

PARLIAMENTARY COUNSEL

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Office Procedural Circular No. 87 Performance Management Program for Senior Executive Service Employees

(Reissued July 2002)

The attached document is the *Performance Program for Senior Executive Service Employees*. The document includes amendments that were considered and discussed at the Workplace Consultative Committee meetings of 8 November 2001 and 18 July 2002.

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19 July 2002

Performance Management Program for Senior Executive Service Employees

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1 Introduction

1.1 Background and sources

This Performance Management Program (**PMP**) reflects the APS Value mentioned in paragraph 10(1)(k) of the *Public Service Act 1999* (“the APS focuses on achieving results and managing performance”).

Under subclause 2.12(1) of the *Public Service Commissioner’s Directions 1999*, in upholding and promoting the APS Value mentioned in paragraph 10(1)(k) of the *Public Service Act 1999*, an Agency Head must put in place measures in the Agency directed at ensuring that:

- “(e) the Agency establishes a fair and open performance management system that:
 - (i) covers all APS employees; and
 - (ii) guides salary movement and is linked to the Agency’s organisational and business goals and the maintenance of the APS Values; and
 - (iii) provides each APS employee with a clear statement of performance expectations and an opportunity to comment on those expectations; and
- “(f) the Agency conducts its performance management system in accordance with the objectives mentioned in paragraph (e).”.

Under subclause 2.12(2) of the *Public Service Commissioner’s Directions 1999*, in upholding the APS Value mentioned in paragraph 10(1)(k) of the *Public Service Act 1999*, an APS employee must facilitate, and participate in, such a performance management system.

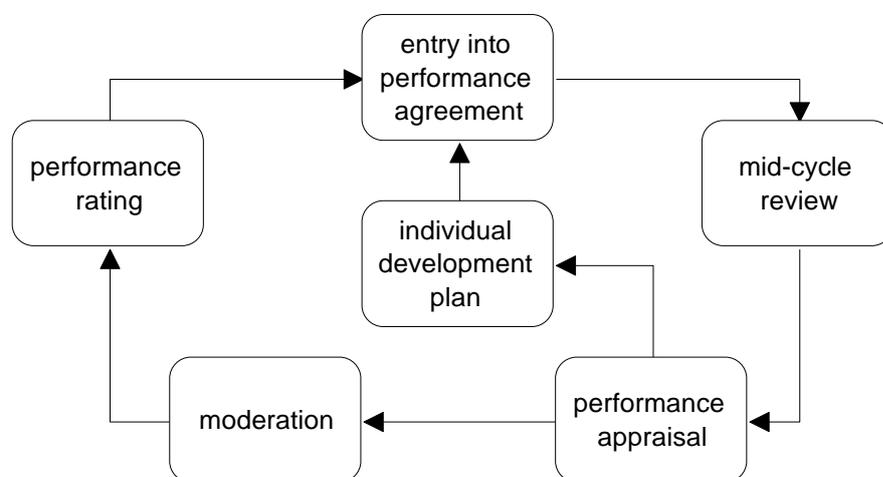
This PMP also reflects, where appropriate, the performance appraisal principles and guidelines issued by the Public Service and Merit Protection Commission (*Performance Appraisal: Principles, Guidelines and Good Practice*, AGPS, April 1996) (the **PSMPC Guidelines**). Even though agencies are not bound to apply the PSMPC Guidelines, the Office adopts the relevant parts of the PSMPC Guidelines because the PSMPC Guidelines embody good practice.

1.2 Application of program

The PMP applies to SES legal staff in the Office. The PMP, as modified by Schedule 8, applies to the SES General Manager. The PMP does not provide for the appraisal of the Second Parliamentary Counsel. Their appraisal, and the appraisal of First Parliamentary Counsel, is provided for by the PEO arrangements implemented by the Remuneration Tribunal, supplemented by Portfolio Guidelines issued by the Attorney-General.

1.3 Summary—operation of program

The performance appraisal cycle



The PMP requires all SES employees to enter into performance agreements with First Parliamentary Counsel (FPC).

The performance agreements for legal staff will generally be in a standard form but there will be some scope for appraisees and FPC to negotiate variations in relation to the weightings assigned to each target.

