

STAFF PERFORMANCE MANAGEMENT AND APPRAISAL POLICY

1. Purpose

- 1.1 This document applies to the **Innovative Institute of Australia**, its courses, its clients (students), and its controlled entities (collectively, "IIA", "Institute", "the Institute", "we", "us", "our").
- 1.2 The purpose of this policy is to ensure that staff performance is monitored and that a continuous improvement approach is implemented within the Institute.
- 1.3 This policy is implemented in compliance with the requirements of the Education Services for Overseas Students Act 2000 (the ESOS Act), the Standards for Registered Training Organisations (2025), and the National Code of Practice for Providers of Education and Training to Overseas Students 2018 (the National Code 2018).
- 1.4 In this file, words that import gender include all other genders; the singular 'they' is gender-neutral and used to avoid specifying a person's gender; words in the singular number include the plural and vice versa.
- 1.5 This policy does not affect students' rights under the Australian Consumer Law.
- 1.6 The Institute reserves the right to amend these terms and conditions at any time.
- 1.7 This policy does not affect students' rights under the *Australian Consumer Law*.

2. Definitions

- 2.1 **Underperformance** means when a staff member fails to meet job expectations or behaves unacceptably at work. This includes failing to complete tasks to the required standard or failing to perform their duties altogether. It also covers not following workplace policies, rules, or procedures, as well as engaging in inappropriate, disruptive, or negative behaviour, such as making inappropriate jokes or consistently speaking negatively about the organisation.
- 2.2 **Serious misconduct** means when a staff member's actions create a serious risk to

health, safety, or the organisation, or when they deliberately act in a way that makes continued employment untenable.

- 2.3 An education agent refers to an entity (in or outside Australia) that
- i. Engages in any of the following activities in relation to a provider:
 - A. The recruitment of overseas students, or intending overseas students;
 - B. providing information, advice or assistance to overseas students, or intending overseas students, in relation to enrolment;
 - C. otherwise dealing with overseas students, or intending overseas students;and
 - ii. is not a permanent full-time or part-time officer or employee of the Institute.
- 2.4 Agent Agreement refers to the agreement between the Institute and the agent, including the schedules.
- 2.5 CRICOS refers to the Commonwealth Register of Institutions and Courses for Overseas Students.
- 2.6 ESOS Act refers to the *Education Services for Overseas Students Act 2000 of the Commonwealth of Australia*.
- 2.7 National Code refers to the *National Code of Practice for Providers of Education and Training to Overseas Students 2018*.
- 2.8 Prospective student/applicant/client refers to a person who intends to become, or who has taken any steps towards becoming, an 'overseas student' or 'intending overseas student' as defined by the *ESOS Act*.
- 2.9 DHA refers to the Department of Home Affairs.
- 2.10 OSHC refers to the Overseas Student Health Cover.
- 2.11 eCoE refers to the electronic Confirmation of Enrolment.
- 2.12 2025 Standards for RTOs refers to the *National Vocational Education and Training Regulator (Outcome Standards for NVR Registered Training Organisations) Instrument*

2025.

3. Policy

3.1 The Institute will undertake performance management using the following principles:

- i. Fairness and Transparency: Performance management will be conducted in a fair, objective, and transparent manner.
- ii. Support and Development: Staff members will receive support, feedback, and training to help them meet performance expectations.
- iii. Consistency: A consistent approach will be applied across all areas of the Institute.
- iv. Legal Compliance: All performance management practices will align with Fair Work Ombudsman guidelines and the Fair Work Act.

3.2 Performance review

- i. Performance reviews are conducted annually, with ongoing check-ins as needed to monitor staff progress and provide feedback. The dates for performance reviews are to be identified within the Governance Calendar. Performance reviews for trainers will be conducted to coincide with the trainer profile review.
- ii. Staff will be briefed on and provided a copy of their duty statement at the beginning of their employment and when duty statements are updated or changed. The staff induction process steps the staff member through a systematic process to ensure they are informed, accept their duties, and are prepared to perform them. Each staff member is required to sign and acknowledge their duty statement.
- iii. The Institute uses a manager/staff member one-on-one review approach to performance management. This approach is a structured yet flexible performance review method that fosters direct, personalised communication between managers and staff. It focuses on goal alignment, skill development, and real-time feedback.

