

|  |
| --- |
| Model policy template |
|  |
| Implementing positive performance management principles   1. Introduction   This policy demonstrates [organisation name]’s commitment to excellence. We do this by creating a positive and encouraging environment in which employees can operate effectively, achieve success and satisfaction in their work, and contribute to the achievement of our strategic and operational priorities.  [Organisation name]’s will support accessibility and inclusion and promote cultural safety when undertaking processes or applying provisions under this policy. |

1. Background

The directive relating to positive performance management sets out the requirement for public sector organisations to have a stand-alone positive performance management policy and to ensure it includes minimum requirements. The policy is to be read subject to the *Public Sector Act 2022* (the Act) and the positive performance management directive.

1. Policy statement

[Organisation name] is committed to ensuring we promote best practice human resource management, by applying the positive performance management principles set out in section 85 of the Act (see appendix 1).

In managing our employees, we will implement the positive performance management principles by:

* pro-actively managing the personal and professional development of our employees with a view to continuously building expertise within the public sector
* ensuring regular and constructive communication between managers and employees about their work performance and the personal conduct principles (see appendix 2)
* recognising the strengths, requirements and circumstances of our employees and valuing their contributions
* recognising performance that meets or exceeds expectations
* providing opportunities and support to employees for improving performance
* continuously improving performance by providing our employees with appropriate training and development
* identifying at the earliest possible stage performance that does not meet expectations
* integrating these principles into our management practices and policies.

How we manage our employees is also guided by:

* the public sector principles (see appendix 3)
* section 32 (what is a culture of respect and inclusion)
* section 33 (duty to promote and support culture of respect and inclusion) of the Act.

1. Application

This policy applies to:

1. all [organisation name]’s public sector employees (excluding chief executives, senior executives and senior executive equivalents)
2. [insert chief executive title] in their capacity as the chief executive of [organisation name] and/or of its public sector employees
3. employees of [organisation name] in their capacity as public sector managers.
4. Effective date

[Insert date]

1. Policy

## 6.1 Pro-actively managing personal and professional development

Pro-actively managing personal and professional development is a shared responsibility of managers and employees and occurs within the context of the particular role and workplace operational needs.

### 6.1.1 Managers responsibilities

Managers are responsible for pro-actively managing the personal and professional development of employees, with a view to continuously building expertise within the public sector, including by:

1. working with the employees they manage to ensure they either have or are in the process of developing a current performance and development agreement (PDA)
2. integrating a career development focus into employees’ PDAs
3. encouraging employees to take responsibility for planning and managing their own careers
4. developing the next generation of leaders, including by supporting relevant professional development activities
5. recognising that employees are all at different stages of their career
6. improving workforce capability and our service delivery while enhancing job satisfaction and employees’ professional growth
7. developing employees’ cultural capability to help foster a culturally capable and culturally safe workplace
8. ensuring cultural safety when managing the personal and professional development of Aboriginal employees and Torres Strait Islander employees or employees from diverse cultural, religious, and linguistic backgrounds. For example, by co-designing performance and development agreements with each employee and, where the employee is comfortable to do so, identifying, discussing, and supporting the employee’s cultural safety in the agreement (e.g. how an employee’s spiritual practices or kinship ties are to be supported by the workplace)
9. supporting employees from diverse cultural, religious and linguistic backgrounds to comfortably express their diverse experience
10. supporting people with a disability by seeking to remove barriers affecting their ability to perform their roles
11. fostering a culture of respect and inclusion by:
12. supporting employees to work together to improve employee performance and wellbeing
13. working with employees to help them develop the skills and knowledge necessary to engage in employment matters in a respectful, appropriate and safe way
14. role-modelling respectful workplace behaviours, as well as establishing and maintaining respectful conduct standards and expectations within the team
15. actively listening to employees by processing and seeking to understand the meaning and intent behind their words.

