

# ACADEMIC PROBATION PROCEDURE

(FOR APPOINTMENTS MADE ON OR AFTER 07/10/14)

## SCOPE

This procedure applies to the following staff employed on or after 7 October 2014 (herein collectively referred to as 'you'):

- all Level A to D continuing and fixed term academic staff; and
- all Level E practice academic staff.

This procedure applies to all staff and associates of the University, excluding casual, sessional, adjunct and joint appointees.

Staff performing services/work for and on behalf of the University or who are engaged in activities reasonably connected with the University are herein collectively referred to as 'you'.

## PROCEDURE STATEMENT

At Monash University ('us', 'our' or 'we'), all new continuing and fixed-term academic staff appointed up to Level D and practice academic staff appointed at Level E, are subject to a probationary period in accordance with [Clause 58 of the Monash University Enterprise Agreement \(Academic and Professional Staff\) 2014](#).

The review of a probationary academic staff member's progress during the probationary period is managed through the [Academic Performance Development Process](#) and in accordance with this procedure. The achievements of academic staff members during the probation period are assessed relative to the particular circumstances of their career progression and the opportunities which have been available to them.

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## 1. Recruitment

- 1.1 All new continuing and fixed-term academic staff appointed on or after 7 October 2014 up to Level D and all Level E practice academic staff are subject to a probationary period in accordance with [Clause 58 of the Monash University Enterprise Agreement \(Academic and Professional Staff\) 2014](#).
- 1.2 During recruitment, Selection Committees will make the successful candidate aware of the requirements they will be expected to meet during the probation period, including meeting the requirements of the [Academic Performance Framework](#) and relevant academic performance standards.
- 1.3 Conditions of probation are included in your letter of offer which can include:
  - meeting the requirements of the [Academic Performance Framework](#) and relevant academic performance standards relevant to the your discipline and academic level; and
  - completion of the Teaching Excellence Program; and
  - completion of a PhD during your probationary period.
- 1.4 All continuing teaching and research staff and teaching and research staff on fixed-term contracts of three years or more are required to complete the Teaching Excellence Program during the probation period (preferably in their first semester). Exemptions may be endorsed by the Dean at the time of recruitment in accordance with University procedure.

## 2. Commencement of employment

- 2.1 You will be informed of the name of your designated academic performance supervisor upon commencement.
- 2.2 Within the first month following commencement, you and your performance supervisor should meet to discuss and confirm:
  - the requirements of the position and key aspects of the role;
  - key outcomes and result areas that you will be expected to achieve during the probation period, including meeting the requirements of the [Academic Performance Framework](#) and applicable [academic performance standards](#);
  - performance development obligations;
  - orientation and induction training requirements; and
  - conditions of probation, including enrolment in the Teaching Excellence Program.

## 3. Probation goals and requirements

- 3.1 Within three months (maximum of six months) of your commencement, we recommend you meet with your performance supervisor to set performance goals, portfolio probation requirements and any specific goals to achieving the conditions of probation as per your letter of offer.
- 3.2 We recommend this be recorded in myPlan which is the University recording tool to assist in capturing performance plans, progress and feedback in alignment with the Performance Development Process: Academic Staff procedure.

**Note:** Publication data should be recorded into PURE

## 4. Ongoing performance reviews

- 4.1 In accordance with [Clause 64 of the Monash University Enterprise Agreement \(Academic and Professional Staff\) 2014](#), a performance review process has been established to assist all academic staff (including probationary staff) in meeting performance goals. Feedback/progress on these goals should also be captured in myPlan.
- 4.2 You should meet formally with your performance supervisor bi-annually to discuss performance and probation requirements in accordance with the [Performance Development Process: Academic Staff procedure](#). These meetings are in addition to other regular meetings regarding performance and probation requirements.
- 4.3 Your performance supervisor should contact their HR Business Partner for advice where concerns on meeting the required performance standard exist.