- iv. The manager will first conduct a performance review and request that the staff member complete a self-appraisal of their performance using the template: [Staff Member Performance and Self-appraisal Review Form](#). This is followed by the manager reviewing the self-appraisal and completing their own appraisal of the staff member using the [Manager Performance and Self-appraisal Review Form](#). Self-appraisal is a crucial first step in the performance review process, in which the staff member evaluates their own performance before receiving their manager's feedback.
- v. This approach offers several key benefits that enhance the effectiveness of performance discussions. By having the staff member reflect on their work first, managers can compare these insights with their own observations, helping to reduce potential bias and preconceptions. The presence of both perspectives from the outset creates an environment for balanced, two-way discussion rather than a one-sided evaluation. When differences emerge between a staff member's self-assessment and the manager's view, they can be openly explored during the review, helping identify potential blind spots or misaligned expectations. Additionally, this approach empowers staff members by giving them a voice in the process, leading to greater engagement and active participation in their performance development.

3.3 Recognising high performance: The Institute recognises and values good staff performance identified through structured performance reviews. High performance will be acknowledged formally through direct positive feedback, through individual recognition, and opportunities for professional growth and development. By consistently highlighting and rewarding good performance, we aim to motivate and inspire our team and to reinforce a positive, accountable workplace culture.

3.4 Underperformance management: The Institute will manage staff underperformance using the following key strategies with a progressive level of intervention where the staff member's performance does not improve:

- i. **Early Intervention:** Early intervention is the first line of treatment to correct performance issues. Supervisors will address performance concerns as soon as

they arise through informal feedback and support. Supervisors play a key role in identifying issues early, providing constructive feedback, clarifying expectations, and offering practical solutions to help a staff member improve. This approach enables open communication, allowing a staff member to self-correct before formal disciplinary measures are needed. Support mechanisms such as mentoring, coaching, or additional training may be introduced to bridge skill gaps and enhance performance. Regular check-ins ensure progress is monitored, reinforcing a culture of continuous improvement. By proactively managing underperformance, early intervention helps maintain workplace productivity, staff engagement, and overall organisational success.

- ii. **Performance Improvement Plan:** If a staff member's performance does not improve, a formal performance improvement plan may be developed, outlining specific areas for improvement, support mechanisms, and timeframes for review. This is to be documented using the Performance Improvement Plan template. The performance improvement plan must clearly outline the specific actions and steps the staff member must take to enhance their performance, along with detailed methods for achieving these improvements. Specify any support mechanisms provided, such as training programs or additional resources, and define both the staff member's responsibilities and the supervisor's obligations during the improvement period. Establish realistic timelines for progress, including scheduled follow-up reviews to assess development. Clearly state the potential consequences if the required performance standards are not met within the designated timeframe. To formalise the agreement, both the staff member and the supervisor should sign the document, and each party should retain a copy for their records.
- iii. **Review Meetings:** Regular follow-ups will be scheduled to assess progress with a performance improvement plan and provide ongoing support. Review meetings are a structured approach to managing underperformance, providing staff members with regular follow-ups to assess progress, address challenges, and reinforce expectations. These meetings offer a platform for constructive feedback, allowing supervisors to acknowledge improvements, identify ongoing

issues, and adjust support strategies as needed. By maintaining open communication, providing additional resources such as training or mentoring, and documenting discussions, review meetings ensure transparency and accountability. They help staff members stay on track while demonstrating the organisation's commitment to development. If performance improves, the staff member can transition back to a standard performance review; if issues persist, the meetings provide a fair basis for further action.

- iv. **Formal warning:** If performance does not improve despite earlier interventions, further action, including formal warnings, may be taken. A formal warning, which should clearly outline the performance concerns, expectations for improvement, and a timeframe for reassessment. Managers must have a valid reason for a formal warning, follow a fair process, and provide the staff member with an opportunity to respond. While there is no strict requirement to issue multiple warnings before termination, a staff member should generally be given a reasonable chance to address underperformance. A minimum of two formal warnings is considered fair before any further action is taken. The first should be issued as a "Formal Warning" and the second, if required, should be issued as a "Final Warning". The approach taken with each staff member and situation may be varied to adapt to the individual circumstances. Issuing a formal warning is a serious escalation from the performance improvement process, so it is critical that the CEO is fully involved and approves each step along the way. Seeking independent, qualified advice before taking disciplinary action is also recommended to ensure fairness and compliance with the Fair Work Act, particularly if dismissal is being considered. A formal written warning should be issued. If the Institute dismisses a staff member who then makes an unfair dismissal claim, the Fair Work Commission will usually consider this.

