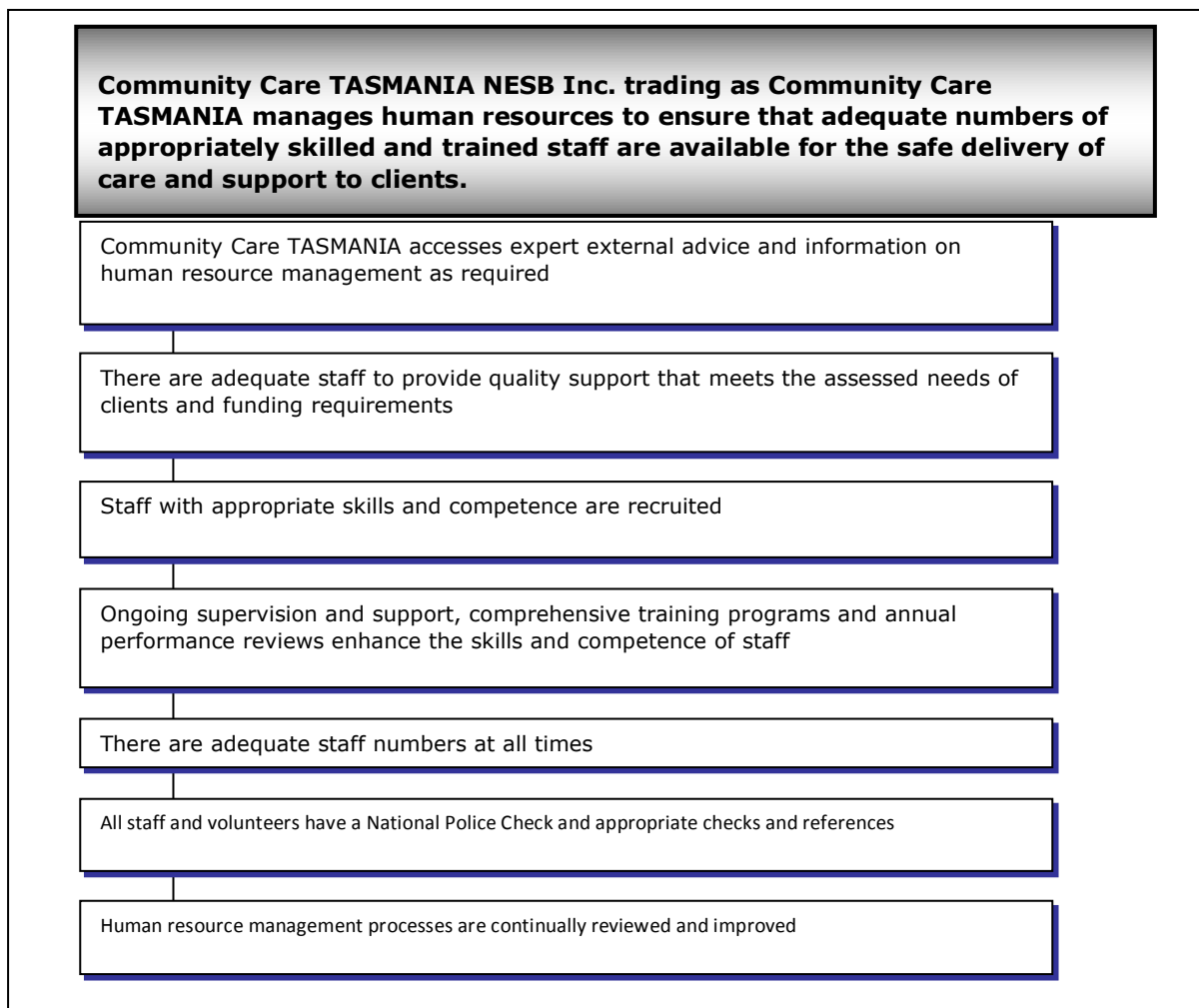


## Human Resource Management



### FORMS AND RECORDS

		HYPERLINK	Prepared for 2019 audit
Staff Annual Check List	Shared Drive	<a href="R:\HR\Annual Check list for all Staff - includes master SW information also available from ICare">R:\HR\Annual Check list for all Staff - includes master SW information also available from ICare</a>	yes
Position Descriptions	Shared Drive Staff folder	<a href="W:\Position Descriptions H:\Position Descriptions">W:\Position Descriptions H:\Position Descriptions</a>	yes
Employee Files Office staff	CEO's Office	In locked filing cabinet in CEO's office	yes
Human Resource Forms	Administration Team and Shared Drive Forms folder	<a href="..\Forms\Forms for Support Workers">..\Forms\Forms for Support Workers</a> <a href="P:\HR">P:\HR</a>	yes
Corporate Calendar	Shared Drive	<a href="R:\BOM\Corporate Calendar">R:\BOM\Corporate Calendar</a>	yes
Training Matrix		<a href="P:\2019\Training">P:\2019\Training</a>	yes
Codes of Behaviour		<a href="P:\HR\New Employees\Office Staff New Employees\New Office Staff Employee Pack\04 code of behaviour policy revised Jan 2019 mh.pdf">P:\HR\New Employees\Office Staff New Employees\New Office Staff Employee Pack\04 code of behaviour policy revised Jan 2019 mh.pdf</a>	yes
Reference checks		<a href="P:\HR\New Employee Pack\Reference check forms">P:\HR\New Employee Pack\Reference check forms</a>	yes

