[Insert organisation name/logo]

HUMAN RESOURCES POLICY

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|  |  |  |  |  |
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***🖌Note\****

*This policy template has been developed to meet the needs of a diverse range of services and includes items for consideration in policy and procedure.*

***Not all content will be relevant to your service.******Organisations are encouraged to edit, add and delete content to ensure relevancy.***

*All notes (like this one) should be considered and deleted before finalising the policy, and the contents list should be updated as changes are made and when content is finalised.*

*To update the contents list when all content has been finalised, right click on the contents list and select ‘update field’, an option box will appear, select ‘Update entire table’ and ‘Ok’. To use the contents list to skip to relevant text, use Ctlr and click to select the relevant page number.*

*The* [*NADA Policy Toolkit*](https://www.nada.org.au/policy-toolkit/policy-toolkit/) *provides templates for all policies and supporting documents referenced within this template.*

*Links to helpful websites and resources provided by organisations other than NADA are listed at the end of this template.*

*\*Please delete note before finalising this policy.*

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# SECTION 1: HUMAN RESOURCES FRAMEWORK

## Policy statement

**[Insert organisation name]** is committed to providing transparent, effective, legal, and consistent human resources (HR) systems that benefit the organisation and its staff, Board members, students and volunteers.

## 1.2 Purpose and scope

The purpose of this policy is to provide guidance to **[insert organisation name]** in developing and implementing HR systems that are equitable, efficient, communicated to all staff, Board members, students and volunteers and comply with relevant legislation. This policy applies to all **[insert organisation name]** employees, Board members, volunteers and student placements.

## 1.3 Definitions

|  |  |
| --- | --- |
| **Worker** | Any person aged 16 years or over who is employed or engaged in work in any of the following capacities:* as a paid employee
* as a self-employed person or as a contractor or sub-contractor
* as a volunteer (including Board members)
* as a person undertaking practical training as part of an educational or vocational course (other than as a student undertaking work experience).
 |
| **Child/Young person** | A child is a person under the age of 16 years and a young person is aged 16 years to 18 years. |
| **Child-related work** | Any work in an area prescribed as child-related work in the Child Protection (Working with Children) Act 2012 and the Child Protection (Working with Children) Regulation 2013. This includes, but is not limited to, work in the following areas:* education, early education and childcare
* child development and family welfare services
* clubs or other bodies providing services for children
* entertainment for children
* residential services
* transport services for children
* religious services.
 |
| **Mandatory reporter**  | Anybody who, as part of their paid or professional work, delivers healthcare, welfare, education, children’s services, residential services or law enforcement to children. |
| **Significant** **risk of harm** | Refers to a person being in circumstances that are causing significant concern for their safety, welfare or wellbeing.  |
| **Employee misconduct**  | Is indicated where the minimum requirements of the organisation’s Code of conduct are not being met and/or where any other improper behaviour or behaviour that endangers the safety of others or the reputation of the organisation is identified. |
| **Serious misconduct**  | Includes proven theft, physical assault, gross negligence, serious breach of policies and/or procedures, willful or malicious damage, serious breach of safety procedures, illegal or fraudulent acts while on company business, or abandonment of employment.  |
| **Concern**  | Is a work-related issue raised by an employee, student, volunteer or Board member that may be dealt with informally or recorded with no further action required. |
| **Grievance**  | Is a clear statement by an employee, student, volunteer or Board member of a work-related problem or complaint that requires formal resolution. |
| **Complainant**  | Is the person raising the concern or grievance, or making the complaint. |
| **Respondent**  | Is the person who the concern or grievance is about. |
| **Volunteer** | An unpaid person who contributes to workplace operations and services of their own volition and/or as a participant in a recognised volunteer program. |
| **Volunteering** | An activity which takes place through many organisations and is undertaken:* to be of benefit to the community and the volunteer
* of the volunteer's own free will and without coercion
* for no financial payment
* in designated volunteer positions.
 |
| **Student**  | An unpaid student who contributes to workplace operations and services on their own volition and/or as a participant in a recognised student program supervised by an academic institution.  |
| **Workplace bullying** | Is described as repeated, unreasonable behaviour directed towards a worker or a group of workers that creates a risk to health and safety. |
| **Unreasonable behaviour** | Behaviour that a reasonable person, having regard for the circumstances, would see as victimising, humiliating, undermining or threatening. |
| **Credentialing** | Obtaining evidence contained in verified documents to delineate the theoretical range of services which a clinician is competent to perform.[[1]](#footnote-2) |
| **Credentials** | The qualifications, professional training, clinical experience, and training and experience in leadership, research, education, communication and teamwork that contribute to the competence, performance and professional suitability to provide safe, high quality health care services by a clinician. |
| **Accredited health professional** | A health professional authorised to treat patients in accordance with specified scope of clinical practice and any specified conditions. |
| **Accredited practitioner** | A medical practitioner authorised to treat patients in accordance with a specified accreditation classification and scope of clinical practice. |

## 1.4 Principles

* **[Insert organisation name]** provides an equitable, safe and positive workplace with the absence of nepotism or patronage.
* Workers are valued and recognised for their contribution to the organisation’s successful achievements and outcomes.
* Workers behave in a professional manner that respects the rights of others. Unlawful discrimination will not be tolerated by any worker.
* Flexible and supportive working conditions are provided in line with relevant legislation and comparable to industry standards.

## 1.5 Outcomes

* **[Insert organisation name]** recruits and retains professional workers that contribute to organisational outcomes.
* Working conditions and benefits are an asset of the organisation.
* Human resource practices are free from discrimination.
* Workers drive a dynamic and inspiring culture.

## 1.6 Delegations

|  |  |
| --- | --- |
| **Board of directors** | * Endorse and ensure compliance with the Human Resource Policy.
* All HR responsibilities for **[insert CEO/Manager]**.
* Ensure succession planning for CEO/Manager and other critical operational positions.
* Endorse redundancy action as required.
* Act as facilitators in resolving grievances as required.
 |
| **Business services/ management** | * Compliance with the Human Resource Policy.
* Develop and implement HR systems across the organisation.
* Implement performance and misconduct management processes as required.
* Act as facilitators in resolving grievances as required.

**CEO/Manager (or as delegated)*** HR planning, including identifying position requirements and associated budget.
* Endorse recommendations for employment, employee contracts and variations.
* Endorse certain leave requests.
* Endorse student placements.

**Management*** HR responsibilities for program/clinical service workers, students, volunteers and others as delegated by CEO/Manager.
* Payroll processing and leave record-keeping.
 |
| **Program services/clinical** | * Compliance with the Human Resource Policy.
* HR responsibilities for program/clinical service workers, students, volunteers and others as delegated by CEO/Manager.
* Implement performance and misconduct management processes as required.
 |

**🖌Note\***

A Human resources policy template is available from the NADA Policy Toolkit.

\*Please delete note before finalising this policy.

## 1.7 Policy implementation

This policy is developed in consultation with **[insert organisation name]** staff and is approved by the organisation’s Board of Directors. All staff are responsible for understanding and adhering to these HR policy and procedures. Human Resources is an agenda item in organisation staff meetings where system and implementation issues may be raised.

The specific monitoring and support activities undertaken by **[insert organisation name]** are:

* Annual personnel file audit to ensure practice compliance with HR policies and procedures
* Evaluation of worker’s orientation experience
* Evaluation of worker’s leaving the organisation
* **[Insert other(s) relevant to the organisation]**.

## 1.8 Risk management

**[Insert organisation name]** develops and implements human resource systems that comply with relevant employment legislation, including the Fair Work Act 2009 (Cmlth). All staff, Board members, students and volunteers are to be made aware of this policy during orientation.

# SECTION 2: EMPLOYEE RECRUITMENT AND SELECTION

## 2.1 Permanent and contract employees

The **[insert organisation name]** CEO/Manager and/or **[insert nominated staff member role]** are primarily responsible for the recruitment of permanent and contract employees, with other senior staff involved where they have responsibility for providing supervision for positions.

### 2.1.1 Position details

Where the organisation intends to recruit to a permanent, contract or casual position, the CEO/Manager and/or **[insert nominated staff member role]** undertake the following activities:

* Identify need for the position and budget
* Identify remuneration in line with the internal salary scale or other awards[[2]](#footnote-3)
* Develop or review position description.

### 2.1.2 Position descriptions

All **[insert organisation name]** positions have current and relevant position descriptions which detail:

* Title, primary functions and tasks
* Performance indicators
* Reporting and working relationships
* Remuneration range
* Skills and experience required.

**🖌Note\***

A Position description template is available from the NADA Policy Toolkit.

\*Please delete note before finalising this policy.

### 2.1.3 Advertising vacant positions

**[Insert organisation name]** seeks to appoint the best possible candidate for permanent, casual and contract-based positions and, in general, will advertise positions externally.

Advertised positions identify:

* Position title
* Summary of the primary functions (i.e. a position description)
* Remuneration or Award
* Process for applying
* If a National Police Check (NPC) and/or Working with Children Check (WWCC) will be required (refer to Sections 2.3 and 2.4 of this policy)
* **[Insert organisation name]** contact person for enquiries and application
* Application closing date.

**[Insert organisation name]** positions are advertised through the organisation website and external media. A private recruitment provider may be used if endorsed by the CEO/Manager, according to budget constraints and the type of position and skills required.

**🖌Note\***

Some external media examples to advertise jobs include: NCOSS website, ADCA Update, Ethical Jobs, Jobs of Substance, SEEK, Jora and others. NADA also offers free promotion of positions vacant for NADA member organisations. Contact for more information.

\*Please delete note before finalising this policy.

In the case of recruiting for the CEO/Manager position, the **[insert organisation name]** Board is required to authorise the use of a private recruitment provider, or to adopt and co-ordinate an independent recruitment process.

The CEO/Manager may make the decision not to externally advertise a vacant position if:

* The position is available for a short period of time only (e.g. less than one (1) year)
* Advertising the position would significantly delay the commencement or continuation of the position functions and impact on **[insert organisation name]**’s contracted performance requirements
* A suitable candidate from within **[insert organisation name]** is identified.

### 2.1.4 Position Information Pack

A Position Information Pack is made available on the **[insert organisation name]** website and to potential applicants by request. The Position Information Pack includes:

* Position description
* Organisation chart
* Organisation’s Strategic plan
* Guide to applying for organisation’s positions
* **[Insert organisation name]** contact person details
* Other information as relevant.

**🖌Note\***

Position description, Organisation chart and Strategic plan templates are available from the NADA Policy Toolkit.

\*Please delete note before finalising this policy.

### 2.1.5 Handling position applications

**[Insert organisation name]** responds to enquiries from potential applicants and provides general information about the position and organisation equally to all persons who lodge enquiries.

Applications are valid if received before the specified closing time, in the specified format, and include a cover letter, statement responding to the selection criteria, Curriculum Vitae and other information specified.

**[Insert organisation name]** formally acknowledges receipt of all applications by email. A register of all applications is made using the Position applications received register.

**🖌Note\***

A ‘Position applications received register’ template is available from the NADA Policy Toolkit.

\*Please delete note before finalising this policy.

### 2.1.6 Applicant selection

Selection of applicants for a position with **[insert organisation name]** is based on merit, with the best possible candidate identified through their Curriculum Vitae, response to the position selection criteria in their written application, interview process and reference checks.

### 2.1.7 Selection panel

A selection panel reviews, shortlists and interviews applicants, and selects the best candidate for all **[insert organisation name]** positions. Only applications that address the selection criteria in their written application will be reviewed.

**[Insert organisation name]** selection panels include:

* A mix of genders, with at least one male and one female
* The senior staff member who will manage/supervise the position
* CEO/Manager and/or Board member if appropriate
* An independent member with knowledge and expertise in the area the position covers
* It may be appropriate to include a consumer/client on the panel
* If the position is an identified position, an Aboriginal and Torres Strait Islander person should sit on the panel.

The **[insert organisation name]** staff member(s) leading the position recruitment process convenes and provides secretariat support to the selection panel and the interview process.

The selection panel rates applications against the skills and experience required, and shortlists applicants for interview. Interview questions are based on the position functions, as well as an applicant’s relevant skills and experience, and are prepared prior to the interview(s).

### 2.1.8 Applicant interview

Shortlisted applicants are offered an interview for a scheduled date and time. If the applicant is unable to attend at the time offered, the selection panel considers an alternative date and/or time where possible. Refer to the organisation’s Interview schedule.

**🖌Note\***

An Interview schedule template is available from the NADA Policy Toolkit.

\*Please delete note before finalising this policy.

**[Insert organisation name]** considers the interview to be a two-way process wherein the organisation is assessing the applicant and the applicant assessing the organisation and deciding if they want to work for the organisation.

All applicants are treated fairly and courteously and assisted to feel relaxed in order to be able to demonstrate their skills, knowledge and experience. Applicants are provided with the prepared interview questions ten minutes before the interview commences.

At commencement of the interview, the **[insert organisation name]** convener will introduce the panel members and provide an opportunity for each to ask questions from the prepared list. The same questions are asked of each interviewee, with prompts and additional questions as required. The panel rates applicants according to how they meet the selection criteria and their answers to interview questions.

**🖌Note\***

‘Interview – Individual applicant rating form’ and ‘Interview – Individual summary rating form’ templates are available from the NADA Policy Toolkit.

\*Please delete note before finalising this policy.

An approximate time frame of when a recruitment decision will be made and when applicants will be notified is provided at conclusion of the interview. Applicants are provided an opportunity to ask questions about the position and about **[insert organisation name]**.

The selection panel will review their ratings and impressions of each applicant after all scheduled interviews are completed and makes a decision on the applicant(s) best suited for the position.

### 2.1.9 Reference check

The **[insert organisation name]** recruitment convener is responsible for undertaking applicant reference checks. Reference checks provide an opportunity for the organisation to confirm employment details provided by the applicant and to further assess suitability for the position.

Reference checks with the applicants’ current and/or recent direct supervisor are sought in order to determine their skills, knowledge and experience. **[Insert organisation name]** may also contact other referees whose details are provided by the applicant.

**🖌Note\***

An Applicant reference check form template is available from the NADA Policy Toolkit.

\*Please delete note before finalising this policy.

Other applicant information required by the organisation may include a National Police Certificate (NPC) and/or a Working with Children Check (WWCC). Refer to Sections 2.3 and 2.4 of this policy for further information.

### 2.1.10 Interview follow-up

Once references are confirmed to the satisfaction of the **[insert organisation name]** selection panel, the preferred applicant(s) is contacted and asked to provide a National Police Certificate (NPC) and/or a Working with Children Check (WWCC), if appropriate. Once the NPC and/or WWCC is confirmed to the satisfaction of the CEO/Manager and Board President, the applicant is offered the position in writing and formally accepts the position in writing.

The employee’s remuneration package is confirmed at offer and again at signing the Employment contract. The Employment contract may be signed at offer of the position, or in the time leading up to and including the first day of employment.

**🖌Note\***

An Employee contract template is available from the NADA Policy Toolkit.

\*Please delete note before finalising this policy.

All unsuccessful interviewees for **[insert organisation name]** positions will receive formal acknowledgement of such through a letter and are informed that their application is securely retained for a period of **[insert time frame]** months. Interview feedback can be provided to unsuccessful interviewees if requested.

### 2.1.11 Recruitment records

All position recruitment enquiries, applications and interview documents are considered confidential, with access to such details restricted to those directly involved in the recruitment and selection process.

Once the recruitment process is complete, all recruitment records are filed in the organisation personnel filing cabinet for a period of **[insert time frame]** months.

The **[insert organisation name]** staff member with responsibility for providing supervision for the new position is to prepare a personnel file for the new employee, as well as an induction and orientation process.

**🖌Note\***

An Induction and orientation checklist template is available from the NADA Policy Toolkit.

\*Please delete note before finalising this policy.

## 2.2 Casual and temporary recruitment

**[Insert organisation name]** may utilise casual and temporary recruitment to fill an identified short-term need for a period of up to **[insert time frame]** months. Recruitment of casual and temporary employees is an internal process and does not require external advertising or a formal selection panel. However, it is important that due process is followed to ensure the process is transparent.

### 2.2.1 Casual and temporary recruitment preparation

Recruitment to casual and temporary positions requires endorsement from the **[insert organisation name]** CEO/Manager and identifies the following:

* Need for the position
* Primary functions and tasks
* Cost of the position and how it fits within the program/organisation’s budget
* Position description, including selection criteria and performance indicators
* If a National Police Check (NPC) and/or Working with Children Check (WWCC) will be required – refer to Sections 2.3 and 2.4 of this policy for further information.
* Whether the staff member recruiting has a perceived or actual conflict of interest, in which case a second senior staff person is involved in the recruitment process.

### 2.2.2 Identify and approach potential candidates

Following CEO/Manager endorsement, potential candidates may be identified through known networks, or by reviewing the credentials of applicants who applied unsuccessfully for similar positions in the past **[insert time frame]** months.

The **[insert organisation name]** staff member in charge of the recruiting process makes initial contact with potential candidates, provides a position information pack, and invites interested individual/s to submit a written statement against the selection criteria, Curriculum Vitae and references.

### 2.2.3 Shortlist applicants

The **[insert organisation name]** staff member in charge of the recruiting process reviews applications together with the CEO/Manager and meets with the preferred applicant(s) to discuss the position and the required skills. At this stage there are no assurances about the position, as a decision is still required by the CEO/Manager.

Once references are checked, an NPC is performed (and/or a National Police Certificate is provided), and a WWCC is confirmed (where relevant) to the satisfaction of the CEO/Manager, and endorsement provided, the preferred applicant(s) is contacted and offered the position in writing. Once the successful applicant formally accepts the position in writing, the employee’s remuneration package is confirmed twice: at offer, and again at signing the Employment contract§.