- 3.5 Facilitating a performance management interview:** Conducting an interview with a strong-willed candidate can be especially confronting for the manager. Strong personalities may challenge feedback, push back against criticism, or become defensive, creating potential conflict. If the staff member reacts with frustration or passion, their emotional response can feel overwhelming. A strong-willed individual

might also attempt to control the conversation, making it difficult for the interviewer to stay on track. There may be a fear that the discussion could escalate into a heated argument, adding to the pressure of maintaining professionalism. Additionally, if the staff member questions the interviewer's credibility or decision-making, it can shake their confidence and make it harder to assert authority. This situation is further complicated by the stress of striking the right balance between being firm and fair while preserving a positive working relationship. All of these fears are absolutely normal; however, they are an important tool that a manager must use when a staff member's performance is not improving despite earlier interventions. The following are some strategies that the manager can use to facilitate a performance management meeting toward a positive outcome:

- i. Have clear objectives, anticipate possible reactions, and rehearse key messages before the meeting.
- ii. Use neutral language, controlled tone, and open body language to maintain professionalism.
- iii. Stick to facts, KPIs, and examples rather than personal opinions or third-party feedback.
- iv. Show active listening while staying firm on key issues.
- v. If the staff member dominates or derails the discussion, redirect with focus.
- vi. If tensions rise, pause, breathe, and slow the conversation down.
- vii. If the interaction is likely to be difficult, consider having a second manager present.

3.6 Responding to serious misconduct: When responding to serious misconduct, it is essential to act promptly, fairly, and in accordance with workplace policies and Fair Work obligations. Serious misconduct occurs when a staff member's actions create a significant risk to health, safety, or the organisation, or when their deliberate behaviour makes continued employment untenable. In addressing such matters, the organisation must conduct a thorough and impartial investigation to establish the

facts and ensure procedural fairness. Staff members must be allowed to respond to any allegations before decisions are made. Depending on the severity of the misconduct, immediate action may be required, including suspension while the investigation is underway. Where serious misconduct is substantiated, appropriate disciplinary action will be taken, which may include termination of employment without notice. The Institute is entitled to terminate a staff member's employment without providing notice or payment instead of notice. However, the staff member remains entitled to any accrued entitlements, such as payment for time worked, annual leave, and, where applicable, long service leave. It is crucial to document each step meticulously and ensure that the termination process aligns with the Fair Work Act 2009 and any relevant policies. Maintaining confidentiality and treating all parties with respect throughout the process is essential. Seeking independent, qualified advice before taking disciplinary action is also recommended to ensure fairness and compliance with the Fair Work Act, particularly if termination of employment without notice is being considered.

- 3.7 **Termination of employment:** Termination of employment must be conducted fairly, lawfully, and in accordance with the Fair Work Act 2009. The Institute is committed to ensuring that all termination decisions are based on valid reasons, are procedurally fair, and take into account the staff member's rights and entitlements. Termination may occur due to underperformance, redundancy, misconduct, or serious misconduct, and each situation requires a structured approach. Staff members must be given clear communication, an opportunity to respond to concerns, and appropriate notice or payment in lieu, unless termination is for serious misconduct. In all cases, termination must be supported by documented evidence and approved by the CEO before being actioned. When serious misconduct occurs, employment may be terminated without notice if the misconduct poses a significant risk to the organisation, workplace safety, or breaches fundamental workplace policies. In all cases, the Institute is to handle the matter fairly, including investigating it, discussing the allegations with the staff member, and allowing the staff member to respond before making a final decision. Staff members dismissed for any reason remain entitled to final payments, including wages for time worked and accrued leave. The

Institute also acknowledges that terminated staff members may seek legal recourse, making confidentiality, proper documentation, and compliance with legal requirements essential in every case.

