

Continuation

Purpose

The purpose of the Continuation review is to evaluate whether newly appointed permanent staff have met the expected standards for the grade, and appropriate academic and career plans have been developed and acted upon.

Policy

This policy provides the framework for evaluation and decision making by the University when a staff member is considered for Continuation under the terms of the "New Permanent Appointments" provisions of the Academic Staff Collective Agreement (ASCA).

Nothing in this document shall be construed to override any provision of the ASCA; where there is conflict in the wording, the ASCA shall prevail.

Definition

Employment of new permanent academic staff is by way of an initial four year contract. *[Refer to attached excerpts re "New Permanent Appointments" provisions of the Academic Collective Agreement (ASCA)].*

"Continuation" of employment beyond this initial term is by way of mutual agreement between the individual and the University.

Audience

Academic staff.

Relevant Legislation

Employment Relations Act 2000
Human Rights Act 1993
State Sector Act 1988

Related Procedures

Introduction

Application for Continuation should be made as soon as possible after 3 years' service, and in all cases prior to 3.5 years' service. Earlier applications will only be considered by the FSC on the advice of the HOD and Dean and only in exceptional circumstances. Applicants who have had absences due to parental leave (or for health related reasons) of three months or more, may request an extension from the Academic Head for an equivalent length of time to prepare for Continuation.

Where an employee has been promoted to the next academic grade during the initial four year contract of employment (e.g. from Lecturer to Senior Lecturer), the

University does not require a Continuation review. Continued employment beyond the four year term is confirmed by such a promotion.

Staff members should develop Teaching and Research Portfolios from the beginning of their employment with the University.

The normal outcome options of the Continuation review are:

- the University offers the staff member an ongoing contract of employment
- the University defers further consideration of Continuation by offering an extension of up to two years to the initial four year contract
- the University advises the staff member that it does not wish to extend the staff member's contract beyond the end of the four year term
- the staff member advises the University that s/he does not wish to extend the contract beyond the end of the four year term.

Criteria and Standards

The University provides specific criteria and standards in the HR Policy *Academic Grades - Standards and Criteria* against which the staff member's performance will be evaluated. The requirements of the staff member's contract of employment will also be taken into account.

The evaluation of performance is primarily through the Academic Performance Review (APR) process.

Each Department has developed Expectations/Criteria for the APR process and these will be used as a base for measuring career development for the purposes of Continuation.

New academic staff must ensure that they clearly understand the achievements expected of them in terms of teaching, research and service, from the start of their career with the University, by discussing these requirements with their HOD.

Academic Training and Development

The University provides a range of training and development programmes in teaching and research.

The University requires all staff who are new to tertiary teaching to complete the CAD course on Teaching & Learning during the first year of employment.

Academic staff who are appointed to a permanent position, or a fixed term position of 12 months or longer, will be regarded as new to tertiary teaching unless they can demonstrate the following experience:

- Independent course design
- Responsibility for course delivery and assessment
- Practise in different teaching context such as lectures, seminars, laboratories, tutorials

The University requires all staff engaged after 1 February 2001 who supervise post graduate students to complete the CAD course on Post Graduate Supervision. This course should be completed during the initial four year term of employment, but in any case must be completed prior to supervising graduate students.

Research and Study Leave and Continuation

On occasions, Research and Study Leave may be approved prior to Continuation being considered. The granting or declining of any Research and Study Leave application does not affect nor indicate the likelihood of any particular decision in relation to Continuation. These approval processes are entirely separate.

Procedure

Continuation involves the following individuals and committees.

Human Resources (HR)

HR will advise staff members and their HOD of the forthcoming consideration for Continuation after three years of the initial contract term.

Staff Member

Applicants must demonstrate that they meet the key criteria for Continuation in the grade. In applying the standards and criteria, The University will take account of achievements since appointment to The University of Auckland.

