

Staff Performance Policy

1. Purpose and Scope

- 1.1 The Staff Performance Policy sets out AIAT's commitment to excellence as a higher education provider by building and strengthening its organisational capability through our staff, from their commencement onwards.
- 1.2 AIAT aims to create a positive, dynamic and fulfilling environment in which staff can operate effectively, achieve success and satisfaction in their work, while contributing to the achievement and growth of AIAT's strategic and operational priorities.
- 1.3 This policy applies to all academic and non-academic staff (including continuing, fixed-term, sessional and casual staff members.)
 - 1.3.0 It does not apply to external members of AIAT committees (such as the Board of Directors or Academic Board).
- 1.4 The Staff Performance Policy should be read in conjunction with:
 - 1.4.1 Staff Probation Procedure (which includes information about induction).
 - 1.4.2 Staff Performance, Planning and Review Procedure (which includes information about professional development).
 - 1.4.3 Dealing with Unsatisfactory Performance and Misconduct (Staff) Procedure.

2. Definitions

Refer to *Glossary of Terms* for commonly used terms. The definitions below are those specific to this policy and its procedures.

Misconduct means wilful conduct which is unsatisfactory. It may involve a breach of the Staff Code of Conduct or other policy or procedure, or a failure to follow reasonable direction.

Performance means the work-related activities expected of a staff member and how well those activities are executed. This includes behaviour and conduct.

PPR means performance, planning and review; that is, the process of managing a staff member's performance, setting of objectives and goals for the period ahead, and providing opportunities for feedback and identifying staff development and professional development needs. It is normally conducted annually although a reduced timeframe may apply in some circumstances.

Probation means the defined period of time during which a new staff member's performance and conduct are subject to formal assessment. During the probation period, the staff member is provided with continuing constructive supervision and support to confirm progress and/or identify difficulties and develop strategies for their resolution.

Professional Development means activities that contribute to a staff member's work performance. It may involve formal or informal activities undertaken in the workplace or externally.

Serious misconduct means a recurrence or continuation of conduct which has previously found to be misconduct, or serious misbehaviour which may be a single occurrence. Examples include seriously impeding the carrying out of duties; causing a serious risk to the safety of staff, students or visitors to AIAT; a serious risk to AIAT property (including intellectual property); a serious dereliction of duties; potential criminal offences and/or other misbehaviour that may seriously damage AIAT's business and reputation.

Unsatisfactory performance means a persistent and serious failure of a staff member to perform the work of the position at a level which is reasonably required having regard to the nature and purpose of the position, its level and representations made by the staff member concerned. This includes poor behaviour or conduct that is likely to have a detrimental impact on the workplace.

3. Policy Statement

- 3.1 AIAT recognises that its success as a higher education provider depends on our staff.
- 3.2 AIAT provides a performance management process that is appropriate for its size, operational needs, strategic priorities and growth aspirations that:
 - 3.2.1 Supports effective performance and encourages excellence among staff.
 - 3.2.2 Ensures underperformance, unsatisfactory performance, misconduct and serious misconduct is dealt with promptly and fairly.
- 3.3 AIAT acknowledges the minimum notice periods it is required to give staff (not on casual contracts) in accordance with its legislative responsibilities (see Schedule A) or as provided for in individual employment contracts. Different minimum notice periods apply to academic staff (teaching staff) not on casual contracts.

4. Policy Principles

- 4.1 Performance comprises two components:
 - 4.1.1 a staff member's capacity to fulfil the requirements of the position; and
 - 4.1.2 a staff member's behaviour and conduct while undertaking the requirements of the position.
- 4.2 To operate effectively in any position, a staff member must:
 - 4.2.1 have the required knowledge, skills, abilities, experience and qualifications; and
 - 4.2.2 be prepared to behave in an appropriate manner, follow lawful instructions, not harm AIAT's business and operations, use skill and care while working and behave in accordance with the Staff Code of Conduct.
- 4.3 Managing the performance of staff comprises the following key elements:

- 4.3.1 Probation (which includes induction);
- 4.3.2 Performance planning and review (PPR), which includes professional development; and
- 4.3.3 Managing underperformance, unsatisfactory performance, misconduct and serious misconduct in a timely and effective manner.

