3.3 FIXED-TERM EMPLOYMENT

INTRODUCTION

These guidelines have been prepared primarily to assist managers and supervisors in understanding the employment conditions that apply specifically to fixed-term staff. They also provide a useful reference for staff employed on a fixed-term basis. The guidelines cover the circumstances under which fixed-term employment can be used, the entitlements to notice and severance pay as well as other arrangements that apply specifically to fixed-term staff.

This information is essential for anyone involved in recruiting for, negotiating, administering or approving fixed-term appointments. Deans and Directors are responsible for ensuring that all relevant staff in the faculty or unit are aware of and become familiar with these guidelines.

The arrangements applicable to fixed-term employment at UTS are set out in the following enterprise agreements:

- Academic Staff Agreement 2010 - Clause 40.2,
- Support Staff Agreement 2010 - Clause 44.2, and
- Certified Agreement (Senior Staff Group) 2004 - Clause 28.2 and Clause 29.

These guidelines should be read in conjunction with the relevant clauses contained in each agreement, which can be accessed on the Human Resources website at http://www.hru.uts.edu.au/agreements/index.html

WHAT IS A FIXED-TERM APPOINTMENT?

A fixed-term appointment is made for a specified period. The appointment can be made on a full-time, part-time, sessional (academic staff) or part-year (support staff) basis. At the expiry of this period, a staff member's employment at the University will lapse and any further employment would involve a new contract. All written employment contracts for fixed-term staff must include the reason for the use of fixed-term employment and the starting and finishing dates.

RECRUITMENT AND APPOINTMENT OF FIXED-TERM STAFF


Appointment for more than 12 months

An appointment of more than 12 months will be filled in accordance with the Recruitment and Appointment Directive. A contract of employment will be issued by the Human Resources Unit to the approved appointee.

Appointment for 12 months or less

An appointment of 12 months or less may be made by invitation or nomination (that is, without a competitive recruitment and selection process). Subject to the exceptions below, the appointment is made by completing the form based contract of employment, Employment Contract for Fixed-term Academic / Support Staff Positions of 12 Months or Less. For appointments under the following circumstances, the Fixed-term Appointment Recommendation form is completed:
(a) when the appointee has no existing right to work in Australia and visa sponsorship is required;
(b) when the appointee is to receive remuneration in addition to base salary (eg allowances, loadings, performance pay, etc) or have special terms or conditions applicable to their appointment or
(c) for senior staff fixed-term positions.

The completed Fixed-term Appointment Recommendation will provide the approval to appoint so that HRU can then prepare a contract of employment.


Contract terms for fixed-term appointments
The enterprise agreements for academic and support staff require that fixed-term contracts (whether form based or issued by HRU) contain certain information including the term of the fixed-term employment and the reason the appointment has been made on a fixed-term basis. HRU forms have been developed to capture the required information but managers and supervisors are responsible for providing the information and ensuring that it is accurate.

ACCEPTABLE USES OF FIXED-TERM EMPLOYMENT

Academic and support staff
Fixed-term appointments will generally be limited to work activity that comes within the description of one or more of the circumstances summarised in Attachment 1. If a work activity does not match one of the specified circumstances, then fixed-term employment may not be appropriate so managers and supervisors should consult with the relevant HR Partnership team to determine the appropriate form of employment.

Senior staff
Fixed-term employment is the normal category of appointment for senior staff¹. The Vice-Chancellor (or nominee) may approve employment of senior staff on a continuing basis. Academic managers within the Senior Staff Group who hold a continuing academic position at UTS will normally be appointed on a reversionary basis for a fixed period (this allows them to revert to their continuing substantive position at the conclusion of the reversionary appointment).

CONTRACT LENGTHS AND RENEWALS

Managers and supervisors should consider both the short- and long-term workforce planning needs of their work area when they make decisions regarding the length of fixed-term appointments. Consideration of the length of a contract is an important part of managing the renewal of contracts.

Academic and support staff
Certain categories of fixed term appointments have limits on their length and total duration (refer to the table in Attachment 1).

Ideally a fixed-term appointment should be a single appointment for the expected duration of the position and therefore should not require renewal. While this may not be possible and one or more renewals may be required, fixed-term employment should not be used as a replacement for a continuing appointment if the requirements are ongoing.

