Encouraging And Monitoring Performance: Responsibilities And Techniques

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ABSTRACT

A primary responsibility of Deans in Australian universities is the performance management of staff. This is a two-edged responsibility: for encouraging and rewarding good performance, but also for 'managing' poor performance. The Australian context is constrained by Enterprise Agreements and a high level of accountability, in which the ability to sack staff who are performing poorly is extremely limited, or at least highly formalised. The challenge for Deans is to find an effective strategy within these constraints both to encourage and monitor good performance as well as to be 'on the case' of those who are underperforming. This paper shares strategies developed over six years in the Dean's chair for managing a range of performance issues in a professional Faculty.

INTRODUCTION

*S*ince 1993 the responsibility and overall structure of performance management in Australian universities has been embedded in Enterprise Agreements, the consequence of the present state of industrial relations in Australia. Those agreements are negotiated through 'enterprise bargaining' and represent a deal between the unions and management, certified by the relevant Industrial Relations Commission. These deals sit within the framework of industrial awards, which limit the amount of room to manoeuvre but also allows agreements to be struck which vary, to a limited extent, the details of the awards. The conditions in a certified agreement prevail over the award conditions that might otherwise apply to the relevant employees so long as the agreement remains in force.

In the Australian higher education landscape staff are principally either 'casual' or 'continuing'. Because of the constraints of the industrial award within which public universities operate,[1] there are only limited opportunities to hire people on 'fixed term' contracts. The focus in this paper is therefore principally upon continuing staff – or, in the old language of staffing, 'tenured' staff. Many of the observations are, however, of general application.

Some writers take profound objection to the 'corporatisation' of universities and the structure of management that has gone along with it, reminiscent, as Margaret Thornton has suggested, of 'sub-infeudation' (Margaret Thornton, page 168). But while there are dangers in any structure that is based on power and accountability, performance management also provides great opportunities for constructive mentoring, or 'institutionalised friendship' as one of my colleagues has described it, as well as its flip side, responding to – and managing – poor performance which, in a community which has much interaction through team responsibilities for teaching, can have seriously detrimental effects. While it certainly echoes the corporate, it is the actively responsible nature of well-structured and well-managed performance management that makes it a truly positive force in academic personal development. So, rather than being part of a 'separate caste, engaged in an enterprise that is distinct from the academic aims of the university' (Margaret Thornton, page 169),[2] I perceive and perform the Dean's role more in the nature of *mater familias*, using the structures of management as defined through the expanding accountabilities of the role as opportunities for active and good career development as well as the containment and, at times, disciplining of inappropriate behaviour and poor performance. Rather than jettisoning values of autonomy and freedom (Margaret

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[1] The *Higher Education Contract of Employment (HECE) Award* 1998.
[2] Citing S. Aronowitz, *The Knowledge Factory: Dismantling the Corporate University and Creating True Higher Learning,* Beach Press, Boston, 2000, p. 165; A.B. Cabal, *The University as an Institution Today*, UNESCO & IDRC, Paris & Ottawa, 1993.

Thornton, page 170),[3] good performance management, like good parenting, encourages both, but within an institutional framework of accountability. And, to put the counter-argument, structures of accountability also enable bad conduct to be named for what it is and not lost in the, at times, amorphous concepts of 'academic freedom' and 'collegiality'. As a manager who is a woman, currently Dean of a Law School, I have found that well-defined structures of accountability give leverage and bite to contain unacceptable behaviours, and to encourage and foster the good.

ENCOURAGING STAFF TOWARDS PROMOTION

The 38 publicly funded universities in Australia use the English hierarchy of academic titles. There are five levels, from Associate Lecturer (Level A) to Professor (Level E). Promotion to each level requires applicants to be performing at the level above and to satisfy qualitative performance levels with respect to particular aspects of activity, for example in teaching and research. While each university expresses this in their own particular way, the basic pattern is the same.

The pattern of performance management is also similar. Each staff member is assigned an 'adviser' who is responsible, in particular, for conducting the regular reviews with the assigned advisee. At Macquarie University, one of the four universities in metropolitan Sydney, Australia, the adviser may be the supervisor (line manager), but not necessarily so.

To encourage staff to work towards promotion in my capacity as Dean of Macquarie Law school, I have instituted performance management as a constructive mentoring process using the promotion criteria and the 'position classification standard' as the reference point for the review process. While the formal bureaucratic requirements in the Enterprise Agreement may be satisfied by a somewhat cursory review, I require this to be a full and thorough reflection of: achievements, difficulties encountered, and goals. My ability to direct the process lies in my sign-off power: namely, I will not sign off on a report unless it is the full reflective process that I require. As my sign-off is essential for securing the next increment in the pay structure, this provides a powerful tool for directing the process.

