

ACADEMIC PROBATION AND CONFIRMATION POLICY 2020

With the endorsement of the Academic Board, the Vice-Chancellor and Principal, as delegate of the Senate of the University of Sydney, adopts the following policy.

Dated: 17 August 2020

Last amended: 5 October 2023 (administrative amendments)

Signature:

Name: Dr Michael Spence

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1 Name of policy

This is the Academic Probation and Confirmation Policy 2020.

2 Commencement

This policy commences on 24 August 2020.

3 Policy is binding

Except to the extent that a contrary intention is expressed, this policy binds the University, staff, students and affiliates.

4 Statement of intent

This policy:

- (a) implements Part C of [The University of Sydney Enterprise Agreement 2023-2026, which provides](#) that:
 - (i) all new continuing and fixed term academic staff will be required to complete a probationary period; and in addition:
 - (ii) continuing academic staff may be required to complete a confirmation period;
- (b) articulates the University's expectations of staff, their supervisors and relevant delegates during academic probation and confirmation periods; and
- (c) establishes how a staff member's performance will be reviewed before their appointment is confirmed.

5 Application

This policy applies to all academic staff.

6 Definitions

In this policy:

Academic Fellow

means an academic staff member appointed to, or converted to, an Academic Fellowship under the provisions of the *University of Sydney Enterprise Agreement 2018-2021* and who will continue to be governed by these provisions while they remain in an Academic Fellow position. No new Academic Fellowships will be offered under the *University of Sydney Enterprise Agreement 2023-2026*.

See clauses 128 of the [Enterprise Agreement](#).

academic planning and development (AP&D)

means the process of:

- performance review; cxc
 - planning and development; and
 - evaluation;
- for academic staff.

AP&D	means academic staff planning and development, which has the meaning given in the Performance Planning and Development Policy 2012 . At the date of this policy, that is: means the process of performance review, planning and development, and evaluation for academic staff.
achievement relative to opportunity	means a staff member's productivity and achievements relative to their opportunities compared to other staff at an equivalent level. Assessing this includes considering the impact of factors such as: <ul style="list-style-type: none">• part-time or fractional employment;• significant parenting or other caring responsibilities;• clinical responsibilities; or• disability. Note: Refer to the staff intranet for guidelines on assessing achievement relative to opportunity.
continuing academic staff	means academic staff appointed on a continuing basis, as defined in clause 36 of the Enterprise Agreement .
Dean	includes, as appropriate: <ul style="list-style-type: none">• Executive Dean and Pro Vice-Chancellor of the Faculty of Medicine and Health;• Dean of a faculty; and• Head of School and Dean of a University school.
delegate	means a person or entity to whom or to which a delegation has been made by Senate in the University of Sydney (Delegations of Authority) Rule 2020
Enterprise Agreement	means the University of Sydney Enterprise Agreement 2023-2026 , or its replacement.
faculty	includes University school.
Faculty Confirmation Committee	means, for each faculty or University school, a committee with the functions described in clause 10 of this policy.
school	means a school within a faculty, or a discipline in a faculty which does not have a school structure.

supervisor

means the Head of a School, organisational unit or other budget unit responsible for supervising a staff member. In matters involving a conflict of interests or where the University otherwise considers it appropriate, a reference to a supervisor means a person appointed by the University to exercise the functions that would otherwise be exercised by the staff member's nominated supervisor. Staff will be notified in writing of the name of their supervisor or the person appointed to act in that capacity.

7 Probation requirements

- (1) Academic staff, other than Academic Fellows, must complete a probation period of 12 months.
- (2) Academic Fellows must complete a probation period of two years.
- (3) The relevant delegate may, in consultation with Human Resources:
 - (a) waive or vary a staff member's probation period; or
 - (b) vary the standard conditions of probation to be specified in the staff member's letter of offer.

Note: See [University of Sydney \(Delegations of Authority\) Rule 2020](#) and [Academic Probation and Confirmation Procedures 2020](#).