¹ At the time of writing, continuing employment is the normal category of appointment for staff classified as a Senior Staff Specialist or as Senior Staff Group Level 1, provided that the position is on-going. This does not preclude the employment of a staff member at these classifications to a fixed-term position where this is considered appropriate by the University.
If the University decides to continue an academic or support position on a fixed-term basis beyond the first fixed-term contract, the staff member in the position will be offered further employment without the need to advertise the position if the following conditions are met:

(a) the staff member was employed through a merit based selection process; and
(b) the staff member has performed satisfactorily in the position.

If one or both of the above conditions are not met, the position may be filled through a competitive selection process.

**Senior staff**

Fixed-term appointments for senior staff are made for periods of up to 5 years. However, appointments to academic management positions within the senior staff group (e.g., Deans, Associate Deans, Head of School, etc.) will normally be for four years.

There is no limit on the number of times a contract can be renewed for a member of the senior staff. UTS has discretion to determine whether it will offer further fixed-term employment to an incumbent, or recruit for the position in accordance with the Recruitment and Appointment Directive (HR Manual 3.4). Members of the senior staff should be provided with notice of the renewal of their fixed-term employment (refer to section below, Notice on Expiry of a Contract).

The recommended process for the renewal of fixed-term appointments for Faculty-based academic managers is provided in Attachment 2. This process may also offer guidance on the process for renewing the appointments of other senior staff.

**CONVERSION OF FIXED-TERM EMPLOYMENT TO CONTINUING EMPLOYMENT**

Academic and support staff employed on a fixed-term basis may apply for conversion to continuing employment subject to all of the following conditions:

(a) the University has determined that ongoing work of the same or substantially similar duties is available within the staff member’s work unit;
(b) the period of employment under fixed-term contracts has exceeded 3 years of continuous service;
(c) the staff member has performed to a satisfactory standard for the duration of the term;
(d) the current contract is the second or subsequent fixed-term contract for the staff member; and
(e) the staff member was originally appointed or subsequently appointed through a competitive selection process.

A staff member will submit an application for conversion to their supervisor on the _Conversion from Fixed-term to Continuing Employment Form_. The relevant Dean/Director is authorised to approve the application, provided that the above conditions are met.

If an application for conversion is approved, the staff member will be issued with a contract for continuing employment by the Human Resources Unit.

If an application for conversion is declined, the Dean/Director is responsible for ensuring that the reasons are documented and the staff member is advised in writing (normally by providing him/her with a copy of the completed _Conversion from Fixed-term to Continuing Employment Form_).

Regardless of whether the application for conversion is approved or declined, the completed _Conversion from Fixed-term to Continuing Employment Form_ must be forwarded to the Human Resources Unit for filing on the staff member’s personal file.

Nothing prevents a Dean/Director from recommending a staff member, who does not meet the conditions specified above, for conversion from a fixed-term appointment to continuing employment. In such a circumstance, the _Conversion from Fixed-term to Continuing Employment Form_ should be completed, with a business case for the conversion set out on
the form or in a separate document. The request for conversion will be handled as an appointment by nomination/invitation and approved by the appropriate authority (refer to the Register of Standing Delegations at http://www.gsu.uts.edu.au/delegations/).

NOTICE ON EXPIRY OF A CONTRACT

What is notice?
'Notice' means advising the staff member, in writing (usually by email) and prior to the expiry of the existing contract, whether or not a further contract will be offered.

Who must receive notice?
All fixed-term academic and support staff must receive notice prior to the expiry of their contracts. In the case of senior staff, a notice requirement applies only if the fixed-term appointment is to be renewed.

Inability to give notice
Occasionally, the University may be unable to give the required period of notice due to circumstances beyond its control (e.g., research funding uncertainty). If this is the case, the staff member must be advised of these circumstances in writing at the time the notice would otherwise be required and then be given notice at the earliest practicable date thereafter.

How much notice must be given?
The period of notice to be given depends on the length of continuous service and is different for academic and support staff and senior staff as follows:

Support and Academic Staff

<table>
<thead>
<tr>
<th>Period of continuous service</th>
<th>Minimum Notice*</th>
</tr>
</thead>
<tbody>
<tr>
<td>Less than 3 years</td>
<td>2 weeks</td>
</tr>
<tr>
<td>At least 3 years, but less than 5 years</td>
<td>3 weeks</td>
</tr>
<tr>
<td>5 years or more</td>
<td>4 weeks</td>
</tr>
</tbody>
</table>

* A staff member over the age of 45 years at the time of being given notice and with at least 2 years continuous service is entitled to an additional week's notice.