The most important part of the performance report is that of goal-setting. The object of this stage is for the advisee to identify his or her particular goals over the next agreed period (1-5 years for example). The promotion criteria provide a relevant backdrop for considering targets that are appropriate for the person. The role of the adviser here is as mentor: to make suggestions as to strategies that might be utilised in meeting the identified goals. The goals should be realistic and mapped broadly against the promotion criteria. There are two key issues here: planning the Curriculum Vitae (CV) or resumé; and developing constructive mentoring.

(1)   CV building

A key strategy in supporting staff over the long term in their performance is advising them about 'CV building'. A good CV in the academic context requires careful nurturing – targeting good quality journals for placement of articles; using professional journals for publication for specific purposes (this can lead to other professional and community involvement as well as giving you a profile in the profession); making yourself known at conferences for your presentations; balancing all aspects of your career against the things that go towards promotion in the particular environment you are in. CV building needs to be incorporated in the goal setting exercise of the performance management process. It involves learning how to track achievements and building a network.

Activities and achievements need to be recorded. Again, using the promotion criteria as the reference point provides the guide. It involves keeping lists. I explain this in the following way.

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[3] Citing at note 55, B. Readings, *The University in Ruins*, Harvard University Press, Cambridge, Mass., 1996, p. 175.

Example: Mapping progress against criteria

Advancement in the academy requires knowing the values framework for judging what you do (promotions criteria); and keeping track of all your efforts. Start and keep writing lists: everything you do has value. You need to record it, categorise it, and write it up. Keep lists. With everything you do imagine the criterion into which that activity would slot in the promotions framework. List every time you serve on a committee (indicates service); every time you are asked to do so (indicates standing); every time you are asked to make a presentation in an academic environment (academic standing) or a professional environment (standing amongst the profession); to serve on a community body (Parents & Citizens group at your child's school, Girl Guides, Boy Scouts, Rotary etc – community outreach and service); every time you are asked to referee an article (academic standing). Get evaluations of every teaching or presentation opportunity (quality of teaching) and note what you have done in relation to them (reflective teaching practice). Keep every note, card, email of thank you and praise from students, committee chairs, anyone (all indicators of quality of contribution and personally very reassuring).

Good CV building also involves building a network in the field and finding good referees. Attending conferences is a good way to build a network – presenting papers is even better. The network becomes the sounding board for critical dialogue on a person's work. I advise staff of ways to build a network: within the university through joining interest groups, going to professional development seminars, volunteering for a university wide committee; in the international context through serious forward planning for sabbatical leave is essential and extending conference leave into building connections with people.

In the academic context identifying good referees is one of the most critical elements in the process towards promotion. I learned this from a colleague whose advice was always most generously given – and he was absolutely right in it. I pass it on to all I can. Finding good referees needs to be part of the career planning: mapping study/sabbatical leave plans around building referees; building contacts that can be great intellectual correspondents as well. My advice to staff here is quite simple: seek out the people you really want to know in the context of your work. Visit them. Talk to them. Show them your work. The best referees in the academic context are people who don't know you particularly well; who themselves are regarded as world leaders (preferably); and whose judgment therefore has both the *gravitas* and the objectivity that gives it real weight in the evaluation of a case for promotion. The end result may also be that the person ends up with both mentors and referees – one or the other – or a wide network of both.

(2)   Constructive mentoring

A strong, and strongly managed, performance management system is one way of providing an institutionalised form of mentoring. But the message that I convey to staff is that there is a personal and active responsibility in finding mentors for oneself.

Example: Advice to staff

A career is a planned thing in which mentors will help you, but above all, mentoring is not a passive process. You cannot wait till it happens to you: go and find the people you need to be your guides and advisers. If you want someone to read your paper or article, then *ask* them. What's the worst thing that can happen? They might say no, but then again they are more than likely to be flattered by your request, agree, and give you some insightful feedback, plus begin what can be a longterm dialogue of academic discourse and true mentoring.

