

MANAGING EMPLOYEE PERFORMANCE AND CONDUCT



Staff Efficiency and Conduct Team
Employee Performance and Conduct Directorate

NSW Department of Education & Training

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OVERVIEW

- Conduct v Efficiency
- Addressing conduct issues
 - Practical issues and tips
 - Code of Conduct 2010
- Addressing performance issues
 - Informal Support
 - Formal Teacher Improvement Program
 - Changes to Processes



CONDUCT



EFFICIENCY

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Conduct

Behaviour which may need disciplinary action, eg:

- Failure to notify
- Failure to exercise duty of care to students
- Failure to Follow School Policies
- Lateness to school, class and duties without valid reason
- Abusive behaviour
- Abuse of alcohol and other drugs
- Inappropriate use of communication devices
- Failure to follow lawful directions



Dealing with Inappropriate/ Unprofessional conduct

Addressing issues – tips

- Ignoring issues
- Be ready
- Have a plan/process
- Fight your fight
- To die on a hill?
- Staying on track
- Seek support
- Finalise/document
- Training staff

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Dealing with inappropriate/unprofessional conduct

Code of Conduct 2010

1. Process of development
2. Major changes
3. Status
4. Using the Code



Code Of Conduct

The Code of Conduct clarifies the standards of behaviour that are expected of staff of the Department of Education and Training (DET) in the performance of their duties. It gives guidance where staff need to make personal and ethical decisions

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This Code applies to all staff. In this sense, “staff” includes all persons employed by DET and by TAFE NSW.... “Employed” includes staff employed on a permanent, temporary or casual, full time or part time basis, as trainees, or as secondees from other State or Federal agencies.

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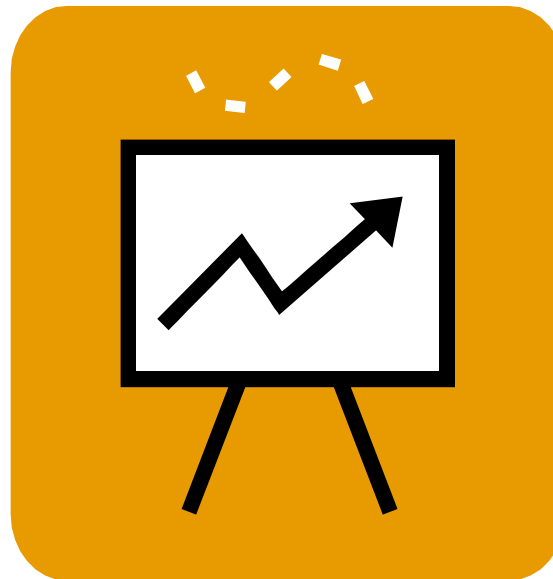
Common Issues

- Duty of Care
- Relationships with students
- Respect/Professional Behaviour/Dignity
- Electronic Communication Devices
- Drugs/Alcohol/Tobacco
- Conflicts of interest
- Secondary Employment
- Gifts/Benefits/Bribes
- Recruitment



EFFICIENCY

*The level of performance that is required for
the position held*



TEACHER QUALITY

1. Assessment and Review Procedures

2. Teacher Improvement Processes

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Teacher Quality – Assessment and Review

Assessment and Review Policies include:

- TARS (Teacher Assessment and Review Schedule)
- EARS (Executive Assessment and Review Schedule)
- PARS (Principal Assessment and Review Schedule)



Background

Historical

2000 Award: section 6 Teacher Quality

An officer shall be entitled to progress along or be maintained on the common salary scale incremental scale or the salary level for a promotions position after each 12 month of service, subject to the officer demonstrating, by means of an annual review, continuing efficiency in teaching practice, satisfactory performance and professional growth.

This annual review shall be supported by:

- (i) Conferences between the teacher and the principal, or nominee;*
- (ii) Observations of educational programs;*
- (iii) Review of documentation such as lesson planning, lesson material and student work, plans, evaluations and reports, as appropriate.*

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2009 Changes

Changes followed the amendments negotiated between the Department and the Teachers Federation as part of the Teacher Quality clause in the 2009 Award, in relation to:

TARS

EARS

TIP

FIP

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Changes To TARS

1. Inclusion of 7 teaching standards to assess and support efficiency
2. Completion date – TARS forwarded in February, to be completed on 1 November.



