; and
  - (c) include any faculty-specific expectations discussed and agreed with their supervisor.
- (6) In considering the staff member's goals in the annual confirmation plan, the supervisor must confirm that the goals will position the staff member to meet the conditions of their confirmation.
- (7) At each subsequent annual confirmation review, the staff member and the supervisor must:
  - (a) review the staff member's performance over the previous year;
  - (b) comment on progress; and
  - (c) access, and refer to, all available research and education data to support their determination of whether the staff member is progressing in accordance with the agreed goals.
- (8) The supervisor must record in the annual confirmation plan whether the staff member is on track to meet expectations for confirmation.
- (9) The AP&D system will forward the reviewed annual confirmation plan to the relevant delegate for noting.
- (10) If the supervisor records that the staff member is not on track to meet expectations:
  - (a) the supervisor and relevant delegate must seek the advice of their Human Resources Partner;
  - (b) Human Resources will:
    - (i) inform the relevant delegate of the performance concerns; and



- (ii) work with the supervisor and relevant delegate on the appropriate remedial action including, where required, preparing an *Active Monitoring Plan* to specify the improvements required.
  - (c) If the staff member fails to meet confirmation expectations after implementation of an the *Active Monitoring Plan*, the relevant delegate may terminate the staff member's employment under clauses 106 to 109 of the Enterprise Agreement.
- (11) If the supervisor records that the staff member is on track to meet expectations, the relevant delegate will confirm that the confirmation period can continue and record this in the AP&D system.
- (a) The AP&D system will then set the staff member up with their next annual confirmation plan.
  - (b) The goals from the previous plan will roll-over to the next annual confirmation plan in the AP&D system.
  - (c) In developing and reviewing the goals in the annual confirmation plan, the staff member and supervisor must confirm that the goals will position the staff member to meet the conditions of confirmation in their letter of offer.
- Note:** Refer to the [probation and confirmation process maps](#) to see the end-to-end process.

## 8 End of confirmation review

- (1) Twelve months before the end of their confirmation period Human Resources will notify the staff member and the supervisor;
- (a) that the staff member is approaching the end of confirmation; and
  - (b) the date their *End of Confirmation Review Form* must be submitted by.
- Note:** The End of Confirmation Review Form is completed via the [AP&D system](#).
- (2) The staff member:
- (a) must:
    - (i) summarise their achievements in research, education and governance, leadership and engagement; and
    - (ii) provide evidence that they have met all the conditions of confirmation required in their letter of offer and the performance expectations discussed and agreed with their supervisor; and
  - (b) may also outline any relevant personal circumstances to enable the decision-makers to consider their achievements relative to opportunity.
- Note:** Refer to the online End of Confirmation Review Form in the [AP&D system](#).
- (4) Once completed, Human Resources will send the *End of Confirmation Review Form* to the supervisor.
- (a) The supervisor must:
    - (i) review the staff member's summary of achievements in reference to their Confirmation conditions in their letter of offer, and any other information relevant to the staff member's performance and conduct; and