## 2.3 National Police Check (NPC)

**🖌Note\***

A National Police Check (NPC) is not mandatory except in the case of an organisation that works directly with children. Where this is the case, the following information should be edited to reflect that all staff regardless of role must obtain an NPC.

A National Police “Certificate” is a certified paper version of an applicant’s NPC.

\*Please delete note before finalising this policy.

Conducting a National Police Check (NPC) is not mandatory. However, **[insert organisation name]** may ask job applicants and employees to disclose specific criminal record information if they have identified that certain criminal convictions or offences are relevant to the requirements of the job.

Positions which require an NPC include:

* Positions that have delegation to sign-off financial approvals
* Positions that require employees to work with children or young people – mandatory under the Commission for Children and Young People Act 1998 (NSW)
* **[Insert other relevant position titles].**

The purpose of **[insert organisation name]** obtaining NPC is to reduce the risk of fraud, theft and professional misconduct within the organisation, to protect the organisation from reputational risk, and to protect vulnerable people, including children and young people, older people and people with intellectual or cognitive impairment.

**🖌Note\***

Organisations that change their policies and procedures to reflect best practice utilising NPCs may require current employees to provide a National Police Certificate or to renew an earlier NPC. This is particularly relevant for organisations working with children and vulnerable populations, and those positions that have financial responsibilities and delegations.

\*Please delete note before finalising this policy.

### 2.3.1 Requesting a National Police Check (NPC)

An NPC is requested from the applicant as the final stage of the recruitment process. The applicant is contacted and offered the position, pending **[insert organisation name]**’s satisfaction with their NPC. **[Insert organisation name]** reimburses applicants for the cost of the NPC (or National Police Certificate). Applications for an NPC are completed by the applicant online.

**🖌Note\***

For more information or to apply for NPCs, visit the NSW Police website.

\*Please delete note before finalising this policy.

**[Insert organisation name]**’s responsibilities include:

* NPCs are conducted with the authorisation of the job applicant or current employee
* An applicant’s NPC (or National Police Certificate) is to be used only for the purpose for which it was intended
* An applicant’s NPC (or National Police Certificate) is personal information to be securely stored in a private and confidential manner
* Under privacy laws, a person’s criminal record is treated as sensitive information**. [Insert organisation name]** respects the privacy of job applicants and employees with criminal records.

#### 2.3.2 Risk assessment and results

If an applicant’s NPC includes one or more convictions or charges, they are not automatically excluded from the position. **[Insert organisation name]** will give the applicant (or existing employee) an opportunity to provide further information, including circumstances surrounding the offence/s and character references, before determining individual employment decisions.

**[Insert organisation name]**’s CEO/Manager and the Board President undertake a risk assessment and make a determination on employment of the applicant, with consideration given to the following:

* Nature of the offence – How do these offences relate to the functions and responsibilities of the position?
* Pattern of offence(s) – Is there a pattern, even with minor penalties, which indicates a degree of risk due to recurring behaviour?
* Frequency – How often was the offence(s) committed?
* Age – Were the offences committed as a minor?
* Recency – What period of time has elapsed since the conviction?
* Penalty – The quantum and type of penalty may indicate the seriousness of the conviction.
* Mitigating or extenuating circumstances – Mitigating or extenuating circumstances may be considered; these circumstances may include provocation, peer pressure, and misuse of alcohol and drugs at the time of the offence.
* Behaviour patterns – Degree of risk may be indicated by referee reports, peer and manager evaluations, Probation and Parole reports, and stability of employment.
* Decriminalisation – The offence may now have been removed from the statutes, decriminalised or attracting much lesser penalties.

#### 2.3.3 Privacy and confidentiality

Only the **[insert organisation name]** CEO/Manager, Board President and direct supervisor have access to an applicant’s or employee’s NPC (or National Police Certificate), which are filed in relevant personnel files.

**🖌Note\***

For more information about NPCs, visit the NSW Police website.

\*Please delete note before finalising this policy.

## 2.4 Working with children checks (WWCC)

**[Insert organisation name]** requires certain employees to provide Working with children checks (WWCC). Positions that have responsibility for managing programs and projects, or any child-related activity are required to provide a WWCC. This includes paid employees, Board members, contractors, students and volunteers.

**🖌Note\***

A Working with children check (WWCC) is a requirement for all people who are employed or volunteer in child-related work in NSW. Populations. The WWCC includes a national criminal history check and a review of any relevant findings of workplace misconduct.

Child-related work is defined under Part 2, section 6 of the [Child Protection (Working With Children) Act 2012](http://www.legislation.nsw.gov.au/maintop/view/inforce/act%2B51%2B2012%2Bcd%2B0%2BN), as: “work in a specific, child-related role or face-to-face contact with children in a child-related sector”. Additional roles subject to mandatory WWCC are identified in the [Child Protection (Working With Children) Regulation 2013](http://www.legislation.nsw.gov.au/maintop/view/inforce/subordleg%2B156%2B2013%2Bcd%2B0%2BN) (NSW).

\*Please delete note before finalising this policy.

### 2.4.1 [Insert organisation name]’s responsibilities

**[Insert organisation name]** take reasonable steps to ensure that all persons involved in child-related work are suitable to perform the role.

The CEO/Manager, program managers, direct supervisors and administration and records management staff are responsible for ensuring that recruitment processes within this area/s of responsibilities are consistent and comply with the relevant legislation.

This includes:

* Confirming that all successful applicants for positions with [insert organisation name] have provided a current WWCC or declaration that they are not a “disqualified person”, and have met the relevant legislative requirements prior to commencing their involvement with the organisation
* Maintaining appropriate record management and storage of these documents for a five (5)-year period after the person’s involvement with **[insert organisation name]** has been completed
* Disposing of these documents in a secure manner, complying with the Personnel records section (Section 8) of this policy
* Reviewing organisational procedures in regard to WWCCs.

A person cannot be employed or engaged in child-related work if they are currently placed on a *“not to be employed list”* (or other similar list). **[Insert organisation name]** will check this as part of the recruitment/shortlisting process. This applies whether the person is to be engaged as a paid employee, a student, a volunteer, or a contractor.

**🖌Note\***

In general terms, people involved as workers in a child-related position are required to meet one (1) of the requirements below. The applicant must either:

1. Hold a current WWCC clearance; or
2. Provide a declaration that they are not a “disqualified person” (for volunteers or contractors).

A “disqualified person” is defined under Section 18 of the Child Protection (Working with Children) Act 2012 (NSW) as “a person who has been convicted of an offence in Schedule 2 of the Act”.

\*Please delete note before finalising this policy.

### 2.4.2 Applying for a WWCC

Each applicant/employee has the responsibility to apply and request the WWCC with the NSW Office of the Children’s Guardian. For further information, resources and fact sheets on WWCCs, visit the NSW Office of the Children’s Guardian website.

## 2.5 Credentialing

In order to provide safe and high-quality services, **[insert organisation name]** follows a standard process to verify the qualifications, experience and professional standing of clinicians with the purpose of forming a view of their competence and professional suitability to work for the organisation.[[3]](#footnote-4)

Candidates applying for **[insert organisation name]** positions wherein they will perform clinical duties as a doctor, psychiatrist, psychologist, nurse, **[insert other health profession]** will be credentialed through the Australian Health Practitioner Regulation Agency (AHPRA).

**🖌Note\***

The Australian Health Practitioner Regulation Agency (AHPRA) was established under the Health Practitioner Regulation National Law Act 2009 and was endorsed by the State of NSW under Health Practitioner Regulation National Law (NSW) No 86a. AHPRA is responsible for the implementation of the National Registration and Accreditation Scheme across Australia, supporting 14 National Boards, all regulated by nationally consistent legislation. For more information, refer to the AHPRA website.

The Australian Community Workers Association (ACWA) has also recently established a Community Workers Register allowing a range of roles to be registered and acknowledged professionally including drug and alcohol workers. For more information visit the ACWA website.

For more information on credentialing, visit the Australian Commission on Quality and Safety in Health Care (ACQSHC) website.

\*Please delete note before finalising this policy.

Credentialing with AHPRA may not be necessary for a position with **[insert organisation name]** that does not require the candidate to hold a clinical credential. In this case, standard recruitment process and checks (as per Section 2 of this policy) will be applied.

**🖌Note\***

Credentialing with AHPRA may not be necessary in certain situations. If a specific position description does not require the candidate to hold a clinical credential – e.g. if a psychologist were to be employed as a manager and not to perform any clinical psychologist duties – the credentialing process with AHPRA would not be implemented. In this case, standard recruitment processes and checks would apply.

\*Please delete note before finalising this policy.

A current **[insert organisation name]** staff member will be required to become appropriately credentialed through AHPRA if their position within the organisation changes and their new position description includes clinicians’ duties that they are trained to do, but that were not originally part of their employment conditions.

Credentialing documentation is kept in the employees personnel file and their Position description§ is marked as “credentialed” once the AHPRA process is completed. A review of individual staff credentialing is undertaken by **[insert organisation name]** annually, in line with their Performance and development review plan.

**🖌Note\***

A Performance and development review plan template is available from the NADA Policy Toolkit.

\*Please delete note before finalising this policy.

## 2.6 Orientation and induction

## 2.6.1 Prior to the new employee’s commencement date

The position’s direct supervisor prepares for the induction and orientation of the new employee. The Induction and orientation checklist details tasks that need to be completed before the new employee’s commencement date.

The new employee’s supervisor arranges meetings between the new employee, the CEO/Manager and other relevant staff for the first two weeks of the new employee’s commencement date to discuss the organisation, current **[insert organisation name]** projects and programs, and the employee’s role and responsibilities.

An orientation pack is prepared which includes:

* Fair Work Information Statement and the National Employment Standards Fact Sheet
* Position description, Employment contract and Code of conduct to be signed
* Induction and orientation checklist
* Salary packaging agreement (if applicable)
* Employee contact details form
* Employee bank account details form
* Tax File Number Declaration
* Induction and orientation feedback form
* Organisation’s Strategic plan
* Organisation constitution (if appropriate)
* Organisation structure (if required)
* **[Insert other relevant document(s)].**

**🖌Note\***

The Fair Work Information Statement and the National Employment Standards Factsheet are available from the Fair Work Australia website.

Templates are available from the NADA Policy Toolkit for:

- Position description

- Employment contract

- Code of conduct

- Induction and orientation checklist

- Salary packaging agreement

- Employee contact details form

- Employee bank account details form

- Induction and orientation feedback form

- Strategic plan

- Organisation structure.

\*Please delete note before finalising this policy.

### 2.6.2 Commencement of employment

The new employee is provided with the orientation pack and advised that they are jointly responsible for completing the Induction and Orientation checklist§ within the first month of employment.

The new employee is provided an opportunity to ask questions regarding the Employment contract§ and/or the Position description§ will need to become appropriately credentialed through the AHPRA. before signing, if they have not already done so.

### 2.6.3 Orientation and induction feedback

One month from commencement of employment, the employee is asked to complete the Induction and orientation feedback form§ and meet with their supervisor and/or CEO/Manager to discuss. Information provided in the Induction and orientation feedback§ form is used to inform the development of future orientation and induction processes and provides an opportunity to address any concerns the new employee or the organisation may have.

### 2.6.4 Qualification/Probation period

A **[insert time frame]** month qualification/probation period applies to all permanent and contract positions. During the qualification/probation period, the new employee and supervisor regularly meet to continue the orientation process and ensure the new employee is aware of their role and performance expectations. This period allows **[insert organisation name]** and the new employee to determine suitability for the position before continuation of the Employment contract.

During the qualification/probation period, and for a further three months, **[insert organisation name]** or the employee can terminate employment by providing a minimum of **[insert time frame]** weeks’ written notice, in line with the Fair Work Act 2009 (Cmlth).

**🖌Note\***

In general, employees with not more than one (1) year continuous service are entitled to a minimum of one (1) weeks’ notice of termination and should, in kind, give a minimum of one (1) weeks’ notice of resignation to an employer, even if this falls within the qualification/probation period. However, each employee should refer to the award under which they are employed to confirm the exact conditions of their employment.

For more information on minimum periods of notice, including award-specific advice, refer to the Fair Work Australia website.

\*Please delete note before finalising this policy.

### 2.6.5 Orientation of Students, Board members and volunteers

All workers are provided with an orientation to **[insert organisation name]** that is relevant to their role.

Refer to Section 9 of this policy for more information about working with students within the organisation.

Refer to Section 10 of this policy for more information about working with volunteers within the organisation.

For more information on Board orientation and responsibilities, refer to the Governance Policy.

**🖌Note\***

A Governance policy template is available from the NADA Policy Toolkit.

\*Please delete note before finalising this policy.

# SECTION 3: CONDITIONS OF EMPLOYMENT

## 3.1 Employment contract

All **[insert organisation name]** employees have a current and signed employment contract and position description relevant to their roles and responsibilities. The signed employment contract and position description are filed in the employee’s personnel file, with copies provided to the employee.

**🖌Note\***

An Employment contract template is available from the NADA Policy Toolkit.

\*Please delete note before finalising this policy.

## 3.2 Hours of work

Each employee’s ordinary hours of work are clearly identified in their Employment contract.

Full-time employment with **[insert organisation name]** requires employees to work **[insert number of hours, e.g. 38]** hours per week over five days unless otherwise negotiated with their supervisor and/or the CEO/Manager.

**[Insert organisation name]**’s hours of operations are between **[insert time frame, e.g.** **7.00am and 7.00pm]**, with the majority of work undertaken during **[insert time frame, e.g. these hours/between 8am and 5pm]**. **[Insert relevant information related to 24-hour services].**

There may occasionally be a need for employees to work reasonable additional hours to fulfil duties or as otherwise required by the organisation. This is jointly negotiated between the employee and the organisation. Additional hours worked are reimbursed as **[insert relevant agreement, e.g. accumulated as time in lieu with the approval of the supervisor/paid as time-and-a-half].** Unless specifically negotiated, a maximum of **[insert number of hours]** hours of time in lieu/overtime per month can be accrued.

**🖌Note\***

Some organisations may require shift, on-call and overnight workers. Penalty rates may apply in some instances. Detail should be included in this policy if any of these situations apply.

\*Please delete note before finalising this policy.

## 3.3 Remuneration

**[Insert organisation name]**’s remuneration practices aim to be competitive across similar organisations and positions, and to promote a culture of commitment between the organisation and employees.

Employment contracts detail individual employee remuneration packages which may include the following components:

* Salary – as per the internal salary scale or other awards[[4]](#footnote-5)
* Eligibility for salary packaging
* Motor vehicle as a component of salary packaging (if applicable)
* Office car space, if applicable
* **[insert other benefit]**
* **[insert other benefit].**

Remuneration packages do not include **[insert as relevant, e.g. mobile phone, laptop computer, electronic mobile devices, fuel cards or toll passes].**

The contracted salary is paid **[insert payment period, e.g. fortnightly]** by electronic funds transfer (EFT) to a bank account nominated by the employee as indicated on the Employee bank account details form.

**🖌Note\***

An Employee bank account details form template is available from the NADA Policy Toolkit.

\*Please delete note before finalising this policy.

### 3.3.1 Higher duties allowance

Higher duties allowance is paid to the **[insert position name]** when acting in the position of **[insert position name]** under the following conditions:

|  |  |
| --- | --- |
| **Period of acting**  | **Higher duties allowance** |
| Five (5) days or less | None |
| Six (6) consecutive days or more | **[Insert percentage]**% of the difference between the **[insert position name]** salary and the **[insert position name]** salary. |

**🖌Note\***

It is not mandatory for employers to pay higher duties allowances. It is recommended that organisations have internal and private negotiations with the staff member who is performing the higher duties. Higher duties allowances are subject to budget and funding available in the organisation.

\*Please delete note before finalising this policy.

## 3.4 Superannuation

**[Insert organisation name]** makes superannuation payments in accordance with the Superannuation Guarantee (Administration) Act 1992 (Cmlth) into a fund nominated by the employee. If the employee does not nominate a complying superannuation fund within two (2) weeks of commencing employment, **[insert organisation name]** will make contributions into a complying fund nominated by the organisation.

Employees may choose to make additional superannuation contributions, over and above the payments made by **[insert organisation name]** on their behalf, from their salary.

## 3.5 Salary packaging [include/delete as applicable to organisation]

Salary packaging refers to the option for employees of a recognised public benevolent institution (PBI) to receive part of their salary as direct payment for certain personal expenses.

As an Australian Tax Office recognised PBI, **[insert organisation name]** offers salary packaging to permanent and contract-based employees – full-time or part-time. Payment is made by the organisation from the employee’s pre-tax income; therefore, the payment is made tax-free.

### 3.5.1 Salary package expense options [include/delete as applicable to organisation]

Salary packaging can be used to pay certain personal expenses, such as:

* Mortgage payments
* Rent
* Motor vehicle leasing (through the organisation or otherwise)
* Credit card payments
* Personal loan payments
* School fees, including HECS-HELP
* Council rates
* Water, electricity, telephone and gas payments
* Life insurance
* Private health insurance
* Superannuation
* Childcare through registered providers.

**[Insert organisation name]** employees can elect to have personal expenses paid:

* Direct EFT to a nominated bank account for loan or credit repayments; and/or
* Direct EFT to a nominated bank account for expenses; and/or
* Direct to a **[insert bank’s name]** ‘Employee Benefits Card’ for you to pay for expenses as you go.

Salary packaging cannot be used for cash payments.

**🖌Note\***

The above information details a range of options that can be offered through salary packaging. Not all organisations offer all options. Edit the details above to suit the options offered within your organisation.

A Salary packaging agreement template is available from the NADA Policy Toolkit.

\*Please delete note before finalising this policy.