- (4) During the probationary period, the staff member must:
 - (a) demonstrate that they have the capacity to:
 - (i) satisfactorily perform the duties and responsibilities of an academic staff member at their level and within the relevant disciplinary context of their faculty or school; and
 - (ii) meet performance expectations and standards for research, education, and governance, leadership and engagement for an academic staff member at their level and within their faculty or school;
 - (b) act in accordance with the University's expectations for behaviour and conduct as articulated in the [Staff and Affiliates Code of Conduct 2021](#), including by upholding and advancing the University's values;
Note: See [Vision and Values](#) and the [University's Strategic Plan](#).
 - (c) meet the specific criteria and expectations for successful completion of probation set by their supervisor, including through AP&D;
 - (d) complete all required training, including compliance training; and
 - (e) obtain any required teaching accreditations and other registrations or accreditations required as conditions of probation in their letter of offer.
- (5) On commencement with the University, the staff member and their supervisor must agree a probation plan which states objectives and goals to enable the staff member to meet the conditions of probation specified in their letter of offer.
- (6) The staff member's performance during their probation period will be reviewed against their probation plan.

- (7) If the staff member is not meeting performance expectations during the probation period, the supervisor must:
- determine the specific improvements required to lift the staff member's performance to the necessary standard;
 - inform the staff member of these requirements; and
 - provide or arrange appropriate support and guidance to the staff member.

Note: See the [Academic Probation and Confirmation Procedures 2020](#).

- (8) If the staff member's performance does not improve to the required standard, the supervisor must determine that the staff member has not met the conditions of probation.
- (9) A supervisor who has concerns about a staff member's conduct during the probation period must consult Human Resources about managing the matter consistently with the [Enterprise Agreement](#).
- (10) A staff member will successfully complete their probation if they:
- meet all the conditions of probation in their letter of offer; and
 - complete all required training.
- (11) If a staff member does not meet the conditions of probation, the relevant delegate may:
- terminate the staff member's employment; or
 - for academic staff other than Academic Fellows, extend the staff member's probation period.

Note: See: [University of Sydney \(Delegations of Authority\) Rule 2020](#) and clauses 95 and 97-101 of the [Enterprise Agreement](#).

8 Confirmation requirements for continuing academic staff

- Continuing academic staff, other than Academic Fellows, must complete a four-year confirmation period after their probation period.
- Academic Fellows must complete a three-year confirmation period.
- The relevant delegate may, in consultation with Human Resources:
 - waive or vary a confirmation period; or
 - vary the standard conditions of confirmation to be specified in the staff member's letter of offer.

Note: See [University of Sydney \(Delegations of Authority\) Rule 2020](#) and [Academic Probation and Confirmation Procedures 2020](#).

- (4) During the confirmation period, a staff member must:
- satisfactorily perform the duties and responsibilities of an academic staff member at their level and within the relevant disciplinary context of their faculty or school;
 - meet performance expectations and standards for research, education, and governance, leadership and engagement for an academic staff member at their level and within their faculty or school;

- (c) act in accordance with the University's expectations for behaviour and conduct as articulated in the [Staff and Affiliates Code of Conduct 2021](#), including by upholding and advancing the University's values;
Note: See [Vision and Values](#) and the [University's Strategic Plan](#).
 - (d) meet the specific criteria and expectations for successful completion of confirmation set by their supervisor, including through AP&D;
 - (e) complete all required training; and
 - (f) obtain any required teaching accreditation, higher degree by research supervision registration and other accreditation or registration requirements required as conditions of confirmation in their letter of offer.
- (5) Each year during the confirmation period, the staff member and their supervisor must agree an annual confirmation plan as part of AP&D.
- (6) The annual confirmation plans must specify how the staff member will meet the conditions of confirmation in their letter of offer.
- (7) If the staff member is not meeting performance expectations during the confirmation period, the supervisor must:
- (a) determine the specific improvements required to lift the staff member's performance to the necessary standard;
 - (b) inform the staff member of these requirements;
 - (c) provide or arrange appropriate support and guidance to the staff member; and
 - (d) if the supervisor is not the relevant delegate, recommend that the relevant delegate review the academic's performance.
- Note:** See the [Academic Probation and Confirmation Procedures 2020](#).
- (8) If the staff member's performance does not improve to the required standard, the supervisor must determine that the staff member has not met the conditions of confirmation.
- (9) A supervisor who has concerns about a staff member's conduct during the confirmation period must consult Human Resources about managing the matter in accordance with the [Enterprise Agreement](#).

9 Confirmation of continuing academic appointments

- (1) At the end of the confirmation period the relevant delegate will determine whether the staff member will:
- (a) be confirmed in a continuing appointment;
 - (b) have their confirmation period extended in accordance with clause 105 of the [Enterprise Agreement](#); or
 - (c) have their employment terminated.
- (2) The relevant delegate will make the decision required by subclause 9(1) after consultation with the Faculty Confirmation Committee.
- (3) A delegate who proposes to terminate a staff member's employment must obtain advice from the Office of General Counsel before doing so.

