

Seventh-day Adventist Schools (Northern Australia) Limited



Department: Education	Description: Policy
Administrative Area: Staff and Personnel	Type: Recommended
Document Name: Performance and Conduct	Issue Date: 4 October 2017
Document ID: NAS200.001.ADM	Review Date: 4 October 2019

Performance and Conduct Policy

Purpose:	The purpose of this policy is to outline procedures for when formal action is being considered against an employee due to concerns regarding his/her performance and/or conduct. The procedures ensure all parties are treated justly and in accordance with procedural fairness.	
Scope:	Employees, including full-time, part-time, permanent, fixed-term and casual employees	
References:	<ul style="list-style-type: none"> • Education (Accreditation of Non-State Schools) Regulations 2001 • Australian Education Regulations 2013 • Fair Work Act 2009 • Anti-Discrimination Act 1991 (Qld) • Australian Human Rights Commission Act 1986 (Cth) • Sex Discrimination Act 1984 (Cth) • Age Discrimination Act 2004 (Cth) • Disability Discrimination Act 1992 (Cth) • Racial Discrimination Act 1975 (Cth) • NAS126.001.ADM – Discrimination, Harassment and Bullying Statement for Employees, Contractors and Volunteers • NAS192.001.ADM - Anti-Discrimination Policy • NAS128.003.ADM - Dispute Resolution and Discipline Policy • NAS015.001.ADM - Work Health and Safety Policy and Procedures • NAS130.003.ADM - Privacy Policy 	
Status:	Draft	Supersedes: New Policy
Policy Owner:	Seventh-day Adventist School (Northern Australia) Limited	
Authorised by:	Education Director	Date of Authorisation: 4 October 2017
Approved by:	<p>This policy has been ratified by the Board of Directors of Seventh-day Adventist Schools (Northern Australia) Limited as the Performance and Conduct Policy for Seventh-day Adventist Schools (Northern Australia) Limited.</p> <p>Pastor Darren Slade Board of Directors Chairperson: Date of Approval: 4/10/2017</p> <p>Mrs Natalie Scott Board of Directors Secretary: Date of Approval: 4/10/2017</p>	
Review Cycle:	Reviewed Biennially (every two years)	Next Review Date: 4 October 2019
Review Team:	Board of Directors, ISQ, Chief Education Officer, Project Officers	
Revised by:	<u>Section</u>	<u>Details of Changes</u>

RATIONALE

From time to time the actions of employees will be reviewed due to performance or conduct concerns. It is important for such concerns to be managed appropriately in the interests of employees, the Company and its various sites, and stakeholders to ensure employees understand and achieve the expectations of their given roles. The processes outlined in this policy are held when required, and are over and above annual Personal and Professional Appraisals which are performed collaboratively between employee and supervisor.

In response to such concerns the CEO of the Company or their delegate, which in most cases will be the principal, may depending on the circumstances, counsel the employee or take formal action against the employee in accordance with this policy.

OBJECTIVES

1. Provision of easy to understand procedures to assist the employer with allegations regarding employee misconduct and/or underperformance.
2. Guidelines to ensure procedural fairness.
3. Assurance the principles of natural justice are upheld.

DEFINITIONS

- **CEO** – the Chief Executive Officer, also known as the Education Director of Seventh-day Adventist Schools South Queensland Limited.
- **Company** – Seventh-day Adventist Schools South Queensland Limited.
- **Conduct Concerns** – refers to an employee failing to fulfil the required standards of conduct in their role, such as not following reasonable directions, non-compliance with policies or procedures or breaching relevant codes of conduct or ethics.
- **Formal action** – includes written warnings, demotion or termination of employment (summarily or with notice).
- **Performance Concerns** – refers to employees failing to fulfil the required standards in performing their role, such as failing to perform required tasks within reasonable timeframes, with appropriate accuracy or to required levels of quality.
- **Performance Improvement Plan** – formal program of staff performance improvement developed in consultation with the employee as outlined in clause 6.6 of this Schedule.
- **Principal** – the on-site manager or supervisor of each school belonging to the Company who has been delegated, some or all, of the responsibility to manage performance or conduct concerns of employees.
- **Support Person** - the role of the support person is to support the employee at the meetings in regard to the process. The discussion at the meetings regarding the concerns will, however, be between the CEO, the Principal and the employee.

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IMPLEMENTATION

- 1.1. If the CEO or Principal has a concern in regard to the performance or conduct of an employee, then a meeting will be arranged with that employee to outline the concern(s) and provide the employee with an opportunity to respond to the concern(s).
- 1.2. The employee may be advised of the meeting in writing, via email or verbally. In addition to, or as an alternative to the meeting, the CEO or Principal may require the employee to provide a response to the concerns in writing.
- 1.3. The employee may bring a support person to any such meeting.
- 1.4. No formal actions will be taken against an employee without the employee first having an opportunity to respond to the outlined concerns. However, an employee may be required by the CEO or Principal to not attend the workplace, or to perform alternative duties or to comply with other reasonable directions during this process if circumstances require such action.
- 1.5. Having considered the employee's response and any other relevant sources of information, the CEO and Principal may:
 - a) In the case of conduct concerns being substantiated, take formal action (and any other action that is appropriate, for example, further training) against the employee depending on the seriousness of the conduct;
 - b) In the case of performance concerns being substantiated, implement a written Performance Improvement Plan with the aim of the employee achieving the required standard of performance over a specified time.
- 1.6. A Performance Improvement Plan (PIP) will generally be implemented as follows:
 - a) The PIP will be developed in consultation with the employee outlining the concerns (e.g. classroom management), the standards required (e.g. AITSL Standards), support to be provided (e.g. mentoring/training) and measures (e.g. S-M-A-R-T Specific, Measurable, Attainable, Realistic, and Time-Sensitive targets demonstrating standards to be met);
 - b) The period of time that a PIP may be implemented will depend on the nature of the performance concerns and the role.
 - c) During the PIP, review meetings with the employee will be conducted by the Principal to provide feedback to the employee as to progress towards achieving the required standards and assess the implementation of the PIP. The principal will keep file notes of this process to attest to the CEO as the employer of progress, or lack thereof, by the employee.
 - d) A final review meeting will be conducted at the end of the PIP and a decision will be made by the CEO and Principal as to whether the standards of performance have been achieved.
 - e) If, after the final review meeting, the CEO and Principal believe the required standards have:
 - i. NOT been met, then the CEO and Principal may, depending on the circumstances and level of performance, extend the PIP or take formal action; or
 - ii. Been met, then the CEO and Principal will confirm this in writing and usual employee supervision will resume.
 - f) If during the period of the PIP, the CEO or Principal reasonably believes that the performance and/or attitude of the employee is such that the required standards will not be met by the required time-frame, then the CEO and Principal may take formal action prior to the intended original end date of the PIP.
 - g) If an employee was previously the subject of a PIP and met the required standards of that PIP in accordance with sub-paragraph e) ii) and is subsequently found to have again not fulfilled the required standards of performance of their role, then the Principal may proceed by either enacting an appropriate correctional action (including another PIP) or terminating the employment relationship depending on the circumstances.

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