



Australian Government
National Health and Medical Research Council

Conditions of Engagement Policy

Policy Number:	
Purpose:	To set out the conditions of engagement and to provide advice to all parties involved in a probation process about their role and responsibilities in the probation process.
Category:	Corporate
Applicable to:	Employees of NHMRC, other than Senior Executive Service employees (as defined in the <i>Public Service Act 1999</i>) ¹
Relevant Legislation:	<i>Fair Work Act 2009</i> <i>Fair Work Regulations 2009</i> <i>Public Service Act 1999 ('the Act') Subsection 22(6) Subsection 29(3)(f)</i> <i>Disability Discrimination Act 1995</i> <i>Work Health and Safety Act 2011 (Commonwealth)</i> <i>Privacy Act 1988</i> <i>Long Service Leave Act (Commonwealth employees) 1976</i> <i>Australian Government Protective Security Policy Framework 2010</i>
Related Documents:	NHMRC Enterprise Agreement 2016-2019 (EA) HR Delegations 2015/1 Recruitment Guidelines Work Health and Safety Policy Performance, Partnerships, Program Policy
Policy Statement:	In NHMRC conditions imposed as a condition of engagement will be relevant to the duties an employee will be expected to perform or the operating environment.
Approved by:	Chief Executive Officer, NHMRC
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¹ NHMRC Enterprise Agreement 2016-19, Clause 2

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Introduction

All new employees must be advised of the conditions of engagement at the time of formalising the employment contract.

All new employees who are not currently Australian Public Service (APS) employees must be engaged with the National Health and Medical Research Council (NHMRC) through a 'Notice of APS Employment' instrument (the notice). The completed notice must be signed by the delegate and the new employee. Once signed, it is to be forwarded to Human Resources as soon as possible to ensure the employee receives their salary in a timely fashion.

The engagement of employees is made subject to the conditions notified in the notice. If the condition is not notified in the employment notice, there is no power to impose an additional condition after engagement.

While managers have some scope to determine whether a particular condition should be applied to a new employee, it is expected that in most circumstances, the conditions contained in the notice will not be varied. Managers are to consult Human Resources prior to varying the notice.

Subsection 22(6) of the Public Service Act (*PS Act*) enables an Agency Head² to impose conditions upon the engagement of an employee. Each of these conditions is separate and failure to meet any one of these conditions may result in the termination of employment.

Under the *PS Act* 1999³, Agency Heads may apply a period of probationary employment to new employees, whether ongoing or non-ongoing. An Agency Head also has discretion as to the manner in which probation is managed.

New employees are advised of the conditions of engagement (including probation) at the time of formalising the employment contract. This is available on NHMRC's website for viewing by prospective employees ([Conditions of engagement link here](#)).

Principles

Underlying principles to be followed:

- Equity, effectiveness, accountability and transparency underpin induction and probation. It is essential for managers to provide new employees with guidance, feedback, counselling and an opportunity to respond to comments on their performance.
- All non-SES employees are covered by the [NHMRC Enterprise Agreement 2016-19 \(link here\)](#) and, if they feel they have been treated unfairly, they are entitled to request that the procedures for dispute prevention and settlement and/or review of employment actions, as outlined in the Enterprise Agreement, be followed.

Further information on conditions of employment and probation can be found on the Australian Public Service Commission's website.⁴

Categories of employment

Executive Directors and above have the power to engage employees, in either of the following categories:

- ongoing APS employee⁵
- non-ongoing employee⁶

Labour hire or contractors are outsourced skilled and unskilled workers⁷ hired for short or long term positions and are hired through a labour hire organisation or directly via a contract. Contractors or labour hire workers are not APS employees. However, on commencement, they are required to read and complete a series of documents to facilitate their understanding of the terms and conditions of working in NHMRC and the wider APS, including the [Code of Conduct \(link here\)](#). Refer to the [Induction Kit – New Starter \(contractor\) \(link here\)](#) for more information.

² The Secretary, CEO or head of an APS agency as defined under the Public Service Act 1999

³ *Public Service Act 1999*, Subsection 22(6)

⁴ Conditions of Engagement, 3 Nov 2016, www.apsc.gov.au

⁵ Ongoing (permanent) employment does not have a specified date of cessation

⁶ Non-ongoing (temporary) employees in the APS are engaged for a specified term, the duration of a specified task or to perform duties that are irregular or intermittent. For more information <http://www.apsc.gov.au/managing-in-the-aps/recruitment-and-selection/non-ongoing-employment>

⁷ Definition of worker from *Work Health and Safety Act 2011*

Citizenship

Ongoing employees and non-ongoing employees

All NHMRC employees must be Australian citizens. Documentary evidence, such as an Australian birth certificate, Australian passport, Australian citizenship certificate or other relevant documentation, will need to be supplied prior to engagement.