Senior Staff Group (applies only if fixed-term appointment is to be renewed. No notice required if the appointment is to expire without renewal)

<table>
<thead>
<tr>
<th>Period of continuous service</th>
<th>Minimum Notice</th>
</tr>
</thead>
<tbody>
<tr>
<td>Fixed-term appointments of two years or less</td>
<td>3 months</td>
</tr>
<tr>
<td>Fixed-term appointments of more than two years</td>
<td>6 months</td>
</tr>
</tbody>
</table>

What is required of faculties and units?
Managers and supervisors should discuss with fixed-term staff decisions about their future employment with the University well in advance of the expiry of their contract.

Supervisors will receive advice in writing (usually by email) of the expiry of fixed-term contracts for staff for whom they are responsible. Following receipt of such advice, the supervisor must advise HRU about whether the faculty or unit intends to offer a further contract upon expiry of the existing contract.

In the absence of advice from the faculty or unit regarding a fixed-term staff member’s employment, the Payroll Branch will effect the termination of the staff member’s employment at the end of the fixed-term appointment. The staff member will be paid out any entitlements to annual leave, long service leave and severance pay (refer to next section, “Severance Pay and Pro-rata Long Service Leave”).

If an academic or support position is to continue and the staff member in the position meets the conditions for further employment (refer to section above, “Contracts and Lengths of Renewals”), the faculty or unit will complete one of the following:
(a) for academic and support staff being appointed for a further 12 months or less, the
Employment Contract for Fixed-term Academic / Support Staff Positions of 12
Months or Less. Once completed, this form will serve as the staff member’s contract
of employment

(b) a ‘Fixed-term Appointment Recommendation’ under the following circumstances:
   • for a senior staff position of any duration
   • for an appointment for more than 12 months
   • when the appointee is to receive remuneration in addition to base salary (eg
     allowances, loadings, performance pay, etc) or have special terms or conditions
     applicable to their appointment
   • when visa sponsorship is required or the appointee has no existing right to work in
     Australia.

   This form provides the information and authorisation required by HRU to prepare a
contract of employment.

If an academic or support position continues and the staff member in the position does not
meet the conditions for further employment (refer to section above, “Contracts and Lengths
of Renewals”), the position may be filled through advertisement. When this occurs the
faculty or unit should initiate recruitment action well in advance of the contract's expiry so
that adequate notice can be provided if the staff member in the position is not appointed.

If a faculty or unit wishes to offer a further contract to a member of the senior staff, a Fixed-
term Appointment Recommendation will need to be completed.

SEVERANCE PAY AND PRO-RATA LONG SERVICE LEAVE

When the fixed-term appointment of an academic or support staff member expires, he/she
may be eligible for a severance payment. Members of the senior staff group are not eligible
for severance pay but they may be eligible for pro-rata long service leave.

Who is entitled to severance pay?

Only particular categories of fixed-term academic and support staff are entitled to severance
pay when their contracts of employment are not renewed in circumstances where they seek
to continue the employment.

Severance pay applies when the following conditions are met:

(a) The academic or support staff member was employed on one of the following fixed-
term categories (refer to table in Attachment 1 for detailed description of each
category):
   • specific task or project
   • externally funded
   • research
   AND

(b) the staff member’s appointment is:
   • a second or subsequent fixed-term appointment OR
   • a first fixed-term appointment and the work continues to be required but another
     person has been appointed, or is to be appointed to the same (or substantially
     similar) duties;
   AND

(c) The staff member seeks to continue the employment after the end of the specified
term, task or project and is not offered further employment.

Severance pay does not apply under the following circumstances:

(a) the staff member was a member of the Senior Staff Group covered by the Certified
Agreement (Senior Staff Group) 2007
(b) the staff member was employed on a first fixed-term contract under one of the following categories (refer to table in Attachment 1 for detailed description of each category) and the duties are no longer required by the University
- specific task or project
- externally funded
- research

(c) the staff member was employed in one of the following fixed-term categories (refer to table in Attachment 1 for detailed description of each category):
- replacement
- vacant position
- recent professional practice
- pre-retirement contract
- student
- new organisational area
- disestablished organisational area
- sudden and unanticipated increases in enrolments
- early career development fellowship

**How much severance pay is paid?**

Academic and support staff who meet the conditions for severance pay (refer to previous section) are entitled to severance pay calculated on the length of continuous service, as follows:

<table>
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<tr>
<th>Period of continuous service*</th>
<th>Severance pay</th>
</tr>
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<tbody>
<tr>
<td>One year and up to the completion of two years</td>
<td>four weeks</td>
</tr>
<tr>
<td>Two years and up to the completion of three years</td>
<td>six weeks</td>
</tr>
<tr>
<td>Three years and up to the completion of four years</td>
<td>seven weeks</td>
</tr>
<tr>
<td>Four years and over</td>
<td>eight weeks</td>
</tr>
</tbody>
</table>

* Breaks between fixed-term appointments of up to two times per year and up to six weeks on each occasion will not constitute breaks in continuous service.