### 6.1.2 Employee responsibilities

Employees are responsible for pro-actively managing their personal and professional development with a view to continuously building their expertise within the public sector, including by:

1. identifying their career aspirations
2. working with their manager to determine their current key goals and performance indicators
3. meeting the requirements of their role
4. identifying their strengths
5. ascertaining what learning and development opportunities they can take to develop their job specific skills and areas of knowledge
6. developing their cultural capability to help foster a culturally capable workplace and a culturally safe workplace
7. working with their manager to actively improve their performance, constructively participate in their development, and confirm the performance expectations of their role
8. regularly asking for feedback.

## 6.2 Regular and constructive communication between employees and managers

Our managers need to continue to develop and further their communication skills to be successful in working with and managing others.

Managers need to be aware of their own communication style and be able to adjust their style where necessary. Communication between employees and managers must be regular, constructive and align with the work performance and personal conduct principles in section 40 of the Act.

### 6.2.1 Regular

The communication between employees and managers of [organisation name] needs to be regular with discussions and feedback being consistent and timely. Regular communication should be both formal and informal, scheduled, and unscheduled.

Ideally, employees and managers should use a range of ways to regularly share information. Managers must prioritise feedback and performance management conversations, they must be part of business as usual rather than a once-a-year task.

### 6.2.2 Constructive

Interactions and communication between employees and managers must be open, honest, and respectful, and culturally appropriate.

Managers must focus on what matters. Ongoing and meaningful conversations with employees about their work performance and, where relevant, their personal conduct, will support optimal performance and help ensure [organisation name] ’s productivity and quality of service delivery.

Ways you can make communication and feedback constructive in [organisation name] include:

* remembering that effective communication starts with effective listening
* preparing for the communication and developing a message that is clear, simple and upfront about any concerns (e.g. think about what you want to achieve by having a meeting, write some notes down, be specific with three to five key points and use examples)
* considering who you are communicating with (e.g. to enable an employee with a disability to fully participate in a discussion, ensure that you communicate information to them in a way that is appropriate to their preferred communication mode and format)
* considering your communication channel or channels (e.g. written, verbal, visual or a combination of these)
* considering your communication forum (e.g. avoid communicating sensitive subject matter in public spaces)
* clearly outlining your expectations (day to day and longer term), and give practical examples where relevant
* recognising the strengths, requirements and circumstances of individual employees and value their contributions
* recognising performance that meets or exceeds expectations
* ensuring that communication is undertaken in a way that promotes cultural safety and supports a sense of dignity and belonging for Aboriginal employees and Torres Strait Islander employees. For example, take a discrete approach and avoid discussions in open or public spaces
* understanding cultural nuances – recognise the value of diversity in the workplace and the importance of measures that promote diversity and cultural respect, in particular with regard to Aboriginal people and cultures, Torres Strait Islander people and cultures, and people from diverse cultural, religious and linguistic backgrounds
* behaving respectfully – communicate in a calm and courteous manner
* supporting employees to feel safe to voice different opinions and add value by offering their own views and perspectives
* being open to receiving reciprocal feedback.

### 6.2.3 Work performance and personal conduct principles

Communication between employees and managers in [organisation name] must align with the work performance and personal conduct principles, as set out in section 40 of the Act.

Section 40 recognises that public sector employment involves public trust, requiring public sector employees to promote public confidence in the integrity of the public sector in how they carry out their duties.

The section lists a range of matters which a public sector employee’s work performance and personal conduct must be directed towards, including:

1. achieving excellence in service delivery
2. ensuring the effective, efficient, and appropriate use of public resources
3. giving effect to government policies and priorities.

See appendix 2 for the full list of work performance and personal conduct principles.

## 6.3 Recognising the strengths, requirements and circumstances of individual employees and valuing their contributions

[Organisation name] strives to be a high performing organisation, where our employees work together to build a future focussed, high performing public sector that delivers priority government services to the community. Employees of [organisation name] are part of a large, diverse, and highly experienced workforce making a difference to the people and communities of Queensland.

