



# Managing unsatisfactory performance – Principals procedure

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

## Audience

All state schools

## Purpose

This policy provides processes and procedures for the identification and management of unsatisfactory performance of principals.

The Managing Unsatisfactory Performance – Principals (MUP) policy provides a framework within which principals will have an opportunity to address concerns about unsatisfactory performance in such a way that:

- recognises the leadership role of principals in realising the vision and modelling the values of Education Queensland
- acknowledges the relationship between leadership performance and school performance
- ensures efficiency, equity, dignity and confidentiality in dealing with a principal's unsatisfactory performance
- acknowledges the potential for an ongoing contribution to public education in Queensland.

## Overview

The objective of the [Managing Unsatisfactory Performance – Principals](#) (MUP) policy is to for unsatisfactory performance of state school principals to be identified and managed, so that state school principals are meeting or exceeding performance expectations and service delivery standards that maintain public confidence in state schooling.

This policy forms part of the Valuing Performance Policy Statement.

Prior to implementing a MUP process, it is assumed that the principal is aware of expectations of their performance and leadership development as conveyed through departmental documents, policies and processes, including:

- Recruitment, selection and induction programs for principals
- The principal's role description
- [The Leadership Matters Framework](#)

- Educational Leaders Capability and Leadership Framework
- [P-12 Curriculum Framework Policy](#)
- Teaching and Learning priorities as outlined in the [Roadmap for curriculum, teaching, assessment and reporting in Years 1-9](#)
- [School Planning, Reporting and Reviewing Framework for Queensland State schools – 2010](#) and Quadrennial School Review and
- Ongoing regular discussions with the relevant principal supervisor with respect to the principal's performance and school performance

The ongoing communication of performance expectations to principals through these and other mechanisms enables emergent performance concerns to be identified and addressed as they arise. As such, it is intended that issues that may lead to a formal MUP process will usually be identified [informally](#). [Formal](#) performance management processes usually will be applied in the event of unaddressed, ongoing and/or significant performance concerns.

Expectations of performance and leadership development will form part of a written performance management tool, such as the [Developing Performance Framework](#) (inclusive of [Leadership Matters](#)), between the principal and their principal supervisor. However the absence of such a written performance management tool does not preclude the application of this policy in the event of a principal's unsatisfactory performance.

Whilst injury or illness may be a cause for or contribute to unsatisfactory performance, each case should be assessed to determine whether or not it is appropriate to be managed under the process. It is not appropriate that the MUP process be implemented or continued where unsatisfactory performance is associated with a pre-existing illness or injury. Medical advice should be sought to determine the principal's capacity to participate in a MUP process. Where a principal accesses sick leave during a MUP process, the principal may be referred for an Independent Medical Assessment where deemed appropriate. For further information, please contact the [Organisational Health](#) unit.

Where any party directly involved in a MUP process submits, during the course of the MUP process, a formal grievance associated with the MUP process or against individuals involved in the MUP process, the MUP process will continue according to agreed timelines while the grievance is progressed. The investigation and determination of such a formal grievance conducted in accordance with timelines for grievance handling will not prevent the MUP process from being progressed to finalisation, but may form part of considerations under Stages 2 and 3 of the MUP process.

## Responsibilities

### Principals:

- are responsible and accountable for:
  - leading and managing the school community
  - their own performance and the performance of their school
  - their positive engagement with the [Developing Performance Framework](#) (inclusive of [Leadership Matters](#)) and Educational Leaders Capability and Leadership Framework

- compliance with relevant legislation, including but not limited to the [Education \(General Provisions\) Act 2006](#).

#### [Informal MUP process](#)

- are responsible and accountable for:
  - identifying, acknowledging and accepting accountability for performance concerns
  - ascertaining any legitimate mitigating factors that may assist in explaining or dealing with concerns
  - developing and implementing strategies to address identified issues
  - responding to and addressing performance concerns
  - identifying what existing assistance and/or resources are required to address the concerns
  - ensuring appropriate monitoring mechanisms are in place for feedback on their performance, for example peer review and opinion surveys
- are aware they have an opportunity to submit a written response to any MUP record retained on their personnel record.