Specifically, each applicant is required to complete an Application comprising:

- a statement outlining the grounds on which Continuation is sought
- a Standard CV (see "*Standard CV – Academic Staff*" HR policy)
- supporting information, including any evidence in support of the application from the following (since appointment to The University of Auckland):
 - "Teaching Profile" drawn from the staff member's Teaching Portfolio, including:
 - courses taught and graduate students supervised
 - a *summary* of evaluations of teaching to be drawn from University approved student teaching evaluations or peer review evaluations
 - a *summary* of evaluations of courses
 - a *summary* of teaching improvements, curriculum development, course improvements, professional development in teaching, etc
 - "Research Profile" drawn from the staff member's Research Portfolio, including:
 - papers and books published and "in press" (ie accepted for publication). These may be extracted from the staff member's RIMS portfolio and should clearly indicate publications that are refereed
 - substantial works in progress
 - research grants received
 - relevant research contracts secured by the applicant
 - research supervision
 - artistic or creative activities (where appropriate)
 - professional or clinical activities (where appropriate)

The applicant must clearly identify her/his five most influential works. The applicant must clarify her/his intellectual contribution to these works, and the contributions of any others involved. The intellectual contribution to other important joint publications and collaborative research should be similarly clarified. Copies of key publications must be readily available should any member of the FSC or UASC wish to view them, but these should not be included with the application.

- Identified service contributions to the department, faculty, university, discipline and/or community, industry, the profession - nationally and/or internationally - including service within the University, contributions to the University's EO objectives, involvement in the activities of professional or academic bodies, activities as reviewer, contributions to the community which relate to or draw upon academic or professional expertise, etc.
- Any other matter considered relevant by the staff member, including relevant consultancies, or other professional activities.

Note – The applicant must ensure that the Application form includes only such information as is necessary to create a "Teaching Profile" and "Research Profile". The Application form will be sent to the FSC through the HOD.

The applicant may provide the HOD and HOD Advisor with greater detail from the applicant's Teaching and Research Portfolios. These data will not be provided to the FSC, unless the FSC specifically seeks such data. It is the responsibility of the HOD to provide advice to the FSC on the quality of these portfolios.

The staff member may designate one of the HOD Advisors [refer under HOD section below]. The applicant may also indicate individual(s) whom they consider unacceptable as an HOD Advisor.

Head of Department

The Head of Department is central to mentoring and developing staff. The HOD will use their best endeavours to ensure that the staff member knows the achievements expected, and that appropriate performance reviews are carried out annually.

Advisors' Reports

The applicant and the HOD will each nominate one "Advisor" who shall be:

- from the applicant's discipline or a related discipline
- capable of analysing the applicant's teaching and research
- able to offer rigorous, expert and impartial advice
- normally at or above the grade of the staff member
- normally from within The University of Auckland.

The HOD will only accept an Advisor from outside The University of Auckland where there are no suitable alternatives, and then preference will be given to a New Zealand alternative.

The Advisors will analyse the applicant's teaching and research on the basis of the Application, and will report in writing to the HOD on the HOD Advisor HR form. The HOD may consult with the applicant as to potential Advisors.

The HOD will make the Advisors' Reports available to the FSC.

Advice to FSC

The HOD will advise the FSC as to whether the staff member reaches the required standards for Continuation, present the HOD Advisors' Reports, indicate the dates on which the Performance Reviews of staff member were held, and identify any professional development needs where Continuation may be considered for deferral. The HOD will forward all applications and HOD Advisor Reports to the FSC irrespective of whether or not the HOD is supportive of a particular Continuation.

The HOD will take the results of the APR reviews and HOD Advisors' Reports into account when advising the Faculty Staffing Committee (FSC).

[Note: Where an HOD is being considered for Continuation, the Dean will take on the responsibilities of the HOD. The Dean may consult with appropriate other senior members of the Department. Where the HOD is also the Dean, the UASC will nominate a person to act in the role of HOD for the purposes of the this policy.]

Joint Appointments

Where a staff member holds a joint appointment between two departments, the advice of both HODs will be considered.

