



# Policy: Commissioners' Performance Appraisal

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## Commencement

1. This policy commences on 3 May 2024 and replaces the policy published 18 January 2010.

## Purpose of the policy

2. The purpose of the policy is to establish a basis for annual performance appraisal of Commissioners and Acting Commissioners as part of maintaining the highest standards of competency and professional integrity.

## Application

3. The policy applies to all Commissioners and Acting Commissioners of the Land and Environment Court of New South Wales.

## Definitions

4. In this policy:

**Court** means the Land and Environment Court of New South Wales.

**Judge** means a Judge of the Court.

**Commissioner** means a Commissioner or Acting Commissioner of the Court.



## Objectives

5. The objectives of the appraisal process are:
  - 5.1 To maintain public confidence in the Court.
  - 5.2 To foster and maintain the highest standards of performance.
  - 5.3 To ensure an open and transparent process by which an individual's performance is measured against Court standards.
  - 5.4 To enable individuals to reflect on their own performance and achievements as a basis for continuous improvement, working towards future achievements and looking for opportunities for growth and development.
  - 5.5 To assist in professional development by identifying specific training and development needs.
  - 5.6 To assist in identifying any systemic issues in the operation of the Court.

## Process

6. Each Commissioner will participate in a performance appraisal each year.
7. The process of performance appraisal is intended to be constructive and evidence based, and consistent with the maintenance of independence.
8. The appraisal process has two parts:
  - 8.1 *Completion of a Self-Assessment Form by 31 October.*
    - 8.1.1 The Self-Assessment Form requires each Commissioner to reflect on their performance over the past 12 months and:
      - a) assess their performance by reference to performance indicators;
      - b) evaluate their compliance with adopted codes of conduct;
      - c) reflect upon and address any complaint made by Court users or the public about the Commissioner; and
      - d) identify any training or professional development needs.



- 8.1.2 The Self-Assessment Form provides a basis for effective dialogue during the appraisal interview part of the process;
- 8.2 *Interview with the Chief Judge by the end of the Court year.*
- 8.2.1 An appraisal interview will be conducted with the Commissioner and the Chief Judge. The interview will canvass all aspects of the appraisal process and will be based on information from the self assessment, Court statistics and other records, and feedback from Court staff and users. Any agreed suggestions for future professional development will be noted.

Issued by:

*The Honourable Justice Brian J Preston  
Chief Judge – Land and Environment Court of NSW  
Date: 3 May 2024*

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**Document Information**

**Title:** Policy: Commissioners' Performance Appraisal  
**Document Number:** LEC-PPL12  
**Document Owner:** Land & Environment Court of New South Wales  
**Classification:** OFFICIAL  
**Key Words:** Commissioner, Acting Commissioner, Performance, Review, Self Assessment