## 3.7 Leave entitlements

Unless otherwise specified, when ‘employees’ referred to in this section (3.7) of the policy, it means permanent full time or part time employees.

All employees are entitled to leave in accordance with the relevant awards or agreements and statutory provisions. Where the entitlements or practices in this document conflict, the applicable award, workplace agreement, employment contract or employment law takes precedence. The Fair Work Ombudsman website provides further details about employee leave entitlements according to specific awards or agreements and statutory provisions.

All planned leave must be mutually agreed upon by **[insert organisation name]** and the employee and take into account workloads and the employee’s needs. Leave must be approved in advance, except when the employee can’t anticipate the absence. Any documents regarding leave will be kept on the employee’s personnel file.

**🖌Note\***

The leave entitlements referred to in this section (3.7) are based on the National Employment Standards of the Fair Work Ombudsman.

For more information on leave entitlements, practices and legislation, visit the Fair Work Australia website.

\*Please delete note before finalising this policy.

### 3.7.1 Annual (Recreational) leave

Full-time employees of **[insert organisation name]** are entitled to a period of **[insert number of days, e.g. 20]** working days paid annual leave for each twelve (12) month period (applied pro rata for part-time employees). Annual leave is exclusive of any days declared and observed as public holidays as notified by the NSW and/or Australian Government.

Annual leave is accrued at the rate of approximately one-third of a week per month and may be taken after the completion of six (6) months’ service, unless negotiated with the supervisor and the CEO/Manager. Leave entitlements are calculated from the date the employee starts work with **[insert organisation name]** and accrues in accordance with the relevant workplace relations legislation or industrial instruments.

Applications for annual leave need to be lodged of **[insert number of days, e.g. 2]** weeks in advance.

Annual leave taken attracts a leave loading of 17.5%; however, at termination of employment, the employee’s untaken annual leave is paid exclusive of leave loading.

Annual leave counts towards continuous service (used when calculating long service leave).

An employee is expected to take accrued annual leave for business close-down periods. If insufficient leave is accrued, **[Insert organisation name]** may direct an employee to take unpaid leave.

**[Insert organisation name]** will decide on a case-by-case basis whether it will agree with an employee to ‘cash out’ annual leave as permitted by workplace relations legislation or any industrial instrument.

In some circumstances, leave in advance of what leave has accrued may be approved by **[insert organisation name]**. This is conditional on the employee agreeing to the business deducting any advance in the event of termination, or to the employee accepting leave without pay.

**🖌Note\***

In general, annual (recreational) leave for full time employees is four (4) weeks paid leave accrued for each twelve (12) months of employment. However, this varies in some awards and workplace or employment agreements – e.g., a holiday close-down may be specified in the award or workplace agreement; shift workers may accrue more than 4 weeks leave per annum.

The standards referred to in this section (3.7) of the policy are based on the Fair Work Act 2009 (Cmlth). Visit the Fair Work website for further details about employee leave entitlements according to specific awards or agreements and statutory provisions.

\*Please delete note before finalising this policy.

### 3.7.2 Public holidays

Permanent full time, part time, and contract-based employees are entitled to be paid their base rate of pay for the hours they would have ordinarily worked on a public holiday, except where reasonably requested to work, in line with the Fair Work Act 2009 (Cmlth).

### 3.7.3 Personal leave (Sick leave and Carer’s leave)

**🖌Note\***

Sick leave and carer’s leave are both part of ‘personal leave’ which is an employee entitlement under the National Employment Standards. Sick leave is separate to workers’ compensation, which is paid to compensate for an injury or illness incurred while at work.

\*Please delete note before finalising this policy.

Full time employees are entitled to a minimum of 10 days of personal leave every 12 months under the Fair Work National Employment Standards (NES). This can be taken as entirely as carer’s leave, sick leave, or as a combination of both, as required. Paid personal leave accrues at the rate of **[insert number of days, e.g. 0.8]** days per month of service and is cumulative.

#### Sick Leave

An employee should notify their manager as soon as possible if they are unable to attend work due to illness or injury. **[Insert organisations name],** at its discretion, may request evidence such as a medical certificate showing that the employee was entitled to take personal leave during the relevant period.

Unclaimed sick leave may be accrued for a maximum period of **[insert period time, e.g. 36 months]**. Accrued sick leave is not paid out on termination of employment.

#### Carer's leave

Paid carer's leave is available to an employee for the care or support of an ill family or household member or if an unexpected emergency affects a family or household member. It is generally considered a part of the personal leave entitlement and is dealt with similarly to sick leave (as above).

Employees, including casual employees, are entitled to take up to two days unpaid carer’s leave for each occasion of family or household member illness or unexpected emergency. An employee cannot take unpaid carer’s leave if they could instead take paid carer’s leave.

### 3.7.4 Compassionate leave

Compassionate leave is paid leave taken by an employee to spend time with a family member/member of the employee’s household, who has a personal illness, or injury, that poses a serious threat to their life, or after the death of a family member/member of the employee’s household.

Each employee of **[insert organisation name]** is entitled to a period of two (2) days paid compassionate leave for each occasion where a family member has died, or the employee needs to spend time with a seriously ill family member.

Additional unpaid leave maybe granted at **[insert organisation name]** management discretion. Casual employees are entitled to two (2) days unpaid compassionate leave for each occasion.

### 3.7.5 Family and domestic violence leave

Under the Fair Work ‘National Employment Standards’ (NES), all **[insert organisation name]** employees (including part time and casual employees) are entitled to five (5) days unpaid family and domestic violence leave each year.

### 3.7.6 Long service (Extended) leave

Long service (Extended) leave entitlements are provided by **[insert organisation name]** in accordance with the Long Service Leave Act 1955 (NSW). Long service leave applies to most NSW employees who are full time, part time or casuals. Refer to your Employment contract to confirm your entitlement to long service leave.

**🖌Note\***

An Employment contract template is available from the NADA Policy Toolkit.

\*Please delete note before finalising this policy.

Employees with ten (10) years or more time working for **[insert organisation name]** are entitled to two (2) months (8.67 weeks) paid leave.

Employees with five (5) years continuous service or more are entitled to a pro rata long service leave payment, if they have been terminated by **[insert organisation name]** for any reason other than serious and wilful misconduct, or if the employee dies.

If employment is terminated before the completion of five (5) years’ continuous service, there is no long service leave entitlement for the employee.

Payment for untaken long service leave at the termination of employment is provided after ten (10) years’ continuous service and is exclusive of leave loading. No leave loading applies to Long service leave in general. Part-time employee’s Long service leave is applied pro rata.

### 3.7.7 Parental leave

The Fair Work Act 2009 (Cmlth) defines parental leave as:

* Maternity leave in connection with a pregnancy or the birth of a child
* Paternity or partner’s leave for a worker whose spouse is having a child
* Adoption leave for parents who have adopted a child under 16 years of age.

If you are the primary caregiver of your child, you can access up to 52 weeks of parental leave. Parental leave is unpaid except in the instances where an employee is eligible for paid parental leave in line with legislation.

Please note that **[insert organisation name]** will only make payments in line with the types of parental leave which are outlined below. Where relevant, parental leave will be paid in line with the standard **[insert organisation name]** pay cycles.

#### Unpaid parental leave

Employees (including a de facto or same sex partner, or single person) of **[insert organisation name]** who are expecting a child or adopting a child are eligible for 52 weeks of unpaid parental leave if they are:

* permanent full time or part time with at least twelve (12) months service prior to the expected date of birth or adoption placement
* casual with twelve (12) months regular and systemic service who have a reasonable expectation of continuing regular and systematic work.

After birth or adoption, the parent with primary responsibility for the care of the child is entitled to unpaid parental leave. Employees who are pregnant may commence leave up to six (6) weeks before the expected due date.

**[Insert organisation name]** employees may request to extend their parental leave by a further twelve (12) months (for a total of 24 months maximum). Requests to extend parental leave should be submitted in writing at least four (4) weeks before the end of the original 12 months unpaid parental leave. **[Insert organisation name]** will respond in writing within 21 days and may refuse only on reasonable business grounds. The written response will include details if the request is refused.

More information about unpaid parental leave is available from the Australian Government Fair Work website.

#### Paid parental leave (Primary caregiver pay)

The Australian Government funds a Paid Parental Leave Scheme where eligible working parents are paid the ‘National Minimum Wage’ for a maximum period of eighteen (18) weeks. This applies to eligible primary carers of newborn or adopted children. The payments are made by the Government to **[insert organisation name]**, who then pays these to the employee.

Parental leave can be paid before, after, or at the same time as other existing entitlements, such as annual leave and long service leave.

**🖌Note\***

A child’s “primary caregiver” is defined as the person who is most meeting the child’s physical care needs.

\*Please delete note before finalising this policy.

Paid parental leave is not taken in addition to the 52 weeks unpaid parental leave mentioned above. Any periods of unpaid and paid parental leave must not exceed 52 weeks in total.

Employees of **[insert organisation name]** may take subsequent periods of paid Parental Leave if they have completed a minimum of twelve (12) months continuous service following their return from any previous paid parental Leave.

**[Insert organisation name]** provides additional paid parental leave for employees who meet the Australian Government Paid Parental Leave Scheme eligibility criteria. These additional paid parental leave benefits are:

* Twelve (12) weeks paid at the employees’ contracted salary at the date of commencing leave, to be the primary caregiver of a newborn child, recently adopted or fostered child
* One (1) week for partners of the mother giving birth, at the time of birth, to the primary caregiver of a newborn child.

**🖌Note\***

If your organisation does not provide additional parental leave benefits, please delete the above paragraph.

Further information about the Australian Government Paid Parental Leave Scheme is available from the Fair Work Australia website.

\*Please delete note before finalising this document.

#### Parental leave for partners (Dad/Partner Pay)

If your partner is the primary caregiver of your child, you may be entitled to 2 weeks of Government funded paid Dad/Partner Pay whilst on Concurrent Leave. It is your responsibility to check your entitlement to this payment.

Generally, only the parent with responsibility for the care and welfare of the child is entitled to take unpaid parental leave. However, up to three weeks unpaid parental leave may be taken at the same time by both members of an employee couple, with the period of concurrent leave starting on the day of the birth (unless the organisation agrees to other arrangements).

#### Concurrent leave

Where two (2) employees of **[insert organisation name]** are a couple who is eligible for parental leave, both employees may take leave at the same time for a maximum period of eight (8) weeks. This leave must be taken within twelve (12) months of the birth or adoption of a child. The concurrent leave may be taken in separate periods. Each period must be no shorter than two (2) weeks, unless the employer agrees otherwise.

#### Special maternity leave

Unpaid special maternity leave is available to pregnant female employees in the case of pregnancy-related illness. The duration of this leave should be agreed with **[insert organisation name]** as soon as is practically possible, and any unpaid special maternity leave will reduce the overall amount of maternity leave you are entitled to take by the same amount.

If an employee is ill during her pregnancy, she may also access her ordinary sick leave entitlements, including any accrued leave.

#### Loss of a child while pregnant

An employee may also take unpaid ‘special maternity leave’ if her pregnancy ends within 28 weeks of the due date without a live birth.

The employee must make a special maternity leave application as soon as practicable, specifying the expected leave period for the period, as guided by her treating doctor, and providing a medical certificate, if requested by the manager.

**[Insert organisation name]** will be sensitive to the personal issues associated with this type of leave.

### 3.7.8 Applying for parental leave

An employee wishing to take unpaid and/or paid parental leave must provide written notice to **[insert organisation name]** at least ten (10) weeks before starting the leave (or as soon as is practicable), including the intended leave start and end dates.

Any changes to leave dates must be confirmed at least four (4) weeks before the leave starts. The manager will confirm the leave and any affected entitlements, such as continuous service, in writing.

Because **[insert organisation name]** recognises that the timing of placement for an adopted child may be uncertain, employees who are adopting should keep their manager informed of any changes to the likely placement date and commencement of leave.

### 3.7.9 Other types paid parental leave

#### Time off for antenatal appointments, adoption interviews or examinations

Personal leave may be available for attendance at medical appointments. Appointment times and the availability of leave should be discussed with your **[insert organisation name]** manager.

An employee may take up to two days unpaid pre- adoption leave. Employees must provide notice of the leave to **[insert organisation name],** including expected leave period, as soon as practicable (which may be after the leave has started).

If an employee requires more than two days pre-adoption leave, they should discuss their requirements with their manager.

### 3.7.10 During parental leave

Even though the employee is on leave, they will continue to be protected against discrimination as an employee. See the Equal Employment Opportunity policy.

**[Insert organisation name]** respects that some employees do not want any contact while on leave, and others do. The manager should discuss with the employee what sort of communication the employee would like while on leave and record this agreement.

While an employee is on unpaid parental leave, **[insert organisation name]** will ensure that the employee is considered and kept informed of significant changes that may occur in the business.

Where a decision will have a significant effect on the status, pay or location of the pre-parental leave position, the **[insert organisation name]** will take all reasonable steps to inform the employee and discuss the effect of the decision. During any restructures, employees on parental leave will be treated no less favourably than other employees and will be kept informed of the process.

If an employee has applied for less than 52 weeks unpaid parental leave, they can extend the period of leave once to take the total leave up to a maximum of 52 weeks. The employee must give at least four weeks’ notice prior to the end date of the original leave period. A period of unpaid parental leave may be reduced by agreement between **[insert organisation name]** and the employee.

An employee can resign while on parental leave but must give the required notice of resignation as set out in **[insert award/contract/letter of offer].**

Employees should not undertake any activity during leave which is inconsistent with the employment contract, including other employment and they should remain responsible for the care of the child.

The employee’s position may be filled on a temporary basis while they are on leave. **[Insert organisation name]** will notify the replacement employee that their employment in this role is temporary and that the pregnant employee has the right to return to the position.

### 3.7.11 Time in lieu

**[Insert organisation name]** will grant time in lieu to an employee who is required to work outside their normal hours. Time worked towards time in lieu must be approved in advance unless exceptional circumstances exist, in which case management will consider granting approval after the time is worked.

Time in lieu will be added to the employee’s annual leave. **[Insert organisation name]** will record time-in-lieu credits and debits. Generally, an employee should take time in lieu in the same financial year within which they accrue it. A manager must approve time-in-lieu leave. An employee cannot accrue more than **[insert number of hours]** hours of time in lieu.

**🖌Note\***

Under certain awards and workplace agreements, overtime might be payable instead of time in leiu. For more information about employee overtime/time in leiu entitlements under specific awards or agreements, visit the Fair Work Australia website.

\*Please delete note before finalising this policy.

### 3.7.12 Leave without pay

Leave without pay may be requested by an employee of **[insert organisation name]** who has taken all other forms of relevant leave and where a period of absence from the workplace is sought.

[**Insert organisation name]** has the discretion to approve leave without pay for leave that an employee is not otherwise entitled to, with consideration given to:

* the effect on the workplace (e.g. impact on finances, efficiency, productivity, service delivery)
* the ability to manage the workload among existing staff
* the ability to recruit a replacement employee.

**🖌Note\***

Leave without pay may or may not count towards long service (extended) leave, depending on the conditions of employment of your employees. For further advice regarding leave without pay, contact an employer organisation or visit the Fair Work Australia website.

\*Please delete note before finalising this policy.

### 3.7.13 Jury duty

An employee is entitled to paid leave for jury duty in accordance with legislation. An employee on jury service should supply the official request to attend, the details of attendance and the amount the court has paid them. **[Insert organisation name]** will reimburse the employee the difference between this amount and their base salary. If an employee is absent because of jury service of more than ten (10) days in total, the employer is only required to pay the employee for the first ten days of absence. See also Community Service Leave (Section 3.7.13).

### 3.7.14 Emergency services leave

An employee wanting to take temporary leave from work because of voluntary emergency management activities (e.g. as a volunteering to help manage an emergency or natural disaster as a member of SES, CFA or Army Reserve), they should request the leave from their **[insert organisation name]** manager or supervisor as soon as possible after they become aware of the need to take leave.

**[Insert organisation name]** will support such activities wherever possible, as an important community service. **[Insert organisation name]** may request evidence of these activities at its discretion.

### 3.7.15 Study leave

Full time employees of **[insert organisation name]** may access a maximum of **[insert number of hours, e.g. 4]** hours paid Study leave per week during semester/ term for a course relevant to the position and/or professional development plan. It requires the approval of the person’s direct supervisor and the CEO/Manager. Approved leave is to be used for the purpose of attending classes, lectures, tutorials, exams and/or preparing for course exams.

### 3.7.16 Leave and work-related travel

**[Insert organisation name]** employees may be required to travel within NSW and/or interstate to undertake work-related duties. Leave may be taken in conjunction with work-related travel with the travelling time the trip ordinarily takes attributable to **[insert organisation name]** and the additional time attributable to the employee’s leave entitlements.

### 3.7.17 Leave applications

All employee leave requests are made through the **[insert organisation name]** using a Leave application form submitted for approval by the direct supervisor (and/or CEO/Manager where relevant). Leave requests and approvals or declines are made in advance to leave being taken.

Sick Leave requests may be completed in retrospect, provided the employee has advised their **[insert organisation name]** supervisor as soon as possible of the need for sick Leave.

Supervisors forward the approved Employee Leave Application Form (NADA template available) to the **[insert staff member assigned to the role]** for payroll processing.

Processed Employee leave application are filed in employee’s personnel files.

**🖌Note\***

An Employee leave application form template is available from the NADA Policy Toolkit.

\*Please delete note before finalising this policy.

## 3.8 Flexible working arrangements

Flexible working arrangements are adjustments in when, where and how work commitments are undertaken. Flexible working arrangements must balance the needs of both the organisation and the employee, and are negotiated between the employee, their direct supervisor and the CEO/Manager. **[Insert organisation name]** supports flexible work practices wherever possible, however they are not an employee entitlement.