[Organisation name] will recognise the strengths, requirements and circumstances of individual employees, and value their contributions, and acknowledges that this will help lead to increased productivity, improved performance, and higher employee engagement and retention. We will do this by:

1. identifying an employee’s workplace strengths, incorporating an employee’s workplace strengths into their PDA, and leveraging the employee’s individual strengths to help achieve the team’s overall goals
2. recognising and optimising an employee’s individual requirements and circumstances, including by:
3. committing to creating healthy and safe workplaces where employees can thrive and achieve their best
4. ensuring cultural safety when managing the personal and professional development of Aboriginal employees and Torres Strait Islander employees including, for example, understanding, supporting and respecting sorry business and kinship ties
5. supporting employees from diverse cultural, religious and linguistic backgrounds when managing their personal and professional development
6. recognising that an employee’s health and wellbeing is multi-dimensional and linked to their physical, psychological, financial and social wellbeing
7. remembering that everyone is different; don’t make assumptions about an employee’s needs or capabilities – ask them
8. understanding that workplace adjustments or accommodations may be required for health or personal circumstances, including employees with a disability, with caring responsibilities, recovering from illness or injury, managing a chronic medical condition, or who are victims of domestic or family violence.
9. valuing, encouraging, and appreciating the work that an employee does, including by:
10. ensuring feedback to employees is balanced by recognising positive achievements as well as negative aspects of their work
11. managers making it clear that they are interested in their employee’s growth and also in them as individuals
12. providing ongoing support and development to employees using a PDA
13. managers communicating early and often with their employees
14. ensuring managers meet important evaluation points and markers in the PDA process
15. providing development opportunities for employees
16. recognising performance that meets or exceeds expectations.

## 6.4 Recognising work performance that meets or exceeds expectations

A manager’s role includes valuing, encouraging, and appreciating the work that an employee does. Recognising work performance that meets or exceeds expectations has been shown to lead toincreased productivity, improved performance, and higher employee engagement and retention. Our employees are more likely to give their best work if we can show them how much we appreciate their efforts and contributions.

Recognising the work performance of employees acknowledges the actions they have done, the value of their expertise and experience, and how they positively impacted on the workplace. The guiding values in [organisation name] is that recognising and rewarding performance that meets or exceeds expectations must be:

1. in alignment with the public sector principles in section 39 of the Act (see appendix 3), and [organisation name]’s values – Recognition should be clearly linked with the purpose of the work that employees do for [organisation name] and for the Queensland government. This gives employees a clear idea of how the work they do contributes to the objectives of [organisation name]and what kinds of behaviour will be rewarded. PDAs should include information about how the employee’s job contributes to their team’s outcomes and/or its vision and objectives, as well as how the employee’s expected outcomes are linked to [organisation name]’s performance objectives and plans.
2. timely – Ideally, recognition of good work performance should occur as close as possible to when the performance actually occurred. Recognition in “real time” is more likely to reinforce positive performance and provide greater impact than delayed recognition.
3. fair – Any form of recognition should be in line with the achievement and the degree of effort that the employee or team undertook. Using clear performance standards will help enhance perceived fairness of any recognition or reward.
4. specific – [Organisation name] has a diverse range of employees – how they will want to be recognised will vary from employee to employee, for example some employees may appreciate public recognition, others may prefer other forms of recognition. Make praise meaningful for and specific to the employee by thinking about what type of recognition would be motivating and important to them.
5. appropriate in the public sector context – In recognition that public sector organisations are entrusted with public funds to develop and deliver services to the community on behalf of government, [Organisation name’s] reward and recognition programs are developed to appropriately recognise employee contributions towards meeting organisational outcomes and objectives.
6. compliant with the Code of Conduct for the Queensland Public Service or [organisation’s code of conduct] – Have regard to the Code of Conduct when considering how to recognise or reward employees, and review in particular Standards of Conduct 1.2 (Manage conflicts of interest), 4.2 (Ensure transparency in our business dealings) and 4.3 (Ensure appropriate use of official resources, public property and facilities).
7. not a replacement for the PDA process – Recognising work performance that meets or exceeds expectations should not be used in lieu of a properly developed and reviewed PDA process.

## 6.5 Continuously improving performance through the provision of training, learning and development

Managers and employees of [organisation name] are responsible for pro-actively managing the personal and professional development of our employees with a view to continuously building expertise within the public sector.