#### [Formal MUP process](#)

- are responsible and accountable for:
  - developing an Identification and Improvement Plan in accordance with [Formal Process](#) Stage 1, and implementing the plan.
  - agreeing on and documenting timelines for demonstrated improvement in performance in the Identification and Improvement Plan
- are aware they have the opportunity to seek the advice and support of a union representative and/or colleague in all meetings during which matters pertaining to the [formal MUP process](#) are discussed
- are aware they have the opportunity to respond to all performance concerns, including raising possible reasons for all adverse performance considerations.
- are aware they have an opportunity (if relevant) to respond in writing to reports by the principal supervisor (at Stage 1) and Regional Director (at Stage 2), and the timeframes for these responses.

### **Principal supervisors:**

#### Informal MUP process

- are responsible and accountable for:
  - advising the principal of the intent to implement an [informal MUP process](#)
  - providing the principal with an opportunity to seek the advice and support of a union representative and/or colleague in all meetings during which matters pertaining to the information MUP process are discussed.
  - reviewing the effectiveness of remedial strategies
  - monitoring the principal's performance
  - providing any records of the informal MUP process to the principal.

#### Formal MUP process

- are responsible and accountable for:
  - agreeing on and documenting timelines for demonstrated improvement in performance in the Identification and Improvement Plan
  - if process is unable to be finalised at [Stage 1](#), submitting a written report to the Regional Director detailing informal and formal MUP processes and a recommendation with respect to a suggested outcome or outcomes.
  - providing a copy of the written report to the principal within 48 hours of submitting the report to the Regional Director.

### Regional Directors:

- are responsible and accountable for:
  - considering the principal supervisor's written report and recommendation and reviewing the [informal](#) and [formal](#) MUP processes.
  - making a recommendation on the outcome of the processes in accordance with [Formal Process](#) Stage 2.
  - if relevant, submitting a written report with their recommendation to the Principal Performance Board in accordance with Stage 2
  - providing a copy of the written report to the principal, including any correspondence that the principal 'show cause' as to why a recommended course of disciplinary action should not be taken.

### Principal Performance Board:

- is responsible and accountable for:
  - considering the Regional Director's written report and reviewing the Regional Director's decision, having consideration for:
    - the reasons for the decision
    - the conduct of the [informal](#) and [formal MUP process](#) and
    - any written submissions or grievances with respect to the formal MUP process lodged by the principal
  - confirming what, if any, disciplinary action is warranted on the basis of either:
- relocation to another school and engagement in the capacity of deputy principal, head of program or classroom teacher or
- relocation to a lower-banded school in the role of principal or
- another role as recommended by the Regional Director.

### Director-General:

- may exercise their power to enforce a temporary relocation from the school if the principal's performance is of sufficiently serious and pressing nature with respect to student and staff health and safety or ongoing school operations or suitability of placement.

## Process

### MUP Performance Considerations and Processes

#### Performance Considerations

The principal's performance will be assessed against a range of key indicators, including but not limited to the following [considerations](#), for the purpose of determining satisfactory or unsatisfactory performance:

- Achievement
- Confidence
- Leadership
- Engagement and
- Responsiveness

#### MUP Processes

[Informal](#) and [formal](#) MUP processes provide an opportunity to address concerns about a principal's performance. The MUP process is not the appropriate process for identification and delivery of performance development needs – which remains the function of the [Developing Performance Framework](#) (inclusive of [Leadership Matters](#)).

Performance concerns must be communicated clearly and with sufficient detail to afford the principal every reasonable opportunity to address the performance concerns.

The department's Director-General may exercise their power to enforce a temporary relocation from the school if the principal's performance is of a sufficiently serious and pressing nature with respect to student and staff health and safety or ongoing school operations or suitability of placement.