**🖌Note\***

Some of the potential benefits of flexible work practices include:

- Work duties can be completed in an environment free of the usual interruptions in the workplace

- Travel time is saved, freeing up time for work and/or personal commitments

- Employees may better manage personal and family commitments

- Work duties can be undertaken where employees may otherwise have been forced to take leave

- Employment of individuals may continue where a change in personal circumstances may have made it impossible to continue without flexible work practices

- Workplace diversity is supported (e.g. age, gender, cultural and community background).

\*Please delete note before finalising this document.

To be eligible to request flexible working arrangements, permanent full time, part time and contract-based employees must have worked for **[insert organisation name]** for at least twelve (12) months. Long-term casual employees who have a reasonable expectation of ongoing employment with **[insert organisation name]** are also eligible.

Employees may request flexible working arrangements in the following circumstances:

* the employee is a parent, or has responsibility for the care of a child who is of school age or younger
* the employee is a ‘carer’ as defined under the Carer Recognition Act 2010 (Cmlth)
* the employee has a disability
* the employee is 55 years or older
* the employee is experiencing violence from a member of the employee’s family or
* the employee provides care or support to a member of their immediate family or household who requires care or support because they are experiencing violence from the member’s family.

### 3.8.1 Flexible work practices

Flexible work practices that could be incorporated in individual flexible working arrangements include, but are not limited to:

* **Flexible working hours** – daily commencement and finishing times can be varied depending on the needs of the employee and the organisation, provided that required hours are completed or time in lieu is applied
* **Make up time** – time from ordinary hours may be taken, with these hours worked at a later time at the ordinary rate of pay
* **Time in lieu** – time may be taken in lieu of overtime payment for above ordinary hours worked
* **Working from home** – duties are undertaken by employees in their homes rather than in the organisation’s office, a ‘Working from Home Report’ and ‘Working from Agreement’ are completed and actioned before working from home commences. (For more details about working from home, refer to the organisation’s Work health and safety policy.)
* **Job sharing** – where two or more team members share one full time position, each working on a part time basis
* **Purchased leave (or 48/52 leave)** – where team members take an additional four (4) weeks leave per year by adjusting their salary to 48 weeks paid over the full 52 weeks
* **Compressed hours** – where an employee works additional daily hours to provide for a shorter working week or fortnight.

Employees of **[insert organisation name]** are expected to meet their employment responsibilities and adhere to the organisation’s Code of conduct whether flexible work practices are used or not.

**🖌Note\***

A Code of conduct template is available from the NADA Policy Toolkit.

\*Please delete note before finalising this policy.

**[Insert organisation name]** managers and/or supervisors are expected to provide adequate and equitable supervision and support for staff.

Communication strategies are adapted to ensure the employee and their team are not adversely affected due to an employee’s flexible work practices.

All correspondence relating to an employee’s flexible working arrangements are to be filed in the employee’s personnel file.

Requests to negotiate flexible working arrangements with **[insert organisation name]** are considered on a case-by-case basis.

### 3.8.2 Flexible working arrangement considerations

In reviewing requests for flexible work practices, **[insert organisation name]** considers the following:

* Is the flexible work practice being sought the best or only solution to the need?
* Are the employee’s functions/duties/activities suited to the flexible work practice proposed?
* What are the costs and benefits of the proposal in financial and non-financial terms?
* If working from home, does the employee have the information and competency to undertake work unsupervised?
* If working from home, are all necessary equipment/resources available for the employee to safely undertake their duties?
* **[Insert other consideration(s) for your organisation].**

***🖌Note\****

*Other examples of Flexible work practice considerations include:*

- Are current supervision practices sufficient to manage performance?

- Will the employee still be able to contribute to the organisation as a team member?

- Will the employee still be able to manage external relationships vital to the work of the organisation?

- Are there additional professional development needs as a result of flexible work practices?

\*Please delete note before finalising this policy.

Approval for flexible work practices may be retracted if there are concerns regarding an employee’s work performance, if the practices are adversely affecting **[insert organisation name]**’s operations, or if there are unacceptable work health and safety risks.

**🖌Note\***

Further information about flexible working arrangements is available from the Fair Work Australia website.

\*Please delete note before finalising this document.

### 3.8.3 Working from home

Once initial approval for working from home has been granted in principal, a **[insert organisation name]** Work health and safety (WHS) report is to be completed by the staff member and forwarded to their supervisor. A Working from home agreement will then be signed by the employee and supervisor. Refer to the organisation’s Work health and safety policy for more information.

**🖌Note\***

A ‘Work health and safety policy’ template, a ‘Work health and safety report’ template and a ‘Working from home agreement’ template are available from the NADA Policy Toolkit.

\*Please delete note before finalising this policy.

Once the WHS Report has been completed, reviewed and no WHS concerns remain that would impede working from home, the employee and their **[insert organisation name]** supervisor develop and document a Working from home agreement. This agreement may be reviewed at any time due to WHS concerns, concerns from the supervisor or worker.

Staff are to record their working from home schedule in the **[insert your organisation scheduling tool, e.g. shared team electronic calendar or intranet team calendar]** to provide information to staff colleagues and as a record of their whereabouts.

All working from home documentation, including requests, correspondence, working from home report and agreements are filed in the staff member’s personnel file.

**🖌Note\***

Before approving any staff member to work from home, it is important to double check your insurance policy to ensure that the organisation is covered to provide this working practice.

More information about flexible working arrangements can be found on the Fair Work Australia website.

\*Please delete note before finalising this policy.

## 3.9 Employee assistance program (EAP)

**🖌Note\***

Employee Assistance Programs (EAP) provide individuals (and in some cases their immediate family members) with preventative counselling, intervention counselling and resolution for work-related and personal issues. An EAP is usually provided by organisations to enhance personal wellbeing, work performance, team morale and mental health. EAP services are strictly confidential and it is recommended to have an external contractor managing your organisation EAP.

If your organisation does not provide an employee assistance program, please remove Section 4.10 from your Human Resources Policy.

\*Please delete note before finalising this policy

An employee assistance program (EAP) is available for **[insert organisation name]** employees through the **[insert EAP contractor’s name or allocated internal counselling services].** The service provides a 24-hour, 365-day counselling service for employees to debrief after a workplace incident or trauma, or to resolve other work-related issues. The organisation EAP **[is/is not]** extended to employees’ family members.

### 3.9.1 EAP access

**[Insert details of workers who have access to EAP, e.g. permanent and/or contract staff]** are eligible to access EAP after the three (3) month qualification/probation period **[include/delete as applies to the organisation]**.

**[Insert details of those not normally entitled to access EAP, e.g. students and Board members]** are not eligible to access the organisation EAP unless extenuating circumstances prevail and access to EAP or another support service is negotiated on a case-by-case basis with their direct supervisor and/or the CEO/Manager.

When a worker has an identified an issue for referral to the organisation EAP service, internal policies and procedures should be utilised to resolve the issue/s prior to referral to EAP. **[Insert organisation name]** acknowledges that for some issues, internal processes may not be applicable or appropriate and, in these cases, a referral to the contracted EAP can be made.

The EAP service is available by referral from either the person’s direct supervisor or the CEO/Manager. All staff are required to obtain initial approval prior to making contact with the **[insert EAP contractor’s name or allocated internal counselling services]** to ensure financial resources are current and available.

Once a request for a referral has been approved, the employee can contact **[insert EAP contractor’s name or allocated internal counselling services]** via telephone **[insert EAP contractor’s phone number]** to make an appointment.

### 3.9.2 EAP services

**[Insert organisation name]** workers are eligible to access phone or face-to-face counselling with a registered psychologist/counsellor and can elect to speak with a male or female person. Phone counselling access is available 24 hours a day, 7 days a week. Face-to-face appointments are offered at a location that is convenient to the worker’s home or work address within 48 hours.

The number of EAP counselling sessions provided to a **[insert organisation name]** employee is negotiated between the employee and the referring manager (i.e. the direct supervisor or the CEO/Manager), up to a maximum of three (3) sessions per individual per event.

**[Insert organisation name]** workers have the option of additional counselling, subject to written approval of the CEO/Manager, or may be referred by the **[insert EAP contractor’s name or allocated internal counselling services]** to an external provider at the worker’s own cost.

The EAP service is strictly confidential. **[Insert EAP contractor’s name or allocated internal counselling services]** are bound by privacy legislation. **[Insert organisation name]** cannot access information provided by employees to the **[insert EAP contractor’s name or allocated internal counselling services]** EAP service, including attendance or content of counselling sessions. Information can only be released to the organisation at the employee’s request and with signed consent.

As the purchaser of the **[insert EAP contractor’s name or allocated internal counselling services]** EAP service, **[insert organisation name]** is provided with non-identifying statistical data on an annual basis.

# SECTION 4: PERFORMANCE AND DEVELOPMENT

Employees who are valued and well supported are more likely to remain in the workplace and to further develop their skills. Ongoing supervision and support are essential for monitoring progress and identifying skill deficits and strengths, planning for development and ongoing performance monitoring.

## 4.1 Qualification period

A three (3) month qualification period applies to all permanent and contract positions with **[insert organisation name]**. During the qualification period, the new employee and supervisor regularly meet to continue the orientation process and ensure the new employee is aware of their role and performance expectations. This period allows **[insert organisation name]** and the new employee to determine suitability for the position before continuation of the employment contract.

In the 2 to 3 weeks prior to completion of the 3-month qualification period, a review of the employee’s performance is undertaken with their direct supervisor. Elements for discussion in this review include:

* Ability to perform duties as outlined in the position description
* Performance measured against indicators in position description
* Attendance, punctuality and conduct
* Participation in team and organisation professional activities.

## 4.2 Performance and development planning

**[Insert organisation name]** employees maintain current performance and development plans and reviews that have been developed as a collaborative process between the employee and their direct supervisor. Plans are informed by the employee’s position description, function areas, and performance indicators; these plans also detail expected target outcomes and professional development activities. Staff members are guided by the organisation’s Performance and development plan and review documents.

**🖌Note\***

Templates are available from the NADA Policy Toolkit for:

- Position description

- Performance and development plan

- Performance and development review form

\*Please delete note before finalising this policy.

Performance and development of the CEO/Manager is similarly planned and reviewed by the Board. In this instance, a separate CEO/Manager Performance and development review form is used.

Initial performance and development planning of **[insert organisation name]** employees is undertaken at the 3-month qualification period for new employees, if employment is continuing.

**🖌Note\***

Organisations can support employee performance and development through the following strategies and activities:

- Subscription to journals and other professional literature

- Membership of professional organisations

- In-house training, briefings and presentations

- Attendance at professional forums, seminars, workshops, conferences, training courses or further studies

- Paid Study Leave

- Undertaking specific projects or activities outside usual role

- Mentoring, supervision, coaching.

\*Please delete note before finalising this policy.

Performance and development plans guide the employee’s work plan which has a more detailed and activity focus.

## 4.3 Work plans and supervision

**[Insert organisation name]** employees undertake formal monthly work plan and supervision sessions with their direct supervisor, providing a two-way process to:

* Discuss current projects, tasks and issues as per employee’s work plan
* Ensure the staff member understands and is meeting all requirements of their position description
* Provide feedback on performance, including achievements and areas for development
* Maintain the link between the individual worker and the organisation’s Strategic plan.

The monthly meetings are centered on the employee’s Work plan.

For clinical supervision management, refer to the organisation’s Clinical supervision policy.

**🖌Note\***

An Employee work plan template and a Clinical supervision policy template are available from the NADA Policy Toolkit.

\*Please delete note before finalising this policy.

## 4.4 Performance and development review

Employee performance and development reviews are a collaborative process between the individual employee and their direct **[insert organisation name]** supervisor and are conducted in 12-month cycles.

The purpose of performance and development reviews is to review overall performance and achievement, progress against expected outcomes, professional development activities, additional supports required, and remuneration. **[Insert organisation name]** performance and development reviews aim to benefit both the employee and the organisation by developing work performance and employee satisfaction.

**[Insert organisation name]** supervisors are responsible for providing performance feedback and suggestions for development; however, the employee takes primary responsibility for performance improvement and implementing professional development activities. Where poor performance is identified, it is managed in line with Section 4.8 of this policy (Managing Poor Performance).

Performance and development review meetings are scheduled with a minimum of four (4) weeks’ notice to allow both the employee and their supervisor to populate the Performance and development plan and review template, including assessment ratings for each function area. The plan may be expanded or adjusted following the performance and development review meeting, before being signed by both parties and filed in the employee’s personnel file, with a copy provided to the employee.

**🖌Note\***

Templates are available from the NADA Policy Toolkit for:

- Position description

- Performance and development plan

- Performance and development review form

\*Please delete note before finalising this policy.

## 4.5 Plan and review cycle

The twelve (12)-month performance and development review cycle is comprised of several stages/events, as outlined in the figure below:

## 4.6 Performance assessment rating

Twelve (12)-month performance reviews include an assessment of achievement against expected performance outcomes. These performance outcomes are developed in previous performance review meetings and are identified in performance and development plans.

Both the employee and supervisor make an assessment rating for each function area and additional comments to further explain rationale for the rating. The rating is used to discuss performance and achievements, inform future professional development plans, and support recommendation for salary scale progression.

**Performance assessment ratings – (1 to 5)**

|  |  |
| --- | --- |
| **5** | Consistently exceeds performance expectation and requirement of role, and contributes to raising the standards, profile and/or sustainability of the organisation |
| **4** | Performance indicators met and exceed expectation and requirement of role |
| **3** | Performance indicators met |
| **2** | Performance indicators partially met |
| **1** | Performance indicators not met |

In applying performance assessment ratings, [insert organisation name] gives consideration to external factors that may have limited the ability of an employee to fulfil performance expectations. External factors may include staff turnover or absence, changes to funding and budget arrangements, and changes to government regulations.

Where it is determined that external factors have impacted on an employee’s ability to meet a target outcome, it is assumed that the employee would have met the target under normal circumstances and a performance assessment rating of 3 applied.

## 4.7 Salary scale progression

**🖌Note\***

Some organisations implement an internal salary scale and extra benefits to attract skilled workers to their organisations. However, organisations are only required to comply with pay and conditions established by the Fair Work Ombudsman in order to guide minimum wages, penalties, loadings and allowances. For more information on legislated pay and conditions, visit the Fair Work Australia website.

If your organisation implements either of these options, it is recommended to include and adapt the following information to reflect your organisational position in these matters to ensure transparency and fair progression pathways.

\*Please delete note before finalising this policy.

**[Insert organisation name]** employees are provided salaries as per the organisation’s Salary Scale. This scale has been designed based on the **[insert government award information]**.

In determining progression through the **[insert organisation name]** Salary Scale, consideration is given to:

* Employee performance and achievement in the preceding twelve (12) months
* Budget availability in the current and subsequent years
* Other remunerations provided.

Annual performance and development reviews provide an opportunity to review the employee’s salary.

Recommendations or otherwise to progress an employee through the organisation’s Salary Scale is made by the person’s direct supervisor to the **[insert organisation name]** CEO/Manager, with final approval provided by the CEO/Manager only.

## 4.8 Managing poor performance

Poor performance is work-related behaviour that does not meet the expected performance outcomes in the performance and development review and/or does not meet expected standards outlined in the position description or **[insert organisation name]**’s Code of conduct.

Consistent and repeated poor performance may lead to termination of employment.

**🖌Note\***

A Termination letter template and a Code of conduct template is available from the NADA Policy Toolkit.

For more information on employee warnings, unsuccessful probation, termination for serious misconduct and redundancy letters, refer to the Fair Work Managing and Ending Employment Resource on the Fair Work Australia website.

\*Please delete note before finalising this document and print on your business letterhead.

### 4.8.1 First step – Performance discussion

Where general poor performance is identified, the **[insert organisation name]** supervisor meets with the employee to discuss performance concerns and areas for improvements. Details of the meeting are documented, including performance concerns, employee’s response, action to be undertaken and indicators of improvement. Documentation is filed in the employee’s personnel file.

Poor performance may also be identified and discussed as part of the employee’s 3-month qualification period, monthly work plan and supervision sessions, or performance and development reviews.

Poor performance is to be managed as soon as identified and not left for the next scheduled performance and development review.

Where poor performance is discussed with an employee, the employee is provided the opportunity to respond verbally or in writing within a set time-frame.

Where performance improvement is required, **[insert organisation name]** will give a clear time frame for change followed by a systematic review of employee performance according to the identified improvement indicators.

**[Insert organisation name]** provides reasonable additional support for the employee to achieve performance improvement.

### 4.8.2 Second step – First written notice

Where initial poor performance discussions do not result in an improvement of performance, the **[insert organisation name]** supervisor and employee meet, where a first written notice relating to the poor performance is addressed and provided to the employee.

The first written notice is signed by the **[insert organisation name]** supervisor and employee to acknowledge receipt. It includes a description of the poor performance, improvements required and indicators of improvement within a reasonable set time period. The employee is informed of the serious nature of receiving a first written notice and that failure to improve performance shall result in a second written notice, with potential to lead to termination of employment.

Following the first written notice, performance is reviewed within the set time period. If performance has improved to the required level, a meeting between the supervisor and employee occurs where ongoing performance is discussed and planned. Notes are taken of these discussions between **[insert organisation name]** and the employee and the outcome of the process. The matter is then considered closed, with documentation filed in the employee’s personnel file.

### 4.8.3 Third step – Second written notice

If performance is reviewed as not meeting the level required by **[insert organisation name]** after the first written notice, the employee is given a second written notice. This second warning states the process undertaken to date, details of continued poor performance, where improvements in performance have not been made, and why this is considered serious poor performance.