Managers can support this development and improve workforce capability and [organisation name]’s service delivery while enhancing job satisfaction and employees’ professional growth by:

1. being committed to ongoing learning and development for our employees, including training, on-the-job learning, learning through others, mentoring, work placements or formal learning opportunities
2. building capability around key occupations through career development, job design, performance development and workforce planning
3. developing employees’ cultural capability to help foster a culturally capable workplace and a culturally safe workplace
4. developing employees’ leadership capability to foster inclusion, equity and diversity in the workplace
5. enabling employees to obtain skills necessary for career progression by not unreasonably refusing the employee’s access to assistance under [insert title of organisation’s study and research assistance scheme or policy].

[Organisation name] will give employees appropriate and adequate training, learning and development to do their job safely and competently. [Organisation name] believes training, learning and development is a two-way process. We encourage employees to participate and to highlight any gaps in their own skills or knowledge they believe they have.

Training, learning, and development includes (but is not limited to) internal on-the-job training, coaching and external training and courses. It may also include opportunities that arise through networking and partnering with others to learn from their experiences. The most effective learning often will take place on-the-job and be functionally relevant and job specific.

## 6.6 Identifying at the earliest possible stage work performance or personal conduct that does not meet expectations

Sometimes an employee’s work performance and, in some circumstances, personal conduct, may not meet expectations. It is important this is identified at the earliest possible stage. Early identification will help ensure that positive intervention can occur as quickly as possible, and the situation is not left to worsen and escalate.

Personal conduct in this context occurs in the situation where a chief executive holds a view that an employee’s behaviour is not consistent with policies, expectations, or an applicable code of conduct, and that the behaviour is not sufficiently serious to warrant disciplinary action but is impacting on the employee’s work performance or workplace. Examples of poor personal conduct for this purpose may include, for example, absenteeism or not treating other employees with courtesy or respect.

Managers in [organisation name] play a critical role identifying early work performance and personal conduct that does not meet expectations, including by:

1. reinforcing what expectations there are for the employee’s work performance and personal conduct
2. communicating regularly and constructively with their employees about their work performance and personal conduct, and whether they are meeting the expectations set for them
3. providing cultural safety when communicating with Aboriginal employees and Torres Strait Islander employees about their work performance and personal conduct, which may include involving a cultural support person
4. providing a safe and supportive environment when communicating with employees from diverse cultural, religious and linguistic backgrounds about their work performance and personal conduct
5. ensuring supports are available if needed for people with a disability when communicating with them about their work performance and personal conduct
6. being proactive by identifying possible warning signs (such as changes in workplace behaviours, or changes to quality or standard of work) that might indicate an employee is struggling with workplace or personal stress that could be contributing to their poor work performance or personal conduct
7. taking the time to listen to any concerns the employee may have either immediately when they arise, or very soon after.

These steps may help a manager identify personal matters that may be contributing to work performance and personal conduct issues.

To appropriately support an employee’s wellbeing needs, managers should also consider whether they refer employees to the [organisation name]’s employee assistance support services.

## 6.7 Providing opportunities and support to employees for improving work performance and personal conduct

If the performance of an employee does not meet expectations, it is important to provide opportunities and support to the employee to help improve their work performance and, in some circumstances, personal conduct.

Managers play a critical role in providing opportunities and support to employees for improving work performance and personal conduct, including by:

1. trying to reach a shared understanding with the employee of what areas of work and capabilities they need to develop, and support that within the employee’s PDA
2. reviewing the employee’s work performance expectations to confirm they are reasonable
3. considering whether there are any work-related factors that may be affecting an employee such as workload issues, role clarity, workplace conflict or poor communication
4. supporting an employee’s wellbeing and resilience in order for their performance to be addressed
5. considering external matters that may be impacting on the employee and working to create a safe interpersonal environment (for example, by listening and showing a respectful interest in culture)
6. regularly reviewing the employee’s progress against expectations
7. documenting the agreement/s and the progress achieved.
8. When a performance improvement plan should be considered

Managers and employees are responsible for working together to achieve better outcomes and improve performance. This should be done in a way that is mutually respectful, supportive and considers the individual circumstances of each employee.