4. Measures

- 4.1 On an annual basis, the CEO (or their delegate) shall conduct staff performance appraisals to ensure that staff members meet the standards set out in their job descriptions. Staff performance appraisals should be completed for all staff at approximately the same time (i.e., conducted over a designated period).
- 4.2 This appraisal system shall also allow the staff member and the relevant manager a formal opportunity to discuss areas of job performance and RTO performance.
- 4.3 During the performance appraisal process, the following must occur:
- i. Where a staff member's performance does not meet the required standard, a specific development plan is to be developed and implemented.
 - ii. Any issues identified during the appraisal process must be addressed as necessary.
 - iii. The relevant staff member and manager are to sign the 'Staff Performance Appraisal Checklist' to verify that the appraisal has occurred and all outcomes are understood.
- 4.4 Feedback from staff performance appraisals shall be reviewed by the relevant Manager and the CEO (including the review of the 'Annual RTO Evaluation Forms'). Any relevant recommendations are to be actioned as required.

5. Measures details

Steps	Person/s responsible
5.1 Performance reviews	

Steps		Person/s responsible
i.	Issue the Performance Review – Staff Member Self Appraisal Send the <i>Performance Review – Staff Member Self Appraisal</i> Template to the staff member and request that they complete it and return it to the manager. Usually allow for two weeks.	Training Manager, Office Manager, CEO
ii.	Schedule annual performance reviews Performance Reviews should be scheduled within the Calendar of Compliance Assurance Activities. Notify staff of the review schedule and arrange dates and times for one-on-one meetings between staff member and their manager.	Training Manager, Office Manager, CEO
iii.	Managers gather and review relevant performance data and prepare for the meeting. For trainers, this may include: • Student survey results • Student completion data • Turnaround times for student marking • Samples of assessment marking • Completion of professional development, industry currency, and maintenance of trainer files For other staff members, this may include; • Outputs from the staff member's role • Feedback from students, peers, subordinates, or other managers,s if applicable. • Attendance, punctuality, and compliance records Use the template "Performance Review Meeting Notes" to plan what will be communicated and to capture notes during the meeting.	Training Manager, Office Manager, CEO
iv.	Manager completes Performance Review - Manager Appraisal. Considering the staff members have completed their self-appraisals and performance data, the manager is to complete the template: <i>Performance Review - Manager Appraisal</i>. This is to be completed but not signed before the	

Steps		Person/s responsible
	performance review meeting. The reason for not finalising the manager appraisal is to allow minor changes to the appraisal identified from information that emerges during the performance review meeting.	
v.	Conduct a performance review meeting. Use the <i>Performance Review Template</i> to conduct the Performance Review. Discussion topics include; – Review the staff member’s accomplishments and progress. – Address areas for improvement or unmet objectives. – Set goals and expectations for the upcoming year. – Discuss career development opportunities, including training or mentorship. – Set professional development goals and plans for the upcoming year. (Refer to PP3.3 - <i>Professional Development and Trainer Currency</i>) – Provide time for staff members to share feedback or concerns.	All staff
vi.	Record outcomes Record details of the discussion, including key achievements, areas for improvement, and agreed goals for the coming 12 months in the Performance Review - Manager Appraisal template. Record professional development goals and plans for the coming 12 months in the <i>Professional Development Plan</i> – refer to PP3.3 -<i>Professional Development and Trainer Currency</i>. Finalise the <i>Performance Review - Manager Appraisal</i> template and have the manager and staff member sign.	CEO, Training Manager, Office Manager
vii.	Ongoing Monitoring and Check-ins Managers are to monitor staff member performance using agreed-upon performance measures throughout the year, e.g., reviewing student feedback, student completions, response times to students, samples of assessment marking, etc. Managers are to have regular informal check-ins with staff members to track	CEO, Training Manager, Office Manager