**Who is entitled to be paid for long service leave at the conclusion of fixed-term employment at UTS?**

Like continuing staff, all fixed-term staff who have ten years continuous service are entitled to receive payment for accrued long service leave when their employment with UTS concludes.

Senior staff may be eligible for payment in lieu of pro-rata long service leave if they have between five and ten years of continuous service and have been employed on one or more fixed-term appointments.

Further information about the other circumstances under which pro-rata long service leave applies are set out in the Long Service Leave Guidelines.

**What if the staff member is offered further employment but does not want it?**

If the staff member does not accept an offer of further employment, then there is no entitlement to severance pay. Severance pay upon expiry of a fixed-term appointment only applies where a staff member seeks to continue the employment. The supervisor must advise Payroll Branch that the staff member has declined the offer of further employment in order to ensure that severance pay is withheld.

**Can severance payments be deferred?**

The University can defer severance payments for up to four weeks if there is a possibility that the staff member may be offered further employment within six weeks of the expiry of his or her contract. The University will also defer payment of the staff member’s entitlements to annual and long service leave, where applicable. The University must advise the staff member of this in writing to be able to defer these payments.
What is required of faculties and units?
The reason for an appointment being made on a fixed-term basis must be identified in the contract of employment (whether it is a form based contract or prepared by HRU). This information is used to determine whether the staff member is entitled to severance pay and, if so, the amount of severance pay. It is therefore important that managers and supervisors take care to accurately identify the reason for a fixed-term appointment from the outset of an appointment. Assistance should be sought from your HR Partnership team under the following circumstances:

(a) if there is any uncertainty about the reason for the fixed-term appointment or
(b) if more than one reason applies over the period of the staff member's continuous fixed-term employment.

If there is an entitlement to severance pay, the payment will be processed and charged to the cost centre in which the staff member was most recently employed. Faculties and units need to be aware of, and plan for, the potential financial implications of severance pay. They also need to be aware that, where a staff member has been unable to take accrued annual leave during the period of employment, this will also be paid out on separation. Any long service leave payment to the staff member is paid from central funds.

Liability for service attributed to fixed-term employment with another faculty or unit
Usually, a fixed-term staff member will be engaged within one cost centre for the duration of their employment with UTS and liability for severance pay is clear. There are occasions, however, where the staff member obtains immediate subsequent employment in another cost centre. In this case, responsibility for severance pay is deferred to the subsequent employing cost centre as the prior service may be taken into account when calculating any future entitlement to severance pay.

In the absence of any alternative arrangements, the most recently employing faculty or unit will generally be liable for the total amount of severance pay owing to the staff member, including any component attributed to service with another faculty or unit. However, there is scope to negotiate some other arrangement with the former employing faculty or unit. This needs to be done at the stage that the employment moves from one cost centre to another. Staff Services in HRU can provide information regarding an appointee's prior service with the University and an estimate of any future severance pay liability on request.

FURTHER INFORMATION
If you have any queries regarding the use of fixed-term employment at UTS, please contact your HR Partnership Team.

APPROVALS

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<th>EFFECTIVE DATE</th>
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<td>REVIEW DATE</td>
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<tr>
<td>ACCOUNTABLE OFFICER</td>
<td>Director, Human Resources Unit</td>
</tr>
<tr>
<td>CURRENT INCUMBENT</td>
<td>Jennifer Lacoon</td>
</tr>
<tr>
<td>FILE NUMBER</td>
<td>99/1086</td>
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### REVISION/MODIFICATION HISTORY