For further information on the stages in a MUP process, refer to the [Performance Process Flowchart](#).

## Definitions

Term	Definition
<b>Disciplinary Action</b>	<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"> <li>• Performed the officer's duties carelessly, incompetently or inefficiently; or</li> <li>• Been guilty of misconduct; or</li> <li>• Been absent from duty without approved leave and without reasonable excuse; or</li> <li>• Contravened, without reasonable excuse, a direction given to the officer as a public service officer by a responsible person; or</li> <li>• Used, without reasonable excuse, a substance to an extent that has adversely affected the competent performance of the officer's duties; or</li> </ul>

Term	Definition
	<ul style="list-style-type: none"> <li>• 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"> <li>○ Approved under the Public Sector Ethics Act 1994; or</li> <li>○ Prescribed under a directive of the commission chief executive.</li> </ul> </li> </ul> <p>Examples of disciplinary action may include:</p> <ul style="list-style-type: none"> <li>• reduction of classification level and a consequential change of duties; and/or</li> <li>• transfer or redeployment to other public service employment; and/or</li> <li>• reduction of remuneration level; and/or</li> <li>• a reprimand.</li> </ul> <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>
<b>Identification and Improvement Plan</b>	<p>A written plan for improvement of a principal's performance in which the principal supervisor documents the following:</p> <ul style="list-style-type: none"> <li>• ongoing performance concerns</li> <li>• improvement strategies</li> <li>• performance improvement goals</li> <li>• existing or new resources available to support improvement in the Principal's performance</li> <li>• timelines for demonstrated improvement</li> </ul>
<b>Managing Unsatisfactory Performance – Principals (MUP)</b>	<p>The process that incorporates the Identification and Improvement plan and the review periods to improve a principal's performance to a satisfactory standard for their role</p>
<b>MUP</b>	<p>See Managing Unsatisfactory Performance - Principals.</p>
<b>Principal Performance Board</b>	<p>Consists of:</p> <ul style="list-style-type: none"> <li>• the Deputy Director-General, Education Queensland</li> <li>• the Executive Director, Workforce Management and Support, Human Resources</li> <li>• a Regional Director as nominated by the Director-General and</li> <li>• the General Secretary of the Queensland Teachers' Union or their delegate.</li> </ul>
<b>Principal supervisor</b>	<p>An officer responsible for the supervision of a principal and their work.</p>
<b>Unsatisfactory Performance</b>	<p>Work performance by a principal that is below the satisfactory standard for the role in which they are engaged</p>

## Legislation

- [Education \(General Provisions\) Act 2006 \(Qld\)](#)
- [Industrial Relations Act 1999 \(Qld\)](#)
- [Public Service Act 2008 \(Qld\)](#)
- [Public Service Regulation 2008 \(Qld\)](#)

## 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 - state school teachers procedure](#)
- [Managing unsatisfactory performance \(excluding school based teachers and principals\) procedure](#)
- [Probation - state school teachers procedure](#)

## Supporting information for this procedure

- [Formal Process](#)
- [Informal Process](#)
- [Managing Unsatisfactory Performance - Principals \(MUP\) Policy](#)
- [Performance Process Flowchart - Principals](#)
- [Principal Performance Considerations](#)

## Other resources

- [Employee Performance Management Directive](#)
- [Teachers' Award – State 2003](#)
- [Department of Education, Training and Employment Teachers' Certified Agreement 2010](#)
- [Code of Conduct](#)
- [Developing Performance Framework](#)
- [Leadership Matters \(from Developing Performance Framework\)](#)

- [P-12 Curriculum Framework Policy](#)
- [Roadmap for curriculum, teaching, assessment and reporting in Years 1-9](#)
- [School Planning, Reporting and Reviewing Framework for Queensland State Schools – 2010](#)

## Contact

For further information, please contact:

Director, Workforce Relations

Human Resources

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## Review date

9/07/2014

## Superseded versions

*Previous seven years shown. Minor version updates not included.*

Nil

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