

# Setting up the EM&D Process

## SECTION 1

PREPARE

NOMINATE





EARLY  
LEARNING  
ASSOCIATION  
AUSTRALIA



Education  
and Training

Early Learning Association Australia (ELAA) acknowledges the Australian Aboriginal and Torres Strait Islander peoples of this nation. We acknowledge the traditional custodians of the land on which we work and pay our respects to ancestors and Elders, past, present and emerging.

This resource was prepared by ELAA in partnership with the Department of Education and Training (DET).

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ACRONYM	TITLE
AITSL	Australian Institute for Teaching and School Leadership
APST	Australian Professional Standards for Teachers
CoM	Committee of Management
DET	Department of Education and Training (Victoria)
DHHS	Department of Health and Human Services (Victoria)
ECA	Early Childhood Australia
ECT	Early Childhood Teacher
ELAA	Early Learning Association Australia
EM&D	Employee Management & Development
EYM	Early Years Management Organisations
NQF	National Quality Framework
NQS	National Quality Standards
OHS	Occupational Health and Safety
PD	Professional Development
PI	Performance Indicator
QIP	Quality Improvement Plan
SMART	Specific, Measurable, Achievable, Realistic, and Timely
ToR	Terms of Reference
VECTEA	Victorian Early Childhood Teachers and Educators Agreement
VIT	Victorian Institute of Teaching
WT	Workings Towards
WWCC	Working with Children Check

This resource has been developed to provide employers with information and tools to develop an Employee Management and Development (EM&D) process in their organisations. Employers may consider using this resource as a guide in supporting employees to perform their role, to encourage continuous improvement in performance and to implement professional development plans.



### BENEFITS OF THIS RESOURCE

This resource has valuable information to implement an EM&D process shaped by best practice. Guidance and support with this is available from ELAA's Service Delivery team at (03) 9489 3500 or [memberservices@elaa.org.au](mailto:memberservices@elaa.org.au).

## DEFINITIONS

**Employee:** A person who is engaged/employed to provide a service (through labour or expertise) in exchange for compensation. In an early childhood service, an employee may be teaching staff such as a Teacher, Educator, Nominated Supervisor, Educational Leader, Co-ordinator, Room Leader, or non-teaching employees such as a Regional Manager, and staff performing Finance, Cooking, Cleaning, Administration, Human Resources functions etc.

**Employer:** A person or a representative of an organisation that hires another person (an employee) to perform a job and pays compensation.

In this resource, the term employer refers to the organisation or person delegated by the organisation to manage the EM&D process. For example, this may be an approved provider in a private or community service such as a Manager in a long day care or kindergarten service, a member of the Committee of Management or Board of Directors of an early childhood service, a Human Resources sub-committee, a Nominated Supervisor or a Manager in an Early Years Management organisation.

**National quality standard:** This is a national benchmark of high quality standards for early childhood services that are also used for assessment and provide a rating.

**Quality improvement plan:** This is a plan that outlines the areas, goals and strategies that a service has identified for improvement.

**Performance indicator:** A measure to evaluate the success or achievement of a particular activity in a meaningful way.

**Individual goal:** An objective or aim for a future desired outcome that can be personal or professional to support improvement of performance.

**Organisational goal:** An objective or aim for a future desired outcome that is aligned to the organisation's strategic plan or vision that focusses the employee's efforts.

**SMART goal:** A goal that is specific, measurable, attainable, realistic and time bound.

**Award or agreement:** This refers to a document that provides the details of conditions of employment that an employer is obliged to provide an employee. In this resource these terms also include any individual employment contracts.

**Professional development:** An activity or process that is designed to improve a person's learning that improves their capability in performing their role. This can include formal and informal education.

## THE CONTEXT

This resource has been developed in the context of the following:

- **The National Quality Framework**

The National Quality Framework (NQF) provides an evidence-based foundation for assessing the quality of services through a set of standards.

The quality of services is assessed under seven areas ranging from the programs offered to governance and leadership. Performance indicators (measures) for early childhood employees are referenced to the National Quality Standard and the Quality Improvement Plan (QIP) of the service to ensure consistency.

- **Award or agreement**

Most employee conditions of employment will be covered by either an award or agreement. As these conditions can change every time they are revised or re-negotiated, employers and managers must refer to the relevant awards or agreements that are current at the time, and ensure that processes comply with the provisions of the awards or agreements.

