

Background

Sunkids 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 centres. We believe that *Performance Management* has significant benefits for our childcare centres as it leads to inspire and enhance performance from each employee.

Performance Review meetings assist employees to assess their performance against their job description, whilst establishing a positive work culture and professional workplace.

This policy applies to all employees and management within our centres.

Implementation

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

At all times the Performance Management Process will remain confidential, and sensitivity shall be maintained to a high standard.

STAFF PERFORMANCE REVIEW

Performance Reviews are best completed on a regular basis to allow management to provide feedback on an employees work performance and for employees to reflect upon their own performance.

Each employee will participate in a Performance Review one (1) month, three (3) months and five (5) months after commencing employment. The review process will assist employees to develop an understanding and expectation of their role whilst reflecting on achievements, challenges and planning for goals that may assist them in accomplishing performance outcomes in the future.

MANAGING UNDERPERFORMING EMPLOYEES

Appropriate management of underperformance plays a key role of Performance Management. Should the Nominated Supervisor identify any performance issues or concerns the *Performance Management Procedure* should be initiated including the implementation of a *Performance Improvement Plan* if required.

Indicators of poor, underperformance, or unsatisfactory behaviour include:

- Not performing tasks associated with the role according to the job description.
- Not carrying out work to the standard as set by the job description
- Displaying unacceptable, disruptive, or negative behaviour at work.
- Not following policies and procedures of the centre.

The Nominated Supervisor will review past Performance Reviews to identify any previous concerns and review the employees job description to identify any concerns or responsibilities not being met. Identification of underperformance or unsatisfactory behaviour will consider the seriousness of the issue, how long the issue has existed, and the employees present performance and how this varies to what is expected of the employee

In the case of underperformance:

- Provide the employee with 24 hours' notice of any Performance Management Meeting and offer a silent support person to attend with the employee.
- Be specific with any concerns or issues to be raised during the Performance Management Meeting.
- Document any Performance Management Meetings using the File Note Template.
- Develop and implement a *Performance Improvement Plan* with the individual employee and adhere to the *Performance Management Procedure* if required.
- Identify outcomes and appropriate goals to assist the employee to improve performance within an agreed timeline.
- Take appropriate action when performance does not meet the agreed outcomes and goals.
- Provide an *Official Warning Letter* to the employee formally as part of the *Performance Management Procedure* as required.
- Adhere to the *Termination of Employment Procedure* when terminating employment of an employee, ensuring to provide the employee with a *Termination of Employment Letter* upon termination of employment.
- Adhere to the *Termination of Employment (Serious Misconduct) Procedure* when terminating employment of an employee due to serious misconduct, ensuring to provide the employee with a *Termination of Employment Letter* upon termination of employment due to serious misconduct.

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, and mentoring.
- Issuing of a formal warning 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 issues 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, 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, the Nominated Supervisor will provide an employee with written notice of the day of termination when ending their employment. The written notice must provide details of the employees 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

Employees 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:

- Causing serious and imminent risk to the health and safety of another person or the reputation of their employers' business.
- Theft, embezzlement, or tax evasion.
- Fraud, misapplication, or corruption.
- Assault or taking of bribes.
- Being intoxicated or under the influence of drugs at work.
- Refusing to carry out a lawful and reasonable instruction that is part of the job.
- Criminally prosecutable offences directly related to employment i.e., child abuse or neglect.

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 Nominated Supervisor 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.

NOMINATED SUPERVISOR RESPONSIBILITIES

- Follow the Performance Review Procedure for regular reviews of work performance and behaviour.
- Ensure all employees comply with the *Employee Code of Conduct* at all times.
- Provide employees with a comprehensive *Probation, Induction and Orientation Program*.
- Conduct Performance Review Meetings with employees one (1) month, three (3) months and five (5) months after commencing employment.
- Set a mutually convenient time to meet and conduct the Performance Review.
- Provide feedback to the employee articulating areas of strength and weaknesses, identifying new goals and Quality Improvement Plan areas to be a focus on 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 Nominated Supervisor sign the Performance Review documentation.
- Provide a copy of the document to the employee.