The second written notice is discussed at a meeting between the supervisor and the employee. The supervisor may be accompanied by the **[insert organisation name]** CEO/Manager or a Board member if appropriate, and the employee may be accompanied by another person, including a union representative or an advocate.

A statement is to be signed by the **[insert organisation name]** supervisor and employee indicating understanding of the poor performance, improvements required and indicators of improvement within a reasonable set time period.

Following the second written notice, performance is reviewed within the set time period. If performance has improved to the required level, a meeting between the supervisor and employee occurs where ongoing performance is discussed and planned. Notes are taken of all discussions between **[insert organisation name]** and the employee regarding employee performance and the outcome of the process. The matter is then considered closed, with documentation filed in the employee’s personnel file.

If performance is reviewed as not meeting the required level after the second written notice, the options to be considered for both the organisation and the employee are:

* Change in position, responsibilities and remuneration
* Voluntary resignation (Refer to Section 7 of this policy for more information.)
* Termination of employment by the organisation (Refer to Section 7.3: **[insert organisation name]** Terminated Employment’ for more information).

## 4.9 Managing employee misconduct[[5]](#footnote-6)

Employee misconduct is indicated where the minimum requirements of the organisation’s Code of Conduct are not being met and/or where any other improper behaviour or behaviour that endangers the safety of others or the reputation of **[insert organisation name]**, is identified.

Serious misconduct[[6]](#footnote-7) may lead to summary dismissal.

### 4.9.1 First instance of misconduct

Where misconduct is identified, the supervisor and CEO/Manager meet with the employee to discuss the issue. The employee may be accompanied by another person, including a union representative or an advocate.

When a complaint about performance or conduct is brought to the CEO/Manager’s attention by a third party, the substance of the complaint is verified before any action is taken on the matter.

Details of the meeting are documented, including misconduct behaviour, employee’s response and action to be undertaken.

Actions **[insert organisation name]** may take in response to employee misconduct include:

* Change in responsibilities and activities
* Increase in supervision of the employee
* Training/education to improve understanding and behaviour in certain areas
* Temporary suspension from duties
* Summary dismissal.

After the meeting, the employee is provided with written notification of the misconduct behaviour and action to be undertaken. The notification may include a statement that if further instances of misconduct occur, the employee’s employment may be terminated. Documentation is filed in the employee’s personnel file.

### 4.9.2 Second instance of misconduct/First instance of serious misconduct[[7]](#footnote-8)

Where an **[insert organisation name]** employee engages in a second instance of misconduct, or where the behaviour is defined as ‘serious misconduct’, the employee may be suspended with full pay for a period, to emphasise the serious nature of the misconduct and to allow sufficient time for **[insert organisation name]** to determine a further course of action.

**🖌Note\***

Suspension without pay is only permitted under the terms of an applicable modern award or enterprise agreement, the relevant statute, or the terms of an employee’s contract of employment. However, in the absence of such a provision, there is no general common law right to suspend an employee without pay due to their misconduct, such as pending an investigation, even where their misconduct would justify instant dismissal.

For more information, visit the Fair Work Australia website.

\*Please delete note before finalising this document and print on your business letterhead.

This suspension period might be used to undertake employee training/education aimed at improving understanding and behaviour in certain areas, and to allow for return to work planning. Return to work planning includes a written warning that any other instances of misconduct shall result in dismissal.

Serious misconduct, or a second instance of misconduct, may also result in the employee’s employment being terminated. The **[insert organisation name]** CEO/Manager is the only staff member who can suspend or dismiss an employee as a result of misconduct. The CEO/Manager may seek advice on suspensions or dismissals from the organisation’s Board and/or an external source, such as an industrial employment body.

In the event of disciplinary action against the **[insert organisation name]** CEO/Manager, the Board must authorise the suspension or dismissal of the CEO/Manager.

### 4.9.3 Employee appeals

An employee may appeal against poor performance or misconduct allegation through written notification to the **[insert organisation name]** CEO/Manager.

The **[insert organisation name]** CEO/Manager will determine a response and further course of action after consulting with the relevant supervisor and may seek advice from an external source, such as an industrial employment body.

The **[insert organisation name]** Board is informed by the CEO/Manager of any appeals against performance management measures. The Board also has the responsibility for ensuring that the CEO/Manager is in compliance with industrial relations laws.

## 4.10 Grievance management

**[Insert organisation name]** is committed to preventing and effectively responding to staff grievances in the workplace and provide appropriate procedures in managing concerns, grievances and disputes by staff, Board members, volunteers and students.

This section includes concerns and grievances:

* between workers
* about the behaviour of a staff member, student or Board member not directly impacting on the complainant (e.g. witnessing inappropriate behaviour)
* about a specific policy or decision by the organisation.

This policy does not provide detailed guidance on:

* Grievances between Board members – refer to **[insert organisation name]**’s Governance policy for more information on Board grievances.
* Feedback and complaints from clients and stakeholders – refer to **[insert organisation name]**’s Communication policy for more information on feedback and complaints.

**🖌Note\***

A Governance policy template and a Communications policy template are available from the NADA Policy Toolkit.

\*Please delete note before finalising this document and print on your business letterhead.

### 4.10.1 Disciplinary or performance management

* A concern or grievance raised by **[insert organisation name]** employees, Board members, students or volunteers is considered separate and independent from disciplinary processes undertaken to manage performance or conduct matters. However, a grievance may give rise to a disciplinary process.
* If a concern or grievance is raised during disciplinary or performance management processes, the matter is to be addressed as per this policy and related procedure, and the disciplinary or performance management process continues independently.

### 4.10.2 External employee assistance or counselling support

* Workers may access external employee assistance or counselling support as part of the grievance management process. Refer to Section 3.9 of this policy for information on the **[insert organisation name]** Employee assistance program (EAP) and procedures.

### 4.10.3 Concern resolution

* In the first instance, a concern should be resolved informally. Where this is not possible, or where the complainant seeks a formal outcome, the concern is considered a grievance and the matter proceeds to the **[insert organisation name]** formal grievance management process.
* Examples of concerns include reports of another staff member’s behaviour, or an organisation practice that reflects negatively on the organisation, staff members, Board Members, students, volunteers or clients.
* When a concern about a third person’s behaviour (not directly impacting on the complainant) is brought to the **[insert organisation name]** CEO/Manager’s attention by the complainant, the substance of the concern is verified before any action is taken on the matter.

### 4.10.4 Formal grievance resolution

* Complainants are to make formal notification of a grievance by completing the **[insert organisation name]** Grievance notice form and lodging it with their direct supervisor, next-in-line supervisor, or the CEO/Manager. Where the complainant’s direct supervisor is the CEO/Manager and is also the respondent to the grievance, the complainant shall lodge the grievance with the **[insert organisation name]** Board’s President, who may manage the grievance or request another board member to do so. Note that in some circumstances concerns or grievances may not relate to a specific respondent.
* An appropriate person to manage the grievance is identified, depending on the nature of the grievance. It is critical that this person is impartial, has no conflict of interest in the matter nor vested interest in the outcome of the matter.
* The person who has received formal notification of a grievance shall acknowledge receipt of the grievance in writing within **[insert number of days – generally no longer than 5]** working days. The person managing the grievance, the complainant and the respondent (if there is one) manage the grievance process. This may include:
* The person managing the grievance shall interview the complainant to clarify allegations and details, ascertain desired outcome(s), and advise of the process to be followed.
* The person managing the grievance shall assess the allegations in the context of **[insert organisation name]** policies and relevant legislation, identify whether there is a legitimate complaint, and whether the Human resources policy and its Grievance Management section (section 4) established an appropriate course of action under which the situation should be addressed.
* Any respondent/s will be informed of the grievance allegations as soon as possible and provided with opportunity to respond in writing and/or in person to the allegations within **[insert number of days – generally no longer than 10]** working days.
* The person managing the grievance may interview other parties only if relevant to the grievance allegation and that a conflict of interest or bias does not exist.
* The person managing the grievance may propose a resolution, allowing both the complainant and the respondent (if any) opportunity to comment and agree to.
* After action has been taken to resolve the grievance, if no further response is received from either the complainant and the respondent (if any) is satisfied with the resolution, the grievance is considered closed. The Grievance process form is closed off, the original filed with the Grievance Register, and copies placed in the personnel files of both the complainant and the respondent.
* Where a grievance remains unresolved, the person managing the grievance may seek a more senior staff member or the Board’s President to contribute to the resolution process. Additionally, external mediation may be arranged by the organisation in an attempt to resolve the dispute.
* The complainant and/or the respondent may request to have Union representation or an advocate as part of the external mediation procedure. The complainant and/or the respondent and/or **[insert organisation name]** may seek assistance from a relevant industrial tribunal.
* If there is the possibility that a person’s employment will be terminated if the allegations are proven as part of an investigation, then the engagement of an external investigator will require serious consideration by the **[insert organisation name]** CEO/Manager to ensure that the process was carried out correctly, impartially and will stand up in any potential court proceeding.

**🖌Note\***

A Grievance notice form template, Human resources policy template and a Grievance process form template are available from the NADA Policy Toolkit.

\*Please delete note before finalising this document and print on your business letterhead.

### 4.10.5 Withdrawing a grievance

* The grievance complainant may withdraw their grievance at any time through written notification, providing an explanation as to why the grievance is being withdrawn to all those involved.
* A record of the withdrawal shall be kept with the original Grievance form (with the Grievance register) and copies kept in the files of both the complainant and respondent.

### 4.10.6 Ill-founded grievances

* The person managing the grievance may determine that the grievance is ill-founded and propose terminating further grievance management procedures.
* Final determination to terminate further grievance management procedures is made by the person managing the grievance and their direct supervisor and/or the **[insert organisation name]** CEO/Manager.
* Complainants related to ill-founded grievances have the right to request review of grievance management termination.

### 4.10.7 Documentation

* All grievances are to be lodged using the **[insert organisation name]** Grievance notice form. Details are to include:
* Grievance allegations
* Respondent’s response if any
* Resolution actions previously undertaken
* Proposed resolution actions.
* Details of how the grievance has been managed are recorded using the **[insert organisation name]** Grievance management form. Details are to include:
* Names of those involved in the grievance
* Proposed and actual actions undertaken
* Outcomes and further recommendations
* Closure details
* Sign-off by all parties.
* Details relating to grievances are considered confidential outside those directly involved in the **[insert organisation name]** grievance management process.
* Copies of Grievance management forms and other documentation related to the grievance are retained in the complainant’s and respondent’s respective personnel files and attached to the **[insert organisation name]** Grievance register.
* A register of grievances and related original documentation are retained in the secure **[insert organisation name]** Human Resource filing cabinet by the identified staff member responsible for human resource systems.
* Grievances remain on the grievance register for a period of not less than **[insert number of years]** years.

**🖌Note\***Templates for the Grievance register, Grievance notice form, and Grievance management form are available from the NADA Policy Toolkit.

For further information on effective dispute resolution, visit the Fair Work Australia website and/or the NSW Industrial Relations website.

\*Please delete note before finalising this document and print on your business letterhead.

# SECTION 5: WORKPLACE CONDUCT

## 5.1 Code of conduct

**[Insert organisation name]** staff are required to abide by the organisation’s Code of conduct. The Code of conduct outlines standards of behaviour required in the performance of **[insert organisation name]** related duties.

**[Insert organisation name]** expects you to always treat other staff, clients and suppliers with the utmost respect and courtesy. Personal contacts with the above need to be congenial, professional and conducted with a “*client service*” attitude.

To ensure we provide the best possible services to and protect the interests and safety of our clients, along with maintaining a safe and positive work environment, **[insert organisation name]** expects employees to:

* Respect the law and lawful instructions
* Respect your colleagues, clients and the public
* Work with integrity, diligence, economy and efficiency
* **[Insert/delete expected behaviour in line with the organisation’s Code of conduct]**.

Employees acknowledge understanding of, and agreement with **[insert organisation name]**’s Code of conduct by signing a copy of the code at commencement of their employment or placement.

### 5.1.1 Unacceptable workplace conduct

**[Insert organisation name]** considers the following to be unacceptable behaviour by employees.

Breaches of law and lawful instructions include, but are not limited to:

* Not complying with any professional codes of conduct or ethics.
* Not complying with any laws relating to work undertaken by **[insert organisation name]**.
* Not complying with **[insert organisation name]**’spolicies and procedures.
* Refusing or failing to carry out any reasonable and lawful instructions of a Manager.
* Violating or causing others to violate health and safety regulations.
* Possessing firearms, weapons, illegal drugs or drug paraphernalia of any kind on company property.

Failing to treat colleagues, clients and the public with respect, including behaviour such as:

* Failing to treat clients and team members with respect, including using threatening, obscene, profane or abusive language, gestures or behaviour
* Physical and/or verbal violence towards clients or team members
* Engaging in horseplay or disorderly conduct
* Unlawfully discriminating against a client or team member
* Harassing or bullying clients or team members
* Victimising any team member or client who reports a breach of this Code of conduct.

Breaches of professional integrity include, but are not limited to:

* Failing to declare any real or perceived conflict of interest
* Failing to report any attempted bribery
* Disclosing any confidential or official information.

Lack of appropriate work-related diligence, including behaviour such as:

* Smoking contrary to established policy
* Failure to be in the workplace, ready to work, at the regular starting time
* Ignoring work duties or wasting time during working hours
* Coming to work under the influence of alcohol or any illegal drug, or bringing alcoholic beverages or illegal drugs onto **[insert organisation name]** property
* Accessing or sharing pornography, hate websites or illegal websites using company equipment or ‘bring your own device” (BYOD)
* Posting offensive, defamatory, threatening, discriminatory, bullying, inappropriate, false, sexist, derogatory or malicious comments or materials online or in social media
* Failure to advise your Manager of completion of jobs or delays
* Having an uncooperative attitude.

Failure to apply appropriate economy and efficiency to your position, including behaviour such as:

* Not taking proper care of, neglecting, or abusing **[insert organisation name]** equipment and tools
* Wilfully damaging, destroying, or stealing property belonging to fellow team members or **[insert organisation name]**
* Intentionally giving false or misleading information to obtain a leave of absence
* Taking unexcused absences from work
* Using **[insert organisation name]** equipment, property or consumables for private purposes, without prior authorisation.

Any staff found engaging in these will be subject to disciplinary actions including reprimand, warning, suspension or dismissal. (See sections 4.9 and 4.10 of this policy for more information on disciplinary actions and processes.)

## 5.2 Anti-discrimination

**[Insert organisation name]** is committed to the principles of Equal Employment Opportunity (EEO), based on the Anti-discrimination Act 1977 (NSW) and related Commonwealth (Cmlth) legislation, and supports the creation of working conditions to ensure that all staff have an equal chance to seek and obtain employment, promotion, training and the benefits of employment.

**[Insert organisation name]** is an equal opportunity employer. All team members are treated on their merits, without regard to race, age, sex, marital status or any other factor not applicable to the position. Staff are valued according to how well they perform their duties and their ability and enthusiasm in maintaining the expected standards of service.

**[Insert organisation name]** does not tolerate any form of discrimination. We believe all team members, workers, clients, stakeholders and visitors have the right to work in an environment free of discrimination and harassment. Discrimination undermines proper working relationships and may cause low morale, absenteeism and resignations.

**What constitutes discrimination?**

Under Federal and State anti-discrimination laws, discrimination against staff, clients or suppliers on the following grounds is against the law:

* sex
* relationship or parental status
* race
* religious belief or activity
* political belief or activity
* impairment
* trade union activity
* lawful sexual activity
* pregnancy
* breastfeeding needs
* family responsibilities
* gender identity
* sexuality
* age.

It is also against the law to treat a team member or client unfairly because they are linked to someone from one of these groups.

**[Insert organisation name]** requires all workers comply with anti-discrimination legislation, including:

* Racial Discrimination Act 1975 (Cmlth)
* Sex Discrimination Act 1984 (Cmlth)
* Human Rights and Equal Opportunity Commission Act 1986 (Cmlth)
* Disability Discrimination Act 1992 (Cmlth)
* Anti-Discrimination Act 1977 (NSW).

Unlawful discrimination occurs when someone is treated less favourably because of one of their personal characteristics, as listed in legislation. Discrimination may involve, but is not limited to:

* Offensive "jokes" or comments about another team member’s racial or ethnic background, sex, sexual preference, age, disability or physical appearance
* Display of pictures, computer graphics or posters which are offensive or derogatory
* Expressing negative stereotypes of particular groups, e.g. “*married women shouldn’t be working*”
* Judging someone on their political beliefs rather than their work performance
* Using stereotypes or assumptions to guide decision-making about a person’s career
* Undermining a person’s authority or work performance because you dislike one of their personal characteristics.

**[Insert organisation name]** managers will ensure that all clients and staff are treated equitably and are not subject to unlawful discrimination. Manager’s will also ensure that people who make complaints, or who are witnesses to discrimination, are not victimised in any way. Any reports of discrimination or harassment will be treated seriously and investigated promptly, confidentially and impartially.

Where internal incidents of discrimination are suspected and/or identified, the procedures outlined in Section 5 of this policy will be followed, and/or disciplinary action taken.

Where incidents of discrimination are suspected or identified from sources external to **[insert organisation name]**, the procedures outlined in Section 7 of the organisation’s Communications policywill be followed.

## 5.3 Bullying and harassment

**[Insert organisation name]** is committed to ensuring a healthy and safe working environment, free from hostility, offensiveness, intimidation and harassment, and any form of unlawful discrimination. These forms of behaviour within the workplace are unacceptable will not be tolerated.

As an employee of **[insert organisation name]**, you are responsible for your own behaviour. If you think your behaviour may offend others, then don’t do it.

If you witness behaviour towards another **[insert organisation name]** employee, which may constitute workplace bullying or sexual harassment, you are encouraged to discuss the matter with your Manager.