Where the departments are in different faculties, the Deans will consult with the staff member and determine which FSC will consider the application for Continuation.

Academics who are not in Faculties

The Deputy Vice-Chancellor (Academic) (DVC(A)) shall take the role of Dean.

The Director (of CAD etc) shall take the role of HOD.

The DVC(A) will form an Ad-hoc Staffing Committee comprising:

- the DVC(A) as Chair
 - 3 or 4 members nominated by 3 or 4 FSCs – such FSCs to be identified by the DVC(A)
 - one representative from the UASC nominated by the Vice-Chancellor.
- HR will provide office support for such applications.

Faculty Staffing Committee

This policy will be implemented by an FSC constituted in accordance with the Faculty Staffing Committee HR Policy.

A Sub-Committee of two members of the FSC will interview the applicant. The Sub-Committee normally will only seek information additional to that provided where there are deficiencies in the application. Staff may take the opportunity to give feedback to the University concerning their career development.

The FSC will consider:

- the Continuation application
- HOD Advisors' reports
- the advice of the HOD
- the report of the Sub-Committee
- the *Academic Grades – Standards and Criteria* HR policy
- the Departmental Expectations/Criteria.

The FSC may seek such additional information as it sees fit, and may request the HOD to attend. The HOD must retire from the meeting prior to the FSC deciding on its recommendation.

If the FSC is on the point of reaching a recommendation that is not in accord with the recommendation of the HOD, then the FSC may consult the HOD.

The FSC will recommend to the Dean that Continuation be approved, deferred or declined. The Dean may attend or chair the FSC and take part in its deliberations. The recommendation of the FSC will be based on whether or not the staff member meets the required Criteria and Standards.

The FSC will determine whether there are any issues that ought to be brought to the attention of the Dean or HOD.

Dean

The Dean will consider the FSC's recommendation. If the Dean's view is contrary to the FSC's view, the Dean will discuss the matter with the FSC.

Approval

Where the decision is to approve Continuation, the Dean will advise the staff member and HOD in writing of the decision.

Deferral

Where the Dean is forming the view that Continuation should be deferred, the Dean and one other member of the FSC will first discuss this view with the HOD. The Dean will then:

- advise the staff member that deferral of Continuation is being considered and that the Dean wishes to discuss the matter with the staff member before this decision is made
- advise the staff member that they may be accompanied by an employee representative from the AUS or such other person as may be selected by the employee
- meet the staff member either with the HOD or with another person present
- provide a copy of this policy to the staff member
- explain the reasons why Continuation may be deferred
- provide the staff member with an opportunity to present any explanation or information that ought to be considered by the Dean
- consider carefully any explanation or information prior to deciding on whether Continuation should be approved, deferred or declined.
- where deferral is still considered, this option will be discussed with the staff member.

If the staff member declines deferral of continuation, the Dean will proceed to consider either approving or declining the application.

If the staff member accepts deferral of continuation, the staff member and HOD must appreciate that Continuation must not be assumed and that they must take steps to ensure that Continuation is warranted when it is next considered. The Dean will confirm this decision and agreement, together with a brief explanation, to the staff member and HOD in writing.

Decline

Where the Dean is forming the view that Continuation should not be approved, the Dean and one other member of the FSC will first discuss this view with the HOD. The Dean will then:

- advise the staff member that Continuation may not be approved, and that the Dean wishes to discuss the matter with the staff member before this decision is made
- advise the staff member that they may be accompanied by an employee representative from the AUS or such other person as may be selected by the employee
- meet the staff member with an HR practitioner present
- provide a copy of this policy to the staff member
- explain the reasons why Continuation may not be approved
- provide the staff member with an opportunity to present any explanation or information that ought to be considered by the Dean
- consider carefully any explanation or information prior to deciding on whether Continuation should be approved, deferred or declined.

