Performance Management and Development Procedures

Last updated: 30 June 2010 Policy assigned to: Director, Human Resources

Please note: These procedures are only applicable to General staff and will apply until such time as the new planning and development process for General staff is finalised. Contact your HR Advisor for further advice.

1. Definitions

Enterprise Agreement means *The University of Sydney Enterprise Agreement 2009-2012.*

Delegations means the *University of Sydney Delegations of Authority – Administrative Functions*.

PM&D means Performance Management and Development.

Review date is the deadline by which a review must be completed and processed in the Human Resource Management System (**HRMS**).

Reviewer refers to the person conducting the review with the staff member, this may be either the Supervisor or the Reviewer. The Reviewer:

- is a Level C/HEO 8 or higher except where express permission is granted at a lower level[1]
- normally has an ongoing leadership role or supportive relationship with the staff member, e.g. team leader, although it may not be official
- conducts reviews of staff in their group when, based on supervising the staff member over the review period, a satisfactory or higher outcome is anticipated.

Supervisor refers to the person who has the responsibility for ensuring the conduct of PM&D Reviews for staff within their area. The Supervisor:

- is the Head of a School, Organisational Unit, or other budget unit
- has responsibility and authority for ensuring that performance reviews are conducted with staff within their accountability area
- can assign a Reviewer to conduct a PM&D review, other than confirmation reviews, when he or she anticipates a satisfactory or higher outcome.

[1] Complete Request for Approval of PM&D reviewer form

2. References

- *Fair Work Act 2009* (Cth)
- The University of Sydney Enterprise Agreement 2009 – 2012
- University of Sydney (Delegations of Authority - Administrative Functions) Rule 2010 (as amended)
- Performance Management and Development Policy

3. Key Performance Areas (**KPAs**)

KPAs are the broad areas of performance and achievement for staff and directly contribute to the achievement of the University and their unit goals.

For academic staff these are:

- Teaching and learning
- Research and innovation
- Leadership/management
- Community, professional and industry engagement

For general staff these are:

- Client focus
- Learning and innovation
- Resource management and quality
- Teamwork and leadership

4. Ratings

a) Individual KPA ratings:

During the review meeting the staff member and Reviewer are required to agree on a rating to reflect the staff member's performance for each relevant KPA using one of the four assessment ratings outlined as follows:

Rating	Description
Outstanding 'OS'	Far exceeds expectations and standards of the position by demonstrating very high levels of performance and achievement against performance objectives for the previous 12 months.
Superior 'SU'	Demonstrated higher than expected levels of performance and achievement against performance objectives for the previous 12 months.

Satisfactory 'SA'	Demonstrated expected levels of performance and achievement against the performance objectives for the previous 12 months.
Not meeting performance objectives 'NM'	• Performing marginally and not meeting the performance expectations of the position for the previous 12 months. • A Performance Improvement Plan (**PIP**) should be outlined for improving areas of below standard performance. Deficiencies should be clearly identified and a timeline for improvement established and agreed, including follow-up evaluation(s). • Staff with this outcome should be advised about the consequence of continuing under performance. Where a rating of 'NM' is anticipated and there are medical or personal circumstances involved, the Supervisor should contact their HR Advisor for advice.

b) Overall rating:

In addition to rating each relevant KPA the staff member and Reviewer are required to agree on an overall rating for performance. The minimum requirements for each overall rating are set out below.

The overall rating is subject to approval by the Supervisor.

Rating	Minimum requirements			
	Deans, HOS and academic equivalent	**Academic staff**	**HOA**	**General staff**
Outstanding	• 2 outstanding (one must be in Leadership/ Management) • 2 superior • 0 satisfactory • 0 not meeting	• 2 outstanding (one must be in Teaching and Learning or Research and Innovation) • 2 superior • 0 satisfactory • 0 not meeting	• 2 outstanding (one must be in Teamwork and leadership) • 2 superior • 0 satisfactory • 0 not meeting	• 2 outstanding • 2 superior • 0 satisfactory • 0 not meeting
Superior	• 2 superior (one must be in Leadership/Management) • 2 satisfactory • 0 not meeting	• 2 superior (one must be in Teaching and Learning or Research and Innovation) • 2 satisfactory • 0 not meeting	• 2 superior (one must be in Teamwork and leadership) • 2 satisfactory • 0 not meeting	• 2 superior • 2 satisfactory • 0 not meeting
Satisfactory	• 3 satisfactory or higher • maximum of 1 not meeting • Leadership/ Management must be satisfactory or higher	• 3 satisfactory or higher • maximum of 1 not meeting	• 3 satisfactory or higher • maximum of 1 not meeting • Teamwork and leadership must be satisfactory or higher	• 3 satisfactory or higher • maximum of 1 not meeting
Not meeting performance objectives	• more than 1 not meeting **OR** • Leadership/Management "not meeting"	• more than 1 not meeting	• more than 1 not meeting **OR** • Teamwork and leadership "not meeting"	• more than 1 not meeting

For **research only academic** staff, the levels of performance, contribution and output required to achieve a rating of outstanding in "research and innovation" are commensurately higher than for teaching and research staff, while the levels for a rating of superior in "teaching and learning" (which includes research student supervision) are commensurately lower.

