

Employment Probation for General Staff and VET Teachers Procedure

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Purpose

The purpose of this procedure is to provide a structured process in order to:

- establish whether an appropriate match has been made between the person, the position and the work environment, and whether the person is able to perform the duties of the position as required;
- ensure individual staff are clear about the roles and responsibilities of the position they hold;
- ensure managers/supervisors are aware of their roles and responsibilities in relation to the development and performance of staff;
- develop open and effective communication between supervisors and their staff;
- identify training needs;
- commence building the commitment of new staff to the mission and goals of the University.

Scope

This procedure applies to all general staff and VET teacher appointments that have a probationary period.

Legislative Context

- [Federation University Australia Union Enterprise Agreement 2019–2021](#)

- [Federation University Australia TAFE Teaching Staff Agreement 2019](#)

Definitions

Term	Definition
Performance	Work related activities expected of an employee and how well those activities are executed. This includes inappropriate behaviour and conduct.
Probationary Period:	The probationary period is a defined period of time during which a new employee's performance and conduct are subject to formal assessment. During this probationary period, the employee is provided with continuing constructive counselling and support to confirm progress and/or identify difficulties and develop strategies for their resolution.
Probation Plan	A formal probation review form used to capture information on an employees' probation progression, assessment and performance.
Manager/supervisor or nominee	An employee who has designated responsibility for managing and/or overseeing the performance, development and conduct of other employees.

Action

For general staff and VET teachers the probationary periods will be determined as follows:

Classification and length of appointment	Probation period
Appointments of six months or less	No probation period is required
Appointments of six months and up to 12 months	A probation period may apply
Appointments of 12 months or more:	Probation period as follows:
HEW levels 1 to 9	Three months up to a maximum of six months (Depending on employee's qualifications, extent of experience and the duration period of appointment)
HEW levels 10 and above Education Managers (VET)	Six months up to a maximum of 12 months
VET teachers	Six months

1. As soon as possible after commencement of employment the manager/supervisor will meet with the newly appointed employee to clarify duties and responsibilities of the position, document an agreed set of tasks/objectives and performance standards to be completed during the probationary period and the process of formal and informal review.
2. At regular intervals the manager/supervisor will meet informally with the employee to review progress and to consider any guidance, support, training and/or assistance that may be appropriate.

3. The employee's probation plan and formal review progress will be noted and outlined on the probation review form.
4. Probation reviews are to be an interactive and positive process to provide the manager/supervisor with the opportunity to:
 - Interact closely, provide support and encouragement and review progress;
 - Provide regular constructive feedback on the employee's performance;
 - Discuss challenges and concerns;
 - Provide guidance, assistance and advice;
 - Identify any training needs or other supports;
 - Provide on-going clarification of the requirements of the position.
5. The first formal probation review is to be conducted at the mid-point of the probationary period and the second and final formal probation review will be conducted no less than ten working days prior to the end of the probationary period, if it is strongly anticipated that the appointment will be confirmed.
6. At the conclusion of each formal review meeting the manager/supervisor will make a record of the meeting together with feedback notes on the probation review form and provide a copy to the employee and to People and Culture.
7. Where performance concerns are identified, a clear statement of the issues and improvements required will be outlined on the probation review form and discussed with the employee. The employee is to be provided with the opportunity to respond to performance concerns raised and discussions with the manager/supervisor need to include identifying any assistance that can be provided to the employee to meet the performance expectations.
8. If it becomes apparent during the probation period that probation may be extended or terminated, the manager/supervisor should immediately contact People and Culture and seek guidance on managing the probation process going forward.
9. The Executive Director/Director/General Manager or nominee will decide on the action to be taken based on the probation review information.
10. Probation periods may be extended for a period no longer than the initial probation period or a maximum of six months to allow the employee to address performance and/or conduct issues. Probation periods may also be extended in circumstances where the employee has taken an extended period of approved leave.
11. The Executive Director/Director/General Manager or nominee recommendation will be one of the following:
 - confirm the appointment; or
 - extend the probationary period up to no more than the initial probation period or a maximum of six months; or
 - terminate the appointment.
12. Documentation with a recommendation to:
 - confirm the appointment is required to be forwarded to People and Culture no later than ten working days prior to the end of the probationary period; or
 - extend the probationary period or terminate the appointment is required to be forwarded to HR as soon as possible and no later than ten working days prior to the end of the probationary period.
13. In the case of a decision to extend or terminate, the Director, People and Culture is to be consulted and written notice provided to the employee with an opportunity to respond.