Where the approval is not considered appropriate on the evidence, there should have been earlier advice to the staff member about their shortcomings and the staff member should have been given an opportunity to improve. Where this has not been the case, deferral may be considered in conjunction with the staff member. Where the staff member does not accept a deferral, the Dean will proceed to decide between approving or declining Continuation.

The Dean will inform the staff member and the HOD of the decision.

The Dean will advise HR in writing of the decision for implementation and monitoring. The application and all related information and correspondence will be forwarded to the HR for filing on the staff member's personal file.

Professorial Staff

The recruitment and continuation of professorial staff will be a matter for the Vice-Chancellor.

Fixed Term Contracts

Where a staff member has been engaged on one or more contiguous fixed term contracts, and is subsequently engaged on a permanent contract, the staff member may apply for Continuation when they have completed at least three years' employment with The University of Auckland. Alternatively, the staff member may apply for Continuation after three years service under the terms of their permanent contract.

Previous Employee

Where a previous employee of The University of Auckland:

- has been granted Continuation with The University of Auckland, and
- returns to employment with the University in the same or similar academic grade and discipline, and
- returns less than five years after leaving the University

then the Dean may approve appointment of the employee on a tenured (rather than tenurable) employment.

Where the absence is longer, there is a significant change in academic grade, and/or significant change in academic discipline, then the Dean, on the advice of the FSC may or may not grant tenured (rather than tenurable) employment.

Monitoring

The Vice-Chancellor and the Director of Human Resources monitor this policy and its administration.

Note: The disciplinary guidelines of the ASCA do not apply to the end of the initial term or to the Continuation process. Nothing in these procedures applies to any disciplinary action taken before or after the end of the initial term of employment.

Disclosure of Reports to Applicant

The *HOD Report* and/or *Advisor Report* may be disclosed to the staff member on request after they have been advised of the outcome. These reports are to be used only for the Continuation assessment purpose intended, and are to remain confidential to the applicant and her/his employment advisor. The applicant may not approach an Advisor in relation to his/her report.

Appeal

There is a right of appeal against non-continuation on the grounds of a failure in procedure that is so substantial that it may have affected the decision. There is no right of appeal against non-continuation on the grounds of the judgement exercised by the University.

Where a staff member has concerns about procedure, he/she should discuss these first with the HOD.

If the staff member remains concerned about procedure, he/she should then discuss this with the Faculty Dean.

If after discussing the procedure with the Dean, the staff member considers that he/she has grounds for appeal under this clause, he/she may lodge a written appeal through the Faculty Dean to the Vice-Chancellor, providing such appeal is lodged within 90 days of the advice of the non-continuation decision.

The Faculty Dean will take such steps as the Dean considers appropriate to resolve the concerns of the staff member.

Where the concerns are not resolved, the Dean will forward the appeal with a report to the Vice-Chancellor on the issues raised by the staff member.

The Vice-Chancellor may appoint a 2 or 3 person committee of senior academic staff to advise the Vice-Chancellor. The committee will discuss the appeal with the staff member (and employee representative, if any).

The committee then will consult with the Vice-Chancellor, after which it will decide the appeal. The committee will provide the decision and brief reasons for the decision to the staff member. The decision will be final.

Glossary

AUS = Association of University Staff
ASCA = Academic Staff Collective Agreement
CAD = Centre for Academic Development
FSC = Faculty Staffing Committee
HR = Human Resources

HOD = Head of Department/Head of School/Divisional Head, etc
UASC = University Academic Staffing Committee

Related Documents

Academic Staff Collective Agreement
Academic Grades – Standards and Criteria
Parental Leave Policy
Standard CV – Academic Staff
Faculty Staffing Committee Policy

Prepared by: Deputy Director, HR Advisory Services

Authorised by: Vice-Chancellor

Date Issued: 4 December, 2008

Review Date: November 2011

Appendix - Excerpt from the Academic Staff Collective Agreement

4.2 New Permanent Appointments

New permanent appointments are for an initial term of four years and may be continued thereafter by agreement. The initial term and any continued period are subject to clauses 4.4 and 13.