Human Resources

Performance and Development Policy

Engaging and developing employees to strengthen performance across the organisation

The NSW Crown Solicitor's Office (CSO) strives to build a high performance culture that effectively manages individual, team and organisational performance by aligning individual and team efforts with organisation's objectives and encouraging open, honest and on-going discussions between employees and their managers.

Performance Management and Development

The CSO is committed to investing in the development of a highly skilled and flexible workforce by providing a framework that enables staff to ensure that their work is aligned to CSO objectives, to continuously improve, and to recognise and celebrate achievements.

Performance and development at the CSO is about improving organisational, functional, team and individual performance. It is important for driving decisions about development needs, performance, temporary assignments, secondments, transfers, promotions, remuneration, disciplinary procedures and terminations.

Key Principles

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- A **conversation rich, document light** framework.

- Centred on **regular, meaningful, two-way conversations** between employees and their supervisors.

- Built on ongoing conversations, creating a **"no surprises" culture**.

- A consistent process of goal setting, and **formal performance conversation twice a year**.

Policy Purpose

The purpose of the Policy is to enable CSO to build a high performance culture by providing CSO staff with best practice principles and guidance on managing all aspects of employee's performance and development. The Policy informs the application of a consistent, equitable and transparent performance management and development process that aligns individual objectives and capabilities to the delivery of organisational outcomes.

Policy Statement

The Performance and Development Policy describes the key components for 'managing for performance'. It focuses on open and honest communication between employees and their managers to clarify requirements and capabilities of the role, establish measurable objectives, and ensure constructive ongoing feedback is provided.

Scope

The Performance and Development Policy applies to all employees in the CSO, including temporary employees who are employed for more than three months. It does not apply to:

• Casual employees;

• Independent contractors; and

• Employees of labour hire agencies and other organisations contracted to provide services to the CSO.

Core Requirements (GSE Rule 35)

 "The core requirements of a performance management system are as follows—

    a) to set and clarify expectations for employees,

    b) to guide and review employee performance,

    c) to develop employee capability,

    d) to recognise employee achievements,

    e) to improve employee performance,

    f) to resolve unsatisfactory employee performance,

    g) to evaluate and strengthen practices."

This policy has been developed in reference to the GSE Act, GSE Rules, GSE Regulations and the PSC Performance Development Framework.

Governance Framework
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CSO Performance Management is delivered in accordance with the NSW Public Service Commission (PSC) guidelines and is governed by a legal framework that includes the:

- Government Sector Employment Act 2013 (GSE Act)

- Government Sector Employment Regulation 2014 (GSE Regulations)

- Government Sector Employment (General) Rules 2014 (GSE Rules)

This reflects our commitment towards NSW Government's efforts to

- improve the culture in the sector to manage and develop workforce capabilities and;

- raise the bar for performance management

Consistent with the PSC Performance Development Framework, the CSO performance management and development framework consists of six components:

It is important to recognise that these components are not designed to be applied sequentially.

Performance management and development in the context of this policy is not only about what an employee does in their role, but also how they go about doing it – their behaviour, and the important role they play in achieving divisional, agency (CSO) and broader Government objectives. It assists staff in managing their own performance and career development, and performing to the best of their ability by encouraging open and honest conversations that establish expectations, clarify goals, provide and receive meaningful feedback, plan for their own capability development, recognise own and team achievements, and, if applicable, identify and receive support to address unsatisfactory performance.

The performance management and development process is not a once-yearly review process nor does it focus only on unsatisfactory performance. The policy is intended to build a shared understanding of the principles of effective performance management and development, and articulates organisational approaches and behavioural characteristics that support individual performance management and development to deliver organisational results.

The best practice principles outlined below serve as a guide for employees and managers and informs our approach to performance management and development (*refer to the Performance and Development Process Guidelines for further details*).

- All CSO employees are responsible for managing their own performance and career development, and performing to the best of their ability.
- The employee and manager have shared accountability to:
  - Establish outcome - focused expectations linked to agency and sector objectives in the form of performance and development goals;
  - Engage in ongoing open and constructive two-way discussions focused on continuously improving employee performance;

    The CSO encourages informal, regular meetings and discussions that allow employees to engage with their manager on an ongoing basis to discuss strategies for identifying capabilities required to perform in the role, any capability gaps that need to be addressed, possible approaches to take and anything that might affect their ability to meet your objectives.
  - Provide and receive feedback that is clearly linked to the organisation's corporate objectives and actions and behaviours that the organisation wants to reinforce; and

    Feedback should be focused on enabling employees to adjust their expectations, responsibilities, goals or development activities, as required
  - Promptly and effectively address performance concerns and correct performance, if it is deemed unsatisfactory.
- CSO Managers have the additional responsibility of:
  - Conducting formal performance reviews that inform all assessments for incremental salary progression; payment of increases determined by the Statutory and Other Officers Remuneration Tribunal (SOORT); and any contract renewal;

    Managers are encouraged to gather multiple sources of information and feedback when forming a view about a direct report's performance. Managers can request feedback from the employee's direct reports, internal or external customers or peers.
  - Recognising exceptional discretionary effort, consistently high levels of performance and instances of outstanding performance; and
  - Monitoring employee work performance, identifying the cause of unsatisfactory performance (if and when it occurs), providing regular feedback and giving clear advice if employees are not meeting expectations.

Application across the employee life cycle

The best practice principles apply to all stages of the performance and development process.

JUL — Goal Setting

DEC — Upward Feedback Discussion

DEC-FEB — Mid-year Check in

JUN — Upward Feedback Discussion

JUN — Annual Review

Ongoing performance conversations

Note: Moderated annual Performance Ratings will not be applicable for the Jul 2020 – Jun 2021 performance cycle

For detailed guidelines and steps for applying these principles please refer to the *Performance Management and Development Process Guidelines and System Guides*.

Related documents:

Performance Management and Development Process Guidelines

Additional Resources

FAQs

System Guides

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