Steps		Person/s responsible
	progress and provide ongoing feedback. If performance concerns arise, the staff member's manager is to implement a performance improvement plan as needed.	
5.2 Managing underperformance		
i.	Identify the Issue Observe and document instances of underperformance, including specific examples related to job expectations, targets, or behaviours. Ensure that expectations and performance standards were clearly communicated to the staff member. Determine whether external factors, such as lack of resources, unclear instructions, or personal issues, may be contributing to the underperformance.	CEO, Training Manager, Office Manager
ii.	Early intervention Review performance-related information such as duty statements, previous performance review, past performance improvement plans, etc. Arrange a private meeting with the staff member to discuss concerns in a supportive and non-confrontational manner. Tell the staff member why you want to meet and who will attend. Invite the staff member to bring a support person to the meeting. Carefully plan what you want to say at the meeting using the template, "<i>Underperformance Meeting Record</i>." Allow the staff member to bring a support person of their choice to the meeting, if they would like. Explain the specific areas where performance is not meeting expectations and provide clear examples. Encourage the staff member to share their perspective and identify any barriers to their performance. Offer support, such as additional training, mentoring, or workload adjustments, where appropriate. Set clear expectations for improvement and agree on a review timeframe.	CEO, Training Manager, Office Manager

Steps		Person/s responsible
iii.	Prepare Performance Improvement Plan If underperformance continues after an informal discussion: • Prepare a written Performance Improvement Plan using the template - <i>Performance Improvement Plan</i> outlining: ○ The specific performance concerns. ○ The expected standard of performance. ○ The timeframe for improvement. ○ Any support or resources provided to assist in improvement. ○ Consequences if performance does not improve. The Performance Improvement Plan should be reviewed and approved by the CEO.	CEO, Training Manager, Office Manager
iv.	Performance Management Interview Once the Performance Improvement Plan has been prepared and the CEO has reviewed and approved the plan: • Hold a formal meeting with the staff member to issue and discuss the Performance Improvement Plan. Invite the staff member to bring a support person to the meeting. • Clearly explain why you are meeting with the staff member, ensuring they understand the expectations and agree to the Performance Improvement Plan process. • Describe the underperformance in issue and clearly explain why it is an issue, using specific examples and focusing on facts. • Set out any steps you have taken so far to manage the staff member's performance e.g., early intervention) as well as the support you have provided (eg, training). • Invite the staff member to respond to what you have said, to explain their performance and ask them what they think can be done to improve it. • Consider what the staff member has said. If you need more time to think about or look into what the staff member has said, close the meeting and agree to meet again in a day or two.	CEO, Training Manager, Office Manager

Steps	Person/s responsible
- Decide on a way forward with the staff member, including whether you will provide any further assistance or support or make any adjustments. Record this using the template - <i>Performance Improvement Plan</i>. - Explain what will happen next if the staff member's performance does not improve (eg, a formal warning). - The meeting should end with the staff member agreeing to and signing the Performance Improvement Plan.	
v. Schedule and conduct Review Meetings During the Performance Improvement Plan period, a review meeting should be scheduled to assess a staff member's progress under the plan. The following should be considered: - Provide the staff member with adequate notice and ensure the meeting is held in a private, uninterrupted setting. Invite the staff member to bring a support person to the meeting. - Review the original performance concerns, Performance Improvement Plan objectives, and relevant progress reports, feedback, or documentation. Use the template, "<i>Performance Review Meeting Notes</i>," to prepare for the meeting. - Compare the staff member's performance to agreed improvement targets, using measurable data where possible to ensure fairness. - Recognise improvements made, highlight ongoing gaps with clear examples, and reinforce expectations. - Invite the staff member to respond to what you have said and to explain their performance. - Ask the staff member what they think can be done to improve their performance. - Encourage the staff member to reflect on their progress, the challenges they have faced, and any further support they require. - Keep an open mind, actively listen, and ask open questions when you want to find out more. What the staff member says may influence how you decide to move forward with them. - Keep the discussion professional, supportive, and focused on clear	CEO, Training Manager, Office Manager