All Policies	Our website And p drive	<a href="http://www.cct.org.au">www.cct.org.au</a>  <a href="P:\FORMS AND POLICIES FOR COMMON CARE STANDARDS\Community Care Policies and Procedures">P:\FORMS AND POLICIES FOR COMMON CARE STANDARDS\Community Care Policies and Procedures</a>	Yes  yes
KPI's	Being developed for key positions – see CEO, Senior Team Leader Case management Client Services, new Rostering Team Leader, HR Manager, Senior Finance Manager	<a href="W:\Office Staff\KPIS">W:\Office Staff\KPIS</a>	Underway for key positions
client complaints	Client Handbook, P Drive, CCT website	<a href="P:\FORMS AND POLICIES FOR COMMON CARE STANDARDS\Complaint Process\Client Complaint Form.doc">P:\FORMS AND POLICIES FOR COMMON CARE STANDARDS\Complaint Process\Client Complaint Form.doc</a>	yes
client feedback forms	P drive , distributed to clients regularly	<a href="P:\2019\FEEDBACK and COMPLAINTS\Section 5 Tell Us What You Think ver4.doc">P:\2019\FEEDBACK and COMPLAINTS\Section 5 Tell Us What You Think ver4.doc</a>	yes
icare notes regarding sw performance or client feedback	icare IT platform		
sw surveys	Yearly survey sent to all support workers		yes
sw newsletters	Monthly newsletters emailed to all support workers	<a href="P:\2019\Newsletters\Support Workers">P:\2019\Newsletters\Support Workers</a>	yes
sw weekly emails	HR Manager sends weekly information emails to all support workers	<a href="P:\2019\letters and memo">P:\2019\letters and memo</a>	yes
sw functions	Christmas BBQS, face to face group meetings 2019 Expo, Hobart and NW coast functions, morning tea, dinners etc.	Events promoted in SW newsletters, invitations emailed to all support workers	Hobart dinner other Jenni
continuous improvement matrix		<a href="P:\2019\Management\Continuous improvement\Continuous Improvement Action Plan 2019.xls">P:\2019\Management\Continuous improvement\Continuous Improvement Action Plan 2019.xls</a>	yes
Client reference Group		<a href="P:\2019\Management\Client reference group">P:\2019\Management\Client reference group</a>	underway
Feedback from client	client feedbacks	<a href="P:\2019\Audits\Consumer feedback april and May 2019">P:\2019\Audits\Consumer feedback april and May 2019</a>	yes

## 1. TASMANIA - HUMAN RESOURCE SUPPORT

Community Care TASMANIA ensures the effective management of human resources through accessing support and information from the following expert agencies:

- Aged Care Services Australia (ACSA) and
- Jobs Australia, Community Sector Industrial Relations
- Specific human resource management specialist and consultants, both internal and external as required.
- Legal advice as required
- Compliance with the Fair Work Act 2009
- Compliance with NDIS Quality and Safeguards Commission requirements

In addition, all staff involved in the recruitment and management of staff attend workshops in human resource management as required to fulfil their role.

## 2. STAFF RECRUITMENT

Community Care TASMANIA has a range of staff to ensure that the organisation is effectively managed and services meet the needs of clients.

### 2.1 Recruitment policy

- All staff are recruited according to Community Care TASMANIA Equal Employment Opportunity Policy (see 2.3 below)
- The CEO or delegate is responsible for the recruitment of Community Care TASMANIA staff and delegates as appropriate
- The Board of Management is responsible for the recruitment of the CEO.
- All new employees are under a six (6) month probationary period

### 2.2 Employment of family members/friends of a client as support workers policy

Community Care TASMANIA does not support the practice of employing family members or friends of clients as support workers. This can compromise service provider/client relationships in the area of confidentiality, complaint processes, supervision of support workers and accountability for provision of best practise in client care. For these reasons employing family members cannot be considered a sound employment practice. Notwithstanding, there may be times when the Care Coordinator perceives the need to discuss a variation to this policy and practice with the CEO who will then take the recommendation to the Board of Management stating the following:

- The reason for the requested variation (geographical, language)
- Other avenues pursued in the allocation of services
- The appropriate safeguards for the client and family member/friend that would be put in place
- The recommendation of the CEO
- When all matters have been carefully considered by the CEO, a dispensation may be granted. This will be recorded in the client's file.
-

### 2.3 Equal employment opportunity

Community Care TASMANIA chooses the best person for the job regardless of:

- Race
- Nationality
- Gender
- Age
- Sexual orientation
- Physical or mental disability
- Marital status
- Family or carer's responsibilities
- pregnancy
- religion
- political opinion
- national extraction or social origin
- *referral source:* <https://www.fairwork.gov.au/how-we-will-help/templates-and-guides/fact-sheets/rights-and-obligations/workplace-discrimination>
- Equal opportunity principles are followed in all areas of staff management. Individuals are appointed based on their ability to meet criteria that are consistent with the role and position description.

**Community Care TASMANIA commits to:**

- Providing Equal Employment Opportunity (EEO) to all prospective and current staff.
- Promoting a fair and equitable work environment.
- Complying with all relevant Anti-discrimination legislation.
- Creating and maintaining an environment in which diversity is valued, human dignity is respected, and people are treated with equity and tolerance.
- Ensuring staff and members of the public are free from any forms of discrimination, harassment or victimisation.

### 2.4 Precluding offences and spent convictions

The offences that preclude a person from working in aged care are:

- a conviction for murder or sexual assault; or
- a conviction of, and sentence to imprisonment for, any other form of assault

Convictions that are considered "spent" under state, territory and Commonwealth legislation will not be disclosed on a police certificate unless the purpose for the application (for example, working with children) is exempt from the relevant spent conviction scheme.

Spent conviction legislation varies from jurisdiction to jurisdiction. In some circumstances or jurisdictions certain offences cannot be spent. CCT's obligations also include all Laws which apply in Tasmania.

### 2.5 Assessing other offences

Approved providers should ensure they have policies and procedures in place to assess police certificates that record convictions for offences not considered precluding under the Act. An approved provider's decision regarding the employment of a person with any recorded convictions must be rigorous, defensible and transparent.

## PROCESS FOR FILLING A VACANT POSITION

### 2.6 Review the position

Clarify the ongoing need for the position and develop or update the position description. Develop essential and desirable selection criteria. Determine how each of the selection criteria are assessed, e.g. written application or interview.

### 2.7 Advertise the position

Most vacant office-based positions are advertised internally. The position is also generally advertised externally which may include in newspapers, employment agencies, online job advertisers (e.g. seek.com, LinkedIn), CCT website, or any other public forum deemed suitable. Exceptions to this practice may occur when assessed as required by the CEO.

Advertisements include:

- Information on Community Care TASMANIA
- Primary function of the vacant position
- Point of contact for further information
- How to apply
- Closing date.

A copy of the position description is sent to all prospective applicants on request. In regard to the applications for Support Workers, HR currently request an online questionnaire be completed when submitting any application for employment.

### 2.8 In the case of a CEO position to be filled:

*The Board of Management to set up a selection panel from their members or co-opted person(s).*

The selection panel is responsible for shortlisting, interviewing and selecting the successful applicant.

For the employment of the CEO the selection panel of three (3) comprises of:

- The Chairperson, and
- Two other panel members as approved by the Board of Management and who have the appropriate expertise.

### 2.9 Shortlist applicants

The selection panel assesses all applications and shortlists applicants on their stated ability to meet the essential selection criteria. If necessary, further shortlisting is undertaken using desirable selection criteria.

Applicants who are shortlisted are offered the opportunity to attend an interview.

### 2.10 Interview applicants

Interview questions are prepared prior to the interviews. All applicants are asked the same questions. The questions explore the applicant's relevant skills and experience to perform the duties and are based on the selection criteria.