Awards and agreements that were current at the time of publishing include but are not limited to:

- VECTEA 2016<sup>4</sup>
- Children's Service Award 2010
- Professional Childcare Standard 2018
- Clerks – Private Sector Award 2010
- Educational Service (Teachers) Award 2010
- Health Professionals and Support Services Award 2010.



There is a diversity of service models and practices in the early childhood sector and this resource is designed to allow services to follow the process outlined here in its entirety or adapt and tailor it to meet specific organisational needs. For example, when using for the development of early childhood teachers remember to discuss the importance of the Australian Professional Standards for Teachers (APST).

## CONTENTS OF THIS RESOURCE

This resource contains the following information and tools.

### SECTION 1 – SETTING UP THE EM&D PROCESS

Outlines the resource contents, proposed EM&D process with key employer and employee responsibilities.



### SECTION 2 – NEW EMPLOYEES: ORIENTATION AND PROBATION

A guide for introducing new employees to the service and implementing a probationary period with sample checklists.



### SECTION 3 – ANNUAL CYCLE: PERFORMANCE EVALUATION & DEVELOPMENT

Includes information to assist in providing feedback and development support options, defining roles and responsibilities, and the process of evaluating performance. This section also includes sample guides/forms to assist in documenting performance evaluation, gathering supporting evidence, maintaining the professional development process throughout a 12-month period and planning for the following 12 months.