EMPLOYEE RESPONSIBILITIES

- Perform work to the standard as expected as identified within their job description.
- Participate collaboratively in *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*.

Employee Performance Policy

- Consider any circumstances or events that may have affected performance i.e., periods of ill health or excessive workloads.
- Assist to develop goals and expectations during the *Performance Review* process.
- Complete any training or professional development identified as part of the *Performance Improvement Plan*.

Links Education and Care Services National Regulations 2011, National Quality Standard 2011

Regs	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
	117 B	Minimum requirements for a person in day-to-day charge
	117 C	Minimum requirements for a nominated supervisor
	168 (2)(i)	Policies and procedures are required in relation to a code of conduct for staff members

QA	4.1	Staffing arrangements enhance childrens learning and development
	4.1.2	Every effort is made for children to experience continuity of educators at the service
	4.2	Management, educators, and staff are collaborative, respectful and ethical
	4.2.1	Management, educators, and staff work with mutual respect and collaboratively, and challenge and learn from each other, recognising each other's strengths and skills
	7.1.3	Roles and responsibilities are clearly defined, and understood, and support effective decision making and operation of the service
	7.2	Effective leadership builds and promotes a positive organisational culture and professional learning community
	7.2.3	Educators, coordinators, and staff members performance is regularly evaluated, and individual plans are in place to support learning and development

Sources

- Early Childhood Australia Code of Ethics. (2016).
- Education and Care Services National Regulations. (2011, amended 2023).
- Fair Work Ombudsman: Managing Underperformance – Best Practice Guide (2024). <https://www.fairwork.gov.au/tools-and-resources/best-practice-guides/managing-underperformance> accessed 23 June 2025
- Guide to the National Quality Framework. (2020). <https://www.acecqa.gov.au/nqf/about> accessed 23 June 2025
- Revised National Quality Standard. (2018). <https://www.acecqa.gov.au/nqf/national-quality-standard> accessed 23 June 2025
- Workplace Law. <https://www.workplacelaw.com.au/> accessed 23 June 2025
- Workplace Relations Act 1996 (Cth).

Related Policies, Procedures & Forms

- Centre Staffing Policy
- Child Protection Policy
- Child Safe Environments Policy

Employee Performance Policy

- Employee Grievance Policy
- Interactions with Families Policy
- Privacy and Confidentiality Policy
- Recruitment and Selection Policy
- Relationships with Children Policy
- Work Health and Safety Policy

Policy review

The Service encourages staff and parents to be actively involved in the annual review of each of its policies and procedures. In addition, the Service will accommodate any new legislative changes as they occur, and any issues identified as part the Service's commitment to quality improvement. The Service consults with relevant recognised authorities as part of the annual review to ensure the policy contents are consistent with current research and contemporary views on best practice.

Version Control

Version	Date Reviewed	Approved By	Comments/Amendments	Next Review Date
1	8 January 2018	Kaylene Harper	Updated to changed NQF requirements 1 February 2018. Service to modify policies to its specific needs.	January 2019
2	4 February 2019	Kaylene Harper	Reviewed policy. Accessed sources and further readings.	February 2020
3	29 January 2020	Kaylene Harper	Reviewed policy. Accessed sources and further readings.	January 2021
4	25 September 2020	Kaylene Harper	Reviewed policy. Accessed sources and further readings.	September 2021
5	9 September 2021	Kaylene Harper	Reviewed policy	September 2022
6	7 October 2022	Linda Hollard	Reviewed policy Accessed sources	October 2023
7	23 August 2023	Grace McKinstry	Reviewed policy Accessed sources	August 2024
8	3 July 2024	Tiffany Boeske	Reviewed policy Accessed sources Added links to Family Assistance Law	July 2025
9	24 June 2025	Gen Mahaki	Reviewed policy. Updated sources and website references to align with current NQF guidance.	June 2026