Immediately following each interview, a summary of the interview is recorded on the [Summary of Interview](#) form. The summary assists in the selection of the successful applicant and in providing feedback to unsuccessful applicants.

When all interviews have been completed, the selection panel makes a recommendation to the CEO. The final appointment is the responsibility of the CEO.

For the employment of the Care Coordinators/Case Managers the selection panel comprises of two (2) members:

- The CEO and
- Another person with appropriate interviewing skills as approved by the CEO.

For the employment of other staff, the selection panel comprises of between 1 and 2 personnel, depending on the position:

- The CEO, Senior Team Leader Case Management and Client Services, or HR Manager, and
- Another appropriate staff member if warranted.

### **2.11 Conduct pre-employment checks**

When a successful applicant has been identified an offer of employment is made conditional on the following pre-employment checks:

- Reference check
- Police Check
- Registration Check (as applicable to role)
- Workplace Health Assessment if applicable and warranted for the position.
- Working with Vulnerable People registration (also known currently as NDIS Worker Screening)

### **2.12 Offer of employment**

Advise the successful applicant by telephone and arrange a start date.

Immediately send the successful applicant a letter of Offer and an Agreement of Employment specifying the key terms and conditions of employment for signing prior to commencing employment.

### **2.13 Advise unsuccessful applicants**

All unsuccessful applicants are informed of the outcome of their application immediately following the appointment of the successful applicant.

Unsuccessful applicants are advised that they may request feedback. This is provided by the Chair of the interview panel.

### **2.14 Probation period policy & practice**

In conjunction with the Fair Work Act, Community Care TASMANIA has incorporated provisions for applying a six (6) month period of probation to all new employees, with the exemption of casual employees.

The purpose of a probationary policy is to monitor an employee's work performance and provide feedback as appropriate.

The CEO or their delegate will complete a first probationary review around midway through the defined probationary period. Following the conclusion of the first probationary review, the CEO will provide the probationary employee with feedback about their work performance. Where areas of unsatisfactory performance are identified, the probationary employee will be made aware of the standards of satisfactory performance required and the dates by which they are required to be achieved.

The CEO or their delegate shall complete a final probationary review by no later than two (2) weeks before the end of the probationary period specified in the contract of employment and immediately inform the employee of the outcome of this review under the following terms:

- Where the CEO or their delegate has determined that the employee has satisfactorily completed their probation that their employment will continue.
- Where the CEO or their delegate, as a consequence of the probationary reviews, has determined that the employee has not satisfactorily met the work performance requirements, the employee shall be informed of the outcome of the final review and shall be given two (2) weeks notice of termination of employment or payment in lieu thereof.
- Should the CEO or their delegate fail to complete the required final probationary review within the time specified, the employee will be deemed to have successfully completed the probationary employment period, unless the failure to review occurs due to circumstances beyond the CEO's or their delegate's control.
- The Staff Grievance Procedure (Section 7.13) shall apply to this provision.
- 
- The role of a Union or Advocate
- Where termination is being considered after a review, the employee is entitled to have a Union Representative / Advocate or Support Person present. The Representative has no formal role in the probationary process, however may be involved as a third party at the request of the employee.
- 
- A probation report is not a mechanism to alter the salary of an employee.

### 3. PROCEDURE FOR NEW STAFF

Items covered when a new office-based employee commences are described in detail in the <W:\Office Staff\Office Staff New Employees\New Office Staff Employee Pack\Office staff Induction checklist\Office Induction Checklist for new office staff.docx>

A senior staff member will complete the Induction Schedule and Checklist with a new staff member. The Senior Team Leader Case Management and Client Services will complete the Staff Orientation Checklist with Care Coordinators/Case Managers. The CEO or another staff member delegated by the CEO will complete the Staff Orientation Checklist for Administration and other office staff. HR staff will complete the Staff Orientation Checklist with other staff as appropriate.

- The 'Induction Schedule and Checklist – Office-based employees' can be completed over one or more sessions but is to be fully completed within 4 weeks of a person commencing employment. A follow up to the orientation is completed 6 to 9 months after the employee has commenced. This involves clarifying relevant items on the Checklist with other staff as appropriate.
- All employees will be expected to complete the NDIS Worker Orientation Module prior to commencing employment.

<https://www.ndiscommission.gov.au/workers/training-course>

All forms and documents signed by the employee, including a copy of the signed Induction Schedule and Checklist – Office-based employees, are filed in the employee's staff file with copies provided to the employee as appropriate.

Community Care TASMANIA's policies and procedures contain critical information that all staff need to know to complete their roles safely and effectively. New staff are provided with time to read the policies and procedures and will be reminded at staff meetings and through communication with other staff. An employee Handbook is provided as a guide only

#### 4. SUPERVISION OF NEW STAFF

New office staff are supervised and orientated to their position by a mentor or 'buddy' who is allocated by the CEO or their delegate. Staff in more senior positions are mentored by other senior staff, such as the Senior Team Leader for Case Management or Client Services, as well as providing a general orientation to CCT. The duration of support is dependent on the new staff person's skills and experience as assessed by the CEO or delegate.

#### 5. POSITION DESCRIPTIONS

All staff (paid and unpaid) have a position description which specifies their roles and responsibilities. Position descriptions are reviewed as appropriate.

Each staff person is provided with a copy of their position description prior to commencing employment and whenever their position description is changed.

#### 6. STAFF CODE OF BEHAVIOUR.

All Community Care TASMANIA staff are required to comply with the Code of Conduct (Policy 25) and Code of Behaviour for Staff and Volunteers which encapsulates the respectful, safe and professional delivery of support to our clients, representatives, contractors, the community and any other stakeholders.

Staff (including volunteers) are required to sign the Code of Behaviour form and acknowledge they have read and understood the Code of Conduct Staff and for Volunteers - memorandum of understanding form on commencement. Disciplinary action may be taken if staff do not abide by the Code of or Code of Conduct for Staff and Volunteers. Dismissal may occur if this is the appropriate action.