Under section 86 of the Act, a chief executive must not take disciplinary action against an employee for a matter relating to the employee’s performance until the chief executive has complied with the positive performance management directive.

The process for managing unacceptable work performance or poor personal conduct must be supportive, directed to the positive performance management principles, and consider work-related factors and non-work-related factors that may be affecting the employee.

It may be necessary for a manager to implement a more structured and formal process through the introduction of a Performance Improvement Plan (PIP) where they have:

1. followed the steps outlined in this policy
2. acted in accordance with the Act and the positive performance management directive
3. determined that support and management action has not brought about improvement to the employee’s work performance to the required standard
4. considered whether there are any work-related factors and non-work-related factors that may be affecting the employee’s performance and, if so, whether it is more appropriate to put in place relevant supports and strategies that are reasonable in the circumstances to further assist the employee, rather than commence a PIP.
5. ensured the following conditions have been met:
6. the expected level of work performance or personal conduct for the role was documented and provided to the employee and the employee had a reasonable opportunity to demonstrate the expected level of work performance or personal conduct
7. the expected level of work performance or personal conduct was relevant and appropriate to the role
8. the unacceptable work performance or personal conduct, or the gap between actual and expected work performance or personal conduct, was previously raised, discussed with the employee and documented
9. the employee was offered support that was reasonable in the circumstances and allowed a reasonable period of time to self-correct.

Where a manager holds a view that an employee’s behaviour is not consistent with policies, expectations, or an applicable code of conduct, and that the behaviour is not sufficiently serious to warrant disciplinary action but is impacting on the employee’s work performance or workplace:

* a PIP may be initiated in relation to the poor personal conduct, or deal with that poor personal conduct as part of a PIP, provided it is fair and reasonable in the circumstances. Examples of poor personal conduct for this purpose may include absenteeism or not treating other employees with courtesy or respect
* a PIP is not required, and may not be appropriate, for an employee’s poor personal conduct
* if a PIP is being undertaken, then if at any stage the manager believes the employee’s poor personal conduct means that they may be liable to discipline, for a reason other than unsatisfactory work performance, then chapter 3, part 8, division 3 (Disciplinary action) of the Act may be applied and no further action is required to be taken under the positive performance directive or this policy.

Managers should consult with their human resource advisors when considering implementing a PIP.

A PIP must detail what must occur to support the employee for the duration of the PIP, including:

* scheduling review meetings between the manager and the employee (with a support person if relevant), according to the agreed upon schedule
* the manager providing feedback to the employee at each review meeting for each area of improvement, or upon the completion or progress of assigned tasks
* the employee being given the opportunity to raise any issues, barriers or concerns and for the manager to consider how these may be addressed
* the manager advising the employee whether their work performance and personal conduct is satisfactory for each area of identified improvement
* if the employee has not achieved what is required, clearly articulating the reasons why with examples provided
* providing the employee with a record of the meeting and its outcomes.

Employees who are subject to a PIP should be offered support options appropriate to their circumstances, including allowing the employee to bring a support person and/or industrial representative of a union to accompany them to discussions advising of the intention to implement a PIP and for the duration of the plan.

A support person may be a co-worker, family member, friend, industrial representative of a union, cultural support person or lawyer. However, there are circumstances where it may not be appropriate for a particular person to take on this role (for example, if the support person has a conflict of interest or has a personal stake or consequence in the outcome of a decision or action).

A support person can provide emotional support, cultural support, take notes and request breaks. A support person cannot speak on the employee’s behalf or directly answer questions for them. Note that an industrial representative may have a greater role in representing a Union member including to ask clarifying questions, prompt the employee or give the employee advice and advocate for a fair process.

1. Appeals

Relevant appeal rights for employees are set out in the Act and the directive relating to positive performance management.

1. Definitions

Unless otherwise defined, the terms in this policy have the meaning set out in the Act and the directive relating to positive performance management.

**Performance development agreement** means the agreement, however named in an entity (e.g. expectation agreement or a performance agreement), between an employee and the manager regarding the employee’s expected work performance and any agreed development during the course of their employment, but normally entered into and reviewed at least annually, in line with any relevant entity policies.