## 5. Achievement relative to opportunity

- 5.1 Achievement relative to opportunity is a positive acknowledgement of what a staff member can and has achieved given the opportunities available to them and results in a more calibrated assessment of their performance. It is not about providing “special consideration” or expecting lesser standards of performance.
- 5.2 Relevant circumstances may include (but are not limited to):
- Personal Circumstances  
A career disruption caused by personal circumstances that involves a prolonged interruption or poses a significant impact to a staff member’s capacity to work.  
This includes, but not limited to; disruptions caused by parental leave, major illness/injury, carer responsibilities, disability, and personal trauma.
  - Professional Circumstances  
A staff member’s track record and associated productivity relative to stage of career, including consideration as to whether productivity and contribution are commensurate with the opportunities available to them.  
This includes, but not limited to; periods of part-time work, country relocation, late or non-linear entry in academia, cultural expectations, varied workload or relocation of a research laboratory or clinical practice setting or other similar circumstances that impact upon productivity.
  - Other  
Other may include elements outside the control of a staff member. Provide a brief summary of the circumstances.  
Staff are not required to describe specific details about sensitive issues such as a medical illness. Where it is important to share sensitive details of the relevant circumstances to be accurately understood, staff may share this information in their probation information or have a private discussion with the relevant decision maker.  
This includes, but not limited to
    - natural disasters such as flooding, bushfires, storms and earthquakes;
    - global health issues such as the COVID-19 pandemic; and
    - other emergency situations

### COVID-19 considerations

- 5.3 During 2020 in response to COVID-19, the education, research and engagement contributions of many academic staff have been affected. The University will ensure COVID-19 related impacts, relative to opportunity, will be understood and recognised for the purposes of academic probation.
- 5.4 Probation targets will be, where necessary, adjusted to reflect any disruption caused by the impact of COVID-19. This can be initiated by either the University or by you. Where all parties agree, any adjustment to goals and targets should be recorded in myPlan.

### Guidelines for assessing achievement relative to opportunity for decision makers

- 5.5 We recognise that our staff experience a range of personal, professional and other circumstances. Our [Guideline for Assessing Achievement Relative to Opportunity for Decision Makers](#) explains how principles for assessing achievements relative to opportunity should be applied when making assessments of progression or achievement.
- 5.6 We encourage supervisors and other decision makers to review these guidelines where a declaration of relevant circumstances during probation has been made.

## 6. Mid probation review

- 6.1 The head of unit or Dean may request a formal mid probation review. This review will provide you with feedback on your probation progress to date and any areas for development and improvement, taking into account the requirements of the [Academic Performance Framework](#) and relevant [Academic Performance Standards](#).
- 6.2 Feedback from your mid probation review will be provided to you in writing to assist you with meeting the requirements of your probation. We recommend this be recorded in myPlan.

## 7. Leave during the probation period

- 7.1 The following periods of leave do not count as service and therefore the probation period does not operate during these periods.
- paid or unpaid parental leave that is greater than 26 weeks, or
  - unpaid leave for incapacity due to illness or injury that is greater than 20 days
- 7.2 Where leave does not count as service for probation purposes, the probation end date is deferred. The new deferred probation end date will be communicated to the staff member.
- 7.3 Other periods of leave during the probation period will count as service in accordance with the particular circumstances outlined in [clause 34.6 of the Enterprise Agreement](#) and form part of the probation period.
- 7.4 Staff may seek early confirmation of appointment if the staff member satisfies the criteria outlined in the "Early confirmation of appointment" section below.

## 8. Promotion during the probation period

- 8.1 If you are successful in gaining promotion during your probation period, the confirmation of appointment will take effect from the date of promotion.
- 8.2 If you are appointed to a higher level during your probationary period, you will not be subjected to a probation period under the new appointment.
- 8.3 In these circumstances, you will continue to be subject to any outstanding conditions of appointment (as detailed in the letter of offer). You should include these in your performance development plan in myPlan.