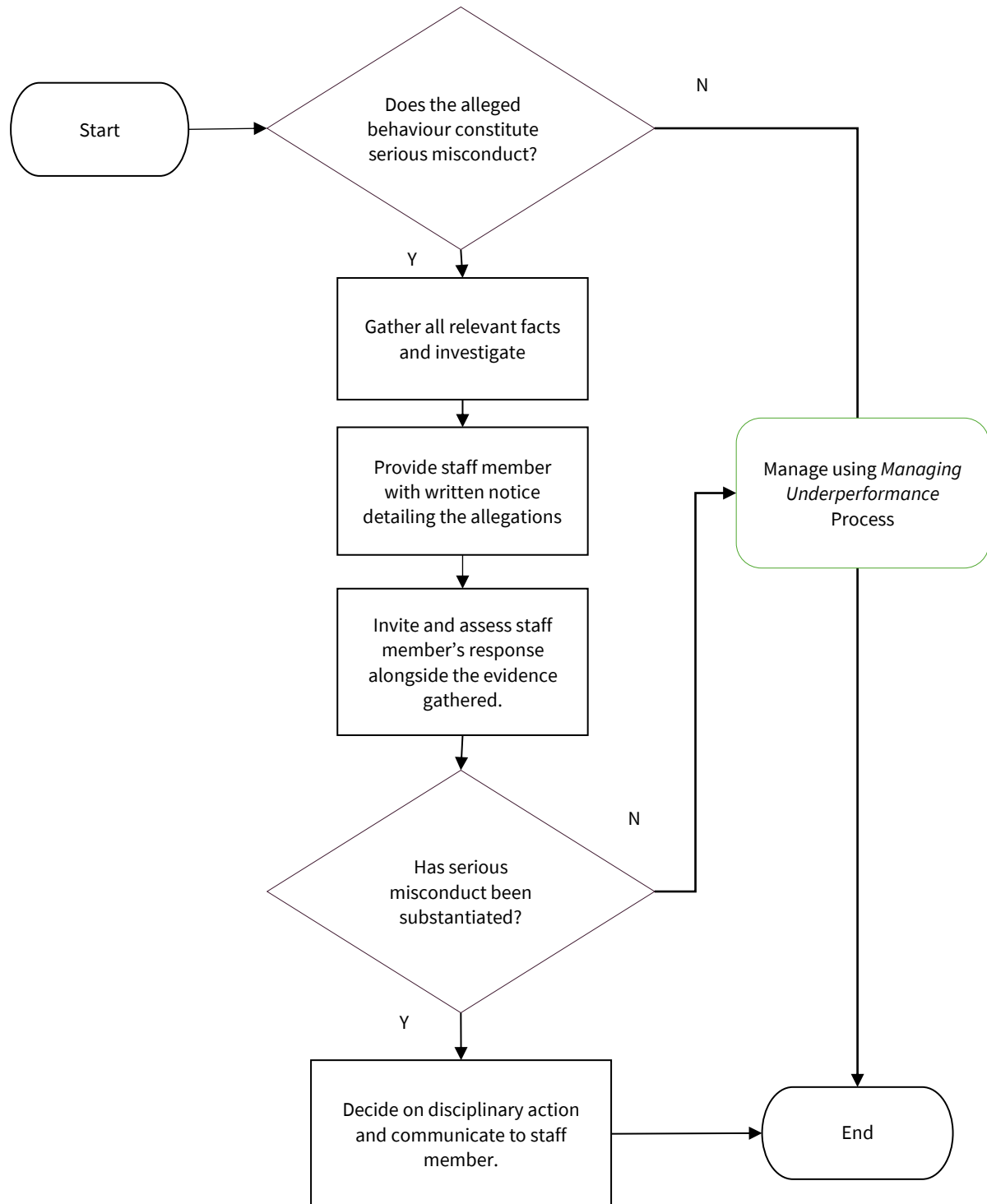
Steps		Person/s responsible
	outcomes. – Determine if the staff member has: ○ Met expectations – Acknowledge progress and continue monitoring. ○ Partially improved – Extend the Performance Improvement Plan with additional support. ○ Not improved – Proceed to formal warning action if necessary. – Record key points, decisions, and agreed actions using the <i>Performance Review Meeting Notes</i> and provide a copy to the staff member for transparency.	
vi.	Issue a Formal Warning Where the performance improvement process has not resulted in satisfactory improvement, a formal warning should be issued: – Ensure prior interventions (e.g., early intervention, performance improvement plans, review meetings) have been unsuccessful and that a valid reason exists to progress to a formal warning. – Brief the CEO and obtain approval before proceeding, as issuing a formal warning is a significant escalation. – Prepare the Formal Warning Letter. Clearly outline: ○ details of the performance or conduct issue of concern ○ What has been discussed with the staff member about the issue ○ What the employer will do to assist ○ an action plan of what steps the staff member needs to take ○ a reasonable timeframe in which the changes or improvements need to occur – You mustn't set requirements that are discriminatory, unlawful, or otherwise unreasonable. If you are unsure how to frame the warning letter, consult with the CEO and consider seeking independent, qualified advice. – Arrange a private meeting with the staff member, providing reasonable	CEO, Training Manager, Office Manager