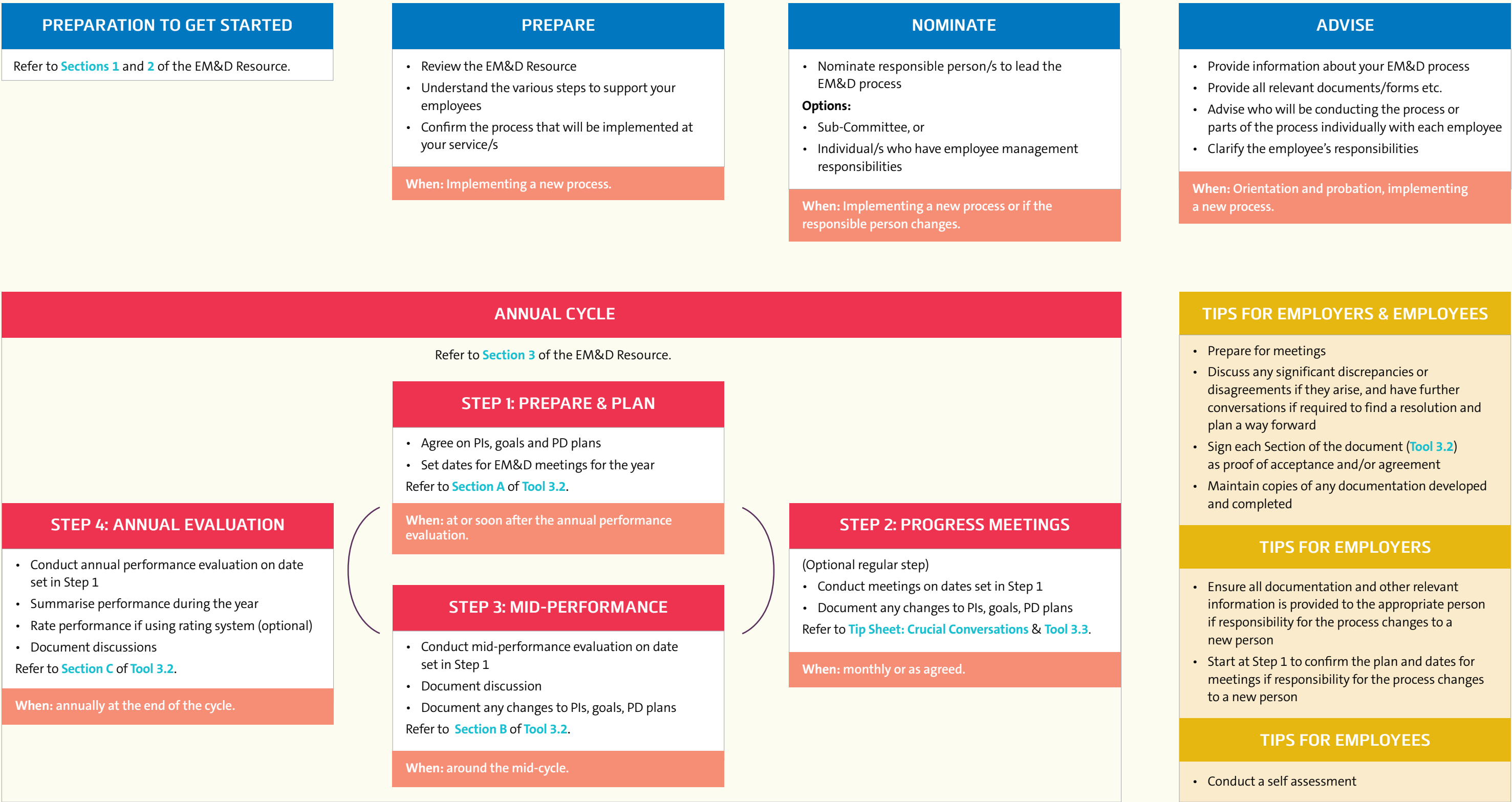
### SECTION 4 – APPENDICES

Includes links to important codes and standards for employers to take note of as well as articles for further reading.



<sup>4</sup> At the time of publishing, VECTEA 2016 was being renegotiated. References in this resource refer to VECTEA 2016. This may change once the new agreement is negotiated and ratified by the Fair Work Commission.

# Proposed steps of employee management & development







### ROLES AND RESPONSIBILITIES OF EMPLOYERS AND EMPLOYEES

The employer is responsible for ensuring there is an appropriate EM&D process in place at the service and implementing it for all employees.

**The employer's key responsibilities include:**

- familiarising themselves with the EM&D process and seeking appropriate training and support to fulfil this responsibility
- supporting the employee to participate in the process
- ensuring this is a two-way process with a genuine intention to support employees achieve mutually agreed goals and outcomes
- delegating responsibility for all aspects of EM&D (including induction) to appropriate people within the organisation
- ensuring that appropriate resources are allocated to support employee development activities such as professional development, mentoring, facilitated discussions etc.
- ensuring that any requirements in the agreement requiring notification to or involvement of a union representative (for employees who may be members) in the EM&D process are followed
- adhering to applicable laws and standards including the Reportable Conduct Scheme and Child Safe Standards, awards or agreements in implementing the EM&D process
- maintaining confidentiality and ensuring all necessary documentation and records relating to the EM&D process are completed in a timely manner and stored securely.

**The employee's key responsibilities include:**

- reviewing information provided by the employer
- adequately preparing for (including self-assessment) and actively participating in the EM&D process
- making a genuine effort to resolve any differences with the employer in relation to performance evaluation, assessment and rating
- updating/communicating with the employer regarding any challenges or issues that may impact on their own performance as soon as reasonably possible
- completing required documentation
- undertaking agreed and approved professional development
- consider any obligations to their professions code of conduct and ethics, such as the Victorian Teachers Code of Conduct and Ethics.

### NOMINATE

### RESPONSIBILITY FOR LEADING THE IMPLEMENTATION OF THE EM&D PROCESS

The employer must ensure that the responsibility for leading the EM&D process is already in place or appropriately delegate it within the organisation. Depending on the size of the organisation and its capacity, the delegation may vary considerably.

Larger organisations such as Early Years Management organisations (EYMs) or private services, may have a designated Human Resources Manager or Advisors to lead the process. Their role usually includes:

- ensuring that all employees in the organisation with employee management responsibilities implement the EM&D process
- ensure the documentation evidencing the process is completed and filed in the employee's records.

Some organisations, such as a small independently managed service, or smaller EYMs, can choose to delegate the responsibility for leading the EM&D process to a sub-committee.

In this instance, the sub-committee's Terms of Reference (ToR) must:

- be explicit about the matters delegated and the expectations of the sub-committee
- articulate the roles, responsibilities and authority of the sub-committee.

**The Committee/Board of Management remains ultimately accountable for all decisions made by a sub-committee.**

A sample ToR is provided in this resource.

**Refer to Tool 1.1 Sample Terms of Reference.**

Regardless of whether an individual or sub-committee is delegated this responsibility, the employer must ensure that they are capable of leading the process and are provided adequate training to lead and support the managers in implementing it within the organisation.

If an employer chooses to delegate the responsibility of any aspects of the implementation of the EM&D process to employees, this should be clearly documented.