Appraisees will be appraised against a 3 point rating scale using generic performance standards specified in the PSMPC Guidelines.

2 Objectives

The PMP has the objectives of:

- improving the management of individual performance and thereby increasing efficiency and productivity in OPC;
- furthering the recognition, understanding and achievement of corporate goals; and
- maintaining the APS Values (see Schedule 9).

These objectives will be furthered by:

- ensuring that staff understand their work responsibilities and the performance standards expected of them;
- ensuring that FPC articulates his or her approach to supervision and his or her expectations of SES employees;

- improving communication between SES employees and FPC, in particular by ensuring that employees receive adequate feedback on their performance;
- emphasising the responsibility of SES drafters to train non-SES drafters in the specialised craft of legislative drafting;
- ensuring that fully competent performance is recognised;
- ensuring that unsatisfactory performance is identified early and managed properly;
- creating an environment conducive to continuous improvement;
- ensuring that the developmental needs of staff are identified and taken into account in the management of OPC and the allocation of work; and
- ensuring that employees receive feedback on the extent to which they have upheld the APS Values (see Schedule 9).

It is also fundamental to the PMP that it should augment rather than replace continuous feedback between appraisers and appraisees. The performance appraisal at the end of the cycle should involve no surprises for the appraisee or the appraiser. This cannot be guaranteed unless there has been on-going communication throughout the cycle.

3 Fundamental premises

The PMP is to be administered at all stages in accordance with the APS Values (see Schedule 9) and the principles of natural justice and equal employment opportunity.

The PMP reflects the following premises:

- that all SES drafting positions at a particular level within OPC have essentially the same duties, but that in the performance of those duties there is scope for different employees to make their major contributions in different ways, reflecting different strengths among employees at the same level;
- that the production of individual draft Bills is only one aspect of the Office's work, and that in appraising performance it is appropriate to look at the Office's overall functions and goals;
- that FPC is not in a position to supervise SES employees closely enough to enable him or her to give useful feedback on many aspects of the work of SES employees.

4 Performance agreements

4.1 Contents of performance agreements

Within the limits set out below, the contents of performance agreements are to be negotiated between the signatories.

All SES drafters at a particular level have the same duty statement and do essentially the same kind of work, although obviously there are from time to time differences in the subject areas in which they work and the kind of work expected from them in relation to particular Bills. As mentioned above, there are also differences in the kinds of contributions made by different employees.

It is therefore appropriate for OPC to use standard performance agreements, with standard targets, but with scope for appraisees and FPC to negotiate variations in the weightings for each target. In relation to Target C, there is scope for negotiation between the appraiser and FPC about the inclusion of particular matters, and the weighting of matters within the target. For instance:

- an employee may want a higher weighting for his or her contribution to Office workload than for his or her contribution to continuous improvement;
- an employee who has not supervised a service centre will not be appraised on supervision of a service centre.

The standard agreements may be varied more substantially in appropriate circumstances, for instance:

- an employee who is engaged in full-time study or on a placement outside OPC would not have the standard targets;
- an employee who has been assigned a significant non-drafting responsibility would be able to include this in his or her agreement.

4.2 *Standard targets and weightings*

In the case of SES drafters, standard targets and the normal range of weightings for each target, and performance indicators, are as follows:

Target	Weighting	Performance indicators
A To draft Bills, and amendments of Bills.	50-60%	<ul style="list-style-type: none"> • quality of client service provided • quality of legislation produced
B To train Assistant Drafters.	20-30%	<ul style="list-style-type: none"> • quality of training opportunities provided • quality of training provided • having regard to workplace diversity principles in providing the training
<p>C To contribute to the operations of the Office:</p> <ul style="list-style-type: none"> • by managing a drafting team; • by contributing to continuous improvement in drafting style and drafting methods, including by promoting cultural change; • in other ways (eg supervising a service centre; presenting Legislation Process Courses) 	20-30%	<ul style="list-style-type: none"> • team's contribution to Office's drafting workload (<i>specify percentage</i>) • having regard to workplace diversity principles in managing the team • effective supervision of service centre (<i>specify percentage</i>) • contribution to Office's stock of drafting and drafting-related knowledge and expertise (<i>specify percentage</i>) • [<i>as agreed, for other contributions</i>]

4.3 Performance standards

The PSMPC Guidelines set out generic descriptions of the performance levels that will attract the different ratings (see Schedule 1).