In exceptional circumstances and dependent on the needs of the Agency (for example, the skill or professional qualifications required to perform particular duties), the CEO or delegate may also consider it appropriate to engage a non-Australian Citizen as either an ongoing or non-ongoing employee.⁸ Where it is believed exceptional circumstances exist, managers must consult with Human Resources early in the recruitment process and before any offer of employment is made. This is necessary so that a submission can be made to the CEO or delegate in relation to waiving the citizenship requirement.

The CEO or delegate may consider it appropriate to conditionally engage non-citizens who are actively pursuing Australian citizenship.

An employee who is not an Australian citizen must hold and maintain appropriate work entitlements to be able to perform duties in the APS. This is an independent legal requirement and applies on an ongoing basis. It applies whether or not a condition relating to Australian citizenship is imposed as per the *PS Act* (subsection 22(6)), and regardless of whether the employee was notified of such a requirement at the time of engagement. The *PS Act* provides for termination of the employment of an APS employee on this basis (paragraph 29(3)(b)).

Employment suitability

Ongoing employees

An employee's continued employment is subject to successfully meeting a character check in line with NHMRC's [Security Policy \(link here\)](#). The character check will involve checking police records, and employees will be required to complete a 'Consent to Obtain Personal Information' form for the purposes of obtaining an Australian Federal Police (AFP) records check. Should the employee fail to meet these requirements, their employment may be terminated.⁹

Non-ongoing employees

Non-ongoing employees will also be required to undergo a character check and will be required to complete a 'Consent to Obtain Personal Information' form for the purposes of obtaining an AFP records check. Should the employee fail to meet these requirements, their employment may be terminated.¹⁰

Labour hire

Workers¹¹ engaged via labour hire arrangements will also be required to undergo a character check and will be required to complete a 'Consent to Obtain Personal Information' form for the purposes of obtaining an AFP records check.

Security clearances

Some duties or positions within NHMRC may require the employee, whether ongoing or non-ongoing, to hold a current security clearance at a particular level.

Any requirements for security clearances will be consistent with Commonwealth Protective Security policy and practices outlined in the [Australian Government Protective Security Policy Framework 2010 \(link here\)](#).

Should a security clearance be required for a position/duties and the clearance is not processed prior to a commencement date the employment offer is made on the condition that a security clearance is achieved. If it is not, the employment offer may be rescinded.

⁸ *PS Act 1999* Subsection 22(8)

⁹ Personnel security guidelines, Agency personnel security responsibilities, Attorney General's Department

¹⁰ Personnel security guidelines, Agency personnel security responsibilities, Attorney General's Department

¹¹ Definition of worker from *Work Health and Safety Act 2011*

Health assessment

New employees of NHMRC who are ongoing (permanent) or non-ongoing staff (engaged on a six month or longer contract) are required to complete a [Pre-existing Medical Condition Declaration \(link here\)](#). If a new employee declares a pre-existing medical condition, they may be required to undertake a medical assessment with the [MLCOA \(link here\)](#). A medical assessment is authorised under the *Public Service Regulations 1999*, Regulation 3.2.¹²

The purpose of the examination is to determine whether the employee is medically fit to perform the duties which they are employed to undertake. In addition, the examination will identify or confirm any pre-existing conditions or disability and recommend any changes or adjustments that may need to be made to the workplace. Please refer to the [Workplace Adjustment Policy \(link here\)](#).

Under the *Work Health and Safety Act 2011*, NHMRC must ensure that its acts or omissions do not adversely affect the health and safety of other persons.¹³ NHMRC must also provide a safe working environment and monitor the health and the conditions of the workplace to prevent injury or illness, including both physical and mental illness.¹⁴ Employees will not be discriminated against due to health conditions or disabilities provided they are fit for the duties they are employed to perform.