**Code of Behaviour** [W:\Office Staff\Office Staff New Employees\New Office Staff Employee Pack\04 code of behaviour policy revised Jan 2019 mh.pdf](#)

#### Staff/volunteers agree to:

- Abide by the philosophy of Community Care TASMANIA
- Observe all the rules and policies of Community Care TASMANIA including those specified in the constitution and any others determined by the Board
- Adhere to all the accounting procedures of Community Care TASMANIA
- Work in a safe and competent manner in accordance with the policies and procedures of Community Care TASMANIA
- Respect the dignity and culture, values and beliefs of all individuals; treat all clients with respect, kindness and empathy; and involve the client in their care development plan as an equal participant.
- Represent Community Care TASMANIA in a positive way
- Not discuss confidential issues of Community Care TASMANIA with people outside the organisation; meet the requirements under the Code of Conduct regarding social media. (Policy 23)
- Regard all information provided to them by a client as confidential
- Never disclose personal information to a client, including the sharing of personal issues



- Not have personal relationships with clients or take clients to their (staff) homes or engage in a relationship with clients outside that of a Community Care TASMANIA professional relationship
- Follow any grievance procedures set down by the Board to try to resolve any conflicts with other staff or members of Community Care TASMANIA
- Not harass in any form clients, other staff or members of Community Care TASMANIA
- Not abuse, physically, verbally or psychologically, or financially clients, other staff or members of Community Care TASMANIA
- Not give advice to clients
- Not attempt to diagnose the condition of a client's health (except health promotion advice provided by a Registered Nurse). If requested by the family of a client to share a staff-members opinion regarding the condition of the client, all staff will refer clients and their families to their GP or hospital
- Not participate in any behaviour that may alienate clients from all of their family or might be perceived to do so.
- Acceptance of gifts from clients and their carers is not encouraged. Community Care TASMANIA is aware that on occasions clients wish to give staff a small gift as a token of appreciation. As a guide, small gifts for special occasions e.g. birthdays, name days, Christmas, Easter should not be accepted if they obviously exceed \$25. Staff may accept small gifts of garden produce. Gifts of money, personal items, e.g. jewellery, clothes, household items are never to be accepted.
- Not seek advantage from a client in the form of gifts or a loan or money.
- Not visit, contact, work with, provide advice to any client while on leave, off duty or without informing Community Care TASMANIA.
- Treat clients with courtesy, respect and consideration, act on complaints and provide services to the best of their ability.
- Staff will not exploit or attempt to exploit, professional work relationships for personal gain or profit.
- Staff will not exploit relationships with clients/customers for personal advantage or solicit the clients of CCT for private practice. When involved in practicing their profession, at all times a clear distinction must be made as to whether staff are conducting their business as employees of CCT or as a private practitioner.
- Staff will not under any circumstances engage in sexual activities with clients/customers, supervisors or supervisees during their employment or. Advice of senior staff must be sought before beginning anything other than a professional relationship with a former or current client, supervisor or supervisee. If this does occur, CEO must be informed and a conflict of interest declaration completed.
- Staff will not practise, condone, facilitate, or collaborate with any form of discrimination on the basis of race, colour, sex, sexual orientation, age, religion, national origin, marital status, political persuasion, or other condition or status. Refer to Workplace Discrimination and Harassment Policy 47 for further details.
- Staff will treat colleagues with respect, courtesy, fairness and good faith. Disagreements will be dealt with by way of grievance procedures. Refer to Grievance Procedure for further details.
- Works for the good of the organisation at all times, does not work to undermine the people, management or the organisation itself by disrupting or negatively influencing the work place, covertly or otherwise.
- Acknowledges Community Care TASMANIA wishes to promote a smoking free culture; no smoking is allowed in the workplace which includes vehicles and within 5 meters of the

building. A designated smoking area at COMMUNITY CARE TASMANIA offices is located between the fence and the container.

- Not to use Community Care TASMANIA resources illegally, inappropriately or for any purpose other than for specific Community Care TASMANIA work functions.
- Speak to/notify team leader when requiring sick leave; rather than leave a message or text.
- Undertake to inform Community Care TASMANIA immediately if convicted of any disclosable offences following date of issue of their previous National Police Check
- Acknowledge all property used while in the employ of Community Care TASMANIA, which includes but is not limited to: vehicles equipment, supplies, data, all records of any type, work emails and other IT property- remains the property of Community Care TASMANIA; and must not be used for any purpose. This clause remains valid for 10 years after leaving the service of Community Care TASMANIA.

## 7. UNIFORM POLICY

The Uniform Policy is a set of rules outlining standards of acceptable clothing worn at work. It makes it clear to all people what is expected and reduces confusion and possible conflict . <P:\FORMS AND POLICIES FOR COMMON CARE STANDARDS\Community Care Policies and Procedures\Policies and Procedures\Current Policies Dec 2019\POLICIES FINAL PDF VERSION\Policy 33 WHS Policy Final Nov 19.pdf>

### 7.1 Support Workers

Support Workers should wear closed in shoes and suitable neat clothing that is not offensive or culturally inappropriate to clients and their carers.

- It is not acceptable to wear wrinkled, torn, dirty or frayed clothing.
- The wearing of a shirt with the corporate logo is encouraged.
- Inappropriate clothing includes clothing more appropriate for the beach, yard work, dance clubs, sporting contests. This also includes any revealing clothing including see through blouses and tops, low cut blouses or tops, singlet tops, short skirts or short shorts, skirts with high splits in back or sides or any other article of clothing that reveals the employee's undergarments.

It is important to remember that you may be required to take the client on an outing, to the doctors or other appointments, and that you are representing the organisation.

### 7.2 Office Staff

A business dress code is established to allow office employees to work comfortably in the workplace and at the same time create a professional image to our clients, employees and community visitors.

Office staffs are required to wear 'corporate' attire or the agreed uniform. Any uncertainty about appropriate or inappropriate corporate attire should be clarified with the CEO.

### 7.3 Failure to Comply with Standard

In the event that an employee fails to meet the Policy standards, as determined by Management, the employee will be requested to refrain from wearing that article of clothing again and in some instances may be sent home to change into something more appropriate.

If the Dress Code violation persists, disciplinary action will be taken.

## 8. STAFF AND VOLUNTEER INFORMATION

The policies and procedures contain key information that all staff need to know to complete their roles safely and effectively.

New staff are provided with time to read the policies and procedures and these are reiterated at staff meetings and through communication with staff and volunteers. Support workers are introduced to the organisation's policies and procedures and shown how to access this information and given time to familiarise themselves with the relevant policies. A copy of the policy & procedure manual is available for access by all staff.

## 9. STAFF FILES

A staff personnel file is maintained for each employee. It includes details of the employee's name, position, commencement date, hours of work, tax file number, superannuation and other contributions and salary. It also includes their Application for Employment, police check information professional registrations, signed Agreement of Employment, Position Description, a completed Employee Information Form, signed Staff Orientation Checklist, signed Code of Behaviour for Staff and Volunteers. Each staff member's file will also include leave records, supervision and performance reviews, records of any disciplinary action, disputes or investigations including Record of Staff Counselling Interview forms, training undertaken, and any other relevant paper-based information.