5. Timing

a) All continuing staff and staff on fixed term contracts are required to participate in the PM&D Program.

b) The performance of casual staff may be assessed in accordance with the PM&D Program for the purposes of determining their suitability for re-employment (whether as a casual staff member or otherwise) and applications for conversion.

c) For academic staff, the initial confirmation review will be due 12 months after the date the staff member commenced employment with the University. Where the PM&D evaluation is satisfactory or higher the University will deem the first year of confirmation as satisfactorily completed (i.e. the probation period will also be deemed as service for the purposes of confirmation).

d) Annual PM&D reviews are to be completed, and Part A returned to the HR Service Centre, SydneyPeople, at least three weeks prior to the review date.

6. Periods of absence

a) For all periods of paid leave and any period of leave without pay of less than one week, performance can be evaluated on the balance of the review period with performance objectives set, or adjusted, to reflect the shorter review period.

b) For periods of leave without pay of one week or more, the review date is deferred for a period equal to the period of absence.

c) Staff participating in the Special Studies Program (**SSP**) are set appropriate performance objectives relating to the outcomes of their SSP. The SSP report, which the staff member is required to provide, is considered as part of the overall PM&D assessment.

7. Probation and confirmation

(a) Probation

	Academic	General
Probation applies	To staff other than casual staff.	
Period of probation	• minimum of six months • maximum 12 months • up to 12 months for staff on fixed term contracts which are externally funded.	• up to six months • may be extended by three months (one extension only)
Successful completion of probation	PM&D evaluation with an overall rating of ‘satisfactory’ or higher is required.	
Unsatisfactory performance during probation	During the probation period, the staff member’s Supervisor will inform them of any deficiencies in their performance or conduct and the improvements necessary to meet the required standard and be given an opportunity to address them.	

	The Supervisor must advise the staff member of any adverse material that he or she intends to take into account in making a decision related to the probation outcome and provide the staff member with an opportunity to respond. A staff member whose performance is not meeting the required standard and who, as a result, is at risk of their employment terminated will be given a notification (**Performance Warning**) to this effect.	
Notice required to terminate employment during probation	For contracts of less than 12 months the staff member will receive 13 weeks' notice or payment in lieu thereof. The notice period will commence on the date that the performance warning is issued. For all other academic appointments, the staff member will receive 26 weeks' notice or payment in lieu thereof. The notice period will commence on the date that the performance warning is issued.	By the University or the staff member giving one weeks' notice. By the University paying or the staff member forfeiting one weeks salary in lieu of notice.
	The University may terminate the employment without notice or payment in lieu of notice if the staff member has engaged in serious misconduct.	

(b) Confirmation – academic staff only

Confirmation applies	To all academic staff appointed on a continuing basis. The confirmation period may be reduced or waived by the Selection Committee.
Period of confirmation	Level A: minimum of 3 years, maximum of 5 years Levels B and above: minimum of 3 years, maximum of 4 years
Successful completion of confirmation	During the confirmation period, the staff member's performance will be evaluated in accordance with the PM&D Program. PM&D evaluation with an overall rating of 'satisfactory' or higher is required.
Unsatisfactory performance during confirmation	During the confirmation period, the staff member's Supervisor will inform them of any deficiencies in their performance or conduct and the improvements necessary to meet the required standard and be given an opportunity to address them. The Supervisor must advise the staff member of any adverse material that he or she intends to take into account in making a decision related to the confirmation outcome and provide the staff member with an opportunity to respond. A staff member whose performance is not meeting the required standard and who, as a result, is at risk of their employment being

	terminated will be given a notification (**Performance Warning**) to this effect.
Notice required to terminate employment during confirmation	Staff member will receive 26 weeks' notice or payment in lieu thereof, commencing on the date that the performance warning is issued, if the University decides to terminate employment upon or before the end of the period of confirmation. The University may terminate the employment without notice or payment in lieu of notice if the staff member has engaged in serious misconduct.

8. Probation and confirmation outcomes

The following tables show outcomes from PM&D reviews for probation and confirmation and provides the appropriate recommendation for each outcome as well as the approving officer. Further details of approving officers are outlined in the Delegations.

