



# Performance Improvement Processes

PRO-SMC-06

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## Purpose

This document provides guidance to councils and committees of the church for responding to concerns in relation to ministry with children and conducting subsequent performance improvement processes. This is a process to ensure that, within their jurisdiction, concerns relating to the performance of individuals engaged in ministry with children are handled in a respectful, reasonable manner and are ethical and consistent.

The Church values the contribution of its members and this should be reflected in the way this process is conducted. Central to ministering safely with children, as a community of faith, is our commitment to providing safe environments consistent with the Church's vision, mission and ministry with children within the Queensland Synod. We commit to a set of standards which emphasise our collective responsibilities to behave in ways which reflect these standards. The three core elements of the Safe Ministry with Children policy include:

**A Positive Culture:** in which individuals are welcome to participate and feel included in ministry and mission and feel confident to raise even small concerns.

**Environments:** that reduce opportunities for abuse - physical, social, spiritual and emotional – to provide environments that are safe.

**Systems:** policies, processes and tools which are robust and accessible.

For those working in children's ministry, participation is conditional upon adhering to the code of conduct. This code sets out the boundaries of appropriate and acceptable behaviour. Regardless of position, all individuals are required to maintain safety by behaving appropriately and are empowered and compelled by this policy and code of conduct to interrupt and report any concerns, breaches or suspected breaches. When issues arise, either with performance or behaviour, appropriate process are to be undertaken as outlined in this document.

## Scope

This procedure applies to concerns in relation to ministry with children within the bounds of the Synod of Queensland as part of the children's ministries of Uniting Church congregations and faith communities. This includes matters involving the abilities and performance of volunteers, helpers and leaders of children's activities and programs.

References to 'council' throughout this document encompasses the various councils and committees overseeing safe ministry with children.

The church council is responsible for:

- oversight of all activities within the congregation, including those involving children
- Responding to and addressing concerns about the:
  - performance of leaders and helpers within the congregation setting
  - safety of children's programs and activities within the congregation setting.

For faith communities, the Presbytery council is responsible for ensuring these undertakings are completed.

### Exclusions:

This procedure does not apply to agencies, regulated businesses or colleges and schools of the church. These entities are required to ensure they comply with their statutory obligations and to maintain policy, process and resources relating to child protection and safety which are specific to their context.

Synod and Presbytery committees responsible for the oversight of ministry agents in accordance with the Regulations of the Uniting Church may refer to this procedure as appropriate.



## Principles

- The safety and wellbeing of the child is always the priority
- All members, volunteers and leaders are treated fairly and consistently
- Concerns and incidents are investigated thoroughly and in line with policies and processes
- Decision-making processes are well informed
- Mandatory reporting obligations are met in line with the requirements for ministry agents and lay workers.

## Before commencing the performance improvement processes

### 1. Inquire into the circumstances of the matter

#### 1.1. Before every meeting, the supervisor, delegate or ministry agent should:

- 1.1.1. Inquire into the circumstances of the concern
- 1.1.2. Try to ascertain contributing factors relating to the concern.

#### 1.2. Before the second meeting, the supervisor, delegate or ministry agent should:

- 1.2.1. Try to ascertain progress made since the first meeting
- 1.2.2. Verify that the agreed future actions were implemented and that the review was conducted as agreed.

#### 1.3. Before the final caution meeting, the supervisor, delegate or ministry agent should:

- 1.3.1. Remind the person of the previous interview date and the outcome (written caution)
- 1.3.2. Ensure the church council chairperson and the person's supervisor are present at the interview.

### 2. Decide whether to suspend the person from their role or duties

#### 2.1. When to consider suspension from role or duties

- 2.1.1. If the reported incident represents serious misconduct to the degree that termination is being considered as a likely first step i.e. the person's action represents risk to the reputation of the church or the viability of the children's ministry e.g. theft, fraud, grooming, abuse
- 2.1.2. While the circumstances of a complaint about behaviour or performance is being inquired into
- 2.1.3. If the person's work performance or behaviour has not improved following a caution
- 2.1.4. If there has been a third boundary violation
- 2.1.5. Where the person's role means there is a risk of future incidents occurring
- 2.1.6. When several boundary violations or an incident of harm/abuse have occurred.