## 9. Early confirmation of appointment

- 9.1 In an exceptional case where you are:
- showing an excellent adjustment to the job and the work environment;
  - clearly able to demonstrate that you are exceeding in all areas of academic performance as referred to in the [Academic Performance Framework](#) and applicable academic performance standards;
  - able to demonstrate that you will make an ongoing and positive contribution to the academic unit; and
  - likely to sustain that level following a review of your performance in accordance with the [Academic Performance Development Process](#);
- you may apply for early confirmation of appointment by submitting a completed [Request for Confirmation form](#) to the head of unit.
- 9.2 The head of unit will provide their recommendation, making specific reference to the [Academic Performance Framework](#) and applicable academic performance standards.
- 9.3 Prior to the recommendation, the head of unit will:
- review your performance recorded in your performance development plans; and
  - ensure they are satisfied that you are exceeding the requirements of the [Academic Performance Framework](#) including applicable academic performance standards.
- 9.4 The head of unit may consult with your performance supervisor and other appropriate academic staff within the unit to seek further information. This may include information on the key tasks of the position, the [Academic Performance Framework](#) and applicable performance standards related to the level of appointment, conditions of probation and details of your overall contribution to, and fit within, the academic unit.
- 9.5 The head of unit will provide this recommendation to the Dean for their approval.
- 9.6 The minimum period of probation will be one year's service and, unless you are research-only, will include at least one semester of teaching.

## 10. Waiving of probation period

- 10.1 A dean may make a request to the Provost to waive the requirement for a probation period in the following circumstances:
- if you are appointed to a second or subsequent contract and you are exceeding the requirements of section 8.1 of this procedure;
  - if you are an existing staff member and are successful in obtaining a category 1 fellowship (or equivalent) of 4 or more years; and
  - if you are a level E practice academic.

## 11. Continuing staff and teaching and research staff on fixed-term contracts of more than three years

- 11.1 Monash HR will liaise with the head of unit to initiate a formal review of probation. Probation reviews will commence six months prior before to the probation end date to determine whether to recommend to confirm your appointment (where practicable).
- 11.2 You will be notified of the forthcoming review and will be asked to complete a [Request for Confirmation Form](#) to outline your case for confirmation of appointment. The notification will include information on the evidence required, including performance development plans, how to address relevant personal circumstances and timeframes for returning the information.
- 11.3 You should ensure you include achievements relative to opportunity as outlined in this procedure.

### Head of Unit review

- 11.4 The head of unit will be provided with your completed case to assist them in making a recommendation.
- 11.5 Prior to making a recommendation, the head of unit may consult:
  - your performance supervisor;
  - the professorial members of the faculty; and
  - appropriate members of the academic staff (i.e. those in a position to give an informed judgment) of the rank of lecturer and above.
- 11.6 The Head of Unit should consider any declared achievements relative to opportunity as outlined in this procedure.
- 11.7 The head of unit recommendation will be recorded on the [Request for Confirmation Form](#) making specific reference to the [Academic Performance Framework](#) including the applicable academic performance standards.
- 11.8 The completed case is to be returned to Monash HR for referral to the relevant decision maker.
- 11.9 Where the recommendation is “non-confirmation” the head of unit must seek advice from Monash HR (Workplace Relations).