4.4 Sample performance agreement

A sample performance agreement for SES drafters is set out in Schedule 2.

5 Performance appraisal

5.1 *The appraisal interview*

The appraisal interview is a formal interview between the appraisee and the appraiser.

The following matters should be discussed:

- The appraisee's performance during the appraisal period, by reference to the targets and standards covered by the agreement. The appraisee's performance should be separately addressed against each target.
- The appropriateness of the agreement as the basis for the appraisal, having regard to the events of the appraisal period.
- How well the appraisee's development needs were met, and what those needs are for the next appraisal period (for inclusion in the next agreement).
- The extent to which the appraisee upheld the APS Values (see Schedule 9).

5.2 *Self-assessment*

FPC may request self-assessments from appraisees in relation to some aspects of some targets. Appraisees should consider undertaking a self-assessment in relation to all targets, since any dramatic discrepancy between the self-assessment and FPC's appraisal is likely to indicate, at the least, a communication problem between the appraisee and FPC.

6 Working out a performance rating

6.1 *Sources of information*

For the purpose of working out a performance rating for an SES drafter, FPC will obtain information from a variety of sources, which may include:

- the appraisee
- the other members of the appraisee's drafting team
- other drafters
- external clients
- the General Manager.

FPC's own knowledge of the appraisee's work will also be relevant.

6.2 *Calculating the rating*

A single rating is to be worked out using a series of steps, as follows:

10 The mid-cycle review

10.1 The review

A mid-cycle review may be held around the middle of the appraisal cycle.

At the review interview, the following matters may be discussed:

- performance to date, by reference to the targets and standards included in the performance agreement;
- the continued relevance of the performance agreement (if changed circumstances have affected its relevance, the agreement should be revised);
- how well development needs are being met, and what needs to be done during the rest of the appraisal period to ensure they are met;
- the extent to which the appraisee upheld the APS Values (see Schedule 9).

10.2 Need for continuous feedback

The mid-cycle review is important to ensuring that there are no surprises at the end of the cycle. However, it is not intended to take the place of continuous feedback.

11 Review of appraisals

An employee who is dissatisfied with the final appraisal outcome may seek a review of this outcome.

11.1 Informal review

The employee should first attempt to resolve the problem informally (as provided by general grievance procedures) through discussions with FPC.

The employee may also approach the PSMPC's Senior Executive Adviser for a discussion of the appraisal in an independent setting.

11.2 Formal review

If the dispute cannot be resolved informally, the employee may make a written request to FPC for review. If it appears to FPC that there has been:

- a serious breach of the PSMPC Guidelines or of due process; or
- serious grounds for challenging the performance agreement or the appraisal outcome;

the request will (unless it appears that there is a more appropriate way of dealing with the request) be referred to a review committee consisting of the 2 Second Parliamentary Counsel and, at the option of the employee seeking the review, a person nominated by the CPSU. If

FPC decides not to refer the request to a review committee, FPC will give the employee written reasons for deciding not to refer the request.

This committee will have the power to make recommendations about the appraisal process or the appraisal outcome to FPC, who may accept or reject the recommendation in whole or in part.

12 Links to other staffing matters

12.1 Probation

See Schedule 13 of OPC's Certified Agreement 2001-2004, which is applied to SES staff by their AWAs.

13 Administrative matters

13.1 Entry into performance agreement

13.1.1 Responsibility for entering into performance agreement

Appraisees are responsible for ensuring that they have entered into a performance agreement within 4 weeks after the start of the relevant appraisal period.

13.1.2 Signatories to performance agreements

Performance agreements are between SES employees and FPC.

13.1.3 Paperwork

A sample agreement for SES drafters is set out in Schedule 2.

13.2 Appraisal periods—duration of performance agreements

13.2.1 Standard period

The standard performance appraisal period is a year. The minimum duration for a performance appraisal period is 3 months.