#### 2.2. Immediate verbal communication

- 2.2.1. Where the decision is made to suspend the person from their role or duties, the church council chairperson should speak with the person and instruct them to cease their role.
- 2.2.2. Where suspension from role or duties is in relation to an inquiry into the circumstances of a serious matter or police investigation, the person should be told:
- 2.2.3. In broad terms, the nature of the incident(s) being inquired into



- 2.2.4. That the inquiry relates to the Safe Ministry with Children policy
- 2.2.5. That they will be given an opportunity to participate in the inquiry at a meeting
- 2.2.6. The date, time and location of the meeting (or that they will be advised when the meeting will occur)
- 2.2.7. Whether the matter has been reported to an external organisation (e.g. Police)
- 2.2.8. That they may bring an independent support person to the meeting (not a person who was present at the incident or a member of the children's ministry team)
- 2.2.9. Who will be attending from the church (the church should have two representatives present at this meeting)
- 2.2.10. That the process is private and confidential
- 2.2.11. State any restriction on who the person can talk to during the investigation e.g. must not talk to people at the incident location, parents/guardians, can talk to the support person, can talk to the church council chairperson or secretary
- 2.2.12. That they may also wish to consider whether they can meet the organisation's expected levels of performance and behaviour.
- 2.2.13. Where suspension from duties is in relation to a person's work performance or behaviour, or a third boundary violation and the person has not demonstrated improvement as agreed, the person should be told:
- 2.2.14. The nature of the incident, performance or behaviour that requires response at the meeting
- 2.2.15. That if their response is not accepted, the consequence may be termination of their volunteer role/placement? (and in the case of suspected grooming behaviour, notification to Police, Blue Card Services and Synod Support Services)
- 2.2.16. The date, time and location of the meeting
- 2.2.17. That they will be given an opportunity to provide a response at the meeting
- 2.2.18. That they can bring an independent support person (not a person who was present at the incident or a member of the youth ministry team)
- 2.2.19. Who will be attending from the church (the church should have the church council chairperson and the person's supervisor present at this meeting),
- 2.2.20. That the process is private and confidential.

## **Performance improvement processes**

Where the concern or complaint is about someone's performance or behaviour, this process applies.

### **3. Performance discussion**

The purpose of the performance discussion is to address matters involving behaviour and performance.

The aim is to support the person to behave and perform their role in line with the stated expectations. The process allows the person to improve their work performance or behaviour and enhance their abilities to perform and act well. The process is to be fully documented on the Performance discussion record.

#### **3.1. First meeting**

##### **Before the meeting:**



- 3.1.1. Contact the person whose behaviour or performance is being reported (the respondent)
- 3.1.2. Inform them about the concern to be discussed (including the date of the behaviour or performance which is of concern, and where it took place)
- 3.1.3. Make a suitable time to meet and invite them to bring a support person as an observer if they wish (the support person should not be someone who was present at the time of the behaviour or performance which is of concern).

**At the meeting:**

- 3.1.4. Explain why the meeting is taking place and refer to the Safe Ministry with Children policy.
- 3.1.5. Inform the respondent of the church's expectations relating to behaviour and performance and assist the respondent to access relevant policy and procedure.
- 3.1.6. Clearly outline the behaviour or performance which is of concern and seek their response.
- 3.1.7. Where the person's response acknowledges the concern, work proactively to identify solutions to the behaviour or performance which is of concern. Agree on specific outcomes, including specific actions / supports required to assist the achievement of the outcomes, and set a review date.
- 3.1.8. Where the person's response provides acceptable evidence that the concerning behaviour did not occur as reported, the person should be thanked for their attendance.
- 3.1.9. Complete and sign the performance discussion record. Give the respondent the opportunity to review and sign the record and give them a copy. In the event the respondent declines to sign the record that fact should be noted, and the respondent should be given a copy of the record and encouraged to make their own notes.

**3.2. Close the loop (confirm the outcome)**

- 3.2.1. Ensure any agreed actions to support improvement are set in place within agreed timeframes.
- 3.2.2. Inform the person overseeing the respondent of the outcomes of the discussion.
- 3.2.3. Inform the person making the complaint or raising the concern that a performance discussion has been completed (if there had been a complaint)
- 3.2.4. Undertake a review to confirm that the agreed outcomes, actions and supports noted in the performance discussion have occurred by the review date.

**4. Written caution**

Written cautions are to be used to address instances where the performance discussion process does not positively alter the person's performance or behaviour and issued after a second meeting if the person's response during that meeting is not accepted. The church council chairperson or secretary is required to sign all caution letters. When writing the letter, refer to specific issues and do not generalise.

**4.1. Second meeting**

**Before the meeting:**

- 4.1.1. Contact the person, preferably in writing e.g. letter (If contacting in person, make a written record of the discussion afterwards) outlining:
  - 4.1.2. The incident, performance or behaviour that they will respond to at the meeting
  - 4.1.3. That they will be given an opportunity to provide a response at the meeting



