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Managing staff problems

Tips from the toolkit 8

In the general practice setting it is inevitable that practice owners and managers will need to deal with staffing problems. As well as making sure work gets done according to the expected standards, there are legal issues in the way practice staff are managed and problems addressed. This article is based on The Royal Australian College of General Practitioners' 'General practice management toolkit'.

Keywords: general practice; practice management; personnel management



From time-to-time employees may be distressed by the way they are treated by other staff or management. Practices need to have thought through in advance their policies and procedures for managing such grievances. This should be discussed with existing staff and with new staff as part of their induction process.

The following elements should be included:

- clear standards for performance and behaviour
- procedural fairness (following a fair process)
- prompt investigation including the opportunity for persons to respond to allegations or complaints.

Employers and practice managers are required to uphold the law in relation to Commonwealth acts that protect the individual's rights in relation to discrimination.¹ The practice has an obligation to protect employees under Federal and State based legislation contained in occupational health and safety acts and equal opportunity acts. Essentially, as a practice owner or manager, you are required to be proactive in protecting the legal rights of your staff. This is covered under

vicarious liability provisions that require the employer to take all reasonable steps to prevent discrimination or harassment (*Table 1*).

Managing performance issues

Feedback on poor performance should be given directly and in private. Criticising staff in public causes embarrassment and humiliation. As a manager, it will undermine the respect and trust you may have built between yourself and staff. Inevitably it will damage relationships and lead to long term performance problems. The maxim 'praise in public, criticise in private' should be adhered to. Most frequently, managing performance should be seen as coaching: identify the behaviour causing concern and address the problems with that behaviour.

The 'One Minute Manager' by Kenneth Blanchard has a succinct way of approaching the process of reprimand.² He describes it as consisting of three parts:

- start by telling the employee what you are going to talk about
- the first half: reprimand soon after the behaviour, be specific and let them know how you feel. Give a few seconds of silence to let it sink in
- the second half: reaffirm that you 'think well of them but not their performance in this situation'.

A significant performance matter may require a more formal approach. Before making judgments, gather the facts relating to the situation. These facts then need to be put to the employee to allow them an opportunity to respond. Their response may cast an entirely new light on the situation. Where possible, have a third party present that can verify that

Table 1. An ‘all reasonable steps’ checklist¹

- Prepare and promote a written policy on workplace discrimination and harassment
- Train staff to identify and prevent workplace discrimination and harassment
- Establish an effective internal complaints procedure
- Treat all complaints seriously and investigate promptly
- Ensure appropriate action is taken to address and resolve complaints
- Monitor the workplace environment and culture (eg. staff surveys, review staff recruitment practices)

the process being followed is fair to all parties.

After a thorough investigation, the matter should be discussed with the employee and the expected outcome documented. The focus is to help the employee achieve the expected behaviour.

Warnings must be issued if the behaviour is of such significance that its continuation would lead to a serious consequence such as demotion, removal of privileges or a termination. A warning consists of verbal or written advice about a specific issue and the consequence of failing to change or improve. The usual process is of escalation, progressing to a final written warning with sufficient time and support between warnings to allow improvement.

Resource

The Australian Government business portal has information on employing people, including dealing with bullying and complaints resolution: www.business.gov.au.

Author

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Conflict of interest: none declared.

References

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