



Managing Unsatisfactory Performance (Excluding School Based Teachers and Principals) procedure

Version: 2.0 | **Version effective:** 09/07/2012

Audience

Department-wide

Purpose

Provides a framework for the identification and management of unsatisfactory performance by employees of the Department with the exception of teachers and principals.

This procedure provides a framework for the identification and management of unsatisfactory performance and workplace misconduct, and contributes to excellence in service provision and outcomes for the Queensland Government and community.

[Managing Unsatisfactory Performance](#) (MUP) aims to be efficient, effective, equitable and confidential in dealing with an employee's ongoing unsatisfactory performance. Workplace misconduct (behavioural and attitudinal problems) can be managed through [performance management](#) where appropriate, but should be referred to your local/regional Human Resources Unit. Where performance managements inappropriate, refer through to Workforce Relations.

Overview

This policy is part of the Valuing Performance Framework, and applies to all employees of DET, except for state school teachers and principals employed under the [Teachers' Award State 2003](#).

Prior to implementing the following process, it is assumed that performance plans have been developed and implemented in accordance with the [Developing Performance Framework](#).

An Individual Performance Plan is recommended for all employees however, the [MUP process](#) can be implemented irrespective of whether a current individual performance plan exists. In cases where there is no individual performance plan in place, further advice should be sought from your local/regional Human Resources Unit Contacts.

Unsatisfactory Performance can include the inability and/or unwillingness to carry out tasks and major accountabilities associated with an employee's position in a manner that meets the reasonable expectations and service standards of the role.

Unsatisfactory performance may be attributable to lack of appropriate skills/experience, incomplete knowledge, an illness or injury, unscheduled ongoing absenteeism, and/or lack of commitment.

The objective of the [MUP process](#) is to correct and/or improve unsatisfactory performance where possible. Whilst injury and illness may be a cause for unsatisfactory performance, (see [Identifying factors of unsatisfactory performance](#)) the situation should be assessed to determine whether it is appropriate to be managed under the [MUP process](#). For further information, please contact your local/regional [MUP Champion](#), Human Resources Unit Contacts and/or the Organisational Health team.

This guideline assists managers, supervisors and employees through the process of MUP. Use this process when informal conversations and strategies regarding unsatisfactory performance have failed to improve performance to a satisfactory standard. ([See Overview to Managing Unsatisfactory Performance flowchart](#))

The [Managing Unsatisfactory Performance Policy](#) should be used in conjunction with the [Developing Performance Framework](#) (DPF).

Responsibilities

Employees:

- are responsible for achieving the performance requirements of their position. The MUP process will only take place when it is identified that performance is not meeting the requirements of the position to a satisfactory level.
- are required to:
 - attend scheduled review meetings;
 - understand the [MUP process](#)
 - provide feedback on the draft [MUP plan](#); and
 - participate in identified developmental activities.

Managers/Supervisors/Principals:

- are responsible for monitoring the performance of employees to ensure that work is being performed to a satisfactory level.
- are required to:
 - schedule and attend review meetings;
 - provide open, honest and constructive feedback;
 - understand and implement the [MUP process](#);
 - [identify factors of unsatisfactory performance](#);
 - provide opportunities for development as identified in the [MUP plan](#) and ensure that the employee is offered the support to complete developmental activities;

- provide the employee with a [letter](#) identifying the unsatisfactory performance and the implementation of a [MUP plan](#);
- include, where possible, employee feedback on the proposed [MUP plan](#);
- seek advice from the regional or divisional [MUP Champion](#); and
- ensure that the [MUP plan](#) is appropriate with specific, attainable goals and measures and achievable within specified time periods.

Process

- [Managing Unsatisfactory Performance Process](#)

Definitions

Term	Definition
Disciplinary Action	<p>A public service officer's chief executive may discipline the officer if the chief executive is reasonably satisfied the officer has:</p> <ul style="list-style-type: none"> • Performed the officer's duties carelessly, incompetently or inefficiently; or • Been guilty of misconduct; or • Been absent from duty without approved leave and without reasonable excuse; or • Contravened, without reasonable excuse, a direction given to the officer as a public service officer by a responsible person; or • Used, without reasonable excuse, a substance to an extent that has adversely affected the competent performance of the officer's duties; or • Contravened, without reasonable excuse, a provision of this Act or an obligation imposed on the person under a code of conduct: <ul style="list-style-type: none"> ○ Approved under the <i>Public Sector Ethics Act 1994</i>; or ○ Prescribed under a directive of the commission chief executive. <p>Examples of disciplinary action may include:</p> <ul style="list-style-type: none"> • Termination of employment; and/or • Reduction of classification level and a consequential change of duties; and/or • Transfer or redeployment to other public service employment; and/or • Forfeiture or deferment of a remuneration increment or increase; and/or • Reduction of remuneration level; and/or • Imposition of a monetary penalty; and/or • If a penalty is imposed, a direction that the amount of the penalty be deducted from the officer's periodic remuneration payments; and/or