13.2.2 New or returning staff

An SES employee appointed or promoted to OPC, promoted within OPC, returning to OPC (e.g. from a secondment or from leave without pay) or returning to a particular level after higher duties, will sign a performance agreement for a period starting on the date of appointment, promotion or return, the duration to be worked out as follows:

- If the date of appointment, promotion or return is between 1 April and 30 June inclusive—until the second 1 July after that date (ie for a period of up to 15 months).
- In any other case—until the first 1 July after the date (ie for a period of 3-12 months).

13.2.3 Short-term placements

Staff employed in OPC on a temporary basis for at least 3 months, or staff performing higher duties for at least 3 months, during an appraisal cycle, should enter into an appropriate performance agreement expressed to last for the period concerned.

13.2.4 Departing staff

Staff leaving OPC, or starting an external placement or a period of leave that is expected to last more than 3 months or more, should where possible ensure that they are appraised before departure. In general, performance agreements will lapse on departure and new agreements will need to be arranged by returning staff.

Where an employee is undertaking a placement outside OPC, these arrangements may be varied by agreement between FPC and the appropriate authority in the organisation receiving the employee.

13.3 *Appraisal interviews*

13.3.1 Timing

Where possible, these should take place within the 4 weeks before or after the date of expiry of the agreement. Timing may be affected by the availability of information required by FPC for the appraisal.

Since the appraisal needs to relate to a period of at least 3 months, it is highly unlikely that the overall appraisal result will be affected by events in the closing weeks of the period. In general, then, there is no particular reason for delaying the appraisal until after the appraisal period has finished.

13.3.2 Notice

The appraiser is responsible for arranging the appraisal interview. He or she must give the appraisee 3 working days' notice of the interview. At least 1 hour should be set aside for the interview.

13.3.3 Appraisers and appraisees to prepare for interview

Clearly the appraiser will need to prepare for the interview. It is desirable that the appraisee also prepare. Preparation for each party should include identifying specific matters to be discussed during the interview and, where appropriate, gathering examples for use in the discussion.

13.3.4 Paperwork

In the case of an SES drafter, a report of the appraisal in the form set out in Schedule 4 will be prepared by the appraiser and signed by the appraisee and the appraiser.

13.4 Mid-cycle review

13.4.1 Timing

The mid-cycle review should be held around the middle of the appraisal cycle.

13.4.2 Notice

The appraiser is responsible for arranging the mid-cycle review. He or she must give the appraisee 3 working days' notice of the review discussion. At least 1 hour should be set aside for this discussion.

13.4.3 Paperwork

A summary report of the mid-cycle review in the form set out in Schedule 5 must be prepared by the appraiser and signed by the appraisee and the appraiser.

13.5 Handling of performance management material

13.5.1 Performance agreements

Signed performance agreements are Personal-Staff-in-Confidence documents and must be treated accordingly.

It is not practical for the strict storage and access recording procedures set out below for completed performance appraisal records to apply to performance agreements. However, appropriate measures should be taken to limit access to performance agreements to employees involved in the agreement and appraisal process.

13.5.2 Performance appraisals

In the normal course of events, the completed performance appraisal records will be available only to the appraisee and FPC. Performance appraisals are not to be used in selection processes except on the initiative of the appraisee.

13.5.3 During the appraisal cycle

Performance management papers will be held by the appraiser during the appraisal cycle, but will be available to the appraisee on request, and may be photocopied by the appraisee.

Completed Individual Development Plans should be copied to the Staff Development Committee.

13.5.4 After the performance appraisal is completed

When a performance appraisal has been finalised and all necessary action has been completed, the appraisal records will be stored in a sealed envelope under secure conditions with FPC.

To facilitate storage and confidentiality, the appraisal records should be placed in a sealed envelope noting on the outside of the envelope that it is a “Personal-Staff-in-Confidence” Appraisal Record and the name of the appraisee. This envelope should itself be sealed in a second envelope before being addressed to FPC.

This document will be regarded as Personal-Staff-in-Confidence and subsequent access will be recorded and restricted to the appraisee and FPC. On each occasion before access is provided, the appraisee will be informed and given an opportunity to comment about whether access should be permitted. Access to performance appraisal records will only be granted for 10 working days and records accessed must then be returned to FPC. Any person copying or using records for unapproved purposes will be in breach of the Privacy Act.