**Performance improvement plan (PIP)** means a structured process, however named in an entity, undertaken to address an employee’s unsatisfactory work performance and/or, in some circumstances, poor personal conduct.

**Positive performance management principles** has the meaning provided for in section 85 of the Act.

**Public sector manager** has the meaning provided for in schedule 2 (Dictionary) of the Act.

**Union**, for the purpose of this directive, means an employee organisation registered under chapter 12 of the *Industrial Relations Act 2016* or under the *Fair Work (Registered Organisations) Act 2009* (Cth).

**Work performance** includes, but is not limited to, matters relating to an employee’s:

* quality of work (accuracy, thoroughness, competence, including professional competency)
* quantity of work and diligence (productivity level, time management, ability to meet deadlines)
* job knowledge (skills and understanding of the work)
* working relationships (ability to work with others, including communication skills).

1. Related information

* [*Public Sector Act 2022*](https://www.legislation.qld.gov.au/view/html/asmade/act-2022-034)
* [*Public Sector Ethics Act 1994*](https://www.legislation.qld.gov.au/view/pdf/2014-07-01/act-1994-067)
* [*Industrial Relations Act 2016*](https://www.legislation.qld.gov.au/view/html/inforce/current/act-2016-063)
* [*Work Health and Safety Act 2011*](https://www.legislation.qld.gov.au/view/html/inforce/current/act-2011-018)
* [*Human Rights Act 2019*](https://www.legislation.qld.gov.au/view/html/inforce/current/act-2019-005)
* [Code of Conduct: For the Queensland Public Service](https://www.forgov.qld.gov.au/__data/assets/pdf_file/0024/182292/code-of-conduct.pdf) [or insert title of organisation’s code of conduct]
* [Managing the risk of psychosocial hazards at work: Code of Practice 2022](https://www.worksafe.qld.gov.au/laws-and-compliance/codes-of-practice/managing-the-risk-of-psychosocial-hazards-at-work-code-of-practice-2022)
* [Positive performance management (Directive 02/24)](https://www.forgov.qld.gov.au/pay-benefits-and-policy/directives-policies-circulars-and-guidelines/positive-performance-management-directive-0224)

1. Further resources

* Managers and employees should use resources on the For Government website to support management decision making - [Positively manage employees | For government | Queensland Government](https://www.forgov.qld.gov.au/human-resources/employee-management-conduct-and-performance/positively-manage-employees)
* [Organisations to insert relevant resources available]

1. Further contacts

[Organisations to insert relevant contacts] for example:

* your manager or supervisor
* workplace health and safety representative
* human resources
* employee assistance programs, or similar.

# Appendix 1 – Sections 85 and 86 of the Act

## 85 Positive performance management principles

(1) For best practice human resource management and in recognition that public sector employees are selected based on recruitment and selection processes under chapter 3, part 3 of the Act, the management of public sector employees must be directed towards the following principles (positive performance management principles):

1. pro-actively managing the personal and professional development of public sector employees with a view to continuously building expertise within the public sector
2. ensuring regular and constructive communication between public sector managers and employees about the work performance and personal conduct principles
3. recognising the strengths, requirements and circumstances of individual employees and valuing their contributions
4. recognising performance that meets or exceeds expectations
5. providing opportunities and support to employees for improving performance
6. continuously improving performance through the provision of training and development
7. identifying at the earliest possible stage performance that does not meet expectations
8. integrating the matters mentioned in paragraphs (a) to (g) into management practices and policies.

(2) The Public Sector Commissioner must make a directive about how the positive performance management principles are to be applied.

## 86 Requirement to apply positive performance management principles before taking disciplinary action

A public sector employee’s chief executive must not take disciplinary action against the employee for a matter relating to the employee’s performance until the chief executive has complied with a directive made under section 85(2) about applying the positive performance management principles in relation to the matter.