Employee health

NHMRC employees (on-going and non-ongoing, full-time and part-time), contractors and labour hire workers, and their families, are able to access confidential professional counselling to assist with work or personal issues through provision of an external Employee Assistance Program.¹⁵

People with a disability

NHMRC is committed to ensuring an accessible and inclusive work environment to enable people with disability to participate fully in all aspects of employment. In keeping with the requirements of the *Disability Discrimination Act 1992* and the *Work Health and Safety Act 2011*, NHMRC seeks to apply the principle of workplace adjustment ([Workplace Adjustment Policy link here](#)) to remove barriers to participation in work by people with disability, illness or injury. NHMRC and managers will do everything possible to accommodate people who require workplace adjustments.

Essential qualifications

Some duties in NHMRC require the employee to possess and maintain an appropriate qualification. Usually a formal qualification will need to be met prior to commencement and the employee will be required to provide documentary evidence of the relevant qualification before commencement.

If it is not possible to produce such evidence by the preferred commencement date, the person may be engaged with the requirement to meet this condition within a specified time.

An employee who cannot produce proof of their qualification in circumstances where, for example, documents have been lost or destroyed may be engaged subject to their producing evidence within a period of up to six months after commencement of employment.

Probation

Under the *PS Act*, Agency Heads may apply a period of probationary employment to new employees, whether ongoing or non-ongoing. Probation does not apply to labour hire employees. They also have discretion relating to the manner in which probation is managed.

While the *PS Act* does not prescribe any minimum or maximum period of probation, requirements of the *Fair Work Act 2009* relating to unfair or unlawful dismissal provide useful guidance as to what constitutes a reasonable period of probation. This information has been considered in developing this policy.

¹² Should the employee fail to meet the medical fitness standards to undertake the duties for which they have been employed, the employee's employment may be terminated

¹³ *Work Health and Safety Act 2011*

¹⁴ *Work Health and Safety Act 2011*

¹⁵ NHMRC Enterprise Agreement 2016-19, Clause 58

Managers are to remind new employees about the probation procedures when they commence their employment.

The following principles must be applied to the management of probation:

- the employee must be made aware, in advance of their engagement, that a condition of that engagement is the satisfactory completion of a probationary period
- new employees who have worked at NHMRC previously may apply to have the probation period shortened or waived
- the period of probation will be for an initial period of six months with the possibility that this period be extended for further three months i.e. up to a total of nine months. The period cannot be extended after the initial period has ended (i.e. nine months).

There may still be conditions of engagement that have to be met, even after the period of probation is completed. It is possible, therefore, for a person to have successfully completed their probation, but for their engagement to remain subject to other specific conditions such as a health assessment, character check or the satisfactory completion of an entry level training program.

Where the probationer does not meet the required standards of performance and/or conduct, their employment may be terminated, by the CEO or delegate who has the authority under subsection 29(1) of the *PS Act*, on the grounds that they have failed to meet a condition of engagement. This may occur at any time during the probationary period.

Further information on probation is at **Attachment A** and **Attachment B**.

Employee entitlements on probation

Probation periods are not a separate period of employment. While on probation, employees continue to receive the same entitlements as someone who is not in a probation period. If engaged on a full-time or part-time basis, an employee on probation is entitled to accrue and access their paid leave entitlements such as annual leave and sick leave. If an employee does not pass their probation, they are still entitled to receive notice when employment ends and have their unused accumulated annual leave hours paid out.¹⁶

Restrictions on employment following redundancy

There are arrangements applying in the APS which limit the subsequent employment of people who have received a redundancy benefit. The circumstances where the restrictions apply are set out in section 48 of the [Australian Public Service Commissioners Directions 2016 \(link here\)](#). A person who receives a redundancy benefit from an APS Agency, the Australian Parliamentary Service or the Murray-Darling Basin Commission may be restricted from engagement as an ongoing or non-ongoing employee within NHMRC.¹⁷ The period of exclusion (or 'redundancy benefit period') from employment will depend upon the level of the benefit received. Details on the indicative redundancy entitlements and restriction periods can be found at the APSC website.¹⁸

Managers are to contact Human Resources if they are contemplating employing a person who has received a redundancy benefit to determine the redundancy benefit period.

Only in very exceptional circumstances can a person be employed before the redundancy benefit period has expired and Human Resources must be consulted for further advice.