- 4.1.4. The date, time and location of the meeting
  - 4.1.5. That they can bring a support person as an observer if they wish (the support person should not be someone who was present at the time of the incident)
  - 4.1.6. The names of the people who will be attending from the church (the church should have two representatives present at this meeting)
  - 4.1.7. That the process is private and confidential
  - 4.1.8. State any restriction on who the person can talk to about the process e.g. must not talk to people at the incident location, can talk to the support person; can talk to the church council chairperson or secretary.
- At the meeting:**
- 4.1.9. The church should have two representatives present and keep a written record of the discussion, including the person's response.
  - 4.1.10. Explain why the meeting is taking place and refer to:
    - 4.1.11. The Safe Ministry with Children Policy and the church's expectations relating to behaviour and performance
    - 4.1.12. The behaviour or performance which is of concern, the agreed specific outcomes/actions /supports as noted in the performance discussion record
    - 4.1.13. The findings of the review which suggests the agreed outcomes/actions/supports noted in the performance discussion have not occurred by the review date. Seek their response.
    - 4.1.14. Where the person's response provides acceptable evidence that the agreed outcomes have been achieved, i.e. the concerning behaviour has not been repeated or that the performance concern has been addressed, the person should be thanked for their attendance. Inform the person that no caution letter will be issued.
    - 4.1.15. Where the person's response provides evidence of acceptable progress toward achieving the agreed outcomes, acknowledge this progress and work proactively to identify additional actions/ supports required to assist the person to reach or maintain the agreed specific outcomes, and agree on a revised review date.
    - 4.1.16. Restate the behaviour or performance standard/s expected with reference to the Safe Ministry with Children policy. Express hope that the person's performance will improve.
    - 4.1.17. Warn the person of future consequences if their performance or behaviour does not improve e.g. that future performance discussion will occur which may eventually lead to termination of services and, in the case of suspected grooming behaviour, notification to Blue Card Services, police and Synod Support Services.
    - 4.1.18. Inform the person that a caution letter will be issued within five days of the meeting, summarising the agreements made at the meeting and the review date.
    - 4.1.19. Where the person's response does not provide acceptable evidence, the agreed outcomes have been achieved and the progress toward achieving the agreed outcomes is not acceptable:
    - 4.1.20. Restate the behaviour or performance standard/s expected with reference to the Safe Ministry with Children policy. Express hope that the person's performance will improve.
    - 4.1.21. Warn the person of future consequences if their performance or behaviour does not improve e.g. that future performance discussion will occur which may eventually lead to termination of



services and, in the case of suspected grooming behaviour, notification to Blue Card Services, Police and Synod Support Services.

- 4.1.22. Seek to reach an agreement on immediate actions to achieve the specific outcomes noted in the performance discussion and additional actions and/or supports. Set a review date.
- 4.1.23. If an agreement cannot be reached, inform the person a caution letter will be issued within five days of the meeting and the council reconsider their suitability for the role.

#### **4.2. Close the loop (confirm the outcome)**

- 4.2.1. After the second meeting, where the respondent's response indicates a letter will be issued (see 2.2.9.3 and 2.2.11.4) issue a caution letter within five days of the meeting, which:
  - 4.2.2. Outlines the unsatisfactory behaviour/work performance raised at the meeting
  - 4.2.3. Provides a brief summary of the person's response
  - 4.2.4. Outlines organisational expectations
  - 4.2.5. Outlines agreed future actions for improvement and review dates. Depending on the issue, allow at least four weeks to pass before conducting a review
  - 4.2.6. Outlines consequences if standards are not met
  - 4.2.7. Reminds the person that the process is private and confidential
  - 4.2.8. Informs the person of who they should contact if they have any questions.

### **5. Final caution**

If the person's work performance or behaviour has not improved after a caution letter, they should be issued with a written final caution letter. In the case of boundary violations this should occur when the second report is received or when it is evident that the behaviour has not changed, as agreed in the written warning, whichever is sooner. The church council chairperson or secretary is required to sign all caution letters.

#### **5.1. Meet with the respondent**

- 5.1.1. Follow the same process as outlined in Written Warning, with the following variations:
- 5.1.2. Remind the person of the previous interview date and the outcome (written caution)
- 5.1.3. Warn the person of future consequences if their performance or behaviour does not improve e.g. that future performance discussion will occur which will eventually lead to termination of services
- 5.1.4. Where the person's response provides acceptable evidence that the behaviour did not occur as reported, the person should be thanked for their attendance and told that no final warning will be issued. If the person was subject to a written warning, restate the church's expectations related to the matter raised in the written warning

#### **5.2. Close the loop (confirm the outcome)**

- 5.2.1. After the interview, where the response is not accepted (within 24 hours of the completion of the interview), issue a final warning letter which:
  - 5.2.2. Outlines the date of the interview
  - 5.2.3. Outlines the unsatisfactory behaviour or work performance
  - 5.2.4. Provides a brief summary of the person's response



- 5.2.5. Outlines organisational expectations, refer to relevant policy
- 5.2.6. Outlines agreed future actions for improvement and review dates. Depending on the issue, allow at least two weeks to pass before reviewing performance, (see Potential outcomes of the process section for guidance on options)
- 5.2.7. Outlines consequences if standards are not met, e.g. termination of volunteer role, (and in the case of suspected grooming behaviour, notification to Blue Card Services, Police and Synod Support Services)
- 5.2.8. Informs the person of who they should contact if they have any questions.