How to write the application

One of the things I have observed frequently from the Dean's chair is just how poorly academics write applications. The promotion application is, for many staff, the most important document they will ever write. I have seen so many occasions when a staff member simply submits their 'Curriculum Vitae' with a minimal covering page and assume that it will speak for itself. And I have spent many, many hours of counselling and editing/enhancing applications to teach my staff how to write them. They know now, that it will take three re-writes at least, before it

will pass muster. I have also developed a way of advising them, in homely metaphors, as to how to write to criteria. As I explain to staff, you need to show how 'this and that' in your CV demonstrates the things that are listed in the promotion criteria.

Example: Writing to criteria

Writing to criteria is the heart of a good application. Consider for example that the promotion criterion is 'excellence in egg boiling'. What you need to do is to pluck out of your CV those things that demonstrate that you have, indeed, satisfied the criterion. This is what you can say in the application:

My excellence in egg boiling is demonstrated in the following ways:

- attainment of an advanced diploma in egg theory;
- invitation to demonstrate egg boiling nationally and internationally;
- invited as keynote speaker by the Egg Marketing Board;
- the review of my treatise on egg boiling in three leading journals (copies of the reviews are attached);
- awarded the egg boiling excellence award by the Chefs Magnificence Assessment Board;
- publication of 5 articles in high impact journals on the theory of egg boiling.

What you are doing is using objective evidence to show how you have satisfied criteria. The objectivity takes on an entirely different character from boasting : it is not saying 'I am excellent' – but this is *exactly* what you are demonstrating.

Writing the application is one thing, quite another is recognising when a person is ready to apply. Encouraging staff towards promotion involves their taking responsibility for making the case for themselves. A common problem I have seen with female academic staff is a sense of not wanting to put themselves forward, expressed for example in saying 'if I were good enough, someone would tell me to apply for promotion'. This has been described as the 'feminine modesty effect' (Joan C. Chrisler, page 121) or 'attributional modesty' (J. H. Berg, W. G. Stephan and M. Dodson; M. G. Wiley and K. S. Crittenden). The message to staff in encouraging them towards considering applying for promotion is a simple one: If *you* don't think you are good enough, no-one will.

Time management

Perhaps the most powerful characteristic I have observed in many of my colleagues is that of being driven. On one level it is the nature of the academic workplace that there is great freedom for the individual to pursue his or her own research agenda and the nature of the community is one of many highly intelligent people. The combination is a powerful one. The 'driven' quality comes from within. It is certainly fuelled by the increasingly outcome-oriented nature of the academic environment in which, for example, the funding of universities, and, in turn, the various academic units, depends substantially upon outputs – publications, research grants, research student completions. But, my observation of my colleagues is that they have always been driven: dux of their schools since kindergarten, or similar backgrounds. It is a high-achieving community.

My principal problem in my overall performance management of staff is not to get them to increase performance (except for a few recalcitrant individuals) but rather to manage their own performance better. Time management, prioritising of tasks, and understanding work and private space better are the key elements of this. Encouraging my staff to take annual leave (in Australian universities an entitlement of four weeks) is a major issue. In the non-teaching times (which students, through naïvete call 'holidays'- a word guaranteed to invoke a reaction which asking an academic, 'what did you do on your holidays?'), my staff (and I include myself in this) work on 'their' work.

Example: Advising staff on time management

In encouraging staff to think of their 3-5 year horizon they should be encouraged not to think in terms of *when* they will complete certain tasks or goals (eg 'acceptance of 2 refereed journal articles in the next year'), but rather to reflect carefully on the priorities of what they want to achieve in terms of their overall research and teaching development plans. 'Driven' people often hideously underestimate the true time that tasks take – at least to complete them to the level that meets their own expectations, let alone anyone else's. Getting staff to accept this as 'normal': ie, being driven, underestimating timeframes and that you are your own hardest taskmaster, is the beginning of being able to take responsibility of one's own agenda. There are external expectations, for sure, but mostly it is the internal expectations that are the toughest. Helping staff to focus on their own agendas and not always looking to the pace of others (which is often an unreal perception in any event), assists in encouraging the individual towards deep and mature work and responsible outcomes. The single most important message is that you don't have to do everything all at once.

Poor performance

Managing poor performance is one of the biggest challenges in the Australian higher education sector. As most staff are continuing ('tenured') staff and as the Enterprise Agreements are a deal between the unions and management, a key aspect of the workplace landscape has been the spelling out of the steps that may lead staff to be dismissed. It is a long and arduous process. The object is performance management: ie, to get staff to perform to expected standards. This is an admirable goal and one that all Deans would support; but when a staff member is not and will not lift their game, then it is exceptionally difficult to manage the person out of the system.