10 Faculty Confirmation Committee

- (1) Each faculty or University school with academic staff serving a confirmation period must establish a Faculty Confirmation Committee, from time to time as required.
- (2) The Faculty Confirmation Committee will comprise the following members:
 - (a) Dean (Chair) or nominee (for example Deputy Dean);
 - (b) Associate Dean (Research) or nominee;
 - (c) Associate Dean (Education) or nominee;
 - (d) one senior faculty member nominated by the Dean;
 - (e) one staff member from the same or a cognate discipline as the candidate for confirmation, nominated by the Head of School; and
 - (f) a senior academic staff member external to the faculty who has relevant expertise and is selected by the Dean on the basis of consultation with either of:
 - (i) the Provost; or
 - (ii) the Chair of the Academic Board.
- (3) At any stage during the staff member's probation and confirmation period, a supervisor may seek advice from the Chair of the Faculty Confirmation Committee about:
 - (a) setting and reviewing performance expectations; and
 - (b) any associated actions, including any proposed remedial action.
- (4) The Faculty Confirmation Committee will make a recommendation to the relevant delegate about each candidate for confirmation, after consideration of whether the staff member has met the conditions for their confirmation.
- (5) Staff members who are candidates for confirmation must provide the Faculty Confirmation Committee with:
 - (a) a summary of their achievements in research, education, and governance leadership and engagement;
 - (b) a statement:
 - (i) providing evidence that they have met all conditions of their confirmation; and
 - (ii) setting out details of any relevant personal circumstances that will assist the Committee in considering their achievements relative to opportunity.
- (6) In relation to each candidate for confirmation, the relevant Head of School must provide the Faculty Confirmation Committee with verification that the staff member has met the conditions of their confirmation, including required standards of performance and conduct.

Note: See the [Academic Probation and Confirmation Procedures 2020](#).
- (7) The relevant delegate must inform the staff member of the decision about their confirmation no less than six months 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).

11 Promotion during confirmation period

If a staff member is promoted or appointed to a higher academic level during their confirmation period:

- (a) the staff member's appointment will be deemed to be confirmed; and
- (b) the confirmation process specified in clause 9 will not apply.

Note: See the [Academic Promotions Policy 2015](#) and the [Academic Promotions Procedures 2015](#).

12 Extended periods of absence during confirmation

- (1) An extended period of absence during a confirmation period may impact a staff member's performance and achievements.
- (2) A staff member who takes any of:
 - (a) approved parental leave; or
 - (b) extended unbroken periods of sick or carers' leave;may request the relevant delegate to extend their confirmation period by the same period as their absence, up to a maximum of 12 months.
- (3) An application for extension of confirmation period may be made at any time during that period.
- (4) A staff member may refer to these absences and any other relevant personal circumstances in the information they provide to the Faculty Confirmation Committee under clause 9(5).

Note: See the [Academic Probation & Confirmation Procedures 2020](#).

13 Review of probation and confirmation decisions

Staff members to whom the [Enterprise Agreement](#) applies may seek review of a probation or confirmation decision made under this policy in accordance with the provisions of the [Enterprise Agreement](#).

Note: Refer to [clauses 541- 544](#) of the [Enterprise Agreement](#).

NOTES

Academic Probation and Confirmation Policy 2020

Date adopted:	17 August 2020
Date commenced:	24 August 2020
Date amended:	5 October 2023 (administrative amendment)
Administrators:	Provost and Deputy Vice-Chancellor and the Chief Human Resources Officer

Review date: 24 August 2025

Rescinded documents:

Related documents:

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

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

[Academic Promotions Policy 2015](#)

[Recruitment and Appointment Policy](#)

[Performance Planning and Development Policy 2012](#)

[Academic Probation and Confirmation Procedures 2020](#)

[Academic Promotions Procedures 2015](#)

AMENDMENT HISTORY

Provision	Amendment	Commencing
4(a); 6; 7(9); 7(11)(b) note; 8(9); 9(1)(b); 10(7) note; 13	updated references new Enterprise Agreement 2023-2026.	5 October 2023
4(a)(i)	amended to clarify that continuing and fixed term academic staff will be required to complete a probationary period.	5 October 2023
4(a)(ii)	subclause deleted; consequent renumbering	5 October 2023
6	updated definition of Academic Fellow to note that Academic Fellowships will no longer be offered under the Enterprise Agreement 2023-2026.	5 October 2023