## Name of Guidelines
Senior Staff - Performance Management Guidelines

### Description of Guidelines
*The Guidelines deal with performance management and dismissal for poor performance. The purpose of the Guidelines is to provide guidance on how to manage performance issues and how to conduct a formal performance management process for Senior Staff of the University.*

- **New guidelines**
- **Revision**

### Description of Revision

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1 Guidelines Purpose

The Guidelines deal with performance management and dismissal for poor performance. The purpose of the Guidelines is to provide guidance on how to manage performance issues and how to conduct a formal performance management process. The Guidelines are not legally binding on the Australian Catholic University.

The Guidelines apply to those Senior Staff Members who are not covered by the Australian Catholic University Staff Enterprise Agreement, 2013 - 2017 or its successor.

2 Grounds for dismissing a Senior Staff Member

Lawful reasons for dismissing a Senior Staff Member include:

- performance (e.g. where the Senior Staff Member is unable to satisfactorily complete the inherent duties of the job);
- conduct (e.g. consistently late for work);
- serious misconduct (e.g. fighting, drinking on the job) - see Senior Staff Dealing with Misconduct and/or Serious Misconduct Guidelines;
- redundancy (i.e. the position no longer exists).

3 Performance

A Senior Staff Member’s performance is considered to be inadequate if the Senior Staff Member is not meeting the reasonable performance standards of the position, and/or has not achieved a satisfactory rating in one or more key areas of his/her performance plan over a significant period.

4 Informal Performance Management

Wherever possible it is preferable that performance related issues are dealt with informally by the Senior Staff Member’s direct manager or supervisor, especially at first instance where the Senior Staff Member has otherwise performed satisfactorily or the inadequate performance is not significant.

Where a manager has concerns about a Senior Staff Member’s performance the manager should generally give initial consideration to whether or not the provision of counselling, mentoring or further training would be appropriate as an alternative to commencing a formal performance management plan.

Where it is not appropriate to address the Senior Staff Member’s performance issues informally, or where attempts to do so have been ineffective in resolving the issues, the process outlined below should be followed.

5 Verbal warnings

Where a manager has concerns about a Senior Staff Member’s performance, the manager should explain to the Senior Staff Member the manner in which the Senior Staff Member’s performance is not meeting the required standard.

The manager should in the first instance, verbally counsel the Senior Staff Member by informing him/her of the area(s) in which they are not meeting the required standard of performance or conduct expected of them.

The Senior Staff Member should be given an opportunity to respond to the employer’s concerns and be provided with an opportunity to rectify his or her performance within a reasonable period of time, depending
on the circumstances. The Senior Staff Member should also be offered further training, mentoring or coaching if appropriate in the circumstances.

The manager should make written notes of the verbal warning.

6 Official Warnings

If the Senior Staff Member fails to rectify his or her performance within the required period, the manager may then require the Senior Staff Member to attend a meeting at which an official warning will be given.

If the Senior Staff Member’s performance continues to be inadequate to such an extent that it would be unreasonable for the manager to allow the Senior Staff Member the allotted time to remedy the problem, then the manager may institute the first official meeting prior to the specified time expiring.

The manager should inform the Senior Staff Member prior to the meeting of the concerns which the manager has with the Senior Staff Member’s performance, and state that the Senior Staff Member is allowed to have a person of their choice accompany them to the meeting.

At the meeting the manager should outline the nature of the problem(s) and allow the Senior Staff Member an opportunity to respond.

If the Senior Staff Member’s response is not adequate the manager will present the Senior Staff Member with an official written warning. The warning should state:

- the problem;
- refer to all previous oral warning(s) and their dates;
- the corrective action which is required;
- identify any remedial training required;
- what action will be taken if the Senior Staff Member does not remedy the problem (when issuing a warning, the warning should state that if the problem is not remedied within a specified time then the Senior Staff Member may be dismissed);
- state that the written warning will be filed in the Senior Staff Member’s personal file [for a specified period of time]
- set out a time frame for a further review

The manager should then monitor the Senior Staff Member’s performance to determine whether he or she is making the required improvement.

7 Steps leading to dismissal

Following the issuing of the official written warning, if the Senior Staff Member fails to remedy the fault within the allotted time, or it would be unreasonable for the manager to allow the Senior Staff Member to continue working out the allotted time, the manager should then initiate a further warning process/initiate a dismissal process.

That will involve requesting by letter that the Senior Staff Member attend an official meeting to respond to the allegations of inadequate performance. That letter should state:

- that the Senior Staff Member’s performance has not improved;
- the steps the employer has taken to remedy the problem in the past;
- the fact that the Senior Staff Member is entitled to be accompanied by a person of their choice; and
- the fact that, unless the Senior Staff Member can adequately explain his or her ongoing poor performance, then ACU may decide to dismiss the Senior Staff Member.

The Senior Staff Member may have a person of their choice with them at the meeting. The manager should start by outlining the concerns he or she has with the Senior Staff Member’s performance or conduct. It is
then very important that the manager listen to the Senior Staff Member’s responses as objectively as possible. The manager should then adjourn the meeting to consider the Senior Staff Member's response and determine whether she or he will progress a recommendation that the Senior Staff Member be dismissed.

If the Senior Staff Member’s response is considered to be adequate, the manager should inform the Senior Staff Member that she/he will remain employed but that the Senior Staff Member’s performance will continue to be closely monitored for a specified period of time (e.g. one - three months).

If the Senior Staff Member's response is considered inadequate, the manager has two options:

- issue the Senior Staff Member with a further warning; or
- orally inform the Senior Staff Member that the manager is going to recommend to the Vice-Chancellor that he or she is to be dismissed.

The Vice-Chancellor will consider the recommendation and any response from the Senior Staff Member. If the Vice-Chancellor determines that dismissal is appropriate, the Senior Staff Member will receive a written notice of termination. The notice should state the reasons for the dismissal, i.e. poor performance, and the history of warnings given previously. Termination of employment is not effective unless it is received in writing.

The manager should consult with their senior manager before recommending the dismissal of a Senior Staff Member. Only the Vice-Chancellor has the delegation to dismiss a Senior Staff Member of Australian Catholic University and in such circumstances, the decision of the Vice-Chancellor is final.

8 Guidelines review

The University may make changes to these guidelines from time to time to improve the effectiveness of its operation. In this regard, any staff member who wishes to make any comments about these guidelines may forward their suggestions to the Director, Human Resources.