

# PERFORMANCE MANAGEMENT POLICY

Our Service is committed to creating a work environment that maximises individual and team performance, values all staff members and helps to build our capacity to care and educate children enrolled in our Service. We believe that Performance Management has significant benefits for our childcare service, as it leads to inspired and enhanced performance from each educator, co-ordinator and staff member. Performance Review meetings are viewed as an opportunity for each staff member to plan proactively for the year ahead.

This policy will provide guidance for employers and management on how to monitor performance, plan and review work objectives and understand staff achievements. Where there is underperformance, we will work to resolve this promptly and effectively in accordance with an individual *Performance Improvement Plan* developed in conjunction with the employee.

## NATIONAL QUALITY STANDARD (NQS)

QUALITY AREA 4: STAFFING ARRANGEMENTS		
4.1	Staffing arrangements	Staffing arrangements enhance children's learning and development.
4.1.2	Continuity of staff	Every effort is made for children to experience continuity of educators at the service.
4.2	Professionalism	Management, educators and staff are collaborative, respectful and ethical.
4.2.1	Professional collaboration	Management, educators and staff work with mutual respect and collaboratively, and challenge and learn from each other, recognising each other's strengths and skills.
QUALITY AREA 7: GOVERNANCE AND LEADERSHIP		
7.1.3	Roles and responsibilities	Roles and responsibilities are clearly defined, and understood, and support effective decision-making and operation of the service.
7.2	Leadership	Effective leadership builds and promotes a positive organisational culture and professional learning community.
7.2.3	Development of professionals	Educators, co-ordinators and staff members' performance is regularly evaluated, and individual plans are in place to support learning and development.

## EDUCATION AND CARE SERVICES NATIONAL REGULATIONS

82	Tobacco, drug and alcohol-free environment
83	Staff members and family day care educators not to be affected by alcohol or drugs
84	Awareness of child protection law
117B	Minimum requirements for a person in day-to-day charge
117C	Minimum requirements for a nominated supervisor
168(2)(i)	Policies and procedures are required in relation to a code of conduct for staff members

## RELATED POLICIES

Child Protection Policy Child Safe Environment Policy Code of Conduct Policy Dealing with Complaints Policy (Staff) Interactions with Children, Family and Staff Policy Privacy and Confidentiality Policy	Probation and Induction Orientation Policy Professional Development Policy Recruitment Policy Responsible Persons Policy Staffing Arrangements Policy Work Health and Safety Policy
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## RELATED LEGISLATION

Children's Services Award 2010	Educational Services (Teachers) Award 2020
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## PURPOSE

We aim to provide an effective Performance Management process to assist educators, coordinators and staff members to assess their work performance against their job description, whilst establishing a positive work culture and professional workplace.

## SCOPE

This policy applies to staff, educators, approved provider, nominated supervisor and management at the Service.

## IMPLEMENTATION

Performance Management plays an important role in linking staff performance goals and expectations through balanced feedback and reviews and help meet organisational objectives. Through the Performance Review, management can acknowledge and identify the individual strengths, talents and interests of each staff member whilst supporting the diverse knowledge and skills each person brings to the role and Service.

Each employee will participate in a Performance Review every 12 months. The review process will assist educators and staff develop an understanding and expectation of their role, reflect on achievements and challenges and plan goals that may assist in accomplishing performance outcomes and expectations in the future.

At all times of the Performance Management process, confidentiality and sensitivity shall be maintained to a high standard.

### INDUCTION, ORIENTATION AND PROBATION PROGRAM

Management will ensure each employee undertakes an induction and orientation program upon employment at the Service. Educators and staff will receive a job description as part of the appointment of employment and this will assist to set expectations and requirements of the position. Employees will participate in *Probationary Meetings* that are scheduled within the first week of employment and at the end of the three-month probationary period. Feedback will be provided to the employee regarding performance and management will provide support and opportunities for setting professional development goals.

### STAFF PERFORMANCE REVIEW

Performance Reviews are best completed on a regular and systematic manner to allow management to provide feedback on an employee's work performance and for staff to reflect on their own performance. A *Performance Review* meeting will be conducted every 12 months with each staff member to review their work performance, outline expectations and responsibilities and set professional goals. The *Performance Review Form* can be used to assess employee's goals and objectives, areas of strength, responsibilities and discussion as to what extent these have been met.