### Probation Review Committee - Constitution

- 11.10 Monash HR will convene the relevant committee and distribute documentation. Where practicable, the meeting will be convened on the date specified in the original notification sent to you.
- 11.11 The Chair of the Probation Review Committee must ensure the committee includes diversity, with a minimum of one-third female and one-third male representation.
- 11.12 Probation reviews for staff at Levels A, B and C are referred to a Faculty Academic Probation Review Committee. The members of this committee are:
  - the Dean or nominee (Chair);
  - the head of unit or equivalent; and
  - two other members of the continuing staff of the University including at least one from a cognate discipline.
- 11.13 An observer nominated by the President of the Monash University NTEU Branch will also be invited to attend the meeting.
- 11.14 Probation reviews for staff at Level D are referred to the Level D Probation Review Committee. The members of this committee are:
  - Provost or nominee;
  - the Dean (Chair);
  - the head of unit or Associate Dean or equivalent;
  - a Professor from the Faculty or from a cognate area; and
  - an academic staff member from the Faculty in a cognate area.
- 11.15 A representative from Monash HR will provide procedural and secretarial support for each committee meeting.
- 11.16 Where the appointment sought is for an Associate Professor from a clinical background, the committee membership will include at least one representative of the clinical discipline.
- 11.17 You will be invited and encouraged to attend the Probation Review Committee meeting. Attendance is not compulsory but is strongly encouraged to provide you with an opportunity to receive feedback and ask questions and/or respond to any questions that the committee may have. If you choose to attend, you will only attend for a portion of the meeting and will not be present during committee deliberations.

## Probation Review Committee – Review and decision

- 11.18 The committee will assess the case, recommendation of the head of unit and your achievements relative to opportunity (see [Guidelines for Decision-Makers on Assessing Achievement Relative to Opportunity](#)).
- 11.19 The committee may seek further information from you and relevant head of unit as well as academic colleagues. This may include information on the key tasks of the position, the [Academic Performance Framework](#) and applicable academic performance standards related to the level of appointment, conditions of probation and your overall contribution to, and fit within, the academic unit.
- 11.20 The Chair is responsible for ensuring that committee members carry out a fair, confidential and objective assessment of applications.
- 11.21 The Chair, on recommendation of Probation Review Committee will decide whether to:
- confirm your appointment in accordance with the contract of employment; or
  - not confirm your appointment (i.e. terminate the appointment).
- 11.22 There is no guarantee that your appointment will be confirmed.

## 12. Research-only staff and teaching and research staff on fixed term contracts of three years or less

- 12.1 Monash HR will notify you of the forthcoming probation review.
- 12.2 You should ensure you include achievements relative to opportunity as outlined in this procedure.

### Head of unit review

- 12.3 Monash HR will liaise with the head of unit to initiate a review of your progress to determine if your appointment is to be confirmed or not confirmed.
- 12.4 The head of unit may consult with:
- your performance supervisor;
  - the professorial members of the faculty; and
  - appropriate members of the academic staff (i.e. those in a position to give an informed judgment) of the rank of lecturer and above.
- 12.5 In the case of research-only staff, the relevant Chief Investigator (CI) will be consulted and will provide their recommendation using the [Fixed Term Probation Review Report](#).
- 12.6 The head of unit may request that you complete the [Request for Confirmation Form](#) should they require further information.
- 12.7 The head of unit will then consider your case, taking into account the [Academic Performance Framework](#) (including the applicable academic performance standards) and any declaration of relevant circumstances, and will make a recommendation to:
- confirm your appointment in accordance with the contract of employment; or
  - not confirm your appointment (i.e. terminate the appointment).
- 12.8 The decision will be based on whether you have:
- met all the conditions of probation as specified in the letter of offer, for example, completion of the GCAP or Teaching Excellence Program;
  - clearly demonstrated that you are satisfactorily performing the duties consistent with the required performance standard as documented in the [Academic Performance Development Process](#), including having met the requirements of the [Academic Performance Framework](#) and applicable academic performance standards;
  - demonstrated that you have made and will make an ongoing and positive contribution to the academic unit; and
  - demonstrated that you are likely to sustain performance at your current level of appointment.
- 12.9 The head of unit may consult with your performance supervisor and appropriate academic staff within the unit to seek further information. This may include information on the key tasks of the position, the [Academic Performance Framework](#) and applicable performance standards related to the level of appointment, conditions of probation and your overall contribution to, and fit within, the academic unit.
- 12.10 Where the recommendation is “non-confirmation” the head of unit must seek advice from Monash HR (Workplace Relations).
- 12.11 The head of unit will record the recommendation in the [Fixed Term Probation Review Report](#) and submit the report to the dean (or nominee) for approval approximately three months prior to the probation end date (where practicable).