## **Closing the loop - potential outcomes of the process**

These potential outcomes should only be considered after careful review of the performance improvement process and the nature of the behaviour, work performance or incident. The options include change of role or duties, suspension from role or duties and termination of role or duties.

### **6. Change of role or duties**

This involves a change for the person to a role with reduced responsibility or a change of the person's duties so that the responsibilities are more suitable to their capabilities.

#### **6.1. When to consider a change of role or duties**

- 6.1.1. If a person has shown a commitment to the agreed actions in the performance improvement process but their performance is consistently below expectations
- 6.1.2. If a person requests a change in role/duties in the early steps of the performance improvement process.

#### **6.2. When NOT to consider change of role or duties**

- 6.2.1. Where the person's role still poses a risk of future incidents occurring
- 6.2.2. When several boundary violations or an incident of harm/abuse have occurred.

#### **6.3. Before you offer change of role or duties**

- 6.3.1. The person will have received a minimum of a written warning beforehand
- 6.3.2. There must be objective evidence the person can fulfil their changed role responsibilities or duties after relevant training and support from their supervisor over a period no less than three months
- 6.3.3. This process should be clearly documented and filed on the person's file. The person should be informed in writing of the conditions of their change of role or duties.

#### **6.4. Close the loop (confirm the outcome)**

- 6.4.1. After the meeting, where it has been agreed that a change of role or duties will be offered, issue a letter of confirmation as described in 5.2 with an outline of the change of role of duties.

### **7. Termination**

This involves informing the person that their services are no longer required. This process must be conducted in a respectful manner and managed ethically using the performance improvement process. All actions regarding a termination must be in writing.

#### **7.1. When to consider a change of role or duties:**



- 7.1.1. If the person's response is not accepted
- 7.1.2. If a change in the person's role or duties is not appropriate
- 7.1.3. Where the person's role still poses a risk of future incidents occurring
- 7.1.4. When several boundary violations or an incident of harm/abuse have occurred.

**7.2. When NOT to consider change of role or duties:**

- 7.2.1. If a person has shown a commitment to the agreed actions in the performance improvement process but their performance is consistently below expectations
- 7.2.2. If a person requests a change in role/duties in the early steps of the performance improvement process.

**7.3. Before you terminate**

- 7.3.1. Unless the circumstance warrants immediate dismissal, the person will have received a minimum of a written warning beforehand. Speak with the Synod Human Resource team for advice if necessary.

**7.4. Close the loop (confirm the outcome):**

- 7.4.1. After the meeting where it has been determined that the person's involvement in their role will be terminated, issue a letter of confirmation which:
  - 7.4.2. Outlines the date of the interview
  - 7.4.3. Provides a brief summary of the person's response
  - 7.4.4. Outlines organisational expectations, refer to relevant policy
  - 7.4.5. States clearly that a decision has been made to terminate their role
  - 7.4.6. States that any church property must be returned within a specified date
  - 7.4.7. Reminds them that the process was private and confidential.

## Storage and sharing of documents

**7.5. Storage of documents**

- 7.5.1. All records must be kept in the relevant personnel file for the period of the position.
- 7.5.2. All records and reports concerning suspected or known grooming behaviour, harm or abuse of children must be kept indefinitely.

**7.6. Sharing of information**

- 7.6.1. The person should also retain a copy of the documentation given to them.
- 7.6.2. A copy of all records and reports concerning suspected or known grooming behaviour, harm or abuse of children must be provided to the Associate General Secretary pursuant to recommendation 16.58 of the Royal Commission's final report regarding the maintenance of a central register.
- 7.6.3. All records must be made available upon request from Statutory Authorities.



## Disagreement, grievance, resolution and appeal rights

7.7. If the person disagrees with any aspect of the way the process was conducted:

7.7.1. They may lodge a grievance in accordance with the Complaints Allegations policy (POL-0003).

7.7.2. They should be encouraged to speak to their immediate supervisor, church council chair, minister, cultural advisor or presbytery chairperson for advice.

### Related documents [\(click here\)](#)

- Safe Ministry with Children policy
- Privacy Policy
- Overseeing safe ministry with children process
- Responding to concerns process
- Mandatory reporting process for lay workers process
- Mandatory reporting process for ministry agents process
- Complaints and allegations statement template form
- Performance management discussion record form
- Performance improvement plan form
- Glossary of terms

### Revisions

Document number		PRO-SMO-06			
Version	Approval date	Approved by	Effective date	Policy owner	Policy contact
1.1	03/09/2019	ED Risk and Assurance	01.09.2019	ED Risk and Assurance	Safe Church, Assurance and Support Officer
Next scheduled review		01.09.2020			