

Regulation Pertaining to Probation for Academic Staff

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1. Introduction

- 1.1 This Regulation is made pursuant to the University's Ordinance Relating to Dismissal, Grievance Procedures and Related Matters for Academic Staff. These procedures apply to academic employees with the title of Lecturer, Senior Lecturer, Reader and Professor and any other academic titles as adopted by the University.
- 1.2 For the purposes of this Regulation:
 - a) The term "Head of Department" includes Heads of Division, Group, and School.
 - b) The term "Executive Dean" should be read as referring to the Executive Dean or their designate.
 - c) References to Heads of Division, Group, and Department should be read as referring to the nearest equivalent positions under the organisational structure of the University as amended from time to time.
- 1.3 Any grievances or complaints about the conduct or initiation of the procedures set out in this Regulation and/or any proposals, decisions or other matters associated with these procedures will only (unless otherwise decided by the University) be dealt with under these procedures themselves (including, if necessary, the appeal process provided in them). Unless otherwise decided by the University, they will not be considered under any other procedures of the University, such as (but not limited to) the University's grievance procedure. The purpose of this is to assist all parties by allowing any complaint to be considered expeditiously and avoid multiplicity of procedures and any associated delay.

2. Purpose of Probation

- 2.1 The purpose of probation is:
 - 2.1.1 To enable the probationer to establish and maintain the high standards of academic performance and professionalism expected of a member of the academic staff at King's College London.
 - 2.1.2 To enable the probationer to demonstrate the potential to maintain and develop those high standards beyond the probationary period.
 - 2.1.3 To ensure that a probationer is given a reasonable opportunity and reasonable assistance to achieve those high standards and demonstrate that potential.
 - 2.1.4 To ensure that the appointments of those who fail to establish and maintain those high standards and demonstrate that potential are not confirmed.

3. Application of Probation

- 3.1 Except as provided for below, every person appointed to an academic position shall be required to complete a period of probation in accordance with this Regulation as amended from time to time.

- 3.2 Probationary staff who do not already have a recognised teaching qualification at an equivalent level are required to complete the King's Academy Learning & Teaching Programme during their probationary period. Completion of the programme includes an application process for Fellowship of the Higher Education Academy. Where there is any uncertainty about equivalence or if a member of staff has already undertaken a substantial element of preparation for teaching, please consult King's Academy for further guidance.
- 3.3 Probation may be waived or the period of probation may be varied, at the discretion of the Executive Dean and with the agreement of the relevant Senior Vice President. No such waiver or variance will be effective unless stipulated in the Contract of Employment.
- 3.4 Staff within a period of probation are not eligible for academic promotion.
- 3.5 For staff within a period of probation:
- (a) The provisions of this Regulation (and not any other Regulation) will apply to termination of employment for reasons of capability, incapacity or performance, unless otherwise decided by the University.
 - (b) The University may choose to deal with conduct issues under this Regulation and/or the Regulation Pertaining to Disciplinary and Related Procedures.

4. Length of Probation

- 4.1 Probation is usually for a period of between one and three years, which may be extended to a maximum duration of five years. The duration of the probationary period will be stipulated in the Contract of Employment.
- 4.2 Unless terminated for reasons outlined in paragraph 4.3 below or unless the employment terminates for some other reason, the probationary period will continue until a Probation Review Panel has determined or recommended the outcome of the probation.
- 4.3 A Probation Review Panel may at any time during the probation period conduct a review and recommend to the relevant Senior Vice President:
- (a) confirmation of a probationer's appointment early; or
 - (b) terminating a probationer's appointment early by giving written notice to the probationer in accordance with the contract of employment.

5. Role of Mentor and Preparation of Probation Reports

- 5.1 The Head of Department will appoint a Mentor for each probationer. Unless otherwise decided by the Head of Department and with the consent of the Executive Dean the Mentor will be a member of the academic staff of the University (not being subject to any probation period) in the same or a related field to that of the probationer. The identity and contact details of the Mentor will be confirmed in writing to the probationer.
- 5.2 The Head of Department may at any time during the probation period decide to replace the Mentor.

The identity and contact details of the new Mentor will be confirmed in writing to the probationer.

- 5.3 The Head of Department will meet with the Mentor and probationer to explain the requirements for a successful probation. These will be written down and provided to the Mentor and probationer and made available to the Probation Review Panel.
- 5.4 The Mentor and the probationer will agree between themselves a plan under which the Mentor can support and monitor the probationer's progress during the probation period.
- 5.5 Any unresolved issues between the Mentor and the probationer concerning the mentoring process will be raised with the Head of Department, who will decide how they should be resolved.
- 5.6 Where the probation period is three years the Mentor will at least once per annum, and at six-month intervals within the first year of appointment, prepare a written probation report (which can be accessed confidentially by the probationer and the Head of Department via a web link) on the probationer for discussion with the Head of Department. Where the probationary period is of less than three years, a written probation report should be produced every 6 months. The probation report will be sent to the Probation Review Panel on an annual basis.
- 5.7 Each probation report will include:
 - (a) a note of the progress of the probationer towards establishing and maintaining the required standards of academic performance and professionalism and towards demonstrating the potential to maintain and develop those standards beyond the probationary period.
 - (b) a note of any action agreed to be taken by the probationer and any specified timescale.
 - (c) a note of any additional support or other steps agreed between the Mentor and the probationer and any specified timescale.