Probation

- 4.4 AIAT may require a staff member who is offered an appointment to serve a probation period. The terms and conditions of the probation must be reasonable. In determining the length of the probation period, or whether to waive the requirement to serve a period of probation, AIAT will consider the:
 - 4.4.1 nature and circumstances of the work to be undertaken;
 - 4.4.2 staff member's prior service at AIAT or at other similar organisations; and
 - 4.4.3 staff member's qualifications and experience.
- 4.5 Prior to their employment with AIAT, the staff member will receive written confirmation of the length and terms of their probation period (if required) in their letter of offer. The probationary period is normally as follows:
 - 4.5.1 continuing and fixed term appointment of more than 12 months (academic and non-academic positions): three (3) months' probation.
 - 4.5.2 fixed term and sessional appointments of 12 months or less: two (2) months' probation.
- 4.6 The CEO may extend a probation period for up to a further three (3) months.
- 4.7 Subject to the satisfactory completion of probation, confirmation of appointments is as follows:
 - 4.7.1 The CEO and the Head of Institute are jointly responsible for confirming the appointments of staff members appointed to academic positions.
 - 4.7.2 The CEO is responsible for confirming the appointments of staff members appointed to non-academic positions.

Performance planning and review

- 4.8 Performance planning and review (PPR) applies to all academic and non-academic staff with continuing appointments and fixed-term appointments of twelve (12) months or more duration and is normally undertaken on an annual basis.
 - 4.8.1 Casual academic staff may participate in PPR with the approval of the Head of Institute.
 - 4.8.2 Non-academic staff with appointments of less than twelve (12) months may be required by their manager to participate in a PPR process of reduced duration.
- 4.9 The main purpose of PPR is continuous improvement, ensuring alignment between the performance and development of individual staff (including professional development), the operational requirements of work areas, and the strategic priorities of AIAT.

- 4.10 The PPR process supporting the development of academic staff will:
- 4.10.1 Set clear and measurable performance goals for the planning period;
 - 4.10.2 demonstrate the undertaking of the staff member to further develop their scholarly activity, their understanding of contemporary developments in the discipline and their skills in contemporary learning, teaching and assessment principles (HESF 3.2.3a & 3.2.3b);
 - 4.10.3 set out any professional development activities agreed for the duration of the plan; and
 - 4.10.4 be approved authorised by the Head of Institute for all academic staff members;
- 4.11 The annual PPR process supporting the development of non-academic staff will:
- 4.11.1 Set clear and measurable performance goals for the planning period;
 - 4.11.2 demonstrate commitment to understanding and implementing best practice and legislative requirements across their areas of work responsibilities;
 - 4.11.3 set out any professional development activities agreed for the duration of the plan; and
 - 4.11.4 be developed with the staff member's manager.

Professional Development

- 4.12 AIAT recognises that professional development plays a significant role in attracting, developing and retaining excellent academic and non-academic staff, thereby contributing to the Institute achieving its strategic priorities within budget parameters.
- 4.13 Managers are encouraged to:
- 4.13.1 plan and prioritise the professional development needs of staff within their work-unit as part of the PPR process and within the available budget; and
 - 4.13.2 provide opportunities for staff members to share their learnings through on-the-job coaching, mentoring and team meetings.

Dealing with unsatisfactory performance, misconduct and serious misconduct

- 4.14 AIAT recognises there will be situations where a manager determines that the performance or conduct of a staff member falls below expectations. This includes situations where a staff member is affected by ill-health.
- 4.15 Managers are expected to set and monitor performance targets for staff. Where the staff member is failing to meet the expectations of their role, early intervention is required. The manager should not defer addressing the issue until the annual PPR process.
- 4.15.1 Reasonable efforts aimed at trying to resolve diminished performance includes guidance, counselling, access to appropriate staff learning opportunities and/or appropriate work (re)allocation.
- 4.16 Where:
- 4.16.1 a manager has taken steps to improve performance without demonstrable improvement; or

4.16.2 the level of the unsatisfactory performance, misconduct or serious misconduct requires a more formal intervention,
AIAT may instigate an Unsatisfactory performance or Misconduct process pursuant to the Dealing with Unsatisfactory Performance and Misconduct (Staff) Procedure.

