



Procedure: Probation

Purpose

To outline the process for managing probation at ANU, in accordance with the [ANU Enterprise Agreement](#).

Definitions

Performance and Development Process (PDP) is the process which guides performance management practices within the University, assisting staff to meet their career goals and job expectations.

Performance and Development Review (PDR) is the pro-forma designed to record a staff member's performance objectives/indicators; development needs; and actual performance over a defined period.

Performance Improvement Plan is the pro-forma designed to record steps a staff member needs to take in order to improve their performance/conduct within a defined period of time. This pro-forma is introduced where a formal underperformance process has been initiated.

Performance Indicators describe the way in which a staff member and supervisor will define whether a performance objective has been achieved.

Performance Objectives outline the tasks and outcomes to be achieved by the staff member as a result of carrying out prescribed roles and responsibilities. These will include the manner in which work is undertaken to ensure consistency with the Code of Conduct and ANU values.

Probation refers to the initial period of employment, or the commencement of a new, substantially different role within the University, in which a staff member's suitability to a position, the University, and to the particular workplace can be assessed.

Review period occurs where a supervisor is concerned about the performance or conduct of a probationer, the supervisor may initiate a review period where the probationer's performance, conduct and suitability will be closely monitored for a defined period of time.

Principles

1. Probation is the initial period of employment when the suitability of a new staff member (other than a casual) is determined. It provides an opportunity for the supervisor to determine whether a new staff member meets the standards required for confirmation of appointment. The staff member's employment offer will specify the period of the probation.
2. A new probation period will apply for an appointment to a new and substantially different position, within the University.
3. Probation entails setting and clarifying work performance objectives and indicators for staff. During a probation period the University will offer appropriate support, development opportunities and feedback to assist the probationer.
4. Confirmation of employment may be approved at any time during the probationary period. Employment will be deemed to be confirmed, and the probation period concluded, where a staff member is promoted or reclassified (professional staff) to a higher level during the probationary period.

Probation periods

5. A request to reduce, increase or extend the standard probationary period for a staff member may be made to the Director - Human Resources.
6. A staff member changing from fixed term to continuing employment may be required to serve another probationary period.
7. The length of the probation period will be reasonable, having regard to the nature and circumstances of the offer of employment and will not exceed the following:

Type of appointment	Probationary periods
Academic staff (continuing)	<ul style="list-style-type: none">• Three (3) years initially, extendable to a maximum of four (4) years.
Academic Staff - Continuing (contingent funded) employment	<ul style="list-style-type: none">• Where an academic staff member on their first employment contract with the University (excluding casual contracts) is appointed directly to a continuing (contingent funded) (CCF) appointment, the Academic staff (continuing) probation periods will apply.• If a, academic staff member is converted from a fixed term appointment to a CCF employment contract, and the staff

	<ul style="list-style-type: none"> • member's fixed term appointment was confirmed through a probation process, no further probation period is required.
Academic staff (fixed term)	<ul style="list-style-type: none"> • Three (3) months for appointments less than 12 months. • Six (6) to nine (9) months for appointments of twelve (12) months or greater. • No probation period will be required for second and subsequent appointment in the same position • A new probation period applies for an appointment to a new position.
Professional staff (continuing)	<ul style="list-style-type: none"> • Six (6) months initially, extendable to a maximum of nine (9) months.
Professional staff – continuing (contingent funded)	<ul style="list-style-type: none"> • Where a professional staff member on their first employment contract with the University (excluding casual contracts) is appointed directly to a continuing (contingent funded) (CCF) appointment, the 'Professional staff – continuing' probation periods will apply. • If a professional staff member is converted from a fixed term appointment to a continuing (contingent funded) employment contract, and the staff member's fixed term appointment was confirmed through a probation process, no further probation period is required.
Professional staff fixed term	<ul style="list-style-type: none"> • Three (3) months for appointments less than twelve (12) months. • Six (6) months for appointments of 12 months or greater. • No probation period will be required for second and subsequent appointments in the same position.
Graduate Recruitment and Development Program	<ul style="list-style-type: none"> • 12 months.
Student Internships	<ul style="list-style-type: none"> • Three (3) months.