Only the appraisee may take and retain a copy of the original appraisal records outside of the sealed envelope system.

If the appraisee leaves the Office, the appraisal will be returned to him or her, on request, on or after the day of departure.

All performance appraisal documents are Staff-In-Confidence and electronic versions should be given password protection.

To protect a document with a password, go into Tools, Options..., and select the Save folder. At the bottom of the Save folder there is a box with 2 options: Protection Password and Write Password. You need to type the password in the Protection Password box then click on OK. You will then be asked to confirm the password, type the password in again and press Enter. When the document has been password protected, it may be saved on the server.

Note that if you enter the password in the Write Password box, the document is able to be accessed and read (but not changed) by anybody in the Office.

13.5.5 Destruction of performance appraisal records

Performance appraisal records will be regularly culled and destroyed 1 year after action is completed.

13.5.6 Operation of Privacy Act

The performance appraisal record is classified Personal-Staff-in-Confidence and the provisions of the Privacy Act apply to the recording, retention and use of the record. The Privacy Commissioner can impose penalties on any person who breaches the provisions of the Act. Documents generated in the course of the appraisal process are intended to be exempt from access under the Freedom of Information Act by third parties who are not part of the appraisal process. There should be minimal or no personal information collected which might intrude into a staff member’s private affairs.

14 Training

Training in giving and receiving feedback will be provided for all participants in the PMP.

15 Evaluation

The operation of the PMP will be evaluated annually by means of a survey of the views of all participants.

Schedule 1—Generic performance standards

This Schedule sets out the appraisal scale set by the PSMPC. This Office will use only ratings 1, 2 and 3.

Rating	Description	Comments
5 Outstanding	Performance far exceeds the work level standard expected of an officer at this classification level. This appraisal indicates that the officer has delivered exceptional results against all indicators.	An <i>Outstanding</i> rating indicates that the officer has achieved exceptional results by substantially exceeding standard work requirements against all significant responsibilities.
4 Superior	Performance significantly exceeds the work level standard expected of an officer at this classification level. This appraisal indicates the officer has delivered better than Fully Effective results against nearly all indicators.	A <i>Superior</i> rating indicates that the officer has achieved excellent results by substantially exceeding standard work requirements against at least half the significant responsibilities and fully meeting all others.
3 Fully Effective	Performance fully meets the standard expected of officers at this classification level. This appraisal indicates that the officer has clearly more than met standard work requirements, achieving creditable results against all significant indicators and may have delivered superior results against one or two less significant indicators.	This level of performance indicates that the officer has <i>clearly</i> met standard work requirements, and may have achieved superior results against one or two responsibilities.
2 Adequate	Performance meets the standard expected of officers at this classification level. This appraisal indicates that the officer has delivered satisfactory results against most significant indicators. In some cases the officer may have achieved higher or lower results against some less significant indicators.	This level of performance indicates that the officer has achieved satisfactory results by meeting standard work requirements against all significant work responsibilities. Performance against some <i>less</i> significant indicators may have been higher or lower than <i>Adequate</i> but not to the extent that a different rating is warranted.
1 Unsatisfactory	Performance does not meet the standard expected of officers at this classification level. This appraisal indicates that the officer has failed to deliver adequate results against a number of significant indicators.	This level of performance indicates that the officer has not achieved acceptable results, by failing to meet the normal work standard against several responsibilities; or by delivering poor results against one or more <i>significant</i> responsibilities.

Schedule 2—Sample performance agreement for SES drafters

Appraisee:

Appraisee's classification:

Appraiser:

Period of agreement:

Target	Weighting	Performance indicators
A To draft Bills, and amendments of Bills.	60%	<ul style="list-style-type: none"> • quality of client service provided • quality of legislation produced
B To train Assistant Drafters.	20%	<ul style="list-style-type: none"> • quality of training opportunities provided • quality of training provided • having regard to workplace diversity principles in providing the training
C To contribute to the operations of the Office: <ul style="list-style-type: none"> • by managing a drafting team; • by contributing to continuous improvement in drafting style and drafting methods, including by promoting cultural change; • by presenting a Legislation Process Course. 	20%	<ul style="list-style-type: none"> • team's contribution to Office's drafting workload (10%) • having regard to workplace diversity principles in managing the team • effective supervision of service centre (5%) • contribution to Office's stock of drafting and drafting-related knowledge and expertise (2%) • success of Legislation Process Course (as evaluated by participants) (3%)

Individual Development Plan: Attached

.....
 Appraisee
/...../.....