- 12.12 Once endorsed, the report will be submitted to Monash HR.
- 12.13 You will be notified of the decision by Monash HR prior to the probation end date.

### Non-confirmation of appointment

- 12.14 Notification is to be provided to Monash HR (Workplace Relations) of any non-confirmation prior to the end of the probationary period. Monash HR (Workplace Relations) will notify you of the outcome (faculties must not separately notify you in writing).
- 12.15 If your appointment is terminated during or upon completion of the probationary period, you will be given the appropriate period of notice, or payment in lieu.

## 13. Probationary review appeals

- 13.1 You have the right to appeal a non-confirmation to the Probationary Review Appeals Committee in accordance with [clause 58.11 of the Monash University Enterprise Agreement \(Academic and Professional Staff\) 2014](#) within 5 working days of the date of notification of the non-confirmation decision.
- 13.2 You will be invited to submit written and oral evidence. You may choose to have a support person (other than a practising barrister or solicitor) to accompany you to the appeals committee.
- 13.3 The Probationary Review Appeals Committee has the right to seek further information as required.

## DEFINITIONS

<a href="#">Academic performance development process</a>	Is an annual four step planning and review cycle for academic staff on probation that supports them in reaching their full career potential and to achieve their work goals through: <ul style="list-style-type: none"> <li>the provision of professional development opportunities (growth);</li> <li>regular, meaningful performance conversations with their performance supervisor and a process of giving and receiving constructive feedback (feedback); and</li> <li>clearly identifiable and documented performance development plans that create an awareness of the staff member's contribution toward faculty, campus and university goals (accountability).</li> </ul>
<a href="#">Academic Performance Framework</a>	A framework that articulates high level expectations for academic performance adopting a consistent approach across the three categories of Research, Education and Engagement, against which all academic performance will be measured. Further information is available on the <a href="#">Academic Performance Framework website</a> .
<a href="#">Academic performance supervisor</a>	See definition for Performance supervisor
<a href="#">Achievement(s) relative to opportunity</a>	A framework in which the overall quality and impact of achievements is given more weight than the quantity, rate or breadth of particular achievements. Assessing achievements relative to opportunity involves considering circumstances, arrangements, career histories and overall time available to the staff member. This in turn allows appropriate evaluation of achievements in relation to: <ul style="list-style-type: none"> <li>the quantum or rate of productivity,</li> <li>the opportunity to participate in certain types of activities, and</li> <li>the consistency of activities or output over the period of consideration.</li> </ul> <p>Achievement relative to opportunity is a positive acknowledgement of what a staff member can and has achieved given the opportunities available and is not about providing "special consideration" or expecting lesser standards of performance.</p>
<a href="#">Enterprise Agreement</a>	For the purposes of this procedure, is the <a href="#">Monash University Enterprise Agreement (Academic and Professional Staff) 2014</a> .
<a href="#">Letter of offer</a>	Is the letter sent to a successful candidate for employment at the University which offers them employment on certain terms and conditions.
<a href="#">myPlan</a>	An online performance planning tool that supports academic staff to manage the performance development cycle.