### 5.3.1 Definition of Workplace Bullying

Bullying occurs when:

1. a person or group of people repeatedly behaves unreasonably towards a team member or a group of team members at work, and
2. the behaviour creates a risk to health and safety.

Bullying does not include reasonable management action taken in a reasonable way by **[insert organisation name]** in connection with your employment.

Detailed below are examples of behaviours that may be regarded as bullying if the behaviour is repeated and unreasonable, and which create a risk to health and safety.

Examples of bullying include, but are not limited to:

* Aggressive or intimidating conduct
* Belittling or humiliating comments
* Spreading malicious rumours
* Teasing, practical jokes or 'initiation ceremonies'
* Exclusion from work-related events
* Unreasonable work expectations, including too much or too little work, or work below or beyond a team member's skill level
* Displaying offensive material
* Pressure to behave inappropriately.

### 5.3.2 Definition of Sexual Harassment

Sexual harassment is any form of unwelcome sexual attention. It has nothing to do with mutual attraction or friendship between people, which is normal and positive. Sexual harassment involves humiliation or offence to the victim. It's not fun, flattering or flirting. Sexual harassment can happen to anyone, and it’s against the law wherever and whenever it occurs.

Sexual harassment could be:

* Unwelcome physical touching, hugging, massaging or kissing
* Sexual or suggestive comments, jokes, taunts or name calling
* Unwelcome requests for sex
* Insinuations about a person's private or sex life, or sexual orientation
* Offensive gestures or staring
* Sending provocative SMS messages or emails
* Unwelcome or uncalled for remarks or insinuations about a person's appearance
* Posting of inappropriate comments, pictures, video's or blogs on websites
* The display or circulation of clearly sexual material (e.g. Photos, pin-ups, screensavers or pictures) or reading matter (e.g. Emails, faxes, social media links or letters).

Unlike bullying, sexual harassment does not have to be repeated or ongoing to be against the law. Some actions or remarks are so offensive that they clearly constitute sexual harassment, even if they're not repeated.

The harassment doesn't have to be deliberate. It can also occur in cases where a reasonable person would have expected that the behaviour in question was going to be offensive to others.

Some sexual harassment matters, such as sexual assault, indecent exposure and stalking are also criminal offences. **[Insert organisation name]** refers all matters of this nature to the police.

### 5.3.3 Actions that are not bullying or harassment

Legitimate and reasonable management actions and business processes are not considered to be bullying or harassment by **[insert organisation name]**, provided these actions are conducted in a reasonable way.

Examples of this include, but are not limited to:

* Performance management processes
* Disciplinary action for misconduct
* Informing a team member about unsatisfactory work performance or inappropriate work behaviour
* Asking a team member to perform reasonable duties in keeping with their job
* Maintaining reasonable workplace goals and standards.

### 5.3.4 Effects of bullying or harassment on people and [insert organisation name]

Bullying and/or harassment is harmful to the person who experiences it directly, as well as to those who witness it.

Individual reactions to bullying and/or harassment may include, but are not limited to:

* Distress, anxiety, panic attacks or sleep disturbance
* Physical illness, such as muscular tension, headaches and digestive problems
* Reduced work performance
* Loss of self-esteem and feelings of isolation
* Deteriorating relationships with colleagues, family and friends
* Depression and risk of suicide.

Witnesses to bullying and/or sexual harassment in the workplace may experience guilt and fear because they do not help or support the affected person in case they are also bullied. Witnesses may feel angry, unhappy or stressed with the workplace and may become unmotivated to work.

Bullying and/or harassment also creates an unsafe working environment and can damage the organisation as a whole, resulting in:

* Loss of trained and talented staff
* High staff turnover and associated recruitment and training costs
* Low morale and motivation
* Increased absenteeism, reduced efficiency and lost productivity.
* Reputational damage to the organisation.

### 5.3.5 Vicarious Liability

Under the Anti-Discrimination Act 1977 (NSW) and other related legislation, **[insert organisation name]** can be held liable for the actions (including sexual harassment) of their staff or agents. This is called vicarious liability and **[insert organisation name]** will take reasonable steps to ensure that they protect their team members from sexual harassment and other types of discrimination and vilification, and to try to ensure their workplaces are free of this type of behaviour.

**🖌Note\***

An employer or organisation can’t avoid their liability under the Anti-Discrimination Act 1997 (NSW) because they were ‘not aware’ of the sexual harassment done by their staff.

Visit the website of the Anti-Discrimination Board of NSW for further information on workplace sexual harassment.

\*Please delete note before finalising this policy.

### 5.3.6 Strategies to eliminate bullying and harassment

**Responsibilities of all staff**

**[Insert organisation name]** requires all staff to contribute to maintaining a safe working environment by:

* Not tolerating unacceptable behaviour
* Promptly reporting incidents of workplace bullying or harassment to your Manager
* Maintaining privacy and confidentiality during investigations of alleged unacceptable behaviour.

**Responsibilities of managers**

Managers must ensure that team members are not exposed to workplace bullying and/or harassment. **[Insert organisation name]** managers are required to:

* Personally demonstrate appropriate behaviour
* Promote the organisation’s bullying and harassment prevention policies and procedures
* Treat complaints of bullying and sexual harassment seriously and ensure they are investigated promptly, fairly and impartially
* Ensure that, where a person lodges or is witness to a complaint, this person is not victimised.

**Responsibilities of the organisation**

**[Insert organisation name]** will take the following actions to prevent and control exposure to the risk of workplace bullying or harassment:

* Provide all team members with workplace bullying and harassment awareness training
* Develop a Code of conduct for team members to follow
* Introduce a complaint handling system and inform all team members of how to make a complaint, what support systems available, the options for resolving grievances and the appeals process
* Treat any reports of workplace bullying or harassment at **[insert organisation name]** seriously and investigate them promptly, fairly and impartially
* Ensure that, where a person lodges or is witness to a complaint, this person is not victimised
* Regularly review the workplace bullying and harassment prevention policy, complaint handling system and training.

### 5.3.7 Consequences of bullying and harassment

Disciplinary action will be taken against any employee who harasses or bullies a co-worker, client or supplier of **[insert organisation name]** or who victimises a person who has made or is a witness to a complaint. Complaints of alleged workplace bullying, or harassment found to be malicious, frivolous or vexatious may equally make the complainant liable for disciplinary action.

The **[insert organisation name]** disciplinary process may involve a warning, counselling or dismissal, depending on the circumstances. Refer to the sections 4.8, 4.9 and 4.10 of this policy for more information on disciplinary actions and processes.

**🖌Note\***

Most bullying and harassment policies have a two (2)-year review time frame, unless required earlier because of changes to the risk profile of the organisation or to relevant legislation.

\*Please delete note before finalising this policy.

## 5.4 Workplace violence

**[Insert organisation name]** does not tolerate violence in the workplace, including intentional damage to property, physical assault or the threat of physical assault. **[Insert organisation name]** refers all matters of intentional property damage, physical assault or threats of violence to the police.

## 5.5 Dress code

**[Insert organisation name]** workers are required to dress appropriately in all workplace situations to reflect the professional standing of the organisation.

## 5.6 Use of computers, mobile devices and social media

**[Insert organisation name]** staff (and Board members, students and volunteers, where relevant) are provided with computers, internet access, phones and/or electronic mobile devices for the primary purpose of undertaking the duties of their position. All materials produced, sent and kept by staff on organisational computers, internet, phones and/or electronic mobile devices remain the property of **[insert organisation name]**, including emails and browsing histories.

Social media has an increasing presence in the workplace, for both work-related activities and personal use. Social media may include, but is not limited to:

* Social networking sites (e.g. Facebook, Snapchat)
* Video and photo sharing sites (e.g. Instagram, YouTube)
* Blogs and micro-blogging (e.g. Twitter)
* Wikis (e.g. Wikipedia)
* Forums, discussion boards and groups (e.g. Google groups, Linkedln).

**🖌Note\***

Organisations are encouraged to maintain or limit staff members’ use of social media at work according to their views, workload and priorities.

\*Please delete note before finalising this policy.

Incidental and limited personal use of computers, internet, phones, electronic mobile devices and social media is accepted, provided it does not:

* Interfere with the duties of the position and the performance of the employee
* Detrimentally affect network operations, security or other network users
* Create additional usage costs
* Imply organisational endorsement of personal views
* Compromise the organisation’s reputation or the reputation of individual workers
* Include derogatory, shaming or other personal attacks towards or about workers, clients or stakeholders
* Relate to bullying and harassment of any person within, or external to, the organisation
* Reflect staff dissatisfaction or conflict with specific workers, activities, events, systems, policies or privacy related to the organisation
* Disclose personal information relating to workers, clients or stakeholders
* Include viewing, sending or downloading pornographic material
* Include gambling
* Include purchasing and/or downloading software, games, movies or music for the purpose of providing these to a third party
* Violate copyright or licensing agreements
* Violate any State, Commonwealth or International Law.

For more information on social media activities regarding the organisation, refer to the **[insert organisation name]** Communications policy. For more details on management of social media use by client’s, refer to the Service and program operations policy.

## 5.7 Privacy and confidentiality

**[Insert organisation name]** employees and Board members are required to be aware of and comply with State and Commonwealth privacy legislation. Workers maintain confidentiality of all **[insert organisation name]** and personal information obtained during and after their time working with the organisation.

For further information on privacy and confidentiality, refer to the **[insert organisation name]** Communications policy.

**🖌Note\***

A Communications policy template and a Service and program operations policy template are available from the NADA Policy Toolkit.

\*Please delete note before finalising this policy.

## 5.8 Intellectual property

All work developed as a **[insert organisation name]** employee, Board member, student or volunteer remains the property of the organisation.

**🖌Note\***

For further information on intellectual property (IP) and IP law, visit the IP Australia website.

\*Please delete note before finalising this policy.

## 5.9 Conflict of interest

Employees must avoid any interest, influence or relationship which might conflict or appear to conflict with the best interests of **[insert organisation name]**.

Examples of potential conflicts of interest include:

* Having a financial interest in any business transaction with **[insert organisation name]**
* Being in a close personal relationship with another team member if you are, or are likely to be, in a supervisor/subordinate relationship, or some other role where you can make decisions that materially affect the other team member
* Owning or having a significant financial interest in, or other relationship with, an **[insert organisation name]** competitor, customer or supplier
* Accepting gifts, entertainment or another benefit of more than a nominal value from an **[insert organisation name]** competitor, customer or supplier.

If you have a conflict of interest, you must disclose it to your Manager and remove yourself from negotiations, deliberations or votes involving the conflict.

## 5.10 Drug, alcohol and tobacco use

**[Insert organisation name]** has a responsibility to protect the health, safety and welfare of workers and clients in the workplace. Persons using alcohol and/or other drugs in the workplace can cause injury to themselves or others. Alcohol and other drug use can also detrimentally affect a person’s ability to perform their required duties.

### 5.10.1 Illegal or non-prescription drugs

While working, operating company property (including company cars), on meal breaks or conducting company business, **[insert organisation name]** strictly prohibits its team members from:

* using or being under the influence of illegal or non-prescription drugs of any kind
* being in possession of illegal or non-prescription drugs or drug paraphernalia of any kind
* soliciting, selling, manufacturing or distributing illegal or non-prescription drugs.

Any illegal drugs or drug paraphernalia found on organisational premises will be turned over to the police and may result in criminal prosecution. Breaching these provisions can result in dismissal or disciplinary action.

### 5.10.2 Alcohol and prescription medicine

The consumption of alcohol during work hours (including meal breaks) is not permitted by employees of **[insert organisation name]**.

You will not be permitted to perform your work duties while you are taking prescription drugs that adversely affect your ability to safely and effectively perform your duties. If your medication impacts on safety, then you may be required to access your sick leave. Breaching these provisions can result in dismissal or disciplinary action.

### 5.10.3 Out-of-Work-Hours consumption

If you arrive at work under the influence of alcohol and/or other drugs, you will be sent home for the day without pay. Repeated instances of arriving at work under the influence of alcohol and/or other drugs may result in termination.

### 5.10.4 Tobacco or e-cigarette smoking (or ‘vaping’)

**[Insert organisation name]** has a non-smoking policy in the workplace. Smoking tobacco, e-cigarettes, or using other vapourisers is not permitted in any part of **[insert organisation name]**, including lunchrooms, storage areas, and restrooms, or within 4 metres of building entries. Smoking is also prohibited in any vehicle owned, leased or operated by **[insert organisation name]**.

Employees who need to take smoking breaks should do so in their allotted break times. Excessive smoking breaks will be regarded as absenteeism and performance improvement action may be taken.

Employees of **[insert organisation name]** are required to comply with the tobacco policies of other organisations and smoking-related laws in the course of their duties.

**🖌Note\***

Some organisations have a blanket ’no smoking’ policy across their entire facilities and these policies are applied to all their facilities, staff, clients and visitors; other organisations have allocated areas for smokers. Regardless of the chosen approach, it is recommended that each organisation maintains an aligned approach about smoking authorisation for all parties and sites.

For more information about ‘no smoking’ procedures in an organisation, refer to the Service and program operations policy template within the NADA Policy Toolkit.

\*Please delete note before finalising this policy.

For further information on risk responses, refer to the organisation’s Risk Management Policy§.

## 5.11 Work health and safety

**[Insert organisation name]** provides a healthy and safe work environment which complies with the Work Health and Safety Act 2011 (NSW). Employees, Board members, students and volunteers have specific health and safety rights and responsibilities in the workplace, as detailed in the organisation’s Work health and safety policy.

**🖌Note\***

For further information about work health and safety, and related policies and procedures, visit the WorkSafe NSW website.

\*Please delete note before finalising this policy.

# SECTION 6: SUCCESSION PLANNING

Workforce planning ensures that **[insert organisation name]** recruits new employees and develops existing employees to undertake roles within the organisation.

The focus of succession planning by **[insert organisation name]**, as part of broader workforce planning, is on leadership and positions critical to driving the achievement of organisational outcomes. Such positions include the CEO/Manager, those that have multi-functions crucial to operations, specialised roles with technical or content-specific skills, and those positions for which it is generally challenging to recruit personnel. Consideration is also given to positions where the incumbent is well regarded and fosters critical team dynamics, carries significant corporate knowledge, and is highly competent and consistently achieves well above the position requirements.

Succession planning identifies organisational capabilities, ensures organisational systems are current and documented, and guides employee transition and handover processes.

The **[insert organisation name]** CEO/Manager is responsible for developing succession plans in partnership with the Board and senior staff members, if appropriate. Actions for succession planning are identified in the **[insert organisation name]** Quality improvement plan. For more information on quality improvement refer to the Organisational development policy.

**🖌Note\***

A Quality improvement plan template and an Organisational development policy template are available from the NADA Policy Toolkit.,

\*Please delete note before finalising this policy.

## 6.1 Identifying organisational capabilities

**[Insert organisation name]** identifies current and future organisational capabilities and requirements to ensure planned recruitment to leadership and critical operation positions.

When developing succession plans, the following questions may be considered and used to inform actions:

* What significant functions need to be undertaken now and in the foreseeable future?
* What are the characteristics of the leadership and critical operation positions?
* Which positions may need to be filled in the foreseeable future?
* What is the potential of existing staff to fill positions, considering aspirations, capability, engagement, experience and achievements?
* Is the range of skills required for specific positions common or scarce in the wider market?
* What are the greatest risks related to recruiting to this position?
* What are the likely scenarios and impacts in the event of a current employee vacating a leadership and critical operation position?

**🖌Note\***

A Succession plan template and other planning guidelines and resources are available from the Australian Government Business website.

\*Please delete note before finalising this policy.

## 6.2 Organisational systems

**[Insert organisation name]** maintains current and documented organisational systems to ensure a strong framework of operations in the event of any leadership and critical operation position change.

Effective systems include:

* Established policies and procedures
* Recruitment to leadership and critical operation positions is current
* Leadership and critical operation positions have current position descriptions
* Recruitment documents are current to allow for responsive recruitment action
* Governance and management roles and responsibilities are defined and understood by the Board and leadership positions
* Understanding and capacity of the Board President to lead the recruitment and transition of a new CEO/Management
* Current strategic plan
* Risk management is current and includes a risk register with risk response strategies in place
* Financial delegations are current and documented.

## 6.3 Transition and handover processes

All **[insert organisation name]** employees contribute to supporting the transition of staff members leaving and commencing positions.

Where a planned exit from leadership and critical operation positions is to occur, the Board and/or other senior positions identify the critical functions and activities that must continue, and work with the **[insert organisation name]** team to allocate temporary responsibility.

Departing employees are responsible for preparing a handover to their supervisor and/or the Board that identifies the status of issues, such as programs/projects, key relationships, finances, operations, and human resources.

**🖌Note\***

A Succession plan template and other planning guidelines and resources are available from the Australian Government Business website.

For more information about succession planning at Board level can be found on The Institute of Community Directors website.

\*Please delete note before finalising this policy.

# SECTION 7: CEASING EMPLOYMENT

Cessation of employment by either **[insert organisation name]** or the employee is guided by the National Employment Standards and the Fair Work Act 2009 (Cmlth).

Employment with **[insert organisation name]** may end under the following circumstances:

* An employee resigns
* An employee’s contracted employment period ends without any renewal
* Casual and temporary employees provide notice of termination or the organisation provides casual and temporary employees notice of termination (generally two (2) weeks)
* During the first six (6) months of initial employment for permanent and contract-based employees, either party can give a minimum of one (1) weeks’ notice of termination
* The organisation terminates employment due to repeated poor performance and/or misconduct
* The organisation initiated redundancy.

Exit procedures are followed for all departing employees and ensure both the organisation and the employee understand the reason for discontinuing employment. **[Insert organisation name]** seeks feedback from the departing employee on their experience with the organisation and potential areas for development as a valuable source of quality improvement.