(a) Probation:

Probation outcome	Recommendation	Approval - Academic	Approval - General
Probation requirements were met, **and** Staff member received an overall PM&D rating of 'satisfactory' or higher	Recommend progression from probation to confirmation for academic staff or pass probation for general staff.	HOS	HOS or HOA
Staff member received an overall rating of 'not meeting performance objectives' **and** Supervisor considers that the staff member's performance may improve to a satisfactory level if provided with more time.	Extend the period of probation notifying them of the concerns with their performance.	HOS	HOS or HOA
Staff member receives an overall rating of 'not meeting	Terminate appointment during probation period.	Level E and below - DVC	HOS or HOA

performance objectives'. **and** Supervisor considers that the staff member's performance will not improve to a satisfactory level if provided with more time.		Level D and below – Dean *HOS forwards a recommendation to the Dean for approval and DVC for notification.*	

(b) Confirmation – academic staff only

Confirmation outcome	Recommendation	Approval
All aspects of the confirmation review are positive, **but** Supervisor considers that there are still some criteria to be met (e.g. complete PhD) that can be met within the remaining confirmation period.	Continuation of confirmation.	HOS in consultation with the Dean prior to the review meeting with the staff member.
Supervisor considers that there are some areas of underperformance that may impact on confirmation.	Notify staff member of the deficiencies in their performance and give them the opportunity to respond.	
Confirmation conditions are no longer reasonable or appropriate.	Review the conditions for confirmation.	
Supervisor considers that the staff member's performance remains unsatisfactory (despite attempts at resolution and development); **or** Supervisor considers that the staff member is unable to comply with appropriate and reasonable conditions.	Terminate appointment during confirmation period.	Level E and below - DVC Level D and below – Dean HOS forwards a recommendation to the Dean for approval and DVC for notification.

Final Confirmation Review		
Staff member's performance fully complies with all the conditions for confirmation; **and** Staff member receives an overall PM&D rating of 'satisfactory' or higher.	Recommend confirmation of appointment.	DVC, Dean.
Staff member received an overall rating of 'not meeting performance objectives'; **but** Supervisor considers that the staff member's performance may improve to a satisfactory level if provided with more time.	Extend period of confirmation (within the maximum period allowed) **and** Advise staff member of the deficiencies in their performance.	HOS in consultation with the Dean prior to the review meeting with the staff member.
Supervisor considers that the staff member's performance remains unsatisfactory (despite attempts at resolution and development) **or** Supervisor considers that the staff member is unable to comply with appropriate and reasonable conditions.	Terminate appointment before the end of the confirmation period.	HOS forwards a recommendation to the Dean for approval.

9. Incremental progression

a) A staff member is eligible for consideration for progression to the next salary step of his or her level/salary range on the anniversary of his or her appointment to his or her position following twelve months paid service.

b) A staff member is ineligible for incremental progression where his or her overall performance is assessed as 'not meeting performance objectives' or his or her conduct is found to be unsatisfactory.

c) A decision to withhold a salary increment must be authorised by the relevant Supervisor. If incremental progression is deferred a staff member will be notified in writing of the reasons and will be given the opportunity to respond. A copy of the staff member's response will be placed on the staff file.

10. Performance progression (Enterprise Agreement general staff only)

d) A general staff member, whose employment is covered by the Enterprise Agreement whose performance is evaluated as "outstanding" may be granted a performance progression payment in the form of an accelerated salary increment (including into the next classification level) for a twelve month period. The decision to grant a performance progression payment will be reviewed annually through the staff member's PM&D evaluation.

e) The accelerated increment will be equal to one additional incremental step and does not compound. Staff at the top step of their HEO level may be granted an accelerated increment up to the first step of the next HEO level.

f) Performance progression payments will be paid as a non-superannuable lump sum payment at the rate of pay applicable in the first pay period after the review date. The payment will be processed in the first available pay period after receipt of the forms.

11. Performance Bonus Scheme (staff on AWAs, ITEAs and Common Law Contracts with bonus provisions included only)

a) The Performance Bonus Scheme will deliver rewards to eligible non-casual staff based on achievement of goals determined at three levels, namely:

- University performance
- Faculty/Portfolio performance
- Individual performance

b) KPIs at all three levels, University, Faculty/Unit, and Personal, are established for the relevant performance year. Staff will be eligible for bonus payments only if their individual performance is assessed overall as "Satisfactory" or higher, and the University meets the KPIs as set for the performance year. .

University Level

At the financial year end, actual performance will be assessed against the KPIs as determined for the University. The outcome for the University's component is expressed as a percentage score reflecting the assessment of how successful the University was in achieving its objectives.

Faculty/Portfolio level

At the beginning of each performance year, each Faculty and Portfolio will set KPIs against which performance can be meaningfully measured. The KPIs, and the evaluation of performance against them at year end, will be recommended by the Vice-Chancellor and approved by the Remuneration and Benefits Committee.