All office staff records are kept in a locked filing cabinet in the CEO's office.

All Support worker staff personnel records are kept in locked cabinet in administration area

When a staff member leaves the employment of Community Care TASMANIA the staff member's file hard copy is archived and kept for a minimum period of seven (7) years.

## 10. EMPLOYMENT CHECKS

A Staff Annual Checklist is maintained that includes information on police checks, driver's licence, vehicle insurance and professional registration checks. It is maintained by HR staff and updated as required.

In addition, details of employment check records, and documents for support workers, are entered into iCare database. iCare reports are run on a regularly basis to monitor currency.

### 10.1 Reference check

The chair of the interview panel for new staff contacts one or more of the referees of the preferred applicant. Referees are asked to comment on the person's ability to carry out the duties of the position applied for. Referees comments are noted.

Providing reference checks is only to be completed by authorised persons. No other employee is allowed to provide a reference for another past or present CCT employee. Authorised persons are: the Team leaders, the 2IC, the 3IC, the CEO and the HR Manager.

### 10.2 Police check

A National Police Certificate is required for all employees and should be arranged by the applicant at their own cost. The certificate can be obtained through the internet or applied for at a Service Tasmania outlet. 100 points of identification are required to apply and copies need to be provided to CCT.

Community Care TASMANIA follows the Commonwealth Department of Health Police Certificate Guidelines underpinned by the *Accountability Principles 1988* and *Aged Care Act 1997* for all workers. The following principles apply:

- Police certificates, not more than three years old, must be held by:

- all staff members who are reasonably likely to have access to clients, whether supervised or unsupervised and
- volunteers who have unsupervised access to clients.
- Staff (as per the Act) includes:
  - key personnel of Community Care TASMANIA including Board members
  - employees and contractors of Community Care TASMANIA who provide care to clients, this includes all staff employed, hired, retained or contracted to provide services under the control of Community Care TASMANIA whether in a community setting or in the client's own home
  - allied health professionals contracted by Community Care TASMANIA to provide care to clients
  - kitchen, cleaning, laundry, garden and office personnel employed by Community Care TASMANIA either directly or through a contract agency and
  - consultants, trainers and advisors for accreditation support or systems improvement who are under the control of Community Care TASMANIA.
- People who are not considered 'staff' include:
  - visiting medical practitioners, pharmacists and other allied health professionals who have been requested by, or on behalf of, a client but are not contracted by Community Care TASMANIA and
  - trades people who perform work otherwise than under the control of Community Care TASMANIA (that is, independent contractors). For example, plumbers, electricians or delivery people who are utilised on an 'ad hoc' basis.
- Contractors (including any services that are brokered by Community Care TASMANIA to other individuals or organisations) also require police checks and any contracts with these individuals or organisations include a requirement for them to provide Community Care TASMANIA with evidence of a police check register.
- New staff members are required to have a current (less than 3 years old) police check certificate but may commence work before receiving a police check certificate if:
  - the care or other service to be provided by the person is essential and
  - an application for a police certificate has been made before the date on which the person first becomes a staff member or volunteer and
  - until the police certificate is obtained, the person will be subject to appropriate supervision during periods when the person has access to clients
  - the person makes a Statutory Declaration stating that they have never been:
    - convicted of any serious crimes such as fraud, murder or sexual assault or any other form of assault; or convicted of, and sentenced to imprisonment for. HR staff member enters the relevant information i.e. date issued, reference number & date next due, into the Staff Annual Checklist.
- Puts a copy on file
- If the applicant has committed an offence the nature of the offence, the penalty and when it occurred are considered by the selection panel before proceeding with the Agreement of Employment. A previous conviction does not necessarily disqualify a person from

employment with Community Care TASMANIA unless it is a conviction for a serious crime such as fraud, murder, sexual assault or other assault.

Prior to the police check expiring, each staff member or volunteer is advised that a new police certificate is required. When staff provide the updated certificate the information in the Staff Annual Checklist is updated, and details are also entered into iCare.

If staff do not provide an updated police certificate before the expiration of the existing certificate, they will not be permitted to work and will be stood down without pay until a valid police certificate is obtained.

Staff and volunteers are required to advise HR if they are convicted of a precluding offence in the three year period between obtaining and renewing their police clearance. If Community Care TASMANIA is satisfied on reasonable grounds that a staff member or volunteer has been convicted of a precluding offence the person will not continue as a staff member or volunteer.

- **Volunteer police checks**

As Community Care TASMANIA has registered for reduced cost police checks through the Department of Communities the following process (taken from the National Police Checks for Volunteers Project web site) applies.

- Community Care TASMANIA prints a copy of the Application for a National Police Check Consent Form from the website at <http://www.police.tas.gov.au/services-online/police-history-record-checks/>
- Community Care TASMANIA asks the volunteer to complete Part A and B of the Application for Volunteer National Police Check form giving permission for the check.
- Community Care TASMANIA checks the volunteer's proof of identity as outlined on the form (see Proof of Identity Requirements below).
- Community Care TASMANIA completes Part C of form and forwards to the stated ad.
- The Police reply to Community Care TASMANIA by mail – providing a National Police Certificate that advises if there are any Serious or Minor criminal convictions or any Traffic convictions.

#### *Proof of identity requirements*

The authorised Coordinator is to confirm the identity of the volunteer and sign the checklist on the bottom of the form (Part C) regarding the Proof of Identity requirements. Proof of identity requirements are:

#### *Primary identification*

One or more of the following documents must be produced as proof of identity by the applicant:

- Previous or current Australian driver's licence with a photograph
- Australian Passport (not expired by more than two years)
- Current overseas passport
- Birth Certificate or Extract of Birth (support document must also be produced if birth name has changed by marriage or deed poll)
- Visa or Immigration document
- Australian Document of Identity
- Australian Citizenship Papers.

#### *Secondary identification*

Where only one type of Primary Identification is produced, a second form of identification must also be produced, which may include:

- ATM access card issued by a financial institution
- Credit card (i.e. Visa, American Express, Diners, Mastercard etc.)
- Pension card issued by Veteran Affairs or Centrelink.

### ***Assessing the police check report***

Management will decide if the report of the Police Check disqualifies a staff person from working in Community Care TASMANIA taking into consideration the nature of the offence, the penalty and when it occurred. A previous conviction does not necessarily disqualify a person from working with Community Care TASMANIA Information on what determines a person to be disqualified from working within the aged care industry can be found at:

<http://www.health.gov.au/internet/main/publishing.nsf/Content/ageing-quality-factsheet-policechecks-guidelines.htm>

### **10.3 Working with Vulnerable People ( Children) Registration**

Community Care TASMANIA requires all staff who may be attending clients of CCT to hold a current Tasmanian Working with Vulnerable People (Children) registration.