Probation procedures

8. Supervisors will ensure that ANU probation procedures are complied with in developing performance objectives, including all required meetings between supervisors and probationary staff members. An initial probation meeting between a supervisor and probationary staff member will normally occur within one month of the staff member commencing in the position.
9. During the initial probation meeting the supervisor will set appropriate performance objectives and indicators (performance standards) for the staff member to achieve during the probation period. The performance standards will be recorded via the Performance and Development Review, and may relate to:
 - a. the specific requirements of the position;
 - b. expectations for conduct and suitability to the workplace; and
 - c. participation and completion of mandatory training requirements for all staff, including: Indigenous Cultural Awareness; Harassment, Bullying and Discrimination; Code of Conduct; and Comcare Work Health and Safety training.
10. Supervisors will ensure that they schedule regular meetings with a probationary staff member, that appropriate documentation is provided, and that there is the opportunity for feedback. As soon as is reasonably practicable following a probation meeting, where appropriate, the supervisor will provide the probationary staff member with written confirmation of the outcomes of the meeting.
11. Where the supervisor assesses that the probationary staff member's performance, conduct and suitability are satisfactory, the supervisor will either:
 - a. advise the probationary staff member that the probation period be continued until the next probation meeting within the initial probation period, provided that the next probation meeting is not less than 2 weeks prior to the end of the probation period; or
 - b. recommend to the delegate that the probationary period is completed.
12. Where the supervisor is concerned about the performance or conduct of the probationary staff member, the supervisor will meet with the probationary staff member as soon as is reasonably practicable to discuss, record and make available these concerns.
13. Where the supervisor's concerns are serious in nature, the supervisor may forgo this clause 14, and commence discussions as outlined in clause 15.
14. Where the supervisors concerns are less serious in nature, the supervisor will advise the probationary staff member;

- a. that the performance standards have not been met and outline the deficiencies;
 - b. of the expectations for improving in accordance with the performance standards;
 - c. that the staff member's performance, conduct and suitability will be closely monitored during a review period and outline the timeframe for the review period; and
 - d. that if the performance standards are not met the probationary staff member's employment may be terminated (annulled).
15. Following the completion of the review period as outlined in clause 14(c), if there is little or no improvement in the conduct or performance of the probationary staff member; or where there are serious concerns in accordance with clause 13, the supervisor will work with the probationary staff member on a performance improvement plan and timeline to assist the staff member to achieve the performance standards within the remaining probationary period. In setting the performance standards consideration will be given to:
- a. the appropriate standards for the work levels in accordance with the [Minimum Standards for Academic Levels](#) or [Professional Staff Classification Descriptors](#), as provided for under the Enterprise Agreement; and
 - b. the expectations of a new employee to the University.
16. Following the completion of the performance improvement plan as outlined in clause 14, the supervisor should assess whether the probationary staff member's performance, conduct or suitability remains unsatisfactory based on a reasonable assessment of:
- a. the staff member's performance against the performance objectives and indicators; and
 - b. any extenuating circumstances that may have impacted on the staff member's performance.
17. Where the probationary staff member's performance is unsatisfactory following the review period (clause 14) and/or performance improvement plan (clause 15 and 16), the supervisor must, at least 15 working days prior to the end of the probationary period, recommend to the delegate that either the employment be annulled or the probation period be extended up to the maximum period allowed in accordance with clause 7. In either of these circumstances, the probationary staff member will be given a reasonable opportunity to seek further advice and response to the supervisor's recommendation.

18. Following consideration of the supervisor's recommendation and any response given by the probationary staff member, the delegate (or College Head / Divisional Director, where the supervisor is the delegate) may recommend to the Director - Human Resources that the employment be annulled.
19. Where the delegate supports the recommendation for the employment to be annulled, the documentation will be forwarded to the Director – Human Resources to determine whether the employment is to be terminated.
20. With consideration given to the supervisor's recommendation, the Director – Human Resources will then decide to either:
 - a. take no further action;
 - b. confirm the appointment;
 - c. refer the matter back to the supervisor to ensure that all the relevant steps outlined in clause 12 to 17 have been complied with in substance and in a manner appropriate to the circumstances;
 - d. extend the probationary period in accordance up to the maximum period allowed (clause 7), in which case the Director – Human Resources will provide the probationary staff member with a statement outlining the duration of the extended probation period and details of where the staff member's performance requires improvement; or
 - e. annul the probationary staff member's employment.

Annulment of employment

21. Except in the case of serious misconduct, the University will provide a probationary staff member with notice of annulment of employment in accordance with the notice provisions provided under clause 53 of the Enterprise Agreement. Notwithstanding clause 53 of the Enterprise Agreement, the probationary staff member's employment will cease no later than the expiry of their probation period. The balance of any required notice period, as at the expiry of the probation period, will be provided as payment in lieu of notice.

Review of Decision

22. Where a probationary staff member considers that the decision to annul their employment is unreasonable they may seek a review in accordance with the Review of Decision provisions of the Enterprise Agreement.

23. The probationary staff member's employment will not terminate prior to the review committee reporting its findings. The staff member will be suspended without pay pending the outcome of any review committee consideration.
24. Where a review committee finds that the probationary staff member's employment be reinstated, and the staff member has been on suspension without pay, the University will pay the staff member an amount equivalent to the remuneration lost as a result of the suspension.

Document information

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