6. Role of the Probation Review Panel

- 6.1 A Probation Review Panel is the only body that can confirm successful probation with the exception of recommending extending or terminating probation to the relevant Senior Vice President.
- 6.2 Membership of a Probation Review Panel will consist, as a minimum, of the Executive Dean and two senior members of the academic staff appointed by the Executive Dean one of whom will be from another.
- 6.3 Probationers will have the right to be accompanied at Probation Review Panel meetings by a trade union representative or work colleague. The probationer should notify the Human Resources Department no later than 3 working days ahead of the scheduled Probation Review Panel meeting of the name of their trade union representative or work colleague should they wish to be represented/accompanied.

7. Procedure for Confirmation of Appointment

- 7.1 At the beginning of the last year of the probationary period the probationer should meet with their Mentor and discuss arrangements for the confirmation of appointment process.

- 7.2 The probationer will prepare a short statement documenting how they have met the scholarly research, teaching and service requirements consistent with expectations. The probationer must provide a CV along with the names of at least two external referees of international repute who could provide an external peer review of the probationer's research accomplishments¹.
- 7.3 The Head of the Department will arrange for an international, external written peer review. The Head of the Department will send out a request for a review providing adequate context and guidance to one of the referees chosen by the probationer with another two referees chosen by the Head of Department so as to provide a well rounded perspective on the probationer. The external peer review will focus on research and scholarly productivity².
- 7.4 On receipt of these reports the Head of the Department will prepare a recommendation for the member of staff's probation based on the external reviews, the probation reports, any available teaching and service evaluations and performance reviews and any other relevant sources. The report will summarize the performance and will support one of three recommendations:
- i) recommended for confirmation, without reservation,
 - ii) consider for confirmation, but with reservations, or
 - iii) not recommended for confirmation.
- 7.5 The Probation Review Panel will consider the probationer's statement and CV, reports from external reviewers, and the final recommendation prepared by the Head of the Department regarding the probationer and any verbal representation by the probationer. The Head of the Department will present the case to the Probation Review Panel. The probationer will be given the option to attend the Probation Review Panel meeting bringing a companion if they choose and will be given the opportunity to make a verbal representation.
- 7.6 The Probation Review Panel will deliberate in private and inform the probationer of their decision. Written confirmation of the decision of the Panel will be sent via Human Resources to the probationer, the Senior Vice President, and the Head of Department.

8. Extension of the Probation Period

- 8.1 The Probation Review Panel, in consultation with Human Resources, may decide to recommend to the relevant Senior Vice President an extension of a probationer's probationary period, normally for not more than one year, where the Probationer has failed to meet the criteria for confirmation but there is a reasonable expectation that the criteria could be met after a further period of probationary service.
- 8.2 The Probation Review Panel may also recommend to the relevant Senior Vice President that a period of probation is extended due to illness, or other authorised absence, where this absence means it has

¹ For staff employed on the Academic Education Pathway (AEP) this statement and the external peer review will focus on Teaching and Student Support; Leadership in Teaching and Curriculum Development; Knowledge Exchange and Impact; Esteem and Recognition; and scholarship, as appropriate.

² The external peer review in the case of staff employed on the AEP will focus on the headings stated above.

not been possible to adequately assess performance at this point.

- 8.3 Where the Probation period has been extended, the length of extension and reasons for the extension will be confirmed in writing to the probationer.
- 8.4 If, in the view of the Head of Department, the probationer has met the criteria for confirmation at the end of the extended period, the Head of Department will submit a report to the Probation Review Panel recommending that the appointment should be confirmed.
- 8.5 If, in the view of the Head of Department, the probationer has not met the criteria for confirmation at the end of the extended period, the Head of Department will submit a report to the Probation Review Panel recommending that the appointment should be terminated.
- 8.6 In either case, the Probation Review Panel will meet to reconsider the case in the light of the documents previously considered and the Head of Department's further report. The probationer will be invited to attend the meeting of the Probation Review Panel and will be given the opportunity to make a verbal representation.
- 8.7 The Probation Review Panel will deliberate in private. The recommendation of the Panel and the reason for it will be made in writing to the Senior Vice President for a final decision. The final decision will be confirmed in writing to the probationer, the Executive Dean and the Head of Department.

9. Termination of Appointment

- 9.1 In the event of a decision being made to terminate the appointment, the University shall give the probationer notice of dismissal, in accordance with the provisions of their contract of employment and will notify the probationer of the right to appeal.

10. Appeal Procedure

- 10.1 Staff who have been dismissed as a result of the recommendation of a Probation Review Panel shall have the right to appeal against dismissal. The grounds of appeal must be lodged in writing with the Director of Human Resources within 10 working days of receipt of the notification of dismissal.
- 10.2 The grounds of appeal must identify the specific reasons for appealing and should not merely be to the effect that the probationer disagrees with the decision or that the decision is wrong. The grounds should set out the basis on which the probationer contends that the decision was incorrect.
- 10.3 The appeal will be heard by a Panel, convened by the relevant Director of People or their nominee whose membership shall comprise up to three members of the academic or senior administrative staff who have not previously been directly involved in the probationary process for the member of staff concerned. The probationer will be invited to attend the meeting of the Panel and will be given the opportunity to make a verbal representation. A work colleague or trade union representative may accompany the probationer to the meeting. The probationer should notify the Director of People or their nominee no later than 3 working days ahead of the scheduled appeal be represented/accompanied.

- 10.4 The Panel will review whether the University's procedures were correctly implemented.
- 10.5 The decision of the Panel will be either:
 - i) to reject the appeal and confirm the dismissal;
 - ii) to uphold the appeal and extend the probationary period for a specified length of time; or
 - iii) to uphold the appeal and confirm the appointment.
- 10.6 The Panel will deliberate in private. The decision of the Panel and the reasons for it will be confirmed in writing to the probationer, Head of Department, Executive Dean and Senior Vice President. The decision of the Panel will be final and there will be no further avenue for appeal within the University or for consideration under any other University procedure.