These are currently valid for 3 years and may include ongoing monitoring of the registration by the Tasmanian Department of Justice (DOJ). If Community Care TASMANIA has been registered as an employer and the registration is restricted or withdrawn, an email may be sent by the Department of Justice to Community Care TASMANIA, informing them of this.

(This is also currently known as the NDIS Worker Screening in Tasmania).

The cost of this registration is the responsibility of the employee, and commitment to maintain it.

Further information is available at [www.justice.tas.gov.au](http://www.justice.tas.gov.au)

### **10.4 Workplace health assessment**

All employees may be asked to attend a workplace health assessment either prior to commencing work or during their probationary period. An appointment may be made at a suitable time and the expenses will be covered by Community Care TASMANIA. All information gathered through this process will remain strictly confidential and accessible only by the CEO or her delegate. Information can be found at [www.whs.net.au](http://www.whs.net.au)

### **10.5 Registration check**

Registered Nurses are required to provide a copy of their current registration. Alternatively, a member of the selection panel can search for the registration details of the nurse on the Australian Health Practitioner Regulation Agency (AHPRA) of Australia to confirm the registration of the applicant.

The reference number of the registration certificate is entered in the Staff Annual Checklist. The staff person is to provide evidence of renewal of their current registration certificate each year.

Registered Nurses are bound to comply with the professional practice guidelines, code of professional conduct and code of ethics available on the Nursing and Midwifery Board of Australia website: <https://www.nursingmidwiferyboard.gov.au/Registration-Standards.aspx>

### **10.6 DRIVER'S LICENCE AND REGISTRATION CHECKS**

All staff who use their vehicle in their work are required to present their valid driver's licence, their valid car registration and insurance certificates on commencement with the organisation. Staff are required to advise Community Care TASMANIA if their licence or registration is revoked.

## 10.7 Contractors

The Contract Agreement signed between Community Care TASMANIA and contractors requires that they or their staff have a current police clearance check and WWCVP card, 100 points of identification, professional registrations & insurance as appropriate. This is monitored by the CEO. All contractors are to be registered & approved by Community Care TASMANIA and information is available upon request to. Contractors are not permitted to subcontract out their obligations or to solicit, canvass Community Care TASMANIA clients.

## 11. STAFF SUPERVISION TRAINING, MENTORING AND COACHING

Supervision and support are important for ensuring that staff are supported in their work and that their work is carried out effectively. Additionally, supervision sessions provide an opportunity to follow up on staff development issues noted in staff performance development reviews.

Support workers have the knowledge, support, skills and support to carry out their caring duties effectively; and are have access to regular information and training and support to ensure they are, as far as practically possible:

- Equipped
- Skilled
- Competent
- Capable
- Respectful
- Safe
- Kind, caring
- Qualified
- Trained, coached and supported

For all staff working in Community Care TASMANIA ongoing supervision and support is continuously provided informally. To ensure that office staff have an opportunity to address problems or issues the CEO also provides staff with an opportunity for a formal session through a performance review as appropriate.

Support workers and other staff are encouraged through a variety of means to have regular meetings/discussions with Coordinators/Case Managers and HR Manager to ensure that they are supported and are aware of changes to support for clients and have an opportunity to provide input and feedback regarding operations and in particular any changes to the health and wellbeing of their clients.

All support workers have access to support, information and advice via telephone to the Community Care TASMANIA office. HR Manager, Care Coordinators/Case Managers, and other office staff can provide support as necessary.

Support workers have a comprehensive induction and with complex clients may have a 'buddy' shift with a known worker of that client.

New support workers are supported by the HR team through;

- In office discussions
- Phone discussions
- Group meetings either electronically for in the office or at another location
- At CCT training days or formal training days
- Through CCT monthly support worker newsletter
- Through communications with case managers, rostering team and other CCT members
- Clients are regularly asked about their satisfaction levels with their support workers and any issues identified are taken up by the HR manager with that support worker.



### 11.1 Employee Assistance Services (EAP)

EAP is intended to provide assistance through three, free counselling services for employees where their personal issues may be affecting their work or vice versa.

The scheme works by the employee charging their consultation to the HACC Program C/- Community Care TASMANIA Reform, GPO Box 125 Hobart 7001. Community Care TASMANIA is **not** to be charged.

Although not compulsory, most employees access the service through Newport Wildman. Sessions undertaken with the provider/s of this service remains confidential as does the employee's initial request for details. The provider **does not** report back to the organisation.

Staff can request additional details from the CEO, Senior Team Leader Case Management and Client Services HR staff

## 12. PERFORMANCE REVIEWS

Community Care TASMANIA is committed to supporting staff to improve their efficiency and effectiveness. Staff are expected to perform their duties to the best of their ability and to show a high level of personal commitment to providing a quality, professional service at all times.

Formal Performance reviews are conducted regularly for office-based workers in consultation with the staff person and their CEO/supervisor using the Performance Development Review form.

Performance reviews are based on position descriptions and agreed work plans. The aims of the review are:

- To allow free and confidential discussions about work between the employee and supervisor
- To discuss the employee's job performance in the context of their position description
- To discuss any work problems and search for solutions
- To discuss means of improving work performance including identification of training and development needs or changes to work practices.

Particular performance issues of all employees are not left to the performance review but are dealt with as they occur. These issues may, however; be raised in the formal review as part of the overall assessment of the employee's performance.

On completion of the performance review both the employee and the supervisor sign the review form. The staff person and the CEO are responsible for implementing any agreed actions (respectively) and recording these on the form and in the Training Spreadsheet. The Performance Review cannot be closed out until all agreed actions have been implemented.

## 13. STAFF EDUCATION AND TRAINING

Community Care TASMANIA provides appropriate training and development opportunities for all employees and volunteers. This may include:

- Annual reviews of positions and position descriptions to ensure the skill levels required for each position reflect the responsibilities of the positions
- The identification of training needs through ongoing staff input, management input and performance development reviews
- The provision of training to meet identified needs
- Opportunities for all staff and volunteers to attend training



- Ongoing evaluation of training to ensure it meet staff and volunteer needs and improves the operations and services of Community Care TASMANIA

### 13.1 Staff Training

- Training for staff and volunteers working for Community Care TASMANIA may include the following training:
  - 
  - Orientation/induction at commencement
  - Manual handling annually for all staff directly involved with clients
  - First Aid (valid for three years)
    - Resuscitation annually
  - Work health and safety
  - Reporting
  - Community Care TASMANIA Policies
  - Infection control
  - Dealing with challenging behaviours
  - Elder Abuse
  - Client medications
  - Emergency situations
  - Complaints
  - Risk management
  - Fire drills
  - Delivering safe services including privacy and confidentiality, advocacy, promoting independence, client handbook and available services, other community services and resources feedback and complaints processes, maintaining a safe workplace (WHS issues), duty of care and legal responsibilities associated with work
  - Advocacy.
  - And others as deemed appropriate from time to time.