## GUIDE FOR EMPLOYERS IN USING THIS TOOL

**This tool is for employers who choose to delegate the responsibility for leading the EM&D process to a sub-committee.**

**This guide outlines the information to be included under each heading in the Terms of Reference (ToR).**

**The template ToR is on the following page and should be reviewed and tailored to meet the needs of the service.**

## OBJECTIVES

This outlines the purpose of forming the sub-committee and its role. Clear objectives will assist the sub-committee in functioning effectively.

## MEMBERSHIP

The membership of this sub-committee should be kept to a minimum to ensure that it is effective (recommend 2-3 people) and that members collectively have the skills necessary to lead the process. Ideally, at least one member of this sub-committee should be a person with seniority in the organisation (e.g. a member of the Committee of Management, a Senior Manager etc.) and this person will perform the role of the Chair of the sub-committee.

Other members may include the Nominated Supervisor, Educational Leader, a member of the Committee/Board of Management with expertise in human resources/industrial relations/employee development matters.

## TERM OF OFFICE

It is recommended that members of the sub-committee remain for 12 months and re-confirm after the Annual General Meeting and/or comply with the appropriate governing document.

## MEETINGS

Meetings need to occur as often as required for the sub-committee to satisfactorily fulfil its objectives and duties.

## DUTIES AND RESPONSIBILITIES

Sub-committees usually focus on a particular area or activity and provide recommendations to the Committee/Board of Management. If your governing document 'e.g. constitution' gives you the power to delegate aspects of decision-making, this should be clearly documented in the ToR. The full Committee/Board of Management is ultimately accountable for any decisions made by the sub-committee. Decisions made by the sub-committee remain the responsibility of the whole Committee/Board of Management.

All duties and responsibilities including extent of authority should be clearly noted. It is important to be clear what activities are carried out and by whom e.g. Committee of Management, sub-committee, Manager etc.

Committees/Boards of Management can review the sample provided and include any other responsibilities that can be delegated as relevant to this sub-committee.

## REPORTING

The procedure for reporting back to the Committee/Board of Management needs to be clear including any particular information that is required.



## EMPLOYEE MANAGEMENT AND DEVELOPMENT (EM&D) SUB-COMMITTEE

### TERMS OF REFERENCE

#### Objectives

This EM&D sub-committee has been formed to lead the implementation of the EM&D process at [insert name of service] and to provide a report on progress to the [Board/Committee of Management (CoM) (insert as applicable)] of [insert name of organisation] at their regular scheduled meetings throughout the year.

#### Membership

The sub-committee comprises the following members:  
[Insert Names and Position Titles]

#### Term of office

The members of the sub-committee will hold their position for a period of [specify the number of years]. They can be replaced by the [Board/ CoM] with another member before the conclusion of this period. With the approval of the [Board/CoM], a member whose term ends as specified in this Terms of Reference may continue to hold the position for the purposes of continuity, until the current EM&D cycle is completed.

#### Meetings

The sub-committee will meet a minimum of 4 times per year, and more often if required, to fulfil its duties. The sub-committee will be led by the Chair. The sub-committee shall maintain confidential notes of discussions, and make these available, as appropriate, maintaining employee confidentiality, to the [Board/CoM] if requested.

#### Duties and responsibilities

The key responsibility is to lead and monitor the implementation of the EM&D process for all employees in the organisation. Typical activities include ensuring the following are in place:

- implementing an induction and orientation process for new employees
- implementing clear processes for managing the probationary period for new employees
- encourage all employees to participate in the EM&D process
- ensure employees are supported to achieve their career aspirations
- ensure managers with employee responsibilities are:
  - having regular meetings and discussions with their employees about their strengths, achievements and progress towards achieving their agreed performance indicators and/or goals
  - conducting mid-performance period and annual performance evaluation and assessment for each employee
  - preparing a professional development plan for the employee and supporting them to undertake professional development
  - providing the sub-committee with regular progress updates regarding the implementation of the process and any issues of concern
  - maintaining confidential records of the activities of sub-committee and meetings
  - preparing a confidential summary report of progress and any recommendations for the [Board/ CoM] for approval.

#### Reporting

The sub-committee shall present a written report/verbal report [specify one] to the regular, scheduled [Board/CoM] meetings outlining the following:

- a summary record of actions performed and the status of the EM&D process for the current year
- any issues of substance or concern that must be addressed by the [Board/CoM].