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<th>Date</th>
<th>Version</th>
<th>Current title</th>
<th>Summary of changes</th>
<th>Approved / rejected</th>
<th>Approval authority</th>
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<td>24/08/06</td>
<td>1</td>
<td>3.3 Fixed-term Employment (Supervisor’ Guidelines)</td>
<td>Updated to align with 2006 collective agreements and current process.</td>
<td>Approved</td>
<td>Director, HR</td>
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<td>06/04/2011</td>
<td>2</td>
<td>Unchanged</td>
<td>Updated to align with 2010 enterprise agreements and current process.</td>
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<td>Director, HR</td>
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<td>10/8/2012</td>
<td>3</td>
<td>Unchanged</td>
<td>Updated and amended to incorporate provisions relevant to academic management appointments following rescission of Appointment Directives relevant to such positions.</td>
<td>Approved</td>
<td>Director, HR</td>
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<td>13/9/2013</td>
<td>4</td>
<td>Unchanged</td>
<td>Attachment 2 added. This sets out the process for fixed-term appointment renewal for academic managers (and other senior staff as appropriate).</td>
<td>Approved</td>
<td>Director, HR</td>
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## ATTACHMENT 1: Fixed-term appointment categories and severance pay

<table>
<thead>
<tr>
<th>Category of fixed-term appointment</th>
<th>Description</th>
<th>Category of staff</th>
<th>Maximum length</th>
<th>Severance pay</th>
</tr>
</thead>
<tbody>
<tr>
<td>Specific task or project</td>
<td>A definable work activity that has a starting time and is expected to be completed within an anticipated timeframe</td>
<td>Support and academic staff</td>
<td>Not specified</td>
<td>Yes, subject to further criteria</td>
</tr>
<tr>
<td>Externally funded</td>
<td>Work that is externally funded, where the funds are not part of the operating grant or from fees paid on behalf of or by students</td>
<td>Support and academic staff</td>
<td>Not specified</td>
<td>Yes, subject to further criteria</td>
</tr>
<tr>
<td>Research</td>
<td>The work is in a research only role</td>
<td>Support and academic staff</td>
<td>up to five years</td>
<td>Yes, subject to further criteria</td>
</tr>
<tr>
<td>New organisational area</td>
<td>The work in a new area, function or program for which the prospective need or demand is uncertain or unascertainable at the time of establishment of the new area, function or program</td>
<td>Support and academic staff</td>
<td>up to three years</td>
<td>No</td>
</tr>
<tr>
<td>Sudden unanticipated increase in enrolments</td>
<td>The work is in an academic unit where there is a sudden unanticipated increase in enrolments</td>
<td>Support and academic staff</td>
<td>up to three years</td>
<td>No</td>
</tr>
<tr>
<td>Disestablished organisational unit</td>
<td>The work in an area that is performing one or more functions or teaching one or more programs which will cease within a reasonably certain time. Can apply where part or all of an organisational unit is to be disestablished</td>
<td>Support and academic staff</td>
<td>up to two years</td>
<td>No</td>
</tr>
<tr>
<td>Replacement</td>
<td>The staff member is replacing another staff member for a specified period while they are absent on leave, secondment or temporary transfer, or are undertaking higher duties, restricted duties, or have elected to work part-time for a specified period</td>
<td>Support and academic staff</td>
<td>Not specified</td>
<td>No</td>
</tr>
<tr>
<td>Vacant position</td>
<td>The staff member is filling a vacant position pending recruitment action where the position has been advertised or approved for advertisement</td>
<td>Support and academic staff</td>
<td>up to six months, with capacity for extension for a further period of up to six</td>
<td>No</td>
</tr>
<tr>
<td>Category</td>
<td>Description</td>
<td>Responsible Party</td>
<td>Duration</td>
<td>Terminable</td>
</tr>
<tr>
<td>----------------------------------------------</td>
<td>------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
<td>-----------------------------------------</td>
<td>----------------------------------------</td>
<td>------------</td>
</tr>
<tr>
<td>Recent Professional Practice</td>
<td>Work where a curriculum in professional or vocational education requires that the work be undertaken by a staff member who has recent practical or commercial experience</td>
<td>Academic staff</td>
<td>up to three successive contracts within a total period of employment of up to three years</td>
<td>No</td>
</tr>
<tr>
<td>Pre-retirement contract</td>
<td>Where a staff member has indicated an intention to retire</td>
<td>Support and academic staff</td>
<td>up to five years</td>
<td>No</td>
</tr>
<tr>
<td>Student</td>
<td>Enrolled students may be employed under a fixed-term appointment for work activity which is not described in the other fixed-term categories. The work shall be within the student's academic unit or an associated research unit of that academic unit and is work generally related to a degree course that the student is undertaking within the academic unit</td>
<td>Support and academic staff</td>
<td>Must not extend beyond the academic year in which the person ceases to be a student (can be up to completion of postgraduate work or notification of results)</td>
<td>No</td>
</tr>
<tr>
<td>Early Career Development Fellowship</td>
<td>Where a casual academic staff member is appointed to undertake an Early Career Development Fellowship in accordance with sub-clause 42.20, Academic Staff Agreement</td>
<td>Academic</td>
<td>Up to 2 years</td>
<td>No</td>
</tr>
</tbody>
</table>
ATTACHMENT 2: Fixed-term Appointment Renewal Process for Academic Managers

Introduction

The fixed-term appointment renewal process set out in this Attachment applies to Faculty-based academic managers such as Deputy Dean, Associate Dean and Heads of areas. The process described may be adapted, as appropriate to circumstances, in consultation with the Senior Deputy Vice-Chancellor.