.....
 First Parliamentary Counsel
/...../.....

General Note

It is understood by the parties to the agreement that the appraisal process is confidential and will not be used for any purpose other than performance appraisal.

The appraisal and, except as mentioned below, any comments on which it is based will be made available to the appraisee.

The Assistant Drafter feedback form completed by Assistant Drafters supervised by the appraisee will not be shown to the appraisee without express permission from the Assistant Drafter. The ratings given will be included (without identification) in the appraisal and any comments will be taken into account, and summarised, by FPC in preparing the appraisal.

Ratings and comments given by clients on the client feedback form will be set out in the appraisal in non-identifying form. The actual client feedback forms will also be provided unless the client has expressly vetoed this in answer to question 6.6.

Schedule 3—Individual Development Plan

Appraisee:

1 Personal development

We discussed training and personal development needs and identified the following needs and methods of addressing them:

2 Career development

We discussed future career development preferences and options:

.....

Appraisee	First Parliamentary Counsel
.../.../...	.../.../...

CC: Staff Development Committee

Schedule 4—Performance appraisal for SES drafters

Name:

Appraisal period:

Target	Weighting %	Rating	Result	Attachments
A				General comments Client feedback forms Peer review
B				Non-SES supervision survey results
C				Notes on: Workload Service centre supervision Contribution to Office knowledge and expertise
Total	100			

Appraisee's comments:

Final rating:

..... / /98 / /98

First Parliamentary Counsel

Appraisee

Target A

Comments:

Target B

Assistant Drafter supervision results

Question	Form 1	Form 2	Form 3	Average
2				
3				
4				
5				
6				
7				
Average				

Comments:

Target C

Indicator	Weighting %	Rating	Result	Comments
Workload				
Contribution to drafting and drafting-related knowledge and expertise				
Service Centre supervision				
Total				
Rating = / =				

Schedule 5—Mid-cycle review report

Appraisee:

Appraisee's classification:

Appraiser:

Period of agreement:

Date of mid-cycle review interview:

We agreed that the following significant changes should be made to the performance agreement:

We discussed work performance since the performance agreement was established, and noted;

- areas in which performance has been particularly good:

- areas in which performance needs extra attention:

We reviewed the Individual Development Plan and identified the following significant changes:

The following matters were also discussed at the interview:

.....
Appraisee	First Parliamentary Counsel
.../.../...	.../.../...

Schedule 6—Extracts from PSMPC Guidelines

Part A—Graduated return to work

Officers on graduated return to work (GRTW) schemes, both compensable and non-compensable, must not be discriminated against in the appraisal process as a result of their injury or illness.

The performance appraisal and pay process for GRTW cases should contribute sympathetic, supportive and positive steps to encourage the rehabilitation process and return to ordinary duties as soon as possible. In these cases, performance appraisal:

- should continue to be results-oriented and to recognise individual on-the-job performance at appraisable levels; but
- take account of the liability, the rehabilitation process and the extent and length of incapacity and prognosis for recovery.

In some cases where an officer is not able to work to level, it may be necessary to set aside the appraisal process during rehabilitation. Detailed advice on the management of officers on GRTW is contained in the Department of Industrial Relations' *Guidelines for Performance Based Pay for Senior Executive Service Officers*.

Schedule 7—PSMPC core criteria for SES positions

1. *Shapes strategic thinking*

Inspires a sense of purpose and direction

Personally contributes to, shapes and champions the organisation's vision and goals, relating these to government requirements.

Translates broad strategy into practical terms for others, and creates a shared understanding of what has to be achieved.

Within the overall strategic context, presents others with an integrated picture of the actions and priorities that will be required. Provides them with a clear sense of direction and endeavours to unite understanding among all levels within the organisation.