Steps		Person/s responsible
	notice. Invite the staff member to bring a support person to the meeting. – Conduct the meeting to issue the formal warning: ○ Present the formal warning letter. ○ Explain concerns, expectations, and next steps. ○ Allow the staff member to respond. ○ Confirm their understanding of the warning. – Record key points, including any staff member responses or commitments made using the template - <i>Underperformance Meeting Record</i>. – Issue a copy of the formal warning letter to the staff member and place a copy in their staff record. – Track progress during the reassessment period and provide regular feedback using the Review Meeting process. – If insufficient improvement occurs, consider issuing a Final Warning (in consultation with the CEO) before proceeding with further disciplinary action, which may include a termination of employment. –	
5.3 Responding to Serious Misconduct		
i.	Determine whether the behaviour constitutes serious misconduct Determine whether the behaviour constitutes serious misconduct by assessing its impact on health and safety and on the organisation. Consider whether immediate action is required to mitigate risks. If the misconduct poses an immediate risk, consider suspending the staff member on full pay while the investigation is conducted. Ensure all necessary steps are taken to secure evidence, protect workplace integrity, and maintain confidentiality. If the matter involves what is considered criminal conduct, a Police report should be submitted to the local Police station.	CEO, Training Manager, Office Manager
i.	Gather facts and investigate Gather all relevant facts, witness statements, and documentation to establish the full context of the incident. The investigation must be conducted fairly,	CEO, Training Manager, Office Manager

Steps		Person/s responsible
	allowing all parties to provide input, and be based on verifiable evidence rather than assumptions.	
i.	Provide the staff member with written notice Provide the staff member with written notice detailing the allegations against them, the potential consequences, and the opportunity to respond. Allow sufficient time (such as two weeks) for the staff member to prepare their response.	CEO, Training Manager, Office Manager
v.	Meet with the staff member to present the findings Arrange a meeting to present the investigation's findings, discuss the concerns, and allow the staff member to respond. Ensure the staff member understands the seriousness of the situation and is given a fair chance to explain their actions. Invite the staff member to bring a support person to the meeting.	CEO, Training Manager, Office Manager
v.	Assess the staff member's response and decide on disciplinary action Assess the staff member's response alongside the evidence gathered. If the allegations are substantiated, decide on appropriate disciplinary action, which may include: – formal warnings, – demotion or repositioning in the organisation, – termination of employment with notice or pay instead of notice, or – termination of employment without notice or pay instead of notice. When deciding on appropriate disciplinary action, the action taken must be proportionate to the seriousness of the misconduct. As serious misconduct is a significant issue, the CEO must approve any disciplinary action before it is implemented. If termination without notice is being considered, seeking independent legal advice is strongly recommended to ensure compliance with the <i>Fair Work Act</i>.	CEO, Training Manager, Office Manager
i.	Communicate the decision to the staff member. Communicate the decision to the staff member in writing, ensuring that any termination is documented using the template "<i>Termination of Employment</i>".	CEO, Training Manager, Office Manager

Steps		Person/s responsible
	Explain the information in the Letter of Termination of employment and ensure that the staff member understands what is happening. Where termination occurs, ensure that all outstanding entitlements, including payment for time worked and accrued leave, are processed in accordance with legal requirements.	
i.	Document and keep confidential Ensure all discussions, documentation, and decisions remain confidential and are handled professionally. Keep detailed records of every step taken, as these may be required if the decision is later challenged. The staff member may choose to submit a complaint or claim against the Institute (e.g. unfair dismissal, discrimination) even if you follow these steps.	CEO, Training Manager, Office Manager

6. Flow chart



VERSION HISTORY

Version Number	Date	Summary of changes
1.0	September 2021	New policy
2.0	July 2025	Revised and updated to include the changes according to the Standards for Registered Training Organisations (2025).
3.0	December 2025	Revised and updated to include the changes according to the ESOS 2000 Act.