Term	Definition
	<ul style="list-style-type: none"> • A reprimand. <p>In this instance, a Public Service Officer includes Teacher Aides' employed under the Teacher Aides' Certified Agreement and School Cleaners employed under the Cleaners Certified Agreement.</p> <p>Disciplinary action is taken under s188 of the Public Service Act 2008, and can only be instigated by the appropriate delegate under the delegations manual.</p>
Employee/Staff Member	A person working within in a school, institute or work unit.
Manager	A Principal or Manager of a school or work unit.
Managing Unsatisfactory Performance Plan (MUP Plan)	A document that outlines the necessary performance improvement required by an employee to reach a satisfactory standard. The plan should be developed using the SMART principle of specific, measurable, attainable, realistic and timely goals and achievements.
Managing Unsatisfactory Performance Process	The process that incorporates the managing unsatisfactory performance plan and the review periods to improve an employee's performance to a satisfactory standard for their role.
Performance Management	The ongoing feedback, coaching and reward that managers provide to team members. It is underpinned by building good relationships with your team and having regular conversations about their work.
Reasonable Adjustment	<p>Work units must be prepared to make adjustments to address impediments to improving a person's work performance, for example:</p> <ul style="list-style-type: none"> • Acquisition of suitable resources to allow a person to improve their performance – for example, replacing an old computer; or • Responding appropriately to workplace issues – for example, physically moving people to ensure effective team interaction.
Reviewing Officer	The Executive Director, Institute Director, or other delegated authority responsible for the work unit, Institute or Region.
Supervisor	An employee responsible for the supervision of an employee or group of employees and their work.
Support Person	A colleague, union member or other person that offers support to the employee throughout the MUP process. The support person does not actively participate in, or contribute to, the MUP process, but offers emotional support to the employee throughout the process.
Unsatisfactory Performance	Work performance by an employee that is below the satisfactory standard for the role in which they are engaged.

Term	Definition
Workplace Misconduct	May include inappropriate or offensive conduct that is unwelcome, unsolicited and disrespectful to an employee.

Legislation

- [Public Service Act 2008 \(Qld\)](#)
- [Industrial Relations Act 1999 \(Qld\)](#) Chapter 1
- [Public Service Regulation 2008 \(Qld\)](#)
- [Queensland Public Service Award - State 2003](#)
- [Teacher Aides Employed by the Department of Education and the Arts Certified Agreement 2008](#)
- [Employees of Queensland Government Departments \(Other than Public Servants\) Award - State 2003](#)
- [State Government Departments Certified Agreement 2009](#)

Delegations/Authorisations

- Nil

Policies and procedures in this group

- [Employee performance, professional development and recognition policy](#)
- [Employee professional development including Study and Research Assistance Scheme \(SARAS\) procedure](#)
- [Management and completion of mandatory all-staff training program procedure](#)
- [Managing unsatisfactory performance - heads of program, heads of school, assistant principals and deputy principals procedure](#)
- [Managing unsatisfactory performance - principals procedure](#)
- [Managing unsatisfactory performance - state school teachers procedure](#)
- [Probation - state school teachers procedure](#)

Supporting information for this procedure

- [Example Letter for implementing Managing Unsatisfactory Performance Plan](#)
- [Identifying factors of unsatisfactory performance flowchart](#)
- [Managing unsatisfactory performance - Regional contact list](#)
- [Managing Unsatisfactory Performance policy \(excluding school based teachers and principals\)](#)
- [Managing Unsatisfactory Performance Process](#)
- [MUP Champions - Contact list](#)

- [Overview Flowchart](#)
- [Plan Template](#)

Other resources

- [Code of Conduct](#)

Contact

For further information regarding Unsatisfactory Performance Management, please contact your [closest regional office](#).

Review date

31/12/2012

Superseded versions

Previous seven years shown. Minor version updates not included.

Nil

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