## 7.1 Notice periods

In line with the Fair Work Act 2009 (Cmlth), notice of employment termination is to be provided in writing in accordance with the table below:

|  |  |
| --- | --- |
| **Length of continuous service with [insert organisation name]** | **Period of notice** |
| Not more than 1 year | 1 week |
| More than 1 year but less than 3 years | 2 weeks |
| More than 3 years but less than 5 years | 3 weeks |
| More than 5 years | 4 weeks |

The notice period:

* starts the day after the organisation or the employee give written advice that they want to end the employment
* ends on the last day of employment.

Employees who are over 45-years-old and have completed at least two (2) years of continuous service with **[insert organisation name]** on the day the notice of termination is given, are entitled to an additional one weeks’ notice from the organisation.

Within the first twelve (12) months of permanent and contract-based employment, the organisation or the employee may terminate employment by providing one (1) weeks’ written notice.

The organisation may terminate employment at any time without notice if employees are guilty of repeated or serious misconduct. (Refer to Section 4.9 of this policy further details.)

If an employee has been dismissed and wants to leave before the last day of the notice period, **[insert organisation name]** can agree to reduce the employee's notice period.

If **[insert organisation name]** doesn't agree to reduce the notice period, the employee can choose to resign and give their own minimum notice. Any time the employee has already worked during the original notice period doesn't count towards the new notice period.

An employee can take annual leave during a notice period if **[insert organisation name]** agrees to the leave.

An employee can take sick leave during a notice period if they give:

* notice of the leave as soon as possible
* evidence to support the leave if the employer asks for it (e.g. a medical certificate).

Employees are not forced to take leave as part of the notice period.

## 7.2 Resignation

Employees resigning from their **[insert organisation name]** employment must provide notice in writing within the required notice period to their direct supervisor and the CEO/Manager, detailing their planned final day of work.

## 7.3 [Insert organisation name] terminated employment

Procedural fairness is applied in all instances of terminated employment. Written notice is provided by **[insert organisation name]** within the required notice period, detailing the final date of employment and the reasons for termination. The **[insert organisation name]** Termination letter template explains this process for the terminated employee.

**🖌Note\***

A Termination Letter template is available from the NADA Policy Toolkit.

For other termination and misconduct letter templates and more information on employee warnings, unsuccessful probation, serious misconduct and redundancy letters, visit the Fair Work Australia website.

\*Please delete note before finalising this policy.

Where employment with **[insert organisation name]** is terminated due to serious misconduct, the employee ceases attendance at work immediately. Payment in lieu of the notice may be approved by the CEO/Manager and Board of Directors.

Employees provided with notice of employment termination have the right to consult and seek representation from a union, lawyer, and/or support person. Employees also have a legal right to seek recourse via Unfair Dismissal provisions with the Fair Work Ombudsman (within 21 days after the dismissal), if they believe they have been discriminated against or their dismissal was harsh, unjust or conducted in an unreasonable manner.

The Small Business Fair Dismissal Code may be used by **[insert organisation name]** to ensure that a dismissal is fair.[[8]](#footnote-9)

* 1. **[Insert organisation name] initiated redundancy**

The Fair Work Act 2009 (Cmlth) defines redundancy as occurring when an employer:

* decides they no longer want an employee’s job to be done by anyone and terminates their employment; or
* becomes insolvent or bankrupt.

Redundancy may happen when:

* the job someone has been doing is replaced due to the employer introducing new technology (i.e. the job/work can be done by a machine)
* business slows down due to lower sales or production
* the business relocates
* a merger or takeover happens
* the business restructures or re-organises.

Any redundancy action by **[insert organisation name]** is to be authorised by the Board with notice periods in line with the Fair Work Act 2009 (Cmlth).

A Letter of redundancy is sent to the employee explaining the process, the reason(s) for redundancy and their entitlements.

The Fair Work ‘Notice and Redundancy Calculator’ is used to determine correct notice and redundancy pay.

Employees provided with a redundancy notice have the right to consult and seek representation from a union, lawyer, and/or support person. Employees also have a legal right to seek recourse via Unfair Dismissal provisions with the Fair Work Ombudsman (within 21 days), if they believe they have been discriminated against or the decision was harsh, unjust or conducted in an unreasonable manner.

The Small Business ‘Fair Dismissal Code’ may be used by **[insert organisation name]** to ensure that procedural fairness has been followed.

**🖌Note\***

A Letter of redundancy template is available from the NADA Policy Toolkit.

Links to the Fair Work Australia ‘Notice and redundancy calculator’ and the Small Business ‘Fair dismissal code’ are available in section 12 of this policy.

\*Please delete note before finalising this policy.

## 7.5 Exit interview

All employees ceasing employment with **[insert organisation name]**, except those being terminated due to misconduct, are offered an exit interview with their direct supervisor and/or the CEO/Manager. The employee may request another senior staff member to attend or replace their supervisor and/or the CEO/Manager for the interview.

The purpose of the exit interview is to seek information from the employee about their employment experience with the organisation and how they consider the organisation could improve. The interview is a confidential discussion, though may lead to investigation of certain issues raised.

**[Insert organisation name]**’s Employee exit interview is used to guide discussion and document key points raised. Information provided during the exit interview is reviewed and incorporated into the organisation’s ongoing quality improvement activities where relevant.

**🖌Note\***

A Employee exit interview template is available from the NADA Policy Toolkit.

\*Please delete note before finalising this policy.

## 7.6 Written reference and certificate of employment

Employees with more than three (3) months’ service may, upon request, be provided with a written reference on performance and service details, unless their employment was terminated due to misconduct.

Employees with less than three (3) months’ service, or those who are terminated due to misconduct may, upon request, be provided with a written statement of service containing the length and nature of the employment.

**🖌Note\***

An Employee certificate of employment/service template is available from the NADA Policy Toolkit.

\*Please delete note before finalising this policy.

## 7.7 Security and return of organisational property

On or before the employee’s final date of employment, the employee is to:

* Return all **[insert organisation name]** property, including keys, phones, electronic devices and computers, documents, etc.
* Return or be reimbursed with outstanding petty cash
* Remove hard copy and electronic personal files
* Inform the supervisor of any passwords or codes that may prevent the organisation access to **[insert organisation name]** operations.

The employee’s supervisor is to complete the organisation’s Employee exit checklist, which identifies property to be returned to the organisation by the employee.

**🖌Note\***

An Employee exit checklist template is available from the NADA Policy Toolkit.

\*Please delete note before finalising this policy.

## 7.8 Administration

Before the employee’s final date of employment, **[insert organisation name]** is to:

* Calculate remaining leave entitlements and final payments
* Ensure forwarding contact details are provided by the employee
* Inform the employee’s superannuation fund of the employee leaving the organisation.

On or before the employee’s final date of employment, **[insert organisation name]** is to:

* Restrict computer network access – both in-office and remote
* Remove authorisation as a signatory to financial and other transactions.

The employee’s resignation letter or a copy of the **[insert organisation name]** Employment termination letter is filed in the employee’s personnel file, along with the Employee exit interview discussion notes and completed Employee exit checklist.

**🖌Note\***

An Employee termination letter, Employee exit interview and an Employee exit checklist template are available from the NADA Policy Toolkit.

\*Please delete note before finalising this policy.

# SECTION 8: PERSONNEL RECORDS

**[Insert organisation name]** maintains individual personnel files for employees where information on recruitment, position details, employment contracts, leave records, financial records, performance and development records, and formal communication is kept.

## 8.1 Security

Personnel files are stored in a locked cabinet accessible by the **[insert organisation name]** CEO/Manager only and governed by the Australian Privacy Principles (APPs).

**🖌Note\***

For more information on the Australian Privacy Principles (AAPs), visit the Office of the Australian Information Commissioner website.

\*Please delete note before finalising this policy.

Other employees with supervisory responsibilities may access relevant sections only of relevant personnel files only, as required, with the agreement of the CEO/Manager.

However, in limited circumstances (under a lawful request), **[insert organisation name]** may disclose employee records to a third party. For example:

* A Fair Work Inspector can request information about employees in order to establish that **[insert organisation name]** is meeting its employment obligations.
* Some government agencies, such as the Australian Tax Office, have powers to request information from employers. In this case, **[insert organisation name]** should first satisfy themselves that the agency requesting the information has the power to do so.
* There may be occasions where a permit holder (generally a union official) will wish to enter an employer’s premises to investigate a suspected contravention of the Fair Work Act, award or enterprise agreement. While on the premises, the permit holder may also ask to inspect or copy documents.

**[Insert organisation name]** maintains an electronic filing system for human resources management accessible on the organisation **[insert electronic location**] drive by the CEO/Manager only. The secure integrity of the electronic filing system is maintained by **[insert measures to ensure the security of the electronic personnel files, e.g. password protected, back-up system].**

For further information, refer to the **[insert organisation name]** Information and Communications technology policy.

**🖌Note\***

A Communications policy template is available from the NADA Policy Toolkit.

\*Please delete note before finalising this policy.

Following employee recruitment processes, unsuccessful applicants’ details are stored in a locked cabinet for a period of twelve (12) months from the date of finalisation of the position appointment. After 12 months, the documents are securely destroyed.

Personnel files of previous employees are stored in a locked cabinet accessible by the CEO/Manager only, for a period of six (6) years. After 6 years, the documents are securely destroyed.

Employee’s time and wages records must be retained for a minimum of seven (7) years. The records must be in plain English, easy to read and not altered in any way (unless correcting an error), and readily accessible for inspection.

**🖌Note\***

For more information on employees and record keeping, visit the Australian Government Business website.

\*Please delete note before finalising this policy.

## 8.2 Employee access

Employees are entitled to access their own personnel files when accompanied by a senior **[insert organisation name]** staff member responsible for human resources; however, employees cannot make changes to the file or remove file content.

# SECTION 9: STUDENT PLACEMENT[[9]](#footnote-10)

## 9.1 Introduction

A student is “an unpaid person who is required to undertake workplace experience as part of an approved course of academic or practical study or is a participant in a recognised student internship program”. A student is not a volunteer or a substitute for paid employees.

**🖌Note\***

For more information on this important definition, visit the Fair Work Australia website.

\*Please delete note before finalising this policy.

**[Insert organisation name]** is committed to supporting student placements to contribute to the development of an appropriately trained and educated social and community services sector.

The organisation provides an environment for students that is conducive to learning, ensures students undertake policy and/or sector development work which provides them with relevant workplace training and experience, and values the contribution of the student. The student’s workplace supervisor has relevant and adequate supervisory skills.

## 9.2 Student selection

Student placement applications are considered on an individual basis, based on competencies and relevant experience which demonstrate a capacity to achieve agreed outcomes. Student placement candidates participate in an interview with the potential supervisor in the organisation and other staff as determined. The relevant staff member is to communicate with the student’s academic liaison regarding the student’s capacity to undertake the placement.

To encourage and promote optimal outcomes for the organisation and the student, **[insert organisation name]**:

* Ensures mutually agreed objectives are achievable
* Only agrees to placements that undertake tasks which provide relevant training for the student’s course of study and are consistent with the organisation’s strategic objectives
* Make realistic commitments about the number and length of student placements that can be offered at any one time and over the course of a calendar year.

**🖌Note\***

Organisations may have agreements in place with specific institutions or may have identified specific student placement areas of study which facilitate placements that meet the needs of the organisation. Where agreements have been made between an organisation and an institution, these should be referred to for more information.

\*Please delete note before finalising this policy.

## 9.3 Legal responsibilities

The organisation requires workers to abide by its workplace conduct policy outlined in Section 2 of this policy. Contact details of the student and their emergency contacts are documented on the Student placement contact details form so that **[insert organisation name]** may contact relevant people if required.

## 9.4 Remuneration

There is no remuneration or reimbursement of expenses for student placements unless through duties undertaken at the request of the organisation. Special care must be taken in these circumstances to ensure the paid work and unpaid (workplace experience) work are clearly defined and unambiguous, so that confusion over remuneration or otherwise may not arise and expectations are managed. Travel expenses to and from the **[insert organisation name]** office and home are not reimbursable.

## 9.5 Insurance

**[Insert organisation name]** accepts students from academic institutions that provide relevant insurance cover for students on placement. Whilst on work placement, students are covered by the Public Liability Insurance held by the organisation, provided they are acting at the direction, and within scope, of **[insert organisation name]** duties. Students are not covered by the Workers Compensation Act 1987 (NSW) and therefore are not covered by Safe Work NSW.

**🖌Note\***

For more information on insurance for students in your workplace, visit the SafeWork NSW website.

\*Please delete note before finalising this policy.

## 9.6 Role of academic liaison

A liaison from the student’s academic institution is identified to provide a bridge between students and the organisation. **[Insert organisation name]** utilises this position to assist with a range of issues, including:

* Development of the student learning agreement
* Clarification of issues in relation to evaluation, assessment and supervision of the student
* Resolving workplace difficulties that may occur during placement
* General problem solving on matters related to the student’s placement.

## 9.7 Supporting students

**[Insert organisation name]** employees with responsibility for supervising students ensure:

* Students are eligible to undertake placement
* Students are aware of and understand **[insert organisation name]** policies and procedures relevant to their placement
* Mechanisms are in place to enable tailored learning goals for the student
* Students undergo an orientation and induction
* Suitable resources and equipment/office space is available for the student
* A Student placement agreement is established
* Environmental adjustments are implemented as required
* Student progress is monitored during placement and regular supervision is provided
* Students are encouraged and supported to be part of the **[insert organisation name]** team, e.g. by participating in staff meetings.

**🖌Note\***

A Student placement agreement template is available from the NADA Policy Toolkit.

\*Please delete note before finalising this policy.

## 9.8 Orientation and induction

All student placements are provided with an orientation and induction to **[insert organisation name]**, facilitated by their direct supervisor. The organisation’s Student placement induction and orientation checklist provides guidance and is to be completed by both the supervisor and student.

**🖌Note\***

A Student placement induction and orientation checklist template is available from the NADA Policy Toolkit.

\*Please delete note before finalising this policy.

## 9.9 Resolving difficulties during student placement

Problems arising from a student’s performance or behaviour are addressed directly with the student by the direct supervisor. If the issue is not resolved, or either the student or **[insert organisation name]** believes it necessary, the academic liaison is consulted.

Where the student experiences difficulties or issues at **[insert organisation name]**, it is recommended that the student discuss this with their direct supervisor in an attempt to resolve the issue. If the issue is not resolved or either the student or the organisation believes it is necessary, the academic liaison is to be consulted.

## 9.10 Variation or cancellation of student placement

A student’s placement with the organisation may be altered or cancelled at any time by the student, the academic institution or **[insert organisation name]**.

Variations to the placement are discussed between relevant parties and documented on the Student placement agreement.

Where **[insert organisation name]** is cancelling the student placement, the student’s direct supervisor informs the student and the academic liaison as soon as possible and provides written notice that details the reasons for cancellation. Where the student or academic liaison is cancelling the student placement, notice is provided as soon as possible, with **[insert organisation name]** seeking a meeting with the academic liaison to discuss the matters.

## 9.11 Completion of placement

**[Insert organisation name]** student placements are offered an end-of-placement interview with their direct supervisor and asked to complete a Student placement evaluation. Upon request, students are provided a written reference detailing their role and contribution to the organisation (e.g. length of hours, range of activities, and achievements during the placement).

**🖌Note\***

Templates are available from the NADA Policy Toolkit for:

- Student placement agreement

- Student placement induction and orientation checklist

- Student placement evaluation.

\*Please delete note before finalising this policy.

# SECTION 10: VOLUNTEER MANAGEMENT

**[Insert organisation name]** is committed to supporting volunteers and recognises the value adding benefit volunteers bring to the organisation.

The purpose of this section is to ensure **[insert organisation name]** volunteers are guided by fair and consistent principles and sound administration that ensures a positive experience and outcome for both the volunteer and the organisation.

This section includes but is not limited to:

* Legal and regulatory responsibilities
* Recruitment and selection of volunteers
* Supervision and management of volunteers
* Termination and resignation of volunteers.

Volunteering is a legitimate way in which community members can contribute to and promote human rights and equality, while respecting the rights, dignity and culture of others.

Volunteer work at **[insert organisation name]** is:

* Unpaid and can significantly benefit and contribute to the development of both the organisation and the volunteer
* Always a matter of choice and is not compulsorily undertaken to receive pensions or government allowances
* Not used as a substitute for paid work at the organisation[[10]](#footnote-11). Volunteers do not replace paid staff, nor do they constitute a threat to the job security of paid employees.

By implementing this policy, the organisation ensures that:

* Volunteers add value to the work of the organisation
* Clients’ lives are enriched through the work of volunteers
* Employees welcome and support the use of volunteers to contribute to the organisation’s work
* Volunteer time and expertise is valued, applied effectively, and appreciated.

**[Insert organisation name]** plays a role in ensuring a safe and supportive environment for workers and clients by:

* Completing relevant screening checks, such as criminal records, and working with children checks prior to commencement of volunteer work
* Ensuring volunteers undertake activities which align with their expertise, knowledge, experience and interests
* Ensuring volunteers are adequately supervised by an experienced supervisor
* Providing an environment for volunteers that values the contribution of the volunteer and is in line with current strategic objectives and organisational priorities
* Avoiding wasting resources. Expectations from both the volunteer and the organisation regarding the volunteer activities will be made clear at the outset, as should the process by which a volunteer may withdraw from the organisation
* Implementing recruitment and selection processes that support and minimise the need to terminate volunteers due to inappropriate appointments.

Further information about **[insert relevant positions]** recruitment and selection processes can be found in section 3 of this policy.

