



## Performance and Development Framework

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### Introduction

1. This policy has effect from the commencement date of the Office of the Australian Building and Construction Commissioner Enterprise Agreement 2011-2014 (Enterprise Agreement).
2. In accordance with section 257 of the *Fair Work Act 2009* and clause 15 of the Enterprise Agreement, this policy (as in force from time to time) is incorporated in the Enterprise Agreement. Where the Australian Building and Construction Commissioner proposes to change or repeal this policy, the Australian Building and Construction Commissioner commits to following the relevant consultation procedures outlined in the Enterprise Agreement.
3. As part of the transition to the Office of the Australian Building and Construction Commissioner Enterprise Agreement 2011-2014, this guide will be subject to review within 3 months of the commencement date of the agreement.
4. The Performance and Development Framework (PDF) is part of an overall framework to ensure the highest quality performance, leadership standards and practices throughout the agency, together with tailored learning, development and career planning for all employees.
5. The PDF aims to:
  - 5.1 foster a culture that supports active performance management and high performance;
  - 5.2 ensure that employees and managers are aware of what is expected of them individually and within teams with a balanced focus on achieving both key outcomes and demonstration of key agency behaviours;

- 5.3 provide a fair and transparent process for managing any identified underperformance;
- 5.4 ensure that there is a common basis for performance management across the agency, which is linked to business and workforce planning activities, key agency behaviours and work level standards;
- 5.5 provide a mechanism for regular two-way feedback on performance;
- 5.6 contribute to the ongoing development of employees and recognise that opportunities for learning and career development are a matter of joint responsibility between the employee and manager; and
- 5.7 demonstrate how employee's individual work contributes to the agency's objectives.

## Principles

- 6 The main elements of the PDF are:
  - 6.1 **Performance Agreement (PA):** A PA is a document developed between an employee and their team leader agreeing to:
    - 6.1.1 what the employee is going to achieve for the year (Key Outcomes),
    - 6.1.2 how these are to be assessed (Performance Indicators),
    - 6.1.3 how the Key Behaviours are going to be demonstrated, and
    - 6.1.4 the learning and development (L&D) priorities to support the employee.
  - 6.2. **Regular performance feedback:** regular informal feedback between the employee and their team leader should occur throughout the performance cycle and formal feedback sessions should occur at least twice a year (mid-cycle review and end-of-cycle review). Effective performance management discussions underpin the PDF. Performance feedback openly and honestly discussed fosters sound communication channels between the employee and their team leader. It is also an important tool for identifying development needs and supporting the improvement of performance.
  - 6.3. **Performance rating:** A rating of the employee's performance is provided at the end of the performance cycle. This final rating is provided after the consistency assurance process has been applied to the indicative ratings. A satisfactory or unsatisfactory rating is also provided at the mid-cycle feedback session.
  - 6.4. **Performance reporting:** throughout the performance cycle, HR may prepare reports for Executive and monitor the implementation of the PDF.
- 7. Mutual obligation is pivotal to the success of the performance management process. Team Leaders must ensure that performance management is an ongoing process that operates as part of normal business functions. It is important that Team Leaders commit time to active performance management. Team Leaders must ensure that all employees receive regular feedback and performance recognition. Similarly employees must accept responsibility and be active participants in issues of their own performance and development.

## Eligibility

- 8. The PDF applies to all employees.
- 9. All employees are required to have a current PA, except non-ongoing employees engaged for period of less than 3 continuous months.

## Performance Cycle

10. The performance cycle runs from July to June each year.

Task	Responsible	Dates
Develop individual Performance Agreement	Team Leader and Employee	July-Aug
Mid-cycle feedback session	Team Leader and Employee	End of Feb
Internal consistency assurance of indicative ratings	Team Leader, Manager and Senior Executives	May
End of cycle feedback and indicative rating	Team Leader and Employee	June
Reporting to the agency	HR	August

## Roles and Responsibilities

11. Successful implementation of the PDF is dependent upon employees and managers actively participating in the performance management process.
12. Employees are responsible for:
  - 12.1 Working with their team leader to develop their PA.
  - 12.2 Updating their PA when they move into a new role.
  - 12.3 Performing the outcomes to agreed standards and demonstrating the behaviours set out in the PA.
  - 12.4 Actively seeking ways to improve their performance and therefore the performance of their team and the agency.
  - 12.5 Actively seeking and participating in L&D opportunities.
  - 12.6 Giving and receiving performance feedback.
  - 12.7 Retaining a copy of their finalised PA and formal feedback sessions.
  - 12.8 Completing the documentation for both the PA and ratings within the required timeframes identified by HR.
13. Team Leaders are responsible for:
  - 13.1 Working with employees to develop and update their PA so they meet the overall objectives of the team and branch.
  - 13.2 Actively considering ways they can assist employees improve their performance and therefore the performance of the team and the agency.
  - 13.3 Actively considering options for the L&D of employees (including reviewing work/project opportunities and coaching).
  - 13.4 Providing regular informal performance feedback so that employees understand how they are contributing to the team and agency and also how they can improve their performance.
  - 13.5 Receiving feedback from team members.
  - 13.6 Retaining a copy of their employee's finalised PA and formal feedback.