Focuses strategically

Develops advice to government on potential outcomes, and develops a long term perspective on organisational success.

Integrates a “big picture” view of goals with how to achieve them.

Operates on the basis of a “whole of government” framework and takes the broader context into account.

Ensures portfolio effort contributes to cross-government priorities.

Envisages what *might* be and how future possibilities balance with the “here and now”.

Harnesses information and opportunities

Seeks to acquire knowledge, and is open to new information and different perspectives.

Values finding out about Australian and global best practice (public and private sector) and considers the workings of the organisation within this context.

Demonstrates business acumen by thoroughly researching the “market” that the organisation operates in (and opportunities offered and constraints imposed) to yield greater efficiencies and improve quality of service.

Keeps abreast of major technological changes and their impacts.

Shows judgement, intelligence and commonsense

Grasps complexity and identifies issues that tend to be overlooked by others.

Thinks through problems from various angles, and analyses them dispassionately and objectively.

Probes and critically evaluates information before applying both intellect and experience to final judgement.

Is willing and able to question traditional assumptions and practices rather than taking things as given.

Has the capacity to provide originality of thought and develop innovative solutions.

2. *Achieves results*

Builds organisational capability and responsiveness

Initiates fluid and flexible resourcing options based on an appreciation of emerging requirements in a constantly changing environment.

Looks outside of organisational “silos” to identify what resourcing combination will deliver the best results, rather than being bound by existing organisational structures and processes.

Responds flexibly to various stakeholder requirements and changing circumstances as they arise, varying deployment of resources within imposed constraints.

Exploits the advantages offered by information technology.

Takes action to ensure sustainability.

Marshals professional expertise

Values specialist expertise and places emphasis upon creating an environment which facilitates the sharing and effective utilisation of professional knowledge and skills.

Ensures relevant professional input from others is obtained.

Steers and implements change and deals with uncertainty

Develops and oversees the implementation of change initiatives in a sometimes uncertain environment.

Defines high level objectives and ensures translation into practical implementation strategies.

Undertakes both long and short term planning phases and sets timescales for completion.

Ensures closure and delivers on intended results

Engenders a culture of achievement, by ensuring ideas and intended actions become reality and that planned projects actually result in expected outputs.

Puts systems in place to establish and measure accountabilities.

3. *Cultivates productive working relationships*

Nurtures internal and external relationships

Builds relationships with Ministers, within the organisation and with key people in external organisations.

Proactively creates a professional network and develops mutually beneficial relationships based on respect.

Shows commitment to customer service.

Facilitates cooperation and partnerships

Puts effort into developing a work environment where people pull together and value collaboration and teamwork.

Creates a sense of “interconnectedness” with other departments and agencies, ensuring opportunities to share views and ideas.

Personally manifests strong interpersonal relations by role-modelling “team-player” behaviour, including a willingness to consult and listen.

Values individual differences and diversity

Supports and respects the individuality of others and recognises the benefits of diversity of ideas and approaches.

Recognises different skill areas and levels of expertise. Understands others and responds to them in an appropriate way.

Guides, mentors and develops people

Inspires ongoing learning in others.

Gives timely recognition for good performance.

Motivates others with an enthusiasm to “give their all” by setting challenging goals, as well as supporting and encouraging them when they need assistance to overcome problems.

Helps others to address areas of weakness by encouraging them to take an active role in their own development, and creating a climate with right opportunities to do so.

Understands when it is appropriate to confront issues and takes action to deal with difficult performance situations.

4. *Exemplifies personal drive and integrity*

Demonstrates Public Service professionalism and probity

Adheres to and promotes the APS Values and ethical framework as set out in the APS Code of Conduct.

Serves the government of the day irrespective of personal preferences.

Implements policies and programs based on corporate decisions rather than personal views.

Engages with risk and shows personal courage

Is prepared to be forthright and “tell it like it is” (and not how people might like it to be).

Is independently minded and willing to challenge ideas and confront issues.

Is prepared to acknowledge when in the wrong, and learns from mistakes.

Is also prepared to ask for help and values advice from others.

Commits to action

Is determined, highly motivated and action-oriented.

Takes personal responsibility for getting things done, and for the success of the organisation.