5. Roles and responsibilities

- 5.1 The CEO is responsible for:
- 5.1.1 Confirming (or not) an appointment after a probation period (in conjunction with the Head of Institute for academic staff appointments).
 - 5.1.2 Requiring all managers (in particular the Executive Management Group) to engage in PPR processes with eligible staff in a positive manner, recognising the role of staff as contributors to AIAT's success.
 - 5.1.3 Assessing draft PPR plans where the manager and staff member concerned are unable to agree a final plan.
 - 5.1.4 Developing an annual budget (for approval by the Board of Directors) that (inter alia) provides support for approved Professional Learning activities for staff.
 - 5.1.5 Making decisions about poor performance, misconduct and serious misconduct in a timely and fair manner. This includes terminating a staff member's appointment summarily or with notice.
 - 5.1.6 Conducting or overseeing the conduct of inquiries into serious misconduct allegations.
 - 5.1.7 Reporting matters to the South Australian Police, or other external authorities when required by law.
 - 5.1.8 Maintaining records of meetings and decisions.
- 5.2 In addition to the responsibilities as a manager, the Head of Institute is responsible for:
- 5.2.1 Endorsing, with the CEO, probation recommendations in relation to academic staff appointees.
- 5.3 Managers are responsible for encouraging staff member's engagement with AIAT and its strategic priorities and operational goals as a higher education provider by:
- 5.3.1 Undertaking an induction process for all new appointees, which includes clarifying workload allocations and relevant expectations and practices.
 - 5.3.2 Developing a Probation plan when required.
 - 5.3.3 Mentoring and giving constructive guidance, feedback and support.
 - 5.3.4 Maintaining records of meetings, agreements and outcomes, and collating evidence of progress and achievement.
 - 5.3.5 Discussing any deficiency in performance or conduct promptly, and providing the opportunity to take corrective action. This action must be documented.
 - 5.3.6 Conducting the final review of probation and making the recommendation to the CEO (and Head of Institute where required).
 - 5.3.7 Initiate and complete the PPR process each year for all eligible staff members.
 - 5.3.8 Treat staff members in a fair and equitable manner, providing recognition where appropriate.

- 5.3.9 Provide staff with expectations about their current role (position description) and how they relate to other roles and AIAT priorities.
- 5.3.10 In the PPR process:
 - a. Constructively work with the staff member in setting performance goals and reasonable timeframes for their achievement that aligns with the work units' operational needs and AIAT's strategic priorities.
 - b. Review performance against these criteria at subsequent PPR meetings.
 - c. Discuss work performance with staff members on an on-going basis, including identifying and clarifying underperformance issues and identifying strategies for improving performance.
 - d. Facilitate staff members undertaking Professional Development opportunities that align with the work-units' operational needs, AIAT's strategic priorities and budget.
- 5.4 New staff members are responsible for:
 - 5.4.1 Participating actively and positively in the induction and probation process.
 - 5.4.2 Taking reasonable action to achieve performance and development goals, collating evidence as appropriate.
 - 5.4.3 Ensuring they successfully undertake any required professional development that may be set as part of their Probation plan.
 - 5.4.4 Seeking early guidance and clarification when expectations are unclear or difficulties have been encountered.
- 5.5 Staff member's responsibilities are to:
 - 5.5.1 Engage in constructive and respectful dialogue with their manager and seek clarification on job expectations.
 - 5.5.2 Seek opportunities and take responsibility for professional development and where they need to enhance performance (skills and conduct).
 - 5.5.3 Provide a draft PPR plan in readiness for the annual meeting with their manager.
 - 5.5.4 Keep a record of professional development undertaken during the year and summarising progress and outcomes.
 - 5.5.5 Report misconduct if they witness it and in a timely manner.
 - 5.5.6 Acknowledge their own responsibilities and participate in good faith in any disciplinary or misconduct matters they are involved in (either as the subject to a matter or as a witness);
 - 5.5.7 Respond to meeting requests and providing any required evidence in a timely manner.
- 5.6 The Human Resources Officer is responsible for:
 - 5.6.1 Supporting the CEO, the Executive Management Group and other managers meet their responsibilities under this policy, the staff member's contract of employment and related matters, and the industrial award.
 - 5.6.2 Implementing clear, consistent practices across AIAT for staff performance matters.