- 13.7 Providing formal indicative ratings for employees' performance and behaviour at the mid-cycle and end-of-cycle feedback sessions, as well as informing the employee of the finalised end-of-cycle rating after the consistency assurance process.
  - 13.8 Providing comments in the relevant section of each employee's PA following the mid-cycle and end of cycle feedback, or when leaving the team.
  - 13.9 Including a Key Outcome relating to leadership/management in their PA.
  - 13.10 Completing the documentation and ratings within the required timeframes identified by HR.
14. Managers and Senior Executives are responsible for:
- 14.1 Reviewing business unit objectives and priorities as required and ensure team members understand the impact of any changes on their work.
  - 14.2 Ensuring that the scheme is implemented in their business unit, including articulating the importance of all staff participating in the scheme, setting clear goals, developing a PA directly with senior staff, setting consistent standards for the application of ratings and providing support and assistance as required.

## **Performance Agreements**

- 15. Performance Agreements should be developed using a cascading approach from the top of the agency to ensure all employees' agreements link in with the organisational objectives and relevant business plans. Performance Agreements (PAs) should be developed with reference to the agency's *Work Level Standards*.
- 16. Each employee's PA should set out the role of the employee and clearly articulate how it relates to the agency's organisational objectives and relevant agency and business unit plans. The PA should clearly articulate the expectations of the employee and how they will be measured including both qualitative and quantitative measures.
- 17. Performance Agreements are to be developed by each employee and their team leader using the online Performance Agreement within the Connect system.
- 18. New employees should work with their team leaders to develop a PA within one month of commencement with the agency.
- 19. If any area of the agency decides to develop 'like' PA for 'like' employees, HR must be contacted and can provide advice and assistance in facilitating this process.
- 20. Performance Agreements of any employee responsible for managing staff should include a Key Outcome relating to leadership and management. The assessment of this outcome should include timely and active participation in the PDF.

## **Learning and Development**

- 21. Identification of L&D requirements forms an important part of the PA.
- 22. Learning and development plans are separated into 'essential' and 'desirable' activities. An employee's main L&D focus should be on those elements considered to be essential to the employee successfully performing their job and demonstrating the Key Behaviours. Employees and their team leaders are also encouraged to consider other L&D needs that are desirable to address the medium and longer term career progression goals of the individual.
- 23. When determining an employee's essential L&D priorities, consideration should be given to:
  - 23.1 the learning needs of the individual,
  - 23.2 the L&D opportunities available within the agency,

23.3 the best way of addressing the learning needs to achieve the desired outcome (for example coaching, opportunities to undertake different work or projects, formal training), and

23.4 business unit or team issues, which may include budget or other work priorities.

## Regular Performance Feedback

24. Ongoing, informal feedback is one of the most effective ways of improving performance. Informal feedback should occur between employees and team leaders regularly throughout the year. Informal feedback is vital to ensure employees receive no unexpected information at formal feedback sessions.
25. Formal feedback should occur between employees and team leaders at least twice per year - at the mid-cycle and end-of-cycle review. Some employees and team leaders may agree to have formal feedback discussions more regularly, for example quarterly. Both the employee and their team leader should prepare for formal feedback sessions.
26. Formal feedback meetings are two-way discussions about progress considering the Key Outcomes, Key Behaviours and Performance Indicators set out in the PA. Feedback discussions should focus on areas the employee has done well, areas in which they can improve and how the employee and team leader are going to work together to achieve any desired improvements. Upwards feedback should include how the team leader can assist the employee to develop and further improve their performance. A brief summary of formal feedback sessions, including areas for improvement, must be recorded on the PA document and a copy kept by both the team leader and employee.
27. Feedback discussions also provide an ideal opportunity to revise the PA to ensure its continuing relevance to the job requirements and L&D needs to improve and support performance.
28. Informal Underperformance Management is defined as when an employee fails to attain and sustain a performance of a satisfactory standard.
29. Underperformance is a serious matter and when an employee's performance is not at a satisfactory standard, this should be discussed with the employee as soon as possible and thus must not wait until the next formal performance review. During this discussion, the employee and the team leader should:
  - 29.1 identify the specific area(s) of concern in relation to performance.
  - 29.2 discuss the factors that have led to the underperformance
  - 29.3 establish actions to address the underperformance (such as more regular feedback meetings; additional training; or temporary change to work arrangements).
30. If these actions to address the underperformance do not result in an improvement, then the team leader must progress to Formal Performance Management. More information on the underperformance process is available in the [Managing Underperformance Guide](#).
31. Team leaders and managers are able to discuss the matter with HR for advice and support when taking action regarding underperformance.