Standards – minimum level of satisfactory performance

- **1: Teachers know their subject content and how to teach that content to their students**
- **2: Teachers know their students and how they learn**
- **3: Teachers plan, assess and report for effective learning**



Standards – minimum level of satisfactory performance

- **4: Teachers communicate effectively with their students**
- **5: Teachers create and maintain safe and challenging learning environments through the use of classroom management skills**



Standards – minimum level of satisfactory performance

- **6: Teachers continually improve their professional knowledge and practice**
- **7: Teachers are actively engaged members of their profession and the wider community.**



Implementation of EARS

1. Inclusion of 7 teaching standards
2. amended time-frame
3. Inclusion of leadership and management standards



Executive Teachers

Executive teachers must demonstrate the capacity to provide successful educational leadership. This must be demonstrated through:

- *Successful teaching experience with capacity to initiate improvement in teaching, learning and classroom practice.*
- *Knowledge of curriculum, assessment and student welfare with the ability to lead and design quality, inclusive teaching and learning programs.*
- *Educational leadership skills to build the capacity and manage the performance of individuals and teams.*
- *Well developed communication and interpersonal skills with the capacity to build relationships and engage students, staff and parents.*
- *Ability to plan and manage resources effectively and equitably to support teaching and learning.*

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Process

Schedule forwarded by EPAC in February each year.

Returns completed by schools by November. Signed by principal and each teacher.

Returns forwarded to Regional Officers

Returns forwarded to EPAC in Term 4 for processing.

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The Purpose of the Annual Review (TARS, EARS, PARS) is to

- Support and encourage professional growth**
- Provide feedback**
- Support teacher development**
- Build professionalism**
- Develop professional relationship**
- Understand accountability**



TARS/EARS/PARS –The Process

**It is important to recognise that
TARS/EARS/PARS are a process not a series
of individual events nor a signal sign off.**

**TARS is about recognising, supporting and
developing EFFICIENT teachers.**

**TARS is not a process to deal with conduct
issues nor a process to deal with
INEFFICIENT teachers**



Teacher Quality

Improvement Programs:

Teacher Improvement Program

Executive Improvement Program

Performance Improvement Program for
Principals

Probationary Teachers

School Based Non teaching Staff

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The Role of SECT

- Provide early advice and assistance on the management of staff efficiency and conduct
- Assist schools in resolving emergent issues
- Support and monitor efficiency programs
- Initiate disciplinary action as needed

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Core Functions

EFFICIENCY

- Probationary teachers
- Teachers
- Non-teaching staff in schools
- Public Service staff
- Executive Teachers, AP's, HT's & DP's
- Principals

CONDUCT

- Failure to follow lawful direction
- Failure to notify
- SMIT cases
- Code of Conduct breaches
- Criminal offences

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Amendments to TIP - 2010

1. Teaching standards are incorporated as required standards for all teaching staff
2. Amended time-frames
 - No extension beyond ten works for all classification of staff
 - All program are to be completed within 20 week period (unless exceptional circumstances)



EIP - 2010

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2. Amended time-frames

- No extension beyond ten works for all classification of staff
- All program are to be completed within 20 week period (unless exceptional circumstances) timeframes

3. Leadership and management standards are incorporated in all EIPs



PRELIMINARY PROCEDURES

These procedures are to occur before any formal process is put in place:

- **School-based Non Teaching Staff**
 - mandatory informal counselling should precede a formal program of support
- **Probationary Teachers**
 - A formal Induction Program has to have occurred
- **Teachers Experiencing Difficulties**
 - Informal support is to be provided



The program

All programs will include:

- Areas of concern
- Standard of performance required
- Timeframe of program
- Strategies to address concerns
- Support to be provided
- Specific indicators to demonstrate improvement
- Process for monitoring and feedback.

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Things to consider before drafting the Improvement Program

- Staff to be involved-observations, meetings, support etc
- Supervision including independent peer/expert to observe performance
- Notify union
- Support program must be 10 weeks
- Consider the period of year – look at calendar (school)



RUNNING A PROGRAM

The key to a program which supports the outcome is to follow the procedures and be, and be seen to be, open, transparent, fair and consistent:

- Maintain regular contact with SECT
- Comprehensive documentation
- Regular meaningful feedback to staff member
- Regular / weekly review of program
- Roles of the principal, supervisor and support person



COMPLETING THE PROGRAM

- The program can have 2 conclusions
 1. Staff member assessed as meeting required level of performance – complete Attachment P, forward to SED and SECT, advise teacher in writing
 2. Staff member assessed as not meeting required level of performance – complete Attachment Q, staff member notified, directed to alternate duties and case referred for independent review (Attachment R)



Issues/Problems

- Pressure on staff involved
- Health issues
- Time frames
- Independent reviews
- Conduct- difficult people!



SECT 9244 5649



EPAC 06 8070

Child Protection Investigation Unit

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