



Managing Staff Conduct & Performance Policy

Policy Classification		
Policy Number:	Date of Origin: February 2018	By Whom: Leadership Team Review Committee
Policy Audience: Staff Oaklife	Review Dates: 2021	Next Review: 2023
Policy Approval: This policy was approved by the Senior Leadership Team and Board February 2018. This policy supersedes all previous policies relating to matters contained herein. This policy is in accord with the Safeguarding Standards of Catholic Professional Standards Ltd which align with the National Principles of Child Safe Organizations.		

1.0 Rationale

- 1.1 This document outlines Oakhill College's procedures for managing and resolving performance and conduct concerns. The objectives of this document are to ensure appropriate standards of conduct and performance are maintained within Oakhill College and that there is a transparent and fair approach to managing performance and conduct related concerns.

2.0 Guiding Principles

- 2.1 This document applies to all staff members of Oakhill College. It outlines how both remedial and/or disciplinary action can be used in managing performance and conduct concerns, depending on the nature and seriousness of the performance or conduct concern.
- 2.2 Oakhill College will treat each case on its own merits on the facts provided. All decisions are to be made with due procedural fairness without bias or prejudice and be dealt with as soon as practicable.
- 2.3 Remedial and/or disciplinary action may be initiated in, but is not limited to, the following occurrences:
 - Incident/s of poor performance (e.g. where work quality, work quantity work punctuality, or work deadlines is unsatisfactory);
 - Misconduct (e.g. being consistently late for work or overusing the internet for personal purposes; bringing the College into disrepute);
 - Vexatious or false allegations; and
 - Serious misconduct (e.g. threatened or actual physical assault, verbal abuse or harassment, theft and fraud).
- 2.4 In some instances, it may be appropriate for Oakhill College to notify external bodies about a conduct concern. For example, if the College reasonably believes that a staff member has committed a criminal offence, the College may refer the matter to the Police. Notification to an external body will not prevent the College from continuing its own investigation, unless requested otherwise by the external body.
- 2.5 Staff members involved in the performance or conduct process must maintain confidentiality and not discuss any information about the process or action taken with anyone else unless expressly authorised by the College to do so. If this responsibility to maintain confidentiality is found to have been breached, the staff member who released the information could find themselves the subject of disciplinary action for misconduct.

3.0 Policy

3.1 Identify the Concern

When Oakhill College becomes aware of a conduct or performance concern, the College is to seek to satisfy itself that there is sufficient evidence to act on the concern prior to proceeding. Where the College is satisfied that there is sufficient reason to proceed based on the evidence available, the College is to discuss the concern with the staff member/s involved. Where the College does not believe there is sufficient evidence or cause to act on the concern, the College is to discuss this with the staff member who raised the concern.

3.2 Discussions with staff members

Oakhill College will initiate discussions with the relevant staff member/s in circumstances where the College, in line with 3.1 above, believes there is sufficient evidence to do so. When doing this the College is to ensure the staff member is provided with sufficient detail of the conduct or performance concern so that they can properly understand it. The staff member is also to be advised of the potential outcomes if the concern is not resolved, including, where relevant, that dismissal may be a consequence of continued poor performance or misconduct.

The staff member is to be given a reasonable opportunity to respond to the concern raised. The College will consider the staff member's response and where appropriate, consider

matters raised by the staff member. Staff members will also have the opportunity to have a support person present in any formal discussions with the employer about the conduct or performance concern where dismissal is under consideration.

Where practicable, all discussions with staff members about performance or conduct, including outcomes, are to be documented by the Principal.

3.3 Decision on which action to initiate

After discussions with the staff member, the Principal will decide what action, if any, should be taken. The approach taken in each circumstance will depend on the nature and seriousness of the performance or conduct concern and any other factors the Principal believes should be taken into consideration. This may mean that remedial action is initiated by the Principal in some instances and disciplinary action in others, even though the conduct may appear similar.

3.3.1 Remedial action

Remedial action attempts to correct the behaviour through a variety of means that may include counselling, training, and/or issuing a warning or caution (verbally or in writing). It may be appropriate in circumstances such as the first instance of poor performance or an isolated instance of misconduct.

When implementing remedial action, the Principal is to clearly identify the areas that require improvement; specify the expected outcomes and where possible refer to objective standards of performance; monitor the performance regularly; identify any training that may assist the staff member improve their performance to a satisfactory level and specify the consequences if the staff member's performance does not improve within a reasonable time to a satisfactory level.

3.3.2 Disciplinary action

Disciplinary action may include a written warning or caution, placement on a Personal Improvement Program (PIP), suspension, demotion, transfer, and dismissal from employment. It may be appropriate where remedial action has been unsuccessful or where the performance or conduct concern warrants it.

If the Principal believes on reasonable grounds that the conduct constitutes serious misconduct, immediate dismissal may be appropriate. Where immediate dismissal occurs, the staff member is not entitled to payment in lieu of notice.

Where immediate dismissal has been initiated, the Principal will advise the staff member of the reason why they are being dismissed.

4.0 Policy Review

The College, via the Principal, is to ensure that this Policy is monitored and reviewed. Next review date, 2023.

5.0 Further Information

Further information about the processes outlined in this document can be sought from the HR Manager.