

Australian Public Service Commissioner’s Amendment (2019 Measures No. 1) Direction 2019

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Note: This table relates only to the provisions of this instrument as originally made.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Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.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:

(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.