Personal Level

Individual performance will be assessed through the PM&D Program using the most recent review undertaken during the performance year, for which bonuses are determined. . For bonus purposes, percentage scores for each PM&D rating will be as follows:

- Outstanding - 100%
- Superior - 85%
- Satisfactory - 65%
- Not meeting performance objectives - 0%

For detailed information including eligibility, bonus calculations and FAQs refer to the University's Human Resources, Pay and Benefits section on the intranet.

12. Performance Improvement and Unsatisfactory Performance

(a) General Principles

The following apply to all staff whether they are in their probation or confirmation period or covered by an AWA, ITEA or common law contract:

- performance will be assessed in accordance with the PM&D Program
- staff will be advised of any deficiencies in their performance or conduct and the improvements necessary to meet the required standard
- staff will be given a reasonable period of time to address the deficiencies in their performance
- if a supervisor has concerns about a staff member's performance, the matter should be discussed at the time the concerns are raised and not deferred to the PM&D review meeting.

(b) Procedures for staff covered by the Enterprise Agreement:

(i) Performance Improvement

Where a staff member receives an overall performance rating of "not meeting objectives" or otherwise fails to perform their duties to a satisfactory standard, the staff member's Supervisor will be required to provide guidance, counselling and develop a PIP in consultation with the staff member. The PIP must specify:

- the required performance standards (which must be reasonable having regard to the level and duties of the position);
- the action required to remedy the deficiencies in the staff member's performance, including any additional counselling, professional development or training that may be required; and
- the time frame within which the necessary improvements are required.

(ii) Unsatisfactory Performance

Where attempts to improve a staff member's performance through guidance, counselling and a PIP issued for performance improvement have not demonstrated adequate improvement, the staff member will receive written notification of their Supervisor's concerns about their performance and a formal performance improvement plan will be established in consultation with the staff member. The PIP must specify:

- the required performance standards (which must be reasonable having regard to the level and duties of the position);
- the action required to remedy the deficiencies in the staff member's performance, including any additional counselling, professional development or training that may be required; and
- the time frame within which the necessary improvements are required.

The PIP must be signed by the staff member's Supervisor and provided to the staff member concerned. The staff member will be provided with an opportunity to comment on it.

A staff member, whose performance is not meeting the required standard and who, as a result, is at risk of having their employment terminated will be given a written notification to this effect (**Performance Warning**).

Where, in the opinion of the Supervisor the staff member's performance does not improve to the required standard within the time frame specified in their PIP (or such further time frame as ay be approved by their Supervisor), the Supervisor will provide a written report to the relevant Delegate setting out what constitutes the unsatisfactory performance and outlining the steps which have been taken. The report will also be given to the staff member who will have ten days to respond, in writing, to the relevant Delegate.

Depending on the action which the relevant Delegate determines is appropriate, after considering any response provided by the staff member, either the relevant Delegate's decision will be final or the staff member will have the opportunity to seek a review of the proposed action by a Review Committee. The Review Committee will provide a report to the relevant Delegate. If the report does not endorse the relevant Delegate's proposed course of action, the report will be submitted to a more senior Delegate unless the person who first determined the matter was the Vice-Chancellor.

14. Dispute settling procedures

Staff have access to the Dispute Settling procedures, if the Enterprise Agreement covers their employment, in situations where there are concerns over the proper application of the Enterprise Agreement.

Administration

1. Background

The procedures were initially developed by the Acting Deputy Vice-Chancellor (Infrastructure) between 2004 and 2005 with extensive consultation. The procedures were reviewed in November 2006 to be consistent with the *University of Sydney Academic Staff Agreement 2006 – 2008*; and the *University of Sydney General Staff Agreement 2006 – 2008.* The procedures were reviewed in May 2010 to enable the implementation of the performance management and development provisions of *The University of Sydney Enterprise Agreement 2009-2012.*

2. Policies, procedures etc which are now superseded by this document and its attachments

Version 2 (2006) PM&D policy and procedures replaced the following Version 1 (2005) documents: Probation and confirmation for academic staff (policy); Probation (General staff) (policy); Incremental progression: academic staff (policy); and Performance Management and Development policy. Version 3 (2010) PM&D Policy and PM&D Procedures replace the Version 2 (2006) PM&D Policy, PM&D Procedures and Procedures: Request for approval of PM&D reviewers at levels below HEO 8 or Academic level C.

3. Management Responsibility

Director, Human Resources

4. Implementation Responsibility

Deans, Heads of School/Administration

5. Dates

Approval (version 1)	8 March 2005
Effect	1 April 2005
Approval (version 2)	30 November 2006
Effect	1 December 2006
Approval (version 3)	30 June 2010
Effect	1 July 2010

6. Approval

Version 1	Professor A Brewer
Version 2	Professor A Brewer
Version 3	Dr Michael Spence

7. Signatures

Approved by:

Name

Dr Michael Spence

Position

Vice-Chancellor and Principal
Date 30 June 2010