One difficulty in the performance management system that applies in some universities in Australia is the separation of the adviser's role from that of the line manager. And yet, it is the adviser who is also the front line in terms of assessing the performance of a staff member and the first necessary step in a process that may lead to the ultimate dismissal of the staff member. In managing this in my workplace I have responded by using the 'good cop/bad cop' philosophy. I want the adviser to have the constructive, 'good cop', role in performance management. Poor performance is usually brought to my attention when it happens, for example a person is failing to mark students' work in a timely fashion, or not turning up to lectures. I can respond to this immediately as the 'bad cop', activating a performance management review within the framework of placing it in the first step of poor performance under the Enterprise Agreement structure that may lead to dismissal. The adviser then sets the goals with the advisee within this context. Some conduct is not a matter of simple poor performance (if, indeed, it is ever simple), but rather dereliction of duty. In some cases this is automatically in the 'misconduct' zone of the Agreement and can be dealt with as such.

Identifying, responding and managing poor performance requires the following:

- carefully monitored review framework for regular reviews;
- active followup of reviews in progress (not letting any slip through the cracks);
- insistence of full reviews, not superficial ones;
- being 'on the case' of poor performers with active intervention through a tight timeframe for reviews (every 6 months till sustained improvement in performance is demonstrable);
- recognition of progress; and
- active intervention where there is none.

Bullies in our midst

One of the hardest tasks that I have encountered in managing performance has been dealing with bullying (also known as workplace violence, harassment, emotional abuse and work rage – Margaret Thornton, text below *11). It is subtle, mischievous, and deeply damaging to morale. It can induce lasting trauma through robbing a person of self-confidence and self-worth (Margaret Thornton, page 165). But a preliminary issue is also recognising where my responsibility as manager begins and ends – learning that I do not have to fix everything. In particular,

learning that I am not responsible for people's feelings in all cases. You care for what people feel and are sympathetic especially when they are hurting – perhaps this is just human nature, but I suspect women's gender comes in here strongly as well. But you are not necessarily responsible for fixing it. The structure of the workplace is your responsibility as a manager; but not whether everyone likes each other or not. It is nicer if they do, of course, but it is not your responsibility: not your responsibility to take care of caring; you *do* care, but that is a separate issue.

Bullying is a management issue: a very serious one; and such conduct is unacceptable anywhere. *Feeling* bullied, however, the effect on the individual, is ultimately the individual's responsibility. Some of this is your responsibility, as manager; some of it is not. The workplace must have structures for providing counselling etc, policies of acceptable behaviour, mechanisms for enforcing this, in which you as a manager will play a key role, but you are not necessarily responsible for people's feelings. This is a hard lesson, but a necessary one to learn for your own peace of mind.

But in the institutional response to bullying the manager has a key role. In universities, that role lies principally with the Dean. In the Australian university environment there are structures of support and structures of complaint. The support structures are reflected in the establishment and training of 'contact officers' as first ports of call. Under the Enterprise Agreements there are also grievance procedures set out – with levels of informal and formal procedures for responding to complaints.

Formal structures are necessary, of course, but the reality is that few wish – or have courage enough – to take such a path, either through the procedures in an Enterprise Agreement or through the legislative pathways such as those stipulated in anti-discrimination legislation. In the bullying arena it is the very subtlety of it that makes it difficult to pin down, other than through the 'dripping tap' effect of oppressive, manipulative behaviour. It is the progressive nature of the effect of bullying behaviour (Patricia Blazey, page 28) that makes it so difficult to respond to as a manager. In my six years as Dean none of the people who have raised issues which are essentially of bullying behaviour have been prepared to go the grievance route. They 'keep their heads down' as a protective strategy due to a sense of vulnerability (Patricia Blazey, page 28); to avoid the retributive confrontation that may follow (Margaret Thornton, page 175). They just wanted it to go away. They wanted 'mother' to fix it. And while the person raising the issue may think that senior management (a.k.a. 'Dean' in this context) is not doing anything, even trivialising the complaint (Margaret Thornton, page 175), without detail, without specific allegations, you have nothing to work with. It is, after all, a first principle of natural justice that an accused is entitled to know the offence of which he or she is accused and be given an opportunity to answer it. In the context of manipulative behaviour it may be as simple as a 'look' that affects a person. How are you going to make this 'stand up in court', so to speak? And when formal processes are used the bully may respond by 'pointing the finger', accusing the accuser of poor work performance, rarely acknowledging that their own behaviour is unacceptable (Patricia Blazey, page 28).