Handles issues proactively and tries to shape events.

Doesn't procrastinate.

Readily invests energy and initiative into progressing work.

Displays resilience

Remains focused on the objectives even in difficult circumstances.

Bounces back after setbacks and remains positive.

Maintains energy and willingly invests extra effort when required.

Demonstrates self awareness and a commitment to personal development

Shows strong commitment to continued learning.

Actively seeks feedback from a wide range of sources.

Takes responsibility for own development and for managing self in a way which enables sustained performance.

Looks for opportunities to enhance own skills.

Values continuing development.

5. *Communicates with influence*

Communicates clearly

Produces user-friendly verbal and written communication that is clear and concise.

Ensures unambiguous delivery of the message, and checks that it has been understood as intended.

Keeps people up to date and fully informed of any changes to the original communication.

Listens, understands and adapts to audience

Listens actively to ensure views and information are properly exchanged.

Checks with others to ensure their views have been accurately understood.

Uses and adapts style as necessary to meet the requirements of the audience.

Creates opportunities to listen to those whose input can add value.

Negotiates persuasively

Establishes credibility and approaches negotiations persuasively.

Offers a convincing rationale which has been thought through in advance and carefully positioned with reference to desired organisational outcomes.

Allows for a genuine contest of ideas and pulls disparate views into a coherent position, and finds common ground to facilitate agreement and acceptance of mutually beneficial solutions.

Reaches negotiated positions, through compromise, which lead to the achievement of the required outcomes.

Schedule 8—Modifications for SES General Manager

Provision	Modification
General	Provisions expressed to apply to SES drafters, or to drafting work, do not apply in relation to the General Manager
4.4 Sample performance agreement	The sample agreement set out in Schedule 2 will be inappropriate for the General Manager. The form and content of the agreement will be negotiated between the General Manager and FPC
6.1 Sources of information	For the purpose of working out a performance rating for the SES General Manager, FPC will obtain information from a variety of sources, which may include the appraisee, internal clients, and employees under the supervision of the appraisee. FPC's knowledge of the appraisee's work will also be relevant.
13.3.4 Paperwork	A report of the appraisal will be prepared by the appraiser and signed by the appraisee and the appraiser.

Schedule 9—APS Values

The APS Values are set out in section 10 of the *Public Service Act 1999*, which is as follows:

APS Values

- 1 The APS Values are as follows:
 - (a) the APS is apolitical, performing its functions in an impartial and professional manner;
 - (b) the APS is a public service in which employment decisions are based on merit;
 - (c) the APS provides a workplace that is free from discrimination and recognises and utilises the diversity of the Australian community it serves;
 - (d) the APS has the highest ethical standards;
 - (e) the APS is openly accountable for its actions, within the framework of Ministerial responsibility to the Government, the Parliament and the Australian public;
 - (f) the APS is responsive to the Government in providing frank, honest, comprehensive, accurate and timely advice and in implementing the Government's policies and programs;
 - (g) the APS delivers services fairly, effectively, impartially and courteously to the Australian public and is sensitive to the diversity of the Australian public;
 - (h) the APS has leadership of the highest quality;
 - (i) the APS establishes workplace relations that value communication, consultation, co-operation and input from employees on matters that affect their workplace;
 - (j) the APS provides a fair, flexible, safe and rewarding workplace;
 - (k) the APS focuses on achieving results and managing performance;
 - (l) the APS promotes equity in employment;
 - (m) the APS provides a reasonable opportunity to all eligible members of the community to apply for APS employment;
 - (n) the APS is a career-based service to enhance the effectiveness and cohesion of Australia's democratic system of government;
 - (o) the APS provides a fair system of review of decisions taken in respect of APS employees.

2 For the purposes of paragraph (1)(b), a decision relating to engagement or promotion is based on merit if:

- (a) an assessment is made of the relative suitability of the candidates for the duties, using a competitive selection process; and
- (b) the assessment is based on the relationship between the candidates' work-related qualities and the work-related qualities genuinely required for the duties; and
- (c) the assessment focuses on the relative capacity of the candidates to achieve outcomes related to the duties; and
- (d) the assessment is the primary consideration in making the decision.