The process may be used to guide the renewal of appointments for incumbents of other senior staff positions.

For the purposes of this Attachment (as it applies to the renewal process for academic managers), “Dean” refers to the Dean of faculty or equivalent, or nominee. An appropriate nominee would include an academic manager who is the supervisor of the academic manager being considered for renewal. For other senior staff, the Dean’s responsibilities would be fulfilled by the relevant Director or Deputy Vice-Chancellor.

Initial Steps

Before the expiry of a contract for an academic manager (refer to section, Notice of Expiry of a Contract), the Dean will consider whether:

(i) the incumbent will be considered for renewal of fixed-term appointment, or
(ii) to recruit for the position in accordance with the Recruitment and Appointment Directive which states that “internal recruitment is the normal form of recruitment for faculty-based academic management positions within the Senior Staff Group below the level of Dean (for example, Associate Deans, Heads of School, etc), unless the Senior Deputy Vice-Chancellor approves external recruitment”.

Prior to proceeding with the former (ie (i) above), the Dean will:

1. Seek support from the Senior Deputy Vice-Chancellor and other relevant Senior Executive (e.g. Deputy Vice-Chancellor (Research) for an Associate Dean (Research)) to initiate the renewal of contract process as set out below, and then.
2. Confirm with the incumbent that they wish to be considered for fixed-term appointment renewal, and explain the renewal process set out below.

Renewal Process

3. The Dean should communicate the following to staff of the faculty:

   (i) the incumbent is near end of contract and that renewal of the incumbent’s appointment is being considered;
   (ii) a Key Stakeholder Review will be undertaken prior to a decision about renewal being made; and
   (iii) invite them to make a submission on the performance of the portfolio area during the current term and future issues for another term. Staff should be informed that the general process will be conducted confidentially but the incumbent may have access to individual submissions if a formal application for such information is made to the Coordinator, Records Management Services under the provisions of the Government Information (Public Access) Act 2009 (NSW).

4. The Dean should conduct a Key Stakeholder Review and will determine who to contact in accordance with the process below.

   (i) Identify Key Stakeholders relevant to the performance of the academic management role. The Dean may consult with others, including the Senior Deputy Vice-Chancellor, in order to identify Key Stakeholders. Key Stakeholders may be internal or external to the Faculty. They should include a mixture of direct reports, lateral UTS relationships and other senior UTS colleagues, and externals where directly relevant to the role;
   (ii) Invite the incumbent to nominate people from the Key Stakeholder Group for the Key Stakeholder Review.
(iii) Select others from the Key Stakeholder Group not nominated by the staff member, at the Dean’s discretion.

(iv) Invite the Key Stakeholders nominated by the staff member and the Dean to provide feedback on the performance of the incumbent during the term of their appointment. Key Stakeholders should be informed that the general process will be conducted confidentially, but the incumbent may have access to individual submissions if a formal application for such information is made to the Coordinator, Records Management Services under the provisions of the Government Information (Public Access) Act 2009 (NSW).

5. The Dean will consider the following and determine whether renewal of the incumbent’s fixed-term appointment will be recommended:
   (i) the Key Stakeholder Review feedback (refer to 4 above);
   (ii) feedback provided through the individual submissions (refer to 3(ii) above); and
   (iii) annual performance reviews undertaken during the term of the appointment.

   **Note:** The Dean has the option to consider an internal recruitment process or request external advertisement; there is no obligation to proceed with renewal.

6. The Dean will submit the following to the Senior Deputy Vice-Chancellor:
   (i) a summary of reasons for renewal
   (ii) a recommendation on renewal of the incumbent’s fixed-term appointment.

7. After discussion with the Senior Deputy Vice-Chancellor, the Dean may inform the incumbent of the outcome of the renewal process, which will be subject to final contract of employment negotiation and agreement.

8. After step 7 is completed, the Dean will agree with the incumbent the timing of the announcement of reappointment.