**Managing Unsatisfactory Performance – Principals**

**Formal Process**

A formal MUP process will be implemented in the event that:

* there is no improvement in the principal’s performance within a reasonable period of time to the satisfaction of the principal supervisor or
* the performance concerns are of a sufficiently serious and pressing nature or
* performance concerns are adversely impacting on public confidence in the school and state schooling

Principals will be advised of the intention to implement a formal MUP process and provided with an opportunity to seek the advice and support of a union representative and/or colleague in all meetings during which matters pertaining to the formal MUP process are discussed.

Principals will be afforded the opportunity to respond to all performance concerns, including raising possible reasons for all adverse performance considerations.

The formal MUP process will be implemented as follows:

### Stage 1 – Identification and Improvement Plan

Notwithstanding that performance concerns would usually be discussed and remedial strategies developed and implemented prior to a formal MUP process, the principal supervisor will document ongoing performance concerns in a formal Identification and Improvement Plan.

The principal will develop improvement strategies in consultation with the principal supervisor for inclusion in the Identification and Improvement Plan.

The principal and principal supervisor will agree on and document timelines for demonstrated improvement in performance in the Identification and Improvement Plan. The principal will not unreasonably withhold agreement to timelines for demonstrated improvement.

The Identification and Improvement Plan will identify performance improvement goals and identify what existing assistance and/or resources the principal will utilise to achieve these goals and how/where this assistance and/or resources will continue to be made available.

In preparing the Identification and Improvement Plan, the principal and principal supervisor will give consideration to prior opportunities to respond to the performance concerns, the duration of time already provided to address these concerns and the effectiveness of past or current remedial strategies.

In the event that the principal demonstrates improvement in performance within the agreed timelines to the satisfaction of the principal supervisor, no further remedial action will be taken and the formal MUP process will cease. However the principal supervisor may revisit the formal MUP process and re-apply the formal Identification and Improvement Plan to the extent that the same performance concerns are identified within a 12-month period after the formal process ceases.

In the event that the principal does not accept that performance concerns need to be addressed or where agreement on timelines for demonstrated improvement can not be reached or in the event that the principal does not demonstrate improvement in performance within the agreed timelines to the satisfaction of the principal supervisor, the principal supervisor will submit a written report to their Regional Director detailing informal and formal MUP processes and making a recommendation with respect to a suggested outcome or outcomes of the MUP process.

The principal will be provided with a copy of the written report within 48 hours of the report being provided to the Regional Director. The principal will have 7 days from their receipt of the written report (excluding the day of receipt) to submit a written response to the Regional Director.

### Stage 2 – Regional Director Review

The Regional Director will consider the principal supervisor’s written report and recommendation and review the MUP processes having consideration for:

* any written response to the principal supervisor’s report from the principal
* performance considerations subject to the MUP processes, including the seriousness and pressing nature of the concerns
* the record of informal and formal MUP processes as documented within the report
* the MUP processes’ adherence to principles of natural justice, including the provision of opportunities for the principal to respond to performance concerns
* demonstrated improvement in performance
* whether or not the principal may benefit from additional time to demonstrate improvement and
* any grievances submitted by the principal with respect to the MUP process

In the event that the Regional Director recommends ceasing the MUP process, no further remedial action will be taken and the formal MUP process will cease. However the Regional Director may require that the formal MUP process be revisited and Stage One, including re-application of the formal Identification and Improvement Plan, recommenced where the same performance concerns are identified within a 12-month period of a formal process ceasing.

In the event that the Regional Director recommends that further opportunities for performance improvement are warranted, Stage One of the formal MUP process will be re-enacted with, in the first instance, the principal and principal supervisor meeting to review the formal Identification and Improvement Plan, including timelines for improvement.

In the event that the Regional Director agrees with the principal supervisor that the principal’s performance has not satisfactorily improved and that the Regional Director believes it is unlikely that satisfactory improvement will occur if provided with an additional period of time, the Regional Director may recommend that the principal will be:

* relocated to another school and engaged in the capacity of deputy principal, head of program or classroom teacher or
* relocated to a lower-banded school in the role of principal or
* another role as recommended by the Regional Director

The Regional Director will submit a written report with their recommendation to the Principal Performance Board no later than 14 days after the Regional Director’s receipt of the Principal’s written response (excluding the day of receipt). The Regional Director’s written report will include a statement of reasons for the recommendation and detail the informal and formal MUP processes followed.

The principal will be provided with a copy of the Regional Director’s written report to the Principal Performance Board and will have 14 days to respond to it including any correspondence that the principal “show cause” as to why a recommended course of disciplinary action should not be adopted.

### Stage 3 – Principal Performance Board Review

The Principal Performance Board will consider the Regional Director’s written report and review the Regional Director’s decision having consideration for the reasons for the decision, the conduct of the informal and formal MUP process and any written submissions or grievances with respect to the MUP formal process lodged by the principal.

The Principal Performance Board will consider the recommendation of the Regional Director and the principal’s response.

The Principal Performance Board will confirm the appropriate remedial action on the basis of either:

* relocation to another school and engaged in the capacity of deputy principal, head of program or classroom teacher or
* relocation to a lower-banded school in the role of principal or
* another role as recommended by the Regional Director

The Principal Performance Board will consist of:

* the Deputy Director-General, Education Queensland
* the Executive Director, Workforce Management and Support, Human Resources
* a Regional Director as nominated by the Director-General and
* the General Secretary of the Queensland Teachers’ Union or their delegate

***External review***

In accordance with the Appeals Directive, a fair treatment appeal cannot be lodged with respect to the management of unsatisfactory performance other than the final decision being the outcome of the MUP process. This decision may be appealed in writing to the Public Service Commission within 21 days of a Principal’s receipt of a “show cause” letter.