Salary on engagement

A person who is engaged to work at NHMRC will be paid at the minimum pay point of the salary range applicable to the classification unless the CEO or delegate approves payment at a higher salary pay point.¹⁹ Where, at the time of engagement, an employee's salary is set at an incorrect pay point the delegate may determine that the employee is paid salary at another pay point with effect from the date of their engagement.²⁰

¹⁶ <https://www.fairwork.gov.au/employee-entitlements/types-of-employees/probation>

¹⁷ Engagement of people who have received a redundancy benefit, Feb 2017, [apsc.gov.au](#)

¹⁸ Engagement of people who have received a redundancy benefit, Feb 2017, [apsc.gov.au](#)

¹⁹ NHMRC Enterprise Agreement 2016-19, Attachment A – Classifications and Salary Rates

²⁰ NHMRC Enterprise Agreement 2016-19, Clause 11 and 16

Portability of leave

Where a person is engaged as an ongoing employee in NHMRC and, immediately prior to the engagement, the person was employed as a non-ongoing APS employee (only for those previously employed in NHMRC or another Agency in the Federal Government or ACT Public Service), the delegate may, at the employee's request, recognise any unused, accrued annual leave (excluding accrued leave paid out on termination of employment) and personal leave (however described).

Disclosure of Interest

The [APS Code of Conduct \(link here\)](#) requires employees to take reasonable steps to avoid any conflict of interest, real or apparent, in connection with their employment. A real conflict of interest occurs where there is a conflict between the public duty and the personal interests of the employee that would improperly influence the employee in the performance of their duties. There is no standard list of items that must be disclosed. It is the responsibility of employees to consider and disclose those personal interests or relationships that influence, or could be seen to influence, their actions. Factors to be taken into account in considering what to disclose include:

- The particular roles and responsibilities of the employee's agency
- The particular roles and responsibilities of the employee.

The types of financial interests that may need to be disclosed include other paid employment, directorships, shareholdings, real estate (not including the family residence), trusts or involvement in self-managed superannuation funds, which have the potential to conflict with official duties. Personal and other interests that may need to be disclosed include family relationships, sexual relationships or relationships formed through work or engagement with the local community, including sporting, social, cultural or voluntary activities, which have the potential to conflict with official duties.

Employees must disclose any personal interests or relationships of their immediate family that are known to them, where they consider that these interests influence, or could be seen to influence, the work decisions they are taking or the advice they are giving. The term 'immediate family member' means a person who is related by blood, marriage, adoption, fostering or traditional kinship; a de facto partner (including same sex partner and former de facto partner); where the CEO is satisfied that a person has a strong affinity with the employee; a parent, child, grandparent, grandchild or sibling of the employee's spouse or de facto partner or former spouse.²¹

Whilst self-monitoring for potential conflicts of interest is an ongoing requirement on each employee, NHMRC requires that each employee make an annual declaration of interest, even where there is no relevant interest. Further information can be found in the [Disclosure of Interests Procedures \(link here\)](#).

Superannuation

NHMRC will make compulsory employer contributions as required by the applicable legislation and fund requirements.

Where employer contributions are to an accumulation superannuation fund, the employer contribution will be 15.4 per cent of the fortnightly superannuation contribution salary, or such higher amounts as set out in the PSSap Trust Deed. This will not be reduced by any other contributions made through salary sacrifice arrangements. This does not apply where a superannuation fund cannot accept employer superannuation contributions.²²

Employer superannuation contributions will not be paid on behalf of employees during periods of unpaid leave that do not count as service, unless otherwise required under legislation.

The CEO may choose to limit superannuation choice to complying superannuation funds that allow employee and/or employer contributions to be paid through fortnightly electronic funds transfer using a file generated by the Treasury's payroll system.

²¹ NHMRC Enterprise Agreement 2016-19, Attachment B - Definitions

²² NHMRC Enterprise Agreement 2016-19, Clause 27 - 31

Senior Executive Service (SES)

SES employees are employed under the *PS Act*. Employment decisions, including engagement and promotion decisions, must comply with the *PS Act*, the *Public Service Regulations 1999* and the Australian Public Service Commissioner's Directions 2016.²³

Definitions

Agency Head - the Secretary, CEO or head of an APS agency as defined under the *Public Service Act 1999*.

Classification/s - an approved classification level as set out in the Australian Public Service Classification Rules 2000.

Enterprise agreement - an enterprise agreement made under the *Fair Work Act 2009*.

Full time employment is when ordinary hours of duty for full time employees are 150 hours over a four (4) week settlement period.

Part time employment applies when an employee has ordinary hours that are less than 150 hours in a four (4) week settlement period.