## Performance Rating

32. All employees who commenced with the agency before 1 April will receive an indicative performance rating at the end of the performance cycle.
33. This indicative rating will reflect their performance against the Key Outcomes and the demonstration of Key Behaviours. A indicative rating of 'meets expectations' or 'does not meet expectations' will be determined.

34. This rating is indicative until the consistency assurance process has been completed.
35. When considering an employee's performance rating the team leader should speak to any previous team leaders during the performance cycle as well as other stakeholders if appropriate.
36. Refer to the [Key Outcomes Rating Scale](#) and [Key Behaviours Rating Scale](#) documents for further detail regarding the ratings.

## **Performance Based Salary Advancement**

41. To be eligible for salary advancement an employee must:
  - 41.1 complete the requirements of the Performance and Development Framework (PDF) with the exception of employees with reasonable cause; and
  - 41.2 achieve a 'meets expectations rating or better on the PDF rating scale at the end of the performance cycle; and
  - 41.3 perform duties at the employee's substantive level or above, within the Agency for an aggregate of 3 months or more within the PDF planning cycle ended 30 June; and
  - 41.4 where relevant, meet the following additional advancement provisions applying to specific groups of employees:
    - Salary advancement for probationary employees will commence on the date they satisfactorily complete their probation period, provided they commenced in the Agency prior to 1 April.
    - Non-ongoing employees will be eligible for salary advancement where they have been engaged at the same classification to perform the same duties continuously for 6 months during the PDF cycle.
    - When an on-going employee has been temporarily reassigned to duties at a higher classification for a period aggregating 3 months or longer during the PDF cycle and is performing duties of this higher classification on 1 July, then the employee will be eligible for salary advancement at this higher classification for the period of Temporary Performance Loading (TPL).
42. Employees who either:
  - 42.1 do not complete and meet the requirements of the PDF without reasonable cause; or
  - 42.2 are ongoing and have not performed duties at their substantive classification level or a higher position in the agency for at least three months of the PDF cycle; or
  - 42.3 are non-ongoing and have not met the requirements for performance based salary advancement (as outlined above)
  - 42.4 will not be advanced to the next pay point within that classification salary range.
  - 42.5 These employees will not be able to progress to another pay point within the classification salary range until the performance based salary advancement in the following year.
43. For the purposes of this paragraph 'reasonable cause' refers to employees absent from duty due to the following circumstances:
  - 43.1 long term or frequent absence due to illness or injury (including affecting the employee or their immediate family or household); or
  - 43.2 long service leave; or
  - 43.3 compensation leave; or
  - 43.4 maternity/adoption/foster leave; or

43.5 as otherwise determined by the Fair Work Building and Construction Director.

## Performance Reporting

44. In order to ensure the implementation of the PDF throughout the agency, all senior managers will be required to report information relating to the PDF to the Assistant Director Human Resources from time to time.

## Review and Appeal Mechanisms

45. On occasion, an employee and their team leader may not be able to reach agreement about an element of the PDF involving either a process or outcome (for example a dispute over a rating or the content of a PA).
46. If this occurs, the employee and their team leader should try to resolve it in the first instance. If the matter remains unresolved after 14 days, the employee may seek a review of the team leader's decision with the team leader's manager. If the matter is not resolved at this stage, the employee may contact HR for further information and guidance.

## Mobility

47. Occasions may arise where, for a number of reasons, employees may temporarily or permanently leave the agency, or a business unit within the agency, where the original PA was developed.
48. As a general guide:
  - 48.1 a PA should be in place between a team leader and employee to cover employment for any period exceeding 3 months.
  - 48.2 the team leader, at the time assessments are due, is responsible for ensuring they are finalised and ratings provided (including seeking relevant comments from previous team leaders).
49. A performance discussion should be undertaken and an indicative rating determined when a team leader or employee is leaving the area. The documentation covering this discussion should be taken into account in determining the employee's rating at the end of cycle review.
50. The PA does not necessarily need to be redeveloped with an incoming team leader unless there is significant change in the specific job responsibilities. However, it is a requirement that the new team leader reviews the existing PA with the employee, and ensures that his/her name is recorded on the document.

## Employees with Disabilities and Graduated Return to Work




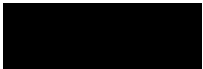
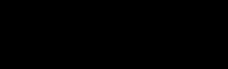

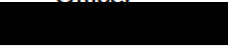
51. Where an employee has disclosed a disability to the agency or is on Graduated Return to Work, the manager must ensure that any medical restrictions are taken into account, there is the opportunity for the employee to perform at their maximum potential and the employee is rated accordingly. Further information can be found in the [Rehabilitation Policy](#) or through HR.

## Further Information

52. [HR Delegations](#)  
[ABCC EA 2011-2014](#)

### Change History

Update the following table as necessary when this document is changed:

Approval authority	Point of contact	Date of review	Reviewer	Changes
 Executive Director PL&C	 Executive Director PL&C 	10 Oct 2011	JH	Creation with new EA
	 Assistant Director HR 	1 July 2013	AW	Update
	 Project Officer 	12/2/2016	LH	Update