



# **Australian Public Service Commissioner's Amendment (2019 Measures No. 1) Direction 2019**

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I, Peter Woolcott AO, Australian Public Service Commissioner, make the following direction.

Dated 19 July 2019

Peter Woolcott AO  
Australian Public Service Commissioner

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## 1 Name

This instrument is the *Australian Public Service Commissioner's Amendment (2019 Measures No. 1) Direction 2019*.

## 2 Commencement

- (1) Each provision of this instrument specified in column 1 of the table commences, or is taken to have commenced, in accordance with column 2 of the table. Any other statement in column 2 has effect according to its terms.

Commencement information		
Column 1	Column 2	Column 3
Provisions	Commencement	Date/Details
1. The whole of this instrument	The day after this instrument is registered.	

Note: This table relates only to the provisions of this instrument as originally made. It will not be amended to deal with any later amendments of this instrument.

- (2) Any information in column 3 of the table is not part of this instrument. Information may be inserted in this column, or information in it may be edited, in any published version of this instrument.

## 3 Authority

This instrument is made under subsections 11A(1) and 11A(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Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.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 2016*

#### **1 Division 2 of Part 4 (heading)**

Repeal the heading, substitute:

#### **Division 2—Performance management and culture**

#### **2 Section 39**

Repeal the section, substitute:

#### **39 Achieving effective performance—Agency Heads**

##### *Achieving effective performance*

- (1) An Agency Head upholds APS Employment Principle 10A(1)(d) by ensuring the following:
  - (a) the Agency has performance management policies and processes that:
    - (i) support a high performance culture; and
    - (ii) proactively identify, foster and develop APS employees to fulfil their potential; and
    - (iii) provide for effective performance management; and
    - (iv) are fair, open and effective; and
    - (v) are clearly communicated to APS employees;
  - (b) the Agency builds the organisational capability necessary to achieve the outcomes of the Agency properly expected by the Government;
  - (c) each APS employee in the Agency is given:
    - (i) a clear statement of the performance and behaviour expected of the employee; and
    - (ii) opportunities to discuss performance;
  - (d) each APS employee in the Agency receives feedback from supervisors about their performance consistent with the Agency's performance management policies and processes;
  - (e) the Agency requires supervisors to manage the performance of APS employees under their supervision effectively, including by engaging in career conversations;
  - (f) the Agency supports supervisors to manage the performance of APS employees under their supervision, including by providing appropriate training in performance management;
  - (g) the Agency's performance management policies and processes are used to guide salary movement.

##### *Dealing with unsatisfactory performance*

- (2) An Agency Head upholds APS Employment Principle 10A(1)(d) by ensuring the following:

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- (a) the Agency’s performance management policies and processes dealing with unsatisfactory performance are available to supervisors and APS employees in the Agency, and include information that clearly sets out:
    - (i) the responsibilities of supervisors; and
    - (ii) the possible outcomes if an APS employee’s performance is considered unsatisfactory; and
    - (iii) that if an APS employee’s performance is considered to be unsatisfactory, the employee has a responsibility to engage constructively with their supervisor and other relevant persons (including the Agency’s human resources area) in resolving the performance issues and acting on performance feedback;
  - (b) those policies and processes are applied in a timely manner if an APS employee’s performance is considered unsatisfactory.

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.

### **39A Achieving effective performance—supervisors**

A supervisor of an APS employee upholds APS Employment Principle 10A(1)(d) by doing the following:

- (a) promoting and fostering effective performance by the APS employee;
- (b) conducting, at least annually, career conversations that deal with the APS employee’s performance, potential, aspirations, organisational fit and future opportunities;
- (c) ensuring that the APS employee has a performance agreement that is consistent with the Agency’s corporate plan and the work level standards for the APS employee’s classification;
- (d) ensuring that the APS employee is provided with clear, honest and timely feedback about the employee’s performance;
- (e) managing and assessing the APS employee’s performance in accordance with the Agency’s performance management policies and processes;
- (f) working to improve the supervisor’s capability in effectively managing the performance of APS employees, including through appropriate training;
- (g) promptly and actively managing unsatisfactory performance by the APS employee in accordance with the Agency’s performance management policies and processes, including by:
  - (i) identifying the nature of the unsatisfactory performance at the earliest opportunity; and
  - (ii) maintaining appropriate records; and
  - (iii) engaging with the APS employee and other relevant 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.

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.

### **39B Achieving effective performance—APS employees**

An APS employee upholds APS Employment Principle 10A(1)(d) by doing the following:

- (a) striving to perform to the best of their ability, at the work level standard for the APS employee's classification and consistent with the APS employee's performance agreement;
- (b) engaging constructively with their supervisor to clarify work expectations and what is required to perform effectively;
- (c) participating constructively in the Agency's performance management processes, including career conversations;
- (d) being open to receiving feedback and acting on feedback in a timely manner;
- (e) seeking opportunities to improve individual and team performance;
- (f) if informed that the APS employee's performance is unsatisfactory, engaging constructively by:
  - (i) cooperating with their supervisor and other relevant 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.

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.