



Australian Public Service Commissioner's Amendment (Performance Management) Direction 2014

I, Stephen Sedgwick AO FIPAA, Australian Public Service Commissioner, make the following direction.

Dated 12 December 2014

Stephen Sedgwick
Australian Public Service Commissioner

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1 Name

This is the *Australian Public Service Commissioner's Amendment (Performance Management) Direction 2014*.

2 Commencement

This instrument commences on 1 July 2015.

3 Authority

This instrument is made under subsections 11A(1) and (2) of the *Public Service Act 1999*.

4 Schedules

Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.

Schedule 1—Amendments

Australian Public Service Commissioner's Directions 2013

1 Clause 4.1

Repeal the clause, substitute:

4.1 Purpose of Chapter 4

- (1) This Chapter sets out directions in relation to the APS Employment Principle mentioned in paragraph 10A(1)(d) of the Act (the *effective performance Employment Principle*).

Note: Paragraph 10A(1)(d) of the Act provides that the APS is a career-based public service that requires effective performance from each employee.

- (2) Noting that there is a broad spectrum of management issues associated with managing effective performance across the APS, from encouraging high performance to managing unsatisfactory performance, the purposes of the directions are as follows:
- (a) to strengthen the obligations of Agency Heads in relation to the effective performance Employment Principle;
 - (b) to make provision for certain obligations of supervisors and APS employees in relation to the effective performance Employment Principle;
 - (c) to encourage APS best or better practice by requiring each Agency Head to ensure that his or her Agency's performance management policy and associated processes and practices are periodically reviewed and benchmarked against APS best practice.

4.1A Achieving effective performance

Agency Heads

- (1) For the purpose of upholding and promoting the effective performance Employment Principle, each Agency Head must ensure that:
- (a) his or her Agency has a performance management policy and associated processes and practices that:
 - (i) demonstrably support a culture of high performance; and
 - (ii) provide for the performance of duties by APS employees in the Agency to be effectively managed; and
 - (iii) are fair, open and effective; and
 - (iv) are clearly communicated to all APS employees in the Agency; and
 - (v) are periodically reviewed and benchmarked against APS best practice; and
 - (b) his or her Agency builds the organisational capability necessary to achieve the outcomes of the Agency properly expected by the Government; and
 - (c) each APS employee in his or her Agency is given a clear statement, in a performance agreement, of the performance and behaviour expected of the employee, and an opportunity to discuss his or her duties; and

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- (d) each APS employee in his or her Agency receives feedback from supervisors about the performance of his or her duties consistent with the performance management policy, processes and practices of the Agency; and
 - (e) his or her Agency supports supervisors to enable them to effectively manage the performance of duties by APS employees under their supervision, including through appropriate training and coaching in performance management; and
 - (f) the performance management policy and associated processes and practices of his or her Agency are used to guide salary movement and any performance pay arrangements; and
 - (g) the processes and practices in his or her Agency for dealing with unsatisfactory performance of duties are fair, open and effective, and that information about those processes and practices is available to supervisors and APS employees in the Agency, including information that clearly sets out:
 - (i) the responsibilities of supervisors; and
 - (ii) the possible outcomes if an APS employee's performance of duties is considered to be unsatisfactory; and
 - (iii) that, if the performance of duties by an APS employee is considered to be unsatisfactory, the employee has a responsibility to engage constructively with his or her supervisor and other affected persons (including the Agency's human resources area) in resolving the performance issues and to act on performance feedback; and
 - (h) his or her Agency's processes and practices for dealing with unsatisfactory performance are applied in a timely manner if unsatisfactory performance by an APS employee has been identified.

Supervisors

- (2) For the purpose of upholding the effective performance Employment Principle, each supervisor in an Agency must, in relation to APS employees under his or her supervision:
 - (a) promote and foster high performance of duties by the employees; and
 - (b) ensure that each employee has a performance agreement that is consistent with the Agency's corporate plan and the work level standards for the employee's classification; and
 - (c) provide each employee with clear, honest, timely feedback about the employee's performance of his or her duties; and
 - (d) manage and assess the performance of duties by each employee in accordance with the performance management policy of the Agency; and
 - (e) work to improve his or her capability in effectively managing the performance of duties by the employees, including through appropriate training or coaching in performance management; and
 - (f) promptly and actively manage cases of unsatisfactory performance of duties by an employee in accordance with the Agency's performance management processes and practices, including by:
 - (i) identifying the nature of the unsatisfactory performance at the earliest opportunity; and
 - (ii) engaging with the relevant employee and other affected persons (including the Agency's human resources area and the supervisor's

- manager) to discuss the unsatisfactory performance, and facilitate a collective understanding about the nature of the unsatisfactory performance; and
- (iii) maintaining appropriate records of the case.

APS employees

- (3) For the purpose of upholding the effective performance Employment Principle, each APS employee in an Agency must:
- (a) strive to perform his or her duties to the best of his or her ability, and at a level consistent with the work level standards for the employee's classification and the employee's performance agreement; and
 - (b) engage constructively with his or her supervisor in clarifying work expectations and what is needed to effectively perform his or her duties; and
 - (c) participate constructively in the Agency's performance management processes; and
 - (d) be open to receiving feedback, and act on such feedback in a timely manner; and
 - (e) seek opportunities to improve individual and team performance of duties; and
 - (f) if he or she is informed that the performance of his or her duties is unsatisfactory—engage constructively to deal with the unsatisfactory performance, including by:
 - (i) cooperating with his or her supervisor and other affected persons (including the Agency's human resources area) to resolve the issues relating to the unsatisfactory performance in a timely manner; and
 - (ii) undertaking any necessary training, or remedial or corrective measures as directed.
- (4) In this clause:

performance agreement, for an APS employee, means a documentary record (including any additions to, or variations of, that record) that sets out the performance expectations in relation to the duties that have been assigned to the employee.

2 Dictionary (definition of ***broadband***)

Omit “the meaning given in”, substitute “the same meaning as in subrule 9(4) of”.

3 Dictionary

Insert:

effective performance Employment Principle—see subclause 4.1(1).

supervisor, in relation to an APS employee, means a person who is allocated responsibility by the employee's Agency Head for managing the employee in relation to the performance of the employee's duties.

work level standards, for a classification, means the work level standards for the classification, as referred to in subrule 9(2A) of the Classification Rules or rule 10 of those Rules (as the case requires).