Schedule A: Minimum Notice Periods

The Educational Services (Post-Secondary Education) Award (the Award) provides that an employer has to give the following minimum notice periods when dismissing eligible employees (based on the National Employment Standards (NES) in the Fair Work Act 2009 (Cth)):

Period of continuous service	Minimum notice period
Not more than 1 year	1 week
More than 1 year but not more than 3 years	2 weeks
More than 3 years but not more than 5 years	3 weeks
More than 5 years	4 weeks
# Where the employee is over 45 years old and has worked with AIAT for at least 2 years	An extra weeks notice

Notice of termination – Academic Teaching Staff

The Award provides that the notice for terminating an academic teaching staff member (other than a casual contact) is at least 4 weeks' notice or the payment of 4 weeks' salary instead of notice (clause 31.2 (a)).

Clause 31.2 (b) of the Award provides for exceptions based on cancellation of a course (due to a failure of students to attend or because AIAT becomes aware the course will be undersubscribed). In such cases, where AIAT cannot give 4 weeks' notice of termination, notice of at least 2 weeks must be provided, provided that the minimum notice period required by the National Employment Standards (NES) must be given.

*Sources: Educational Services (Post-Secondary Education) Award
Fair Work Act 2009 (Cth)*

6. Policy Details

Institution	Australian Institute of Advanced Technologies (AIAT)
Policy name	Staff Performance Policy
Policy Reference No.	POL – 53
Policy Approval	Board of Directors
Policy Authority	Executive Management Group
Responsible Officer	CEO.
Governance Reference Threshold Standards	HESF 2021: 3.2
Related Documents	Staff Probation Procedure Staff Performance Planning and Review Procedure

	<p>Dealing with Unsatisfactory Performance and Misconduct (Staff) Procedure</p> <p>Academic Scholarship Policy and Procedure</p> <p>Staff Code of Conduct</p>
Related Legislation	<p>Higher Education Standards Framework (Threshold Standards) 2021 (HESF)</p> <p>Fair Work Act (Cth) 2009</p> <p>Educational Services (Post-Secondary Education) Award</p>
References	<p>AIAT has referred and benchmarked with the following institutions and policies during the creation of this policy:</p> <p>Australian Government – Fair Work Ombudsman https://www.fairwork.gov.au/ [accessed 6 December 2021]</p> <p>TEQSA Guidance Note: Scholarship v2.5 (December 2018)</p> <p>Adelaide Institute of Higher Education (May 2019), Professional Development Policy</p> <p>Australian National University (September 2018) Policy: Unsatisfactory performance and misconduct</p> <p>Australian National University (September 2018) Procedure: Managing unsatisfactory performance</p> <p>Australian National University (March 2018) Procedure: Managing misconduct, serious misconduct and suspension</p> <p>Southern Cross University (February 2021) Probation Procedures</p> <p>Southern Cross University (April 2020) Performance Review and Planning Policy</p> <p>University of the Sunshine Coast (June 2021) Performance Management – Operational Policy</p> <p>University of Canberra (August 2018), Performance Expectations Policy</p>
Date of approval	3 February 2022
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Policy Category	Operational

6. Document Version Control

Document No	POL - 53	Last Modify Date	Summary of Changes
Version No	1.0	NA	Initial version approved by Board of Directors
	1.01	8/4/2022	Modified policy number

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