- (ii) provide a recommendation on whether the staff member has met the conditions of their confirmation, including whether they are meeting required standards of performance and conduct.
- (5) The supervisor must provide the completed *End of Confirmation Review Form* to the Faculty Confirmation Committee for discussion and deliberation.
- (6) The Faculty Confirmation Committee must meet no later than six months before the end of the staff member's confirmation period.
- (7) A representative from Human Resources will attend the Faculty Confirmation Committee to provide procedural advice and support.
- (8) The staff member and the supervisor will be invited to attend the Faculty Confirmation Committee for interview. The staff member may bring a support person to the interview, if required.
- (9) The Faculty Confirmation Committee must make a recommendation to the relevant delegate as to whether:
  - (a) the staff member's appointment should be confirmed;
  - (b) the confirmation period extended by up to twelve months; or
  - (c) the staff member's appointment should not be confirmed (i.e. employment terminated).
- (10) If the Faculty Confirmation Committee recommends that the staff member's confirmation period should be extended, the committee must specify:
  - (a) which conditions of confirmation have not been met;
  - (b) what the staff member will need to do to demonstrate they have met (or can meet) the conditions within the extension period; and
  - (c) the support that should be provided to the staff member in meeting the required conditions.
- (11) The relevant delegate must record the required improvements in a *Confirmation Monitoring Plan* or equivalent document.
- (12) At the end of the extension period, the staff member must provide evidence of meeting the required improvements to be escalated to the relevant delegate.
- (13) The relevant delegate may consult with the Faculty Confirmation Committee in deciding on whether the staff member's appointment will then be confirmed or not confirmed.
- (14) Before determining not to confirm a staff member (i.e. to terminate their employment):
  - (a) the relevant delegate must obtain the advice of Workplace Relations; and
  - (b) Workplace Relations must obtain the advice of the Office of General Counsel.
- (15) The relevant delegate must notify the staff member in writing of the outcome of the review process at least 26 weeks before the end of their confirmation period.

**Note:** This notice period does not apply in circumstances where the staff member's employment is being terminated on the grounds of serious misconduct. See the [Enterprise Agreement](#), clause 106(b).

## 9 Extended period of absence during confirmation

- (1) A staff member seeking to extend their confirmation period must complete the [Application to Request to Extend Confirmation Due to Extended Leave](#) form.
- (2) The staff member may complete the form at any time during their confirmation period up to and including the date the Faculty Confirmation Committee meets to determine their application. This includes:
  - (a) before taking leave;
  - (b) on return from leave; or
  - (c) when asked to start preparing the *Confirmation Review* form.
- (3) The application must be endorsed by the supervisor before being submitted to the Dean for consideration and approval.
- (4) The Dean will approve the application provided that the leave sought is consistent with the requirements of clause 12 of the policy.
- (5) The supervisor must provide the approved form to Human Resources as soon as possible.
  - (a) Human Resources will amend the staff member's end-of-confirmation date in the relevant systems; and
  - (b) notify the staff member that their application has been approved.

## 10 Termination during confirmation

- (1) Despite any other clause of these Procedures, the relevant delegate may terminate an academic staff member's employment at any time during the Confirmation Period under clauses 106 to 109 of the [Enterprise Agreement](#).

## NOTES

### Academic Probation and Confirmation Procedures 2020

Date adopted:	17 August 2020
Date registered:	21 August 2020
Date commenced:	24 August 2020
Date amended:	5 October 2023 (administrative amendments) 12 January 2024 (administrative amendments)
Administrator:	Chief Human Resources Officer
Review date:	24 August 2025
Rescinded documents:	

Related documents:

[The University of Sydney Enterprise Agreement 2023-2026](#)

[The University of Sydney \(Delegations of Authority\) Rule 2020](#)

[Academic Probation and Confirmation Policy 2020](#)

[Recruitment and Appointment Policy](#)

[Performance Planning and Development Policy 2012](#)

## AMENDMENT HISTORY

<b>Provision</b>	<b>Amendment</b>	<b>Commencing</b>
4(6); 6(5)(a) note; 6(9); 8(15)	updated references and links to Enterprise Agreement 2023-26	5 October 2023
4(4); 4(5); 4(8); 6(9) note; 7(11) note	Updated names of, and links to, forms	5 October 2023
2(a)	amended to clarify that probation periods apply to continuing and fixed term academic staff	5 October 2023
8(1)	Amended to clarify that timeframes for submitting end of confirmation form will be provided in the 12 month notification.	5 October 2023
7(10)(c)	new subclause added to clarify that Enterprise Agreement 2023-26, clauses 106-109, may apply after an Active Monitoring Plan	12 January 2024
10	new clause added to reference Enterprise Agreement 2023-26, clauses 106-109, covering termination of employment during confirmation period.	12 January 2024