Extending probation periods

1. If a decision is made to extend the probationary period where concerns have been identified and require more time to address, the extension period can be no longer than the initial probation period or a maximum of six months.

2. The relevant manager/supervisor or nominee will advise People and Culture to discuss and seek guidance on advising the employee in writing as soon as possible and no later than ten working days prior to the conclusion of the probationary period.
3. The reason/s for the extension will be based on the information recorded on the Probation Review form. The written advice will include:
 - the objectives that have not been met; and
 - details of the shortfalls, the expectations/what was required to meet the shortfalls, the support or training provided; and
 - a statement which offers the employee with an opportunity to respond and have their response considered by the Director, People and Culture.
4. The Director, People and Culture will consider responses and may affirm or vary the decision to extend the probation period.
5. If during the probation period an assessment of performance cannot be made due to the employee being on an extended period of approved leave longer than four weeks, then the end date for probation may be extended to provide the employee with a total probation period equivalent to the probation period outlined in their contract of employment. This will require approval by the Director, People and Culture on the recommendation of the Executive Director/Director/General Manager or nominee.

Termination of Appointment

1. The University will terminate an appointment if:
 - the employee is unsuited to the position they hold, either by reason of performance or conduct;
 - claims made by the employee during the selection process were either untrue or not substantiated by their performance in the position.
2. If a decision is made that an appointment may need to be terminated, the manager/supervisor is required to advise the relevant Executive Director/Director/General Manager or nominee as soon as this may become apparent.
3. The Executive Director/Director/General Manager or nominee in turn will contact the relevant HR Business Partner as soon as possible and no later than ten working days prior to the end of the probationary period to discuss and seek guidance on how to advise the employee in writing.
4. The relevant Executive Director/Director/General Manager or nominee will advise the employee in writing no later than ten working days prior to the end of the probationary period detailing the reason/s and justification for recommending to terminate the employment.
5. The reasons and justification are to be based on the objectives outlined in Probation Review form and any other documentation or evidence of proof of inadequate performance and/or inappropriate conduct. The written advice will include a statement which provides the employee an opportunity to respond to the Director, People and Culture in writing within five working days as per the provisions of the Union Enterprise Agreement.
6. The Vice-Chancellor or nominee will consider any response to the Director, People and Culture and advise the employee of the final decision within five working days of the end date of the probation period. If no response is received within the five working days, the Vice-Chancellor or nominee will notify the employee in writing of the final decision to terminate the employment. The Vice-Chancellor or nominee's decision is final.
7. Termination will be in accordance with the provision of the Fair Work Act and by mutual agreement, payment in lieu can be made.

Responsibility

The Director, People and Culture is responsible for:

- providing advice to employee and managers/supervisors about this Procedure and its implementation;

- coordinating implementation of this Procedure, including preparation of appropriate correspondence; and
- providing training to managers/supervisors to ensure effective implementation of this Procedure.

Managers/supervisors or nominees have a specific responsibility for ensuring this procedure is implemented for all employees in probationary periods for whom they are nominated as line managers/supervisors.

Supporting Documents

- [Federation University Australia Union Enterprise Agreement 2019–2021](#)
- [Federation University Australia TAFE Teaching Staff Agreement 2019](#)

Implementation

The [Employment Probation for General Staff and VET Teachers Procedure](#) will be implemented throughout the University via:

1. An announcement notice under the 'FedNews' website and on the University Policy website to alert the University-wide community of the approved Procedure, and/or
2. Information sessions to Executive Directors, Directors, Associate Directors, General Managers, Education Managers and managers/supervisors.