### **Medication Administration**

It is not the role of Community Care TASMANIA support workers to administer medication. This includes supplying Aspirin and Panadol and other over the counter medicines including herbal remedies. If medication is in a sealed Webster Pack a support worker may remind a client to take their medication. If the medication is in a sealed Webster Pack the support worker may burst the seal for the client, if they are unable to do so themselves.

Prompting and/or assistance with an entitled person's self-administration of medication may also be provided under the following criteria:

- the entitled person's medical condition/s are stable; and
  - there is an established medication regime;
- or
- is over-the-counter medication, or prescribed/non-prescribed cortisone cream; and
  - in the care worker/s assigned to a Veterans only client:
    - adheres to the VHC Service Provider's policy and procedure for client self-administration of medication.

Reporting of failure by the entitled person to self-administer their medication should follow the VHC Service Provider's policy and procedure for client self-administration of medication.

Services may also include demonstrating and encouraging the use of techniques to improve the entitled person's capacity for self-management and building confidence in the use of equipment and aids, such as a bath seat or handheld shower hose.

### **Administration of Eye Drops**

Eye drops are also a medication and, like all other medication, should **not** be administered by support workers.

### **Staff development opportunities**

The training needs of staff are discussed with each staff person on recruitment, at the annual staff performance review (if appropriate) and at supervision sessions.

Community Care TASMANIA supports its staff in staff development, education and training activities which are relevant to, and benefit the organisation. Support may include:

- Staff attendance for up to three (3) days per year for workshops, seminars and conferences
- Flexibility of working hours to participate in an accredited course of study at a recognised educational institution
- Purchasing resources such as DVDs and research literature.
- Training on line
- Support to access education
- Support regarding assistance with paying for educational courses over time from wages
- Training at CCT facilities or at other locations
- Opportunities to be part of the WH&S committee

Staff provide feedback to their supervisor on any training activities that they have attended and the value of the activity to their work and to any issues identified in the Performance Review. Information relevant to the functions of the Board is presented at Board meetings.

Any staff wishing to participate in staff development opportunities can discuss this with the Senior Team Leader Case Management & Client Services HR staff or CEO. An application to attend should be made to the CEO at least 14 days prior to the activity.

Approved training for office staff (relevant to the position) and undertaken through accredited providers may be completed in work time.

### **First Aid**

Support workers are encouraged to have a Workplace Level Two First Aid Certificate. The cost of First Aid certificates undertaken whilst employed by Community Care TASMANIA will be undertaken in the employees own time at their own expense. However the cost is a tax deductible expense for them.

### **Working with Vulnerable People Check**

All staff are required to have this and provide an up to date copy of their WWCVP card to CCT before commencement and prior to the card expiring.

## **14. STAFF TRAINING RECORDS**

HR staff record the following information in the Staff Training Spreadsheet:

- Performance development reviews register including the date the review was completed, the outcome of the review and the date of the next review
- Training calendar
- Training provided
- Staff training attendances for mandatory and other training

## 15. STAFF PERFORMANCE & DISPUTE PROCEDURE

The following is the procedure for supervisors to deal with a staff performance dispute not involving misconduct. The organisation will rely on its policies.

In this procedure the term employee refers to both staff and volunteers. Supervisor refers to the CEO, Senior Case manager Case Management and Client Services or if escalated to the Board - Board representative as appropriate.

Investigations may include:

- Discussions with supervisor
- Reviews
- CEO intervention
- Mediation
- Further in-depth investigations (may include external parties)

This is to ensure the process conforms to best practice guidelines (see [www.fairwork.gov.au](http://www.fairwork.gov.au))

Staff may consider seeking advice from their union or another independent body; and can have a third party present when formally questioned regarding a possible policy breach.

### ***For Office Employees:***

#### **Step 1: Seek Advice**

Supervisors should seek advice from a senior staff person if unsure whether the issue with the staff person is a performance issue or are unsure of how to deal with it. If necessary, obtain advice from the Tasmanian Chamber of Commerce and Industry, or other relevant body such as Jobs Australia or a legal professional.

Unless advised to the contrary the following steps apply.

#### **Step 2: Verbal Warning**

The employee is told as soon as possible of any complaint concerning the performance of their work and is provided with an opportunity to discuss the complaint.

The supervisor, in consultation with the employee, outlines how the employee must improve their performance. Any assistance needed by the employee to improve their performance is identified and provided where possible.

A date to review the employee's performance is set giving consideration to providing adequate time for the person to resolve the issue and to the risk to the organisation of the issue.

Detailed notes of the performance dispute and outcomes as a result of the verbal warning are recorded on a Record of Staff Counselling Interview form, signed by the staff member and the Supervisor and placed on the staff member's file. A process for improvement will be developed and a Performance Management plan instigated.

#### **Step 3: First Written Warning**

If the employee's performance is still unsatisfactory at the time of the review there is further discussion with the employee. This will include the employee, a representative of their choice (optional) and the supervisor.

The complaint against the employee and plans for improvement are put in writing and a copy given to the employee clearly stating that a lack of improvement by a given date will result in a final written warning.

Detailed notes of the performance dispute and outcomes as a result of the written warning are recorded on a Record of Staff Counselling Interview form signed by the staff member and the Supervisor and placed on the staff member's file.

If requested by the staff member, a copy of the warning is to be sent promptly to the Union office.

#### **Step 4: Final Written Warning**

If at the date set in Step 3, the employee's performance has not improved, there is further discussion with the employee. This includes the employee, a representative of their choice and the supervisor.

The complaint against the employee and plans for improvement are recorded in writing and a copy given to the employee clearly stating that a lack of improvement by a given date will result in termination.

Detailed notes of the performance dispute and outcomes as a result of the written warning are recorded on a Record of Staff Counselling Interview form, signed by the staff member and the Supervisor and placed on the staff member's file.

If requested by the staff member, a copy of the warning is to be sent promptly to the Union office.

#### **Step 5: Termination of Employment**

- If the problem still persists after the date set in the final written warning, the employee's employment may be terminated. The employee shall be informed of the outcome of termination in writing and shall be given two (2) weeks notice of termination of employment or payment in lieu thereof.
- The termination must be approved by the CEO. If the termination is not approved an alternative process for managing the performance issue is developed.