Resources

- Fair Work Ombudsman – A guide to hiring new employee
- Australian Public Service Commission – Conditions of Engagement
- A [list of documents that can confirm Australian citizenship](#) is available from the Department of Foreign Affairs and Trade.
- Information on Australian citizenship—including how to obtain evidence of Australian citizenship—is available from the Department of Immigration and Border Protection at www.citizenship.gov.au.

Contact Information

Policy Manager:	Director, Human Resources
Policy contact officer:	Director, Human Resources

Document history of changes to the policy

Effective date	Last update	Policy version number	Notes

Note: “The NHMRC will make proposed changes to any policy, procedure or guideline that is in place to support the operation of this Agreement available to the Staff Consultative Forum for comment and feedback for a minimum period of two (2) weeks. The NHMRC will take into account any comments or feedback received in relation to the proposed changes prior to the employment policy, procedure or guideline being finalised.”²⁴

²³ <http://www.apsc.gov.au/publications-and-media/current-publications/the-senior-executive-service-selection,-mobility-and-separation2>

²⁴ NHMRC Enterprise Agreement 2016-19, Clause 200

Probation

What is probation?

Probation is close supervision and monitoring of an employee's work performance during the initial period of employment. It is an integral component of effective performance management. It allows a manager to identify relevant strengths and weaknesses in an employee's performance, to provide constructive feedback and to address areas requiring further development to assist an employee to improve their performance. Where this improvement does not happen, underperforming employees may have their employment terminated.

Proper induction complements probationary procedures by providing new employees with an understanding and appreciation of the requirements of their jobs and the standard of work expected²⁵, as well as the goals, functions and values of their agency and the APS as a whole. The role of the supervisor is critical.

Does probation apply after promotion or transfer?

No - not if the initial probation period has been completed. A probation period applies when an employee first joins the APS, as a condition of engagement. That is, their engagement is conditional upon the satisfactory completion of a probationary period, and their employment may be terminated during the probationary period for unsatisfactory performance. Any such action does not attract the unfair dismissal provisions of the *Fair Work Act 2009*.

Probation does not apply to ongoing APS employees who move to NHMRC from another APS agency or to employees who are promoted or reassigned duties within NHMRC once the initial probation period has been completed.

The performance of these employees should be monitored in accordance with the NHMRC's [Performance Partnerships Program](#) (link here).

What if the promotion or transfer is during the period of probation?

Where it is decided to transfer or promote a person on probation, either within NHMRC or from another agency, any decision regarding the continuity or otherwise of the period of probation should be clearly conveyed to the employee as soon as possible.

Whether a period of probation continues when an employee moves during their period of probation may be dependent upon whether the wording of the original engagement notice is sufficiently flexible to allow for the possibility.

If the CEO or delegate decides that the full period of probation need not be served, the employee should be advised that the period of probation has been satisfactorily concluded.

How does probation work at the NHMRC?

Length of probationary period

At NHMRC, the probation period is six (6) months with provision for extension for up to an additional three (3) months. New employees who have worked at NHMRC previously may apply to have the probation period shortened or waived.

The probationary period may be extended by the manager in consultation with the Director Human Resources. Possible reasons for extension include lengthy absences preventing an assessment of performance; or allowing sufficient time for requested performance improvements or skills to be developed.

Formal procedures to follow

Managers should provide the employee with verbal and written feedback on their performance after three (3) months using the [first probation report](#) (link here). This can be done in conjunction with the Performance Partnerships Program process. Managers must show the completed report to the employee, and provide constructive feedback and advice on any improvement required. The probation report should hold 'no surprises' for

²⁵ APS Work Level Standards <http://www.apsc.gov.au/publications-and-media/current-publications/worklevel-standards>

the employee and is essentially a reiteration of previous feedback. The completed report must be returned to Human Resources for filing or further action as appropriate.

At five (5) months the manager should complete the [second probation report \(link here\)](#), requiring comments on conduct and work performance. Managers must show the completed report to the employee, and provide constructive feedback and advice on any improvement required. The probation report should hold 'no surprises' for the employee and is essentially a reiteration of previous feedback. The completed report with recommendation for completion of probation or additional conditions must be returned to Human Resources for filing or further action as appropriate.