Performance development plan	Documents the annual work goals and career aspirations and development goals for the staff member and the specific targets and progress towards achieving those goals. The performance development plan forms the basis for the annual performance planning and review cycle. The template is accessible via myPlan.
Performance development portfolio	Is evidence or material that supports the staff member's claims of progress made and goals achieved such as awards received, articles published, SETU data, books written and any other relevant evidence. These documents may be stored electronically within the attachments section of the staff member's myPlan.
Performance Supervisor	<p>The head of unit is responsible for the performance management, mentoring and staff development of all academic staff within their unit/school/department/centre and may delegate to a nominated performance supervisor, usually the immediate academic line manager, performance supervision responsibilities, including the provision of regular feedback and annual performance discussions..</p> <p>For the purposes of this procedure, the performance supervisor is the head of unit of the nominated supervisor where this occurs.</p> <p>The nominated supervisor must be trained to perform their role in the performance development process and in the process and methods of providing feedback. Where staff have two or more supervisors, one should be nominated as the primary supervisor.</p>
Period of notice	Except in cases of serious misconduct or other legal requirement, the period of notice required for termination is one-sixth of the staff member's probationary period up to a maximum of six months. If any period of notice of termination given extends beyond the period of probation, the employment will nevertheless end on the expiry of the period of probation. Further, the balance of any required notice period as at the expiry of the period of probation will be provided as a payment in lieu of notice. Refer to <a href="#">Clause 58, Monash University Enterprise Agreement (Academic and Professional Staff) 2014</a> .
Probation Period	For the purposes of this procedure is the relevant period of probation as referred to in <a href="#">Clause 58, Monash University Enterprise Agreement (Academic and Professional Staff) 2014</a> . Probation periods are based on periods of service. The standard period of probation for continuing staff employed is 5 years of service.
Probation Review Committee	Is a Committee responsible for determining whether to confirm or not confirm the probationary period of continuing staff and teaching and research staff on fixed-term contracts of greater than three years in length. The composition of the Probation Review Committees is outlined in this procedure.
Pure	The University's research management software which provides information for Monash staff on their grants, contracts, research outputs and research achievements.
Relevant decision maker	<p>For the purposes of this procedure, is the person or body responsible for making the decision to confirm, not confirm or continue the probationary period of a probationary staff member. The relevant decision makers in this procedure are:</p> <ul style="list-style-type: none"> <li>the dean, having regard to the recommendation of the Probation Review Committee for continuing staff and teaching and research staff on fixed-term contracts of more than three years; and</li> <li>the head of unit and dean for all research-only staff and teaching and research staff on fixed-term contracts of three years or less.</li> </ul>
Required performance standard	<ul style="list-style-type: none"> <li>Required performance standard:</li> <li>is established by the supervisor with the staff member;</li> <li>is at or above the 'minimum' level of academic performance for the candidate's current level according to the Academic Performance Framework and faculty specific academic performance standards;</li> <li>contains clear and defined criteria for performance that are measurable; and</li> <li>contains criteria that are either qualitative or quantitative or a mixture of both.</li> </ul>
Selection Committee	A panel of staff responsible for the recruitment and selection of a new staff member in accordance with the University's recruitment procedures and guidelines.
Teaching Excellence Program	Monash's Education Academy's teaching excellence program which concentrates on important and useful elements of education practice.

## GOVERNANCE

Parent policy	<a href="#">Probation, Performance and Promotion</a>
Supporting schedules	
Associated procedures	<ul style="list-style-type: none"> <li>• <a href="#">Performance Development Process: Academic Staff</a></li> </ul> <p><b>Forms and documents</b></p> <ul style="list-style-type: none"> <li>• <a href="#">Fixed Term Probation Review Report [Word]</a></li> <li>• <a href="#">Request for Confirmation Form [Word]</a></li> <li>• <a href="#">Request for Confirmation Form (Education Focused) [Word]</a></li> </ul> <p><b>Other references</b></p> <ul style="list-style-type: none"> <li>• <a href="#">Academic Performance Development website</a></li> <li>• <a href="#">Academic Probation website</a></li> <li>• <a href="#">Monash University Office of Learning and Teaching</a></li> <li>• <a href="#">University Planning and Statistics</a></li> </ul>
Legislation mandating compliance	
Category	Operational
Approval	Chief Human Resources Officer as delegate of the Chief Operating Officer – 19 March 2019
Endorsement	Director, Workplace Relations – 19 March 2019
Procedure owner	Director, Workplace Relations
Date effective	19 March 2019
Review date	7 March 2021
Version	6.4 ( <i>administrative amendments effective on 4 March 2021</i> )
Content enquiries	<a href="#">ask.monash</a> or phone Monash HR on (03) 990 20400