### MANAGING UNDERPERFORMANCE

Appropriate management of underperformance plays a key role of Performance Management. Should the manager/Nominated Supervisor identify any performance issues or concerns the Managing Staff Underperformance Procedure should be initiated including the implementation of a *Performance Improvement Plan* if required.

Indicators of poor or underperformance or unsatisfactory behaviour include:

- the employee not performing tasks associated with the role according to the job description
- the employee not carrying out the work to the standard as set by the job description

- the employee displaying unacceptable, disruptive or negative behaviour at work
- the employee not following policies and procedures of the Service.

Management will review past Performance Review reports to identify any previous concerns and review the employee's job description to identify any concerns or responsibilities that are not being met. Identification of the underperformance or unsatisfactory behaviour will consider the seriousness of the issue, how long the issue has existed and the employee's present performance and how this varies to what is expected of the employee.

A Performance Management Meeting will be arranged with the employee once underperformance or unsatisfactory behaviour has been clearly identified. Management will provide clear communication with employees to clarify:

- performance indicators (why there is an issue)
- expectations around ethics, values and behaviour
- how their underperformance or behaviour impacts the workplace environment and
- why there is a concern from management.

Employees will be informed of expectations and performance standards and requested to participate in a *Performance Improvement Plan* if required.

## PERFORMANCE IMPROVEMENT PLAN

A *Performance Improvement Plan* will be developed with the employee outlining actions and goals to be implemented. Performance expectations and what is to be achieved over a specific period of time will be discussed and documented with the employee.

During the *Performance Improvement Plan* process the employee will be supported to address and resolve instances or patterns of underperformance or unsatisfactory behaviour. If the employee has not taken reasonable steps to address or resolve their performance or unsatisfactory behaviour and the *Performance Improvement Plan* has not been followed, the employee will be advised of the next steps in the Performance Management process which may include:

- extension of the *Performance Improvement Plan* time frame
- provision of extra support, guidance or mentoring
- issuing of formal warnings and ultimately if the issue cannot be resolved, termination of employment.

A review of the *Performance Improvement Plan* is to be conducted to discuss the employee's progression and to provide feedback of the goals and outcomes set. If the employee is showing satisfactory improvement of the identified issue the *Performance Improvement Plan* will be resolved and processes implemented to ensure improvements will be maintained.

## TERMINATION OF EMPLOYMENT

If an employee's performance or behaviour does not improve to the required standard, termination of their employment may be an option. An employee cannot be dismissed in circumstances that are 'harsh, unjust or unreasonable.' It is vital to be fair to employees, giving reasons for dismissal, and an opportunity to respond to those allegations. If the staff member's performance does not improve following formal Performance Management Meetings and the implementation and completion of a *Performance Improvement Plan*, then it may be appropriate to issue a formal warning or consider dismissal of employment.

Following a decision to terminate employment management will provide an employee with written notice of the day of termination when ending their employment. The written notice must provide details of the employee's last day and a reason why the employment was terminated.

Employment notice periods will be determined in accordance with the appropriate award. [Please note the *Educational Services (Teachers) Award 2020* provides a greater minimum period notice than that required under the *National Employment Standards*.]

## SERIOUS MISCONDUCT – TERMINATION OF EMPLOYMENT

Employers are required to adhere to the Fair Work Act when terminating an employee's employment due to the engagement in 'serious misconduct'.

Serious misconduct involves an employee deliberately behaving in a way that is inconsistent with continuing their employment, it may include the following:

- causing serious and imminent risk to the health and safety of another person or to the reputation or profits of their employer's business
- theft, embezzlement, tax evasion
- fraud, misapplication, corruption
- assault, taking of bribes
- being intoxicated at work

- refusing to carry out a lawful and reasonable instruction that is part of the job
- criminally prosecutable offences directly related to employment (child abuse or neglect)
- inability to hold a current Working With Children Check/Clearance

A meeting is to be arranged with the employee regarding the termination of employment due to serious misconduct. A support person should be offered to the employee for the meeting. The manager is to explain the reasons for the termination of employment and the employee provided with a letter explaining the terms of the termination of employment. (See: *Termination of Employment Procedure*).