Where an employee is either not performing their work responsibilities, or is not performing them to a satisfactory standard, it is good practice to raise this with the employee as soon as it becomes apparent rather than raising it in a probationary report. The manager and employee should jointly implement strategies to address the underperformance trialling the strategies for no less than four (4) weeks. This process must be documented by the manager. At the end of the four (4) week period where there has been no or insufficient improvement in the employee's performance, the manager, after consultation with the Director Human Resources, may decide to make a written recommendation to the Delegate to terminate the employment of the probationer.

Outcome of satisfactory completion of probation

Ongoing employees who satisfactorily complete the probation period will continue in their position at NHMRC.

Non-ongoing employees who satisfactorily completed the probation period will continue in their position at NHMRC for the duration of their contract of engagement.

Outcomes of unsatisfactory performance or conduct during the probation period

There are two options for employees who do not satisfactorily complete the probation period:

- The Delegate may terminate the engagement or
- The employee may be reassigned to other duties within NHMRC, if it appears that they may be able to perform satisfactorily with a different type of work. Such reassignment may be at the same classification level or at a reduced level. This could occur only if suitable other work is available and the probationary period would be extended to ensure suitability for the new duties.

Recommendations to terminate employment or reassign duties must be made well before the expiration of the probationary period. Managers should make recommendations through the Director Human Resources, at least 8 weeks prior to the end of the probation period, which will facilitate any termination taking place before the end of the probationary period.

Underlying principles to be followed

Equity, effectiveness and accountability underpin induction and probation. It is essential for managers to provide new employees with guidance, feedback, counselling and an opportunity to respond to comments on their performance.

All non-SES employees are covered by the [NHMRC Enterprise Agreement 2016-19 \(link here\)](#) and, if they feel they have been treated unfairly, they are entitled to request that the procedures for dispute prevention and settlement and/or review of employment actions, as outlined in the Enterprise Agreement, be followed.

Further information on conditions of employment and probation can be found on the [Australian Public Service Commission's website \(link here\)](#).

Management of probationary employees

Role of the supervisor

The supervisor has primary responsibility for managing probation in the workplace. This means that supervisors are to ensure that the objectives of probation are met. Principally the supervisor is responsible for overseeing and reporting on the probationer's performance and conduct.

The supervisor must define what is expected of the probationer, identify any learning and development required, provide assistance, monitor work performance and conduct, provide feedback and, finally, assess work performance and conduct.

The supervisor is required to report accurately and comprehensively on the probationer's performance and conduct so that informed judgements about their suitability for continued employment may be made. Under no circumstances should a supervisor ignore shortcomings or overstate performance. Equally the supervisor should not neglect to provide positive feedback where appropriate.

Supervisors must submit [Probation Reports \(link here\)](#) by the due date to Human Resources.

Probationary reporting

Probation is not a mere formality. When it is conducted properly, probation facilitates the employment by NHMRC of employees who are effective performers and who are committed to the goals and values of the APS and the Agency. Probation also provides the supervisor with a structured opportunity to improve the probationer's performance through feedback.

Although the decision to terminate a probationer's employment may only be made by the CEO or delegate who has the authority under subsection 29(1) of the PS Act, the decision will be based on the recommendation and supporting evidence of the supervisor.

Supervisors therefore need to maintain documentary evidence to support their recommendation to the CEO or delegate. This includes information on any poor performance identified and steps that were taken to try to improve the performance. For example, targeted learning and development (formal training), on-the-job training, feedback, performance of other duties, coaching etc.

Inadequate probationary reporting often results in poor performers remaining in continued employment with NHMRC over a long period of time. This imposes an ongoing cost on the agency through long term requirements for supervision, counselling, training and performance management.

It is essential that supervisors address any performance or conduct issues during the probationary period and where necessary, recommend termination of employment. If in doubt about the management of a probationer, supervisors should seek advice and support from the Director Human Resources.

Conduct and performance issues that are not properly managed can quickly become complex. As these issues could result in the probationer's employment being terminated, the process must be well managed and documented.

Supervisors have a responsibility to complete reports in a timely manner and manage effective performance.²⁶

Privacy

The handling of personal information collected in the probation process is subject to the provisions of the *Privacy Act 1988*. This includes any reports on conduct and work performance and records of counselling.

In reporting on an employee's performance, supervisors are to take all reasonable steps to ensure that the information used in reports is accurate, up to date and complete. Particular care must be taken when the information is, or potentially may be, prejudicial to the employee.

²⁶ Commissioner's Directions on Employment Principle of effective performance, 1 July 2015