## 10.1 Identify Volunteer placement opportunity

Managers and staff members are to discuss with the CEO/Manager and/or **[insert relevant positions]** regarding the possible recruitment of a volunteer.

Discussion of possible volunteer recruitment and opportunities may occur at staff meetings.

## 10.2 Recruitment and selection of volunteers

All human resource duties will be the responsibility of the volunteer’s direct supervisor and will be primarily responsible for the recruitment and selection of volunteers, with other staff involved and/or interested in providing supervision for the volunteer’s positions.

Volunteer’s supervisors have the responsibility to:

* Develop a position description for the volunteer opportunity and selection criteria if appropriate
* Identify appropriate methods of advertising **[insert methods used, e.g. Ethical Jobs, SEEK, etc.]**
* Provide an Information Package to all potential volunteers. This could include information about:
* activities and roles
* the organisation
* the application process
* other relevant information.

All applications for volunteering are considered on an individual basis, based on personal competencies, relevant experience which demonstrates ability to achieve agreed outcomes and capacity to attend rostered volunteer shifts at agreed times. Suitable candidates will be offered an interview with the **[insert relevant positions]** staff member who will be the direct supervisor, together with at least one other staff member.

All successful applicants will need to complete the following formalities prior to commencing a volunteer position at the organisation:

* Relevant screening checks, such as criminal record and working with children checks
* Sign a Volunteer agreement
* Complete and sign the Volunteer induction and orientation checklist
* Complete and sign the Volunteer contact details form
* Sign the organisation’s Code of conduct.

Following the recruitment of volunteers, copies of all relevant documents are given to appointed volunteers for their records.

The feedback from the orientation and induction and the Volunteer evaluation form will inform future volunteer induction and orientation processes and the review of the policy, checklist and procedure.

**[Insert organisation name]** requires all workers including volunteers to abide by the organisation’s workplace conduct policy outlined in Section 5 of this policy.

**🖌Note\***

Templates are available from the NADA Policy Toolkit for:

- Volunteer agreement

- Volunteer contact details form

- Volunteer induction and orientation checklist

- Volunteer evaluation form.

\*Please delete note before finalising this policy.

## 10.3 Remuneration

There is no remuneration or reimbursements of personal expenses for volunteers unless through duties undertaken at the request of **[insert organisation name]**. Special care must be taken in these circumstances to ensure the paid work and volunteer duties (unpaid) are clearly defined and unambiguous, so that confusion over remuneration or otherwise may not arise and expectations are managed. Travel expenses to and from the office and home are not reimbursable.

## 10.4 Insurance

Volunteers will be covered by the Public Liability Insurance held by the organisation. Volunteers are not covered by the Workers Compensation Act 1987 (NSW) and therefore are not covered by SafeWork NSW.

**🖌Note\***

For more information on insurance for volunteers in your workplace, visit the SafeWork NSW website.

\*Please delete note before finalising this policy.

## 10.5 Supervision and support

A primary consideration for managing and supervising volunteers at **[insert organisation name]** is that staff should have experience in supervising other staff members, or volunteers. If they do not have this experience or expertise, they should approach their supervisor with the aim of gaining support for their activities.

The volunteer and any activities undertaken should be considered under the **[insert organisation name]**’s Work health and safety policy and procedures.

**🖌Note\***

A Work health and safety policy template is available from the NADA Policy Toolkit.

\*Please delete note before finalising this policy.

The volunteer’s supervisor will ensure the volunteer receives regular supervision and will monitor work progress of the volunteer. The supervisor will also provide the volunteer with an alternative contact at the organisation, for supervision and support if they are unavailable.

The volunteer may be encouraged to participate in **[insert organisation name]** staff meetings and organisational events.

**[Insert organisation name]** staff responsible for supporting volunteers should ensure that volunteers are:

* Aware of relevant organisational policy and procedures
* Complete an orientation and induction to the organisation
* Provided with suitable resources and equipment on commencement
* Implement environmental adjustments as required
* Provided with regular supervision and support
* Training needs of volunteers are identified and addressed where practicable
* Encouraged and supported to be part of the **[insert organisation name]** team.

Additional information about volunteer support will be noted in the Volunteer agreement.

**🖌Note\***

A Volunteer agreement template is available from the NADA Policy Toolkit.

\*Please delete note before finalising this policy.

## 10.6 Orientation and induction

The appointed volunteer supervisor will refer to the Volunteer induction and orientation checklist and ensure it is followed and completed by both the supervisor and volunteer. The checklist provides guidance and is to be completed by both the supervisor and the volunteer.

**🖌Note\***

A Volunteer induction and orientation checklist template is available from the NADA Policy Toolkit.

\*Please delete note before finalising this policy.

## 10.7 Resolving difficulties

Problems arising from a volunteer’s performance or behaviour are addressed directly with the volunteer by the direct supervisor in an attempt to resolve the issue. If the issue is not resolved, or either the volunteer or **[insert organisation name]** believes it necessary, these should be discussed as per the Grievance management section of this policy (4.10).

Where the volunteer experiences difficulties or issues at **[insert organisation name],** it is recommended that the volunteer discuss this with their direct supervisor in an effort to resolve the issue.

## 10.8 Resignation and termination of volunteers

Volunteers may end their volunteering activities at **[insert organisation name]** at any time by providing notice in writing to their direct supervisor.

A final supervision session should be held between the supervisor and volunteer, with volunteers asked to complete a Volunteer evaluation form to provide feedback on their experience as a volunteer in the organisation. Any anecdotal or other feedback supplied from the volunteer should be noted by the supervisor and attached to the Volunteer evaluation form.

This feedback will be used to review the volunteer policy documents and the volunteer program at the organisation.

**🖌Note\***

A Volunteer evaluation form template is available from the NADA Policy Toolkit.

\*Please delete note before finalising this policy.

Upon request, volunteers will be given an appropriate reference detailing their contribution to the organisation, such as the number of hours worked, range of activities and achievements.

Volunteers who fail to attend volunteer activities for **[insert number of sessions]** without notifying their direct supervisor in advance will be considered to have resigned from the position. The volunteer’s direct supervisor will write a letter to the volunteer that it has accepted such a resignation, with the letter signed by the direct supervisor and the CEO/Manager.

Termination of **[insert organisation name]** volunteers will be necessary when the focus of the services provided by the organisation changes, and/or a volunteer:

* fails to adhere to the Code of conduct
* lacks the necessary skills for the activity/role
* breaches safety or confidentiality guidelines
* breaks the law.

The volunteer will return all confidential information, keys and any other **[insert organisation name]** property upon completion of the placement.

**🖌Note\***

A Code of conduct template is available from the NADA Policy Toolkit.

\*Please delete note before finalising this policy.

## 10.9 Documentation

All **[insert organisation name]** human resources documentation will be filed in the appropriate volunteer file on the human resources drive and/or filing cabinet. Such information includes:

* Position description, promotional material
* Applications, volunteer interview details, agreement
* Code of conduct
* Orientation and induction checklist
* Evaluation form
* Grievance documents (if applicable).

# SECTION 11: INTERNAL REFERENCES

## 11.1 Supporting documents[[11]](#footnote-12)

These supporting documents, templates and resources can be accessed via the [NADA Policy Toolkit](https://www.nada.org.au/policy-toolkit/policy-toolkit/) webpage.

* Code of conduct template
* Human resources audit

**Recruitment and interview**

* Guide to applying Guide to applying template
* Induction and orientation checklist template
* Induction and orientation feedback form template
* Position description template
* Employment contract template
* Position applications received register template
* Applicant reference check template
* Interview questions template
* Interview – individual applicant rating form template
* Interview – individual summary rating form template
* Interview schedule template

**Employee forms and templates**

* Application for Leave template
* Casual employee timesheet template
* Employee bank account details template
* Employee contact details template
* Employee exit checklist template
* Employee exit interview template
* Salary packaging agreement template

**Performance and development**

* Employee work plan template
* Performance and development plan and review template
* CEO/Manager performance and development review template

**Grievances and complaints**

* Grievance management form template
* Grievance notice form template
* Grievance register template

**Misconduct/disciplinary action**

* First warning letter template
* Final warning letter template

**Ceasing employment**

|  |
| --- |
| * Certificate of employment/service template
* Employee termination letter template
 |
| * Employee exit checklist template
 |
| * Termination of employment letter template
 |
| * Termination of employment letter template (Redundancy)
 |
| * Termination of employment letter template (Serious misconduct)
 |

**Student placement**

* Student placement agreement template
* Student placement contact details form template
* Student placement evaluation form template
* Student placement induction and orientation checklist template

**Volunteers**

* Volunteer agreement template
* Volunteer contact details form template
* Volunteer evaluation form template
* Volunteer induction and orientation checklist template

**Part of the WHS Policy**

* Working from home WHS report and agreement template

11.2 Related Policies**[[12]](#footnote-13)**
X
These policies are cross-referenced within the NADA Human resources policy template. A template for each of these policies can be accessed via the [NADA Policy Toolkit](https://www.nada.org.au/policy-toolkit/policy-toolkit/) webpage.

* Communications policy template
* Organisational development policy template
* Information and communication technology policy template
* Work health and safety policy template
* Financial management policy template

# SECTION 12: EXTERNAL REFERENCES

## 12.1 Legislation[[13]](#footnote-14)

* **Annual Holidays Act 1944 (NSW)**(https://legislation.nsw.gov.au/inforce/e553d4fb-eb00-6d2b-c3f1-ff94fa94dd1e/1944-31.pdf)
* **Anti-Discrimination Act 1977 (NSW)**
(www6.austlii.edu.au/cgi-bin/viewdb/au/legis/nsw/consol\_act/aa1977204/)
* **Carer Recognition Act 2010 (Cmlth)**
(www.legislation.gov.au/Details/C2010A00123)
* **Child Protection (Working with Children) Act 2012 (NSW)**(www.legislation.nsw.gov.au/#/view/act/2012/51)
* **Child Protection (Working with Children) Regulation 2013 (NSW)**
(www.legislation.nsw.gov.au/#/view/regulation/2013/156)
* **Child Protection (Working with Children) Amendment (Miscellaneous) Regulation 2013 (NSW)** (www.legislation.nsw.gov.au/regulations/2013-676.pdf)
* **Children and Young Persons (Care and Protection) Act 1998 (NSW)**
(www.legislation.nsw.gov.au/#/view/act/1998/157)
* **Commission for Children and Young People Act 1998 (NSW)**
(www.legislation.nsw.gov.au/#/view/act/1998/146)
* **Disability Discrimination Act 1992 (Cmlth)**
(www.legislation.gov.au/Details/C2016C00763)
* **Education Act 1990 (NSW)**
(www5.austlii.edu.au/au/legis/nsw/consol\_act/ea1990104/)
* **Fair Work Act 2009 (Cmlth)**
(www.legislation.gov.au/Details/C2018C00512)
* **Health Practitioner Regulation National Law (NSW) No 86a**(www.legislation.nsw.gov.au/#/view/act/2009/86a)
* **Human Rights and Equal Opportunity Commission Act 1986 (Cmlth)**(www.legislation.gov.au/Details/C2006C00094)
* **Industrial Relations Act 1996 (NSW)**
(www.legislation.nsw.gov.au/#/view/act/1996/17)
* **Long Service Leave Act 1955 (NSW)**
(www8.austlii.edu.au/cgi-bin/viewdb/au/legis/nsw/consol\_act/lsla1955179/)
* **Racial Discrimination Act 1975 (Cmlth)**
(www.legislation.gov.au/Details/C2014C00014)
* **Sex Discrimination Act 1984 (Cmlth)**(www.legislation.gov.au/Details/C2014C00002)
* **Superannuation Guarantee (Administration) Act 1992 (Cmlth)**
(www.legislation.gov.au/Details/C2017C00230)
* **Workers Compensation Act 1987 (NSW)**
(www.legislation.nsw.gov.au/#/view/act/1987/70/whole)
* **Work Health and Safety Act 2011 (NSW)**
(www.legislation.nsw.gov.au/#/view/act/2011/10)

## 12.2 Resources[[14]](#footnote-15)

These resources are cited within the NADA Human resources policy template:

* **Anti-discrimination Board of NSW –** Sexual harassment

(www.antidiscrimination.justice.nsw.gov.au/Pages/adb1\_antidiscriminationlaw/sexualharassment.aspx)

* **Australian Commission on Safety and Quality in Health Care (ACSQHC) –** Credentialing health practitioners and defining their scope of clinical practice: A guide for managers and practitioners
(www.safetyandquality.gov.au/publications-and-resources/resource-library/credentialing-health-practitioners-and-defining-their-scope-clinical-practice-guide-managers-and-practitioners)
* **Australian Community Workers Association –** Community Workers Register
(www.acwa.org.au/membership/register-here)
* **Australian Federal Police (AFP) –** National Police Check
(www.afp.gov.au/what-we-do/services/criminal-records/national-police-checks)
* **Australian Government –** Business
(www.business.gov.au)
* **Australian Health Practitioner Regulation Agency (AHPRA)**

(http://www.ahpra.gov.au/)

* Fair Work Australia (Fair Work Ombudsman)

**Dispute resolution**
(www.fairwork.gov.au/how-we-will-help/templates-and-guides/best-practice-guides/effective-dispute-resolution)
X
**National Employment Standards**
(www.fairwork.gov.au/employee-entitlements/national-employment-standards)
X
**Notice and Redundancy Calculator**
(https://calculate.fairwork.gov.au/EndingEmployment)
X
**Paid Parental Leave**(www.fairwork.gov.au/leave/maternity-and-parental-leave/paid-parental-leave)

* **Fair Work Commission –** Small Business Fair Dismissal Code
(www.fwc.gov.au/about-us/legislation-regulations/small-business-fair-dismissal-code)
* **The Institute of Community Directors**
(www.communitydirectors.com.au/)
* **National Police Checks**
(www.service.nsw.gov.au/transaction/apply-national-police-certificate)
* **NSW Government – Industrial relations** (www.industrialrelations.nsw.gov.au/employers/resignation-termination-and-unfair-dismissal)
* **NSW Police**(www.police.nsw.gov.au)
* **Office of the Australian Information Commissioner –** Australian Privacy Principles (APPs)
(www.oaic.gov.au/privacy/australian-privacy-principles-guidelines/)
* **Office of the Children’s Guardian –** Working With Children Check (WWCC)
(www.kidsguardian.nsw.gov.au/child-safe-organisations/working-with-children-check)

## 12.3 Useful websites[[15]](#footnote-16)

* **Fair Work Australia**

(www.fairwork.gov.au)

* **Keep Them Safe**

(www.keepthemsafe.nsw.gov.au/)

* **Mental Health Coordinating Council –** Organisation Builder (MOB)

(http://mob.mhcc.org.au/home.aspx)

* **NSW Department of Education**

(www.det.nsw.edu.au)

* **NSW Family and Community Services (FACS)**

(/www.facs.nsw.gov.au)

* **NSW Office of the Children’s Guardian**

(www.kidsguardian.nsw.gov.au/child-safe-organisations/working-with-children-check)

* **NSW Online Mandatory Reporter Guide**

(www.keepthemsafe.nsw.gov.au/resources/?a=74740)

* **Office of the Advocate for Children and Young People (ACYP)**
(www.acyp.nsw.gov.au/participation-resources/ethical-considerations)
1. Australian Commission on Safety and Quality in Healthcare (ACSQHC). [Credentialing health practitioners and defining their scope of clinical practice: A guide for managers and practitioners](https://www.safetyandquality.gov.au/publications/credentialing-health-practitioners-and-defining-their-scope-of-clinical-practice-a-guide-for-managers-and-practitioners-december-2015/). Sydney: ACSQHC, 2015. [↑](#footnote-ref-2)
2. For further information on current awards, pay rates and conditions, refer to the Fair Work Ombudsman website. [↑](#footnote-ref-3)
3. Standard for credentialing and defining the scope of clinical practice standard. Australian Commission on Safety and Quality in Healthcare, 2004 [↑](#footnote-ref-4)
4. For more information on awards, pay rates and conditions, [visit](http://visit) the Fair Work Australia website. [↑](#footnote-ref-5)
5. If you are a small business with less than 15 team members, your discipline process is governed by the Small Business Fair Dismissal Code. For more information, visit the Fair Work Australia website. [↑](#footnote-ref-6)
6. Serious misconduct includes proven theft, physical assault, gross negligence, serious breach of policies and/or procedures, willful or malicious damage, serious breach of safety procedures, illegal or fraudulent acts while on company business, or abandonment of employment. [↑](#footnote-ref-7)
7. Serious misconduct includes proven theft, physical assault, gross negligence, serious breach of policies and/or procedures, willful or malicious damage, serious breach of safety procedures, illegal or fraudulent acts while on company business, or abandonment of employment. [↑](#footnote-ref-8)
8. A ‘[small business’](https://www.fairwork.gov.au/ending-employment/unfair-dismissal) is defined as organisation with 15 or fewer employees. [↑](#footnote-ref-9)
9. Student placement is an area of focus by Fair Work Australia. Visit the ‘unpaid work’ section of the Fair Work Australia website for more information on student placements within your organisation. [↑](#footnote-ref-10)
10. A definition of a [volunteer and the work they may perform](https://www.fairwork.gov.au/how-we-will-help/templates-and-guides/fact-sheets/unpaid-work/unpaid-work#work_experience) is available from the Fair Work Australia website. [↑](#footnote-ref-11)
11. Hyperlinks checked and available - July 2019 [↑](#footnote-ref-12)
12. Hyperlinks checked and available - July 2019 [↑](#footnote-ref-13)
13. Hyperlinks checked and available - July 2019 [↑](#footnote-ref-14)
14. Hyperlinks checked and available - July 2019 [↑](#footnote-ref-15)
15. Hyperlinks checked and available - July 2019 [↑](#footnote-ref-16)