#### THE APPROVED PROVIDER/MANAGEMENT/NOMINATED SUPERVISOR WILL:

- follow the *Performance Review Procedure* for regular and systematic review of work performance and behaviour
- ensure all staff comply with the *Code of Conduct* at all times
- provide educators, coordinators and staff with a comprehensive *Probation, Induction and Orientation program*
- provide all staff members with a clear and concise job description upon employment
- conduct Performance Review meetings with staff members every 12 months
- prepare accordingly before any Performance Review meeting with staff members
- provide time to discuss the process of the review meeting, duration of meeting and provide points for discussion which may include:
  - self-reflection of performance
  - identifying highlights during the year
  - achievement of professional development goals
  - personal characteristics
  - job knowledge and work output
  - motivation
  - leadership
  - family relationships
  - administration skills
  - people management skills
  - career aspirations
  - identifying challenges
- set a mutually convenient time to meet and conduct the *Performance Review*

- provide feedback to each staff member articulating areas of strength and weaknesses and identifying new goals and/or Quality Improvement Plan (QIP) areas to be a focus of the staff member during the next 12 months
- highlight and discuss any areas where underperformance is identified
- maintain confidentiality and uphold professional integrity at all times
- ensure the employee and manager signs the Performance Review document
- provide a copy of the document to the staff member

In the case of underperformance,

- provide staff member with 24 hours' notice of any Performance Management meeting and offer a silent support person to support the employee
- be specific with any concerns or issues to be raised during the Performance Management meeting
- document any Performance Management meetings using appropriate forms and templates
- develop and implement a *Performance Improvement Plan* with the individual employee and adhere to the *Managing Staff Underperformance Procedure* if required
- identify outcomes and appropriate goals to assist the educator to improve performance within an agreed timeline
- take appropriate action when performance does not meet the agreed outcomes and goals
- provide an *Official Performance Warning Letter* to the employee formally as part of the *Managing Staff Underperformance Procedure* as required
- adhere to the *Termination of Employment Procedure* when terminating employment of an educator, coordinator or staff member
- provide the employee with a *Termination of Employment letter* upon termination of employment
- adhere to the *Termination of Employment (serious misconduct) Procedure* when terminating employment of an employee due to serious misconduct
- provide the employee with a *Termination of Employment letter* upon termination of employment due to serious misconduct.

#### EDUCATORS AND STAFF MEMBERS WILL:

- perform work to the standard as expected as identified within their job description
- participate collaboratively in annual *Performance Review* meetings as a condition of their employment

- reflect on any achievements or challenges that have occurred within the past 12 months to contribute to the *Performance Review*
- address any concerns or issues regarding work performance and highlight areas for improvement or development
- consider any circumstances or events that may have affected performance. e.g., periods of ill health, excessive workloads
- assist to develop goals and expectations during the *Performance Review* process
- complete any training or professional development identified as part of a *Performance Improvement Plan*.

## SOURCE

Early Childhood Australia Code of Ethics. (2016).

[Education and Care Services National Regulations](#). (Amended 2023).

Fair Work Ombudsman: Best Practice Guide: [Managing underperformance Best Practice Guide \(2020\)](#)

Fair Work Ombudsman. [Children's Services Award](#).

Fair Work Ombudsman. [Educational Services \(Teachers\) Award 2020](#)

Guide to the National Quality Framework. (2017). (Amended 2023).

Work Place Law <https://www.workplacelaw.com.au/posts/better-safe-than-sorry-best-practice-dealing-poor-performance>

*Workplace Relations Act 1996* (Cth).

Victoria Government. Business Victoria. (2020). Review staff performance <https://business.vic.gov.au/business-information/staff-and-hr/staff-management/review-staff-performance>

[Western Australian Education and Care Services National Regulations](#)

## REVIEW

POLICY REVIEWED BY	Hayley Owen	Director	1/5/23
POLICY REVIEWED	MAY 2023	NEXT REVIEW DATE	MAY 2024
VERSION NUMBER	V3.5.23		
MODIFICATIONS	<ul style="list-style-type: none"> <li>• Policy maintenance</li> <li>• minor formatting edits within text</li> <li>• hyperlinks checked and repaired as required</li> <li>• Fairwork Children's Services Award and Teachers' Award added</li> <li>• link to Western Australian Education and Care Services National Regulations added in 'Sources'</li> <li>• Additional section added for Continuous Improvement</li> <li>• Additional section added for Related Resources</li> </ul>		
POLICY REVIEWED	PREVIOUS MODIFICATIONS		NEXT REVIEW DATE



MAY 2022	<ul style="list-style-type: none"><li>• policy maintenance - no major changes to policy</li><li>• minor formatting edits within text</li><li>• hyperlinks checked and repaired as required</li></ul>	MAY 2023
MAY 2021	<ul style="list-style-type: none"><li>• New policy DRAFT</li></ul>	MAY 2022