# Appendix 2 – Work performance and personal conduct principles (section 40 of the Act)

## 40 Work performance and personal conduct principles

(1) In recognition that public sector employment involves a public trust, the work performance and personal conduct of each public sector employee should be guided by the following principles (the work performance and personal conduct principles):

1. achieving excellence in service delivery
2. ensuring the effective, efficient and appropriate use of public resources
3. giving effect to government policies and priorities
4. collaborating with other public sector entities with a focus on public sector-wide priorities in addition to priorities specific to particular public sector organisations, if appropriate and while recognising the need for independence of particular public sector entities
5. providing sound and impartial advice to government
6. continuously improving work performance, including through training and development
7. carrying out duties impartially and with integrity
8. acting honestly, fairly and in the public interest
9. interacting with staff members under the *Ministerial and Other Office Holder Staff Act 2010* respectfully, collaboratively and with integrity
10. observing all laws relevant to the employment
11. ensuring the employee’s personal conduct does not reflect adversely on the reputation of the public sector entity in which the employee is employed
12. observing the ethics principles under the *Public Sector Ethics Act 1994*, section 4
13. complying with an approved code of conduct and any approved standard of practice as required under the *Public Sector Ethics Act 1994*, section 12H or 18.

(2) A public sector manager must take all reasonable steps to ensure each public sector employee under the manager’s management is aware of the following matters:

1. the work performance and personal conduct expected of the employee
2. the public sector principles
3. the values of the public sector entity in which the employee is employed
4. for a public service employee—the values of the public service
5. what constitutes corrupt conduct under the *Crime and Corruption Act 2001.*

(3) Also, a public sector manager must:

1. provide working environments in which all public sector employees are:
2. treated fairly and reasonably
3. assigned work according to the employee’s responsibilities as reflected in remuneration rates
4. consider and give effect to the following matters when undertaking management responsibilities:
5. the public sector principles
6. the values of the public sector entity in which the employee is employed
7. if the manager is a public service employee—the values of the public service
8. ensure fairness and integrity in performing managerial functions, including when making decisions
9. undertake best practice human resource management, including the application of the positive performance management principles in the following ways:
10. pro-actively managing the work performance and personal conduct of public sector employees
11. constructively engaging with public sector employees to identify development and training opportunities, improve work performance, and build expertise in the public sector
12. taking prompt and appropriate action to address any unacceptable work performance or personal conduct that arises
13. take personal responsibility for development as a manager.

(4) A chief executive of a public sector entity has overall responsibility for:

1. ensuring the entity performs its functions in a way consistent with:
2. the main purpose of the Act
3. the ways in which the main purpose of the Act is to be primarily achieved
4. the public sector principles
5. ensuring managers within the entity perform managerial functions in accordance with the positive performance management principles
6. ensuring public sector employees have access to fair and independent reviews and appeals
7. ensuring the entity has workforce and human resource planning and practices, including systems for the regular review of employment arrangements for public sector employees.

Note—  
If the chief executive is an accountable officer under the *Financial Accountability Act 2009*, see also the responsibility of the chief executive to develop the strategic plan and operational plan under the *Financial and Performance Management Standard 2019*, section 8.

# Appendix 3 – Public sector principles (section 39 of the Act)

## 39 Public sector principles

(1) In recognition that public sector organisations are established for a public or state purpose, and of the trust the people of Queensland place in public sector organisations, an organisation should be guided by the principles mentioned in subsections (2) and (3) (the public sector principles).

(2) The management of the public sector should be guided by the following principles:

1. achieving a spirit of service to the community
2. ensuring accountability, integrity, and support of the public interest
3. ensuring independence, transparency, and impartiality in giving advice and making decisions
4. achieving responsiveness, innovation, and creativity
5. promoting collaboration between public sector entities and other entities in providing services to the community
6. achieving continuous organisational improvement.

(3) The employment of public sector employees should be guided by the following principles:

1. ensuring employment on a permanent basis is the default basis of employment, other than for non-industrial instrument employees
2. supporting equity, diversity, respect, and inclusion at work
3. ensuring the taking of measures aimed at implementing and promoting pay equity
4. ensuring effectiveness and efficiency while maintaining a focus on the future
5. ensuring fairness and impartiality in making decisions
6. remunerating employees at rates appropriate to their responsibilities
7. promoting equitable and flexible working environments.