Detailed notes of performance dispute management are recorded on a Record of Staff Counselling Interview form.

Subsequent to the employee having been advised of the termination the Employee Exit Procedure (Section 7.22) is to be followed.

#### ***For the Casual workforce***

For unsatisfactory performance the organisation will have informal performance management discussions where practicable, or may choose not to roster shifts to that casual employee.

## **16. STAFF GRIEVANCE PROCEDURE**

If an employee or volunteer has a grievance related to their employment or concerning another staff person the following process applies:

In this procedure the term employee refers to both staff and volunteers. Supervisor refers to the Senior Case Manager Client Management and Client Services, CEO or Board representative as appropriate.

#### **Step 1: Seek Advice**

Supervisors should seek advice from a senior staff person if unsure about how to deal with a staff grievance.

Staff should consider seeking advice from their union or another independent body.

Unless advised to the contrary the following steps apply.

### **Step 2: Discussion**

The employee may approach the supervisor for discussion and advice on the issue. The discussion is confidential.

### **Step 3: Management**

If the employee considers that the discussion has not addressed their concerns adequately, they may put the issue in writing to the supervisor and request that the issue be raised with senior management, or write the formal complaint directly to the CEO.

Senior management will make a decision on the issue and advise the employee within 7 days.

The person making the complaint is protected, (whistle blower protection).

The person(s) referred to in the complaint are not able to discuss in any manner the complaint or anything related to the complaint with the complainant. Any breach of this will be dealt with as a serious breach, and may result in instant dismissal and/or the person(s) named in the complaint may be suspended from duties while the matter is investigated, depending on the severity of the complaint, and at the discretion of the CEO.

### **Step 4: Board of Management**

If the employee considers the problem is not resolved in Step 3 they may request consideration with the CEO's approval of the issue by the Board. The Board will consult with the CEO and make a recommendation to the CEO.

## **17. MISCONDUCT**

Misconduct includes very serious breaches of Community Care TASMANIA policies and procedures or unacceptable behaviour that warrants the dismissal of an employee.

If the matter requires investigation before a determination is made, then the CEO may stand the employee down, and confiscate equipment to be reviewed as part of that investigation.

Examples of misconduct include the following and may warrant an immediate termination:

- Placing any client at risk due to actions, or lack thereof, by a staff member including disclosure of confidential information regarding clients;
- Theft of property or funds from Community Care TASMANIA;
- Willful damage of Community Care TASMANIA property;
- Improper use of the organisational resources;
- Gaining an improper advantage from knowledge or resources of the organization;
- Intoxication through alcohol or other substances when working;
- Verbal or physical harassment or discrimination of any other employee, client or their carer, due to ethnicity, gender, age, marital status or sexual preferences;
- The disclosure of confidential information regarding the organisation and/or its auspice programs to any other party without prior permission;

- Carrying out a private business from Community Care TASMANIA premises or using the service's resources for private business without the permission of the CEO;
- Falsification of any Community Care TASMANIA records;
- Failure to comply with the Code of Behaviour for Staff and Volunteers;
- Improper use of resources not limited to vehicles, computers, media (including Facebook or similar social media platforms) or putting the organisational name or other employees into disrepute;
- Refusing to obey a direct order of the CEO; and or
- A staff member named in a complaint discussing or attempting to discuss the complaint with the complainant.

The CEO deals with all issues relating to misconduct and ensures that there is one other representative from Community Care TASMANIA present at the meeting to discuss the misconduct.

The staff person involved is encouraged to bring another person with them for the interview.

A record of staff counselling interview is completed. A copy is made available to the employee upon request.

The CEO will determine the seriousness of the breach and what action will be taken as a consequence. If the breach is determined to be of an extremely serious nature, the CEO may stand down or terminate employment immediately and inform the chair of the Board.

If the breach may be considered to be a criminal matter, relevant information will be passed to Tasmania Police or relevant authorities. This may include the funding body or government appointed authority.

The CEO will advise the Board of any staff terminated due to misconduct at the next Board meeting.

## **18. ALCOHOL & DRUG POLICY**

Any employee who is found to be under the influence of alcohol or non-prescriptive drugs that impairs their ability to carry out their normal duties safely without risk to themselves or others will be suspended until a time is agreed that they may return to their normal duties.

Any employee who is found to be incapable of performing duties due to the influence of alcohol or non-prescriptive drugs may be instantly dismissed or suspended from duties. This may also involve Police action being taken that could result in severe penalties to the offending employee.

Should there be a need for medication or prescribed drugs that may affect the employee's ability to work in a safe and healthy manner, then the employee must, before the commencement of work, inform the CEO or a Care Coordinator/ Case Manager

Community Care TASMANIA may ask an employee to undertake a drug test.

## **19. WORKPLACE HARASSMENT**

Community Care TASMANIA is committed to ensuring that the working environment is free from harassment and where all workers are treated with dignity, courtesy and respect, by other workers, management, clients and consumers. Harass, according to the Oxford Dictionary, means to 'worry, trouble, attack repeatedly' and is a form of discrimination. It represents behaviour that must not be tolerated because of its damaging effects on both the individual concerned and the organisation by which they are employed.

### **Comments or jokes**

Comments or jokes considered funny by some people may be hurtful to others. When comments or jokes become a pattern of the working environment, their impact can become significant. It is essential in creating a supportive and productive work environment that all staff and clients are sensitive to the impact of harassment.

Workers should not be subjected to:

- Insidious comments as harassers often do not recognise the impact of what they see as a harmless joke
- The creation of an intimidating environment that is often a deliberate ploy by persons who practice harassment
- Harassment by clients/carers who often do not recognise their behaviour as harassment.

Workers encountering this type of behaviour should contact the CEO immediately.

### **Sexual Harassment**

Under the Tasmanian *Anti-Discrimination Act* 1998 sexual harassment is unlawful and as such legal action could be taken against you for sexual harassment. It is important for employees to be aware that this policy extends to situations outside working hours or the workplace itself, including but not limited to work functions, forums, meetings and interactions with clients and their carers.

Sexual harassment is any unwanted, unwelcome or uninvited behaviour of a sexual nature which makes a person feel humiliated, intimidated or offended. Behaviours which may be appropriate or welcome in other contexts, e.g. between friends in a social context, can be inappropriate at work.

Sexual harassment can include:

- Personally offensive jokes
- Offensive personal comments
- Sexual or smutty jokes
- Repeated comments or teasing about a person's alleged sexual activities or private life
- Persistent unwelcