PERFORMANCE MANAGEMENT POLICY

Our Service is committed to creating a work environment that maximises individual and team performance, values all employees and helps to build our capacity to care and educate children enrolled in our Service. We believe that performance management has significant benefits for our early childhood education and care service, as it leads to inspired and enhanced performance from each employee. Performance review meetings are viewed as an opportunity for each employee to plan proactively for the year ahead.

This policy will provide guidance for employers and management on how to monitor performance, plan and review work objectives and understand staff achievements. Where there is underperformance, we will work to resolve this promptly and effectively in accordance with an individual *Performance Improvement Plan* developed in conjunction with the employee.

NATIONAL QUALITY STANDARD (NQS)

QUALITY AREA 4: STAFFING ARRANGEMENTS		
4.1	Staffing arrangements	Staffing arrangements enhance children's learning and development.
4.1.2	Continuity of staff	Every effort is made for children to experience continuity of educators at the service.
4.2	Professionalism	Management, educators and staff are collaborative, respectful and ethical.
4.2.1	Professional collaboration	Management, educators and staff work with mutual respect and collaboratively, and challenge and learn from each other, recognising each other's strengths and skills.
QUALITY AREA 7: GOVERNANCE AND LEADERSHIP		
7.1.3	Roles and responsibilities	Roles and responsibilities are clearly defined, and understood, and support effective decision-making and operation of the service.
7.2	Leadership	Effective leadership builds and promotes a positive organisational culture and professional learning community.
7.2.3	Development of professionals	Educators, coordinators and staff members' performance is regularly evaluated, and individual plans are in place to support learning and development.

EDUCATION AND CARE SERVICES NATIONAL LAW AND NATIONAL REGULATIONS	
S. 2A	Paramount consideration—safety, rights and best interests of children
S. 3A	Paramount consideration

S.165	Offence to inadequately supervise children
S. 166	Offence to use inappropriate discipline
S.166A	Offence to subject child to inappropriate conduct Offences relating to inappropriate conduct
S. 178	Suspension of education and care by certain persons
S. 178A	Supervision of certain persons providing education and care
82	Tobacco, drug and alcohol-free environment
83	Staff members and family day care educators not to be affected by alcohol or drugs
84	Awareness of child protection law
117B	Minimum requirements for a person in day-to-day charge
117C	Minimum requirements for a nominated supervisor
168	Policies and procedures are required
170	Policies and procedures to be followed
171	Policies and procedures to be kept available

RELATED LEGISLATION

Children's Services Award 2010	Educational Services (Teachers) Award 2020

RELATED POLICIES

Child Protection Policy	Probation and Induction Orientation Policy
Child Safe Environment Policy	Professional Development Policy
Code of Conduct Policy	Recruitment Policy
Dealing with Complaints Policy (Staff)	Responsible Persons Policy
Interactions with Children, Family and Staff Policy	Staffing Arrangements Policy
Privacy and Confidentiality Policy	Work Health and Safety Policy

PURPOSE

We aim to provide an effective performance management process to assist employees to assess their work performance against their position description, whilst establishing a positive work culture and professional workplace. We believe that children's safety, rights, and best interests are the paramount consideration for all Service operations, decisions and functions and ensure ongoing child-safe employment practices.

SCOPE

This policy applies to staff, educators, approved provider, nominated supervisor and management at the Service.

IMPLEMENTATION

Performance management plays an important role in linking staff performance goals and expectations through balanced feedback and reviews and helps meet organisational objectives. Through the performance review process, management can acknowledge and identify the individual strengths, talents and interests of each employee whilst supporting the diverse knowledge and skills each person brings to the role and Service.

Each employee will participate in a formal Performance Review every 12 months and ongoing informal supervision. The review process will assist employees develop an understanding and expectation of their role, reflect on achievements and challenges and plan goals that may assist in accomplishing performance outcomes and expectations in the future. At all times of the performance management process, confidentiality and sensitivity shall be maintained to a high standard.

INDUCTION, ORIENTATION AND PROBATION PROGRAM

Our Service will implement child-safe recruitment practices, as per the *Recruitment Policy*, and complete verification of WWCC and prohibition checks to ensure no prospective staff member is subject to a suspension, supervision or prohibition notice. Management will ensure each employee undertakes an induction and orientation program upon employment at the Service as per the *Probation, Orientation and Induction Policy*. Employees will receive a position description as part of the appointment of employment and this will assist in setting expectations and requirements of the position. Employees will participate in *Probationary Meetings* that are scheduled within the first week of employment then monthly until the conclusion of the six (6) month probationary period. Feedback will be provided to the employee regarding performance and management will provide support and opportunities for setting professional development goals.

STAFF PERFORMANCE REVIEW

Performance reviews are best completed on a regular and systematic manner to allow management to provide feedback on an employee's work performance and for staff to reflect on their own performance. A *Performance Review* meeting will be conducted every 12 months with each employee to review their work performance, outline expectations and responsibilities and set professional goals. The *Performance*

Review Form can be used to assess employee's goals and objectives, areas of strength, responsibilities and discussion as to what extent these have been met.

Ongoing supervision will ensure staff:

- consistently uphold the National Principles for Child Safe Organisations
- follow the Code of Conduct and maintain professional boundaries
- meet obligations under mandatory reporting and child protection legislation
- comply with digital-safety requirements
- engage in safe, respectful and appropriate interactions with children
- demonstrate ongoing suitability for their role.

Child safety compliance will form a mandatory component of each performance review.

DISTINCTION BETWEEN REPORTABLE CONDUCT, MISCONDUCT, AND PERFORMANCE CONCERNS

The approved provider will ensure the nominated supervisor and other staff involved in performance management understand that issues relating to employee behaviour and performance can vary in nature and severity. Management will use the following references to determine the distinctions between types of conduct:

Reportable conduct refers to behaviour or actions that involve allegations of child-related harm, including abuse or neglect, inappropriate conduct or discipline or other serious conduct that must be reported under National Law or Reportable Conduct Scheme.

Misconduct includes behaviour or actions by an employee that breach Service policies, procedures, or professional standards, but do not constitute reportable conduct. Misconduct may include, for example, inappropriate workplace behaviour, breaches of code of conduct, or repeated non-compliance with operational requirements. Misconduct is managed through formal disciplinary processes, which may include warnings, counselling, or other corrective measures.

Performance concerns relate to an employee's ability to meet the requirements of their role, including skill, competence, or behavioural expectations in fulfilling job responsibilities. Performance issues are managed through performance development processes, coaching, and support plans, with the aim of assisting the employee to achieve the required standards.

MANAGEMENT OF REPORTABLE CONDUCT OR MISCONDUCT

The approved provider will ensure that all allegations, incidents or suspensions of reportable conduct or misconduct are responded to and managed in accordance with the *Code of Conduct Policy, Child Protection Policy* and *Staffing Arrangements Policy.* Where police or other relevant authorities (e.g. the regulatory authority, Reportable Conduct Scheme, or child protection authority) are not conducting an investigation, or where their investigation has concluded, management may undertake an internal investigation.

Our Service will comply with all directions issued by relevant authorities following any notifications of reportable conduct. This includes adhering to any supervision or suspension notices and ensuring that the staff member or educator does not attend the premises or engage in education and care during an investigation. Where an investigation is underway the staff member or educator will be immediately removed from duties involving working directly with children.

MANAGING UNDERPERFORMANCE

Appropriate management of underperformance plays a key role of performance management. Should the manager/nominated supervisor identify any performance issues or concerns the *Managing Staff Underperformance Procedure* should be initiated including the implementation of a *Performance Improvement Plan* if required. All discussions with the employee will be accurately documented including date and time, the concern raised, immediate action taken and outcome.

Indicators of poor or underperformance or unsatisfactory behaviour may include:

- the employee failing to perform tasks associated with the role according to the position description
- the employee failing to carry out the work to the standard as set by the position description
- the employee displaying unacceptable, disruptive or negative behaviour at work
- the employee failing to follow policies and procedures of the Service.

Management will review past Performance Review reports to identify any previous concerns and review the employee's position description to identify any concerns or responsibilities that are not being met. Identification of the underperformance or unsatisfactory behaviour will consider the seriousness of the issue, how long the issue has existed and the employee's present performance and how this varies to what is expected of the employee.

A Performance Management Meeting will be arranged with the employee once underperformance or unsatisfactory behaviour has been clearly identified. Management will provide clear communication with

employees to clarify:

- performance indicators (why there is an issue)
- expectations around ethics, values and behaviour
- how their underperformance or behaviour impacts the workplace environment and
- why there is a concern from management.

Employees will be informed of expectations and performance standards and requested to participate in a *Performance Improvement Plan* if required.

PERFORMANCE IMPROVEMENT PLAN

A *Performance Improvement Plan* will be developed with the employee outlining actions and goals to be implemented. Performance expectations and what is to be achieved over a specific period of time will be discussed and documented with the employee.

During the *Performance Improvement Plan* process the employee will be supported to address and resolve instances or patterns of underperformance or unsatisfactory behaviour. If the employee has not taken reasonable steps to address or resolve their performance or unsatisfactory behaviour and the *Performance Improvement Plan* has not been followed, the employee will be advised of the next steps in the performance management process which may include:

- extension of the *Performance Improvement Plan* time frame
- provision of extra support, guidance or mentoring
- issuing of formal warnings and ultimately if the issue cannot be resolved, termination of employment.

A review of the *Performance Improvement Plan* is to be conducted to discuss the employee's progression and to provide feedback of the goals and outcomes set. If the employee is showing satisfactory improvement of the identified issue the *Performance Improvement Plan* will be resolved and processes implemented to ensure improvements will be maintained.

TERMINATION OF EMPLOYMENT

If an employee's performance or behaviour does not improve to the required standard or conduct is determined to be reportable or serious misconduct, termination of their employment may be an option. An employee cannot be dismissed in circumstances that are 'harsh, unjust or unreasonable.' It is vital to be fair to employees, giving reasons for dismissal, and an opportunity to respond to those allegations. If the employee's performance does not improve following formal Performance Management Meetings

and the implementation and completion of a *Performance Improvement Plan,* then it may be appropriate to issue a formal warning or consider dismissal of employment.

Following a decision to terminate employment management will provide an employee with written notice of the day of termination when ending their employment. The written notice must provide details of the employee's last day and a reason why the employment was terminated.

Employment notice periods will be determined in accordance with the appropriate award. [Please note the *Educational Services (Teachers) Award 2020* provides a greater minimum period notice than that required under the *National Employment Standards*.]

SERIOUS MISCONDUCT – TERMINATION OF EMPLOYMENT

Employers are required to adhere to the Fair Work Act when terminating an employee's employment due to the engagement in 'serious misconduct'.

Serious misconduct involves an employee deliberately behaving in a way that is inconsistent with continuing their employment, it may include the following:

- criminally prosecutable offences directly related to employment (child abuse or neglect)
- causing serious and imminent risk to the health and safety of another person or to the reputation or profits of their employer's business
- theft, embezzlement, tax evasion
- fraud, misapplication, corruption
- assault, taking of bribes
- being intoxicated at work
- refusing to carry out a lawful and reasonable instruction that is part of the job
- inability to hold a current Working with Children Check/Vulnerable Person Check

A meeting is to be arranged with the employee regarding the termination of employment due to serious misconduct. A support person should be offered to the employee for the meeting. The manager is to explain the reasons for the termination of employment and the employee provided with a letter explaining the terms of the termination of employment. (See: *Termination of Employment Procedure*).

THE APPROVED PROVIDER/MANAGEMENT/NOMINATED SUPERVISOR WILL:

- follow the *Performance Review Procedure* for regular and systematic review of work performance

and behaviour

- ensure all staff understand and comply with the *Code of Conduct* at all times
- provide employees with a comprehensive probation, induction and orientation program
- provide all employees with a clear and concise position description upon employment
- conduct performance review meetings with each employee every 12 months
- prepare accordingly before any Performance Review meeting with individual employees
- provide time to discuss the process of the review meeting, duration of meeting and provide points for discussion which may include:
    - self-reflection of performance
    - identifying highlights during the year
    - achievement of professional development goals
    - communication skills
    - teamwork
    - personal characteristics
    - job knowledge and work output
    - motivation
    - leadership
    - professionalism
    - relationships with children, families and colleagues
    - administration skills
    - people management skills
    - career aspirations
    - identifying challenges
- set a mutually convenient time to meet and conduct the *Performance Review*
- provide feedback to each employee articulating areas of strength and weaknesses and identifying new goals and/or Quality Improvement Plan (QIP) areas to be a focus of the employee during the next 12 months
- highlight and discuss any areas where underperformance is identified
- maintain confidentiality and uphold professional integrity at all times
- ensure the employee and manager signs the Performance Review document
- provide a copy of the document to the employee
- identify, document, investigate and report any allegations or incidents involving inappropriate conduct or discipline as per our *Child Protection Policy* and *Management of Inappropriate Conduct Procedure*.

In the case of underperformance, the approved provider/nominated supervisor will:

- provide employees with 24 hours' notice of any Performance Management meeting and offer a support person to support the employee
- be specific with any concerns or issues to be raised during the Performance Management meeting
- document any Performance Management meetings using appropriate forms and templates
- develop and implement a *Performance Improvement Plan* with the individual employee and adhere to the *Managing Staff Underperformance Procedure* if required
- identify outcomes and appropriate goals to assist the educator to improve performance within an agreed timeline
- take appropriate action when performance does not meet the agreed outcomes and goals
- provide an *Official Performance Warning Letter* to the employee formally as part of the *Managing Staff Underperformance Procedure* as required
- adhere to the *Termination of Employment Procedure* when terminating employment of an employee, including termination of employment due to serious misconduct
- provide the employee with a *Termination of Employment letter* upon termination of employment
- provide the employee with a *Termination of Employment letter* upon termination of employment due to serious misconduct.

EDUCATORS AND STAFF MEMBERS WILL:

- perform work to the standard as expected as identified within their position description
- participate collaboratively in annual *Performance Review* meetings as a condition of their employment
- reflect on any achievements or challenges that have occurred within the past 12 months to contribute to the *Performance Review*
- address any concerns or issues regarding work performance and highlight areas for improvement or development
- consider any circumstances or events that may have affected performance. e.g., periods of ill health, excessive workloads
- assist to develop goals and expectations during the *Performance Review* process
- complete any training or professional development identified as part of a *Performance Improvement Plan.*

CONTINUOUS IMPROVEMENT

The *Performance Management Policy* will be evaluated and reviewed on an annual basis or earlier if there are changes to legislation, ACECQA guidance or any incident related to our policy. Feedback will be requested from children, families, staff, educators and management and notification of any change to policies will be made to families within 14 days.

RELATED RESOURCES

Management of Inappropriate Conduct Procedure Managing Staff Underperformance Procedure Official Performance Warning Letter Performance Discussion Plan (Prior to meeting) Performance Improvement Plan Performance Management Follow-up Review Performance Management Meeting Minutes Performance Review - Procedure	Performance Review Form - Cook Performance Review Form - Nominated Supervisor Performance Review Form - Staff Position Descriptions Termination of Employment (Serious Conduct) Letter Termination of Employment Letter Termination of Employment Procedure

SOURCES

Australian Children's Education & Care Quality Authority. (2026). *Guide to the National Quality Framework*
Children (Education and Care Services) National Law (NSW) (NSW Services only)
Early Childhood Australia. (2016). *Code of Ethics.*
Education and Care Services National Law Act 2010
Education and Care Services National Regulations 2011
Education and Care Services National Regulations (NSW) (2025) (NSW services only)
Fair Work Ombudsman: Best Practice Guide: *Managing underperformance Best Practice Guide (2020)*
Fair Work Ombudsman. Children's Services Award.
Fair Work Ombudsman. Educational Services (Teachers) Award 2020
Workplace Relations Act 1996 (Cth).
Victoria Government. Business Victoria. (2020). Review staff performance https://business.vic.gov.au/business-information/staff-and-hr/staff-management/review-staff-performance
Western Australian Legislation Education and Care Services National Law (WA) Act 2012 (WA Services only)
Western Australian Legislation Education and Care Services National Regulations (WA) Act 2012 (WA Services only)

REVIEW

POLICY REVIEWED BY	[NAME] Amy Flockhart	[POSITION] office admin	[DATE] 08/07/2026
POLICY REVIEWED	MAY/ JANUARY 2026	NEXT REVIEW DATE	MAY 2027
VERSION NUMBER	V7.05.26		
MODIFICATIONS	MAY		

	• annual policy review • minor edits for improvement in readability • sources updated as required JANUARY • policy updated out of review cycle due to legislative amendments and compliance requirements • information included regarding management of inappropriate conduct
PREVIOUS MODIFICATIONS	
MAY 2025	• annual policy maintenance • sources checked for currency and repaired as required