If all the Dean can rely upon is formal grievance procedures then the Dean is effectively impotent in managing what is an increasingly prevalent occurrence (Margaret Thornton, pages 161-162) and an increasingly serious workplace issue. In the Australian context managers also have responsibility for a safe workplace. 'Safe' in this context includes not just the physical environment (Hedy Meggiorin, page 16; Patricia Patricia Blazey page 28).[4] The employer's duty to provide a safe system of work includes a duty to take reasonable precautions against the risk of mental or psychiatric injury (*State of NSW v Seedsman* [2000] NSWCA 119). To tackle this I developed coherent layered strategies for targeting manipulative and bullying behaviours in the workplace: to provide a sense of shared responsibility and awareness of expected standards of conduct and the unacceptability of certain conduct; and to engender a confidence in checking such behaviours when they occur. The layers involve the development of Code of Conduct; group sessions; and individual empowerment strategies. Examples of the latter include body language tools (standing/sitting) and verbal tools (indicating priority of work/making appointments to discuss).

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[4] 'No Room for Bullies in the Legal Workplace', (2003) 41 (11) *Law Society Journal*, 46-49 at page 48.

Example: Academic standover of general staff

There are essentially two categories of staff in Australian universities: general staff and academic staff. General staff are often subjected to the demands of academic staff. . Behaviour of academic staff towards general staff may fall into the domain of potentially (and actually) bullying behaviour. In many (but not all) instances this also has a gendered complexion as many general staff are also women. In group discussion with staff we looked at ways of dealing with 'the tall man' and 'the short man'; and for responding to unreasonable work demands. These are some examples:

- *Tactic for dealing with a tall person*: simply step aside (rather than back) and then steer/lead the conversation to a place where the staff members can be seated, but not too close – with an object in between (eg a table or desk).
- *Tactic for dealing with a short person*: standing works well and, when sitting, no closed body gestures – all open or assertive, leaning back in the chair (Nancy M. Henley, page 85).[5] Many of the 'relaxed aggressive' gestures do not work well with women's bodies or women's dress, but the non-folded arms and sitting back in the chair are part of the same vocabulary. Another one that is effective is claiming territorial space by putting your things around – 'crowding what is ostensibly someone else's space or property (as in another's office) – handbags, jackets, papers are great for this (Henley, page 127).
- *Tactic for the 'do this now' demand*: indicate understanding of the importance to the other person of the work; indicate that there is work already in a priority list; his or her work will be attended to immediately in order of priority.
- *Tactic for the 'come see me now' person*: indicate that you will see the person as soon as possible; that your diary is already booked but that there is an appointment available at a particular time and that you can see the person then; and would the person like to take that appointment.

Maintaining the authority of the Dean's office

Authority of itself does not command respect. While the appointment of Deans, as opposed to their election, may be seen as a 'contraction of collegiality' (Margaret Thornton, page 169), the continuance in office is dependent, in considerable measure, to the respect of one's colleagues. And respect needs to be earned. Self-confidence goes part of the way to engendering an acceptance of authority (Paula J. Caplan, page 114) but respect is a much deeper and more enduring thing. In my time in the Dean's chair I have come to see that respect is gained by sticking to key principles.

Example: the principles of the Dean's office

- consistency, fairness and impartiality: 'a rule for one is a rule for all' – articulated with staff and students;
- acting decisively in relation to statements demeaning of others and, where necessary, commencing formal disciplinary action under the Enterprise Agreement;
- using mediation as a strategy for resolving differences in the workplace;
- rigorous insistence on the importance of confidentiality;
- responding to complaints of poor performance through implementation of structured and tightly driven performance management;
- leading from the front through active personal involvement in teaching, research and outreach activities;
- upholding the integrity of my teaching staff in relation to their assessment of students' work, where they have followed proper structures for ensuring consistency of marking;
- performance management, workload and outside work policies implemented as a coherent set of management plans and managed closely through the Dean's office.

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[5] What Henley describes as 'postural relaxation' and gestures associated 'with a high status communicator': p 85.

CONCLUSION

While respect is earned, not everyone will respond in the same way to the style of the Dean. Some may regard you too authoritative; some as too consultative; you do get it all. What ultimately matters is developing a sense of your own integrity: your own moral centre that governs all your actions in office. Part of that moral centring involves a recognition that, at times, there will be knives in your back. *But* it only hurts if you feel it. The essential element is to feel comfortable in your decisions and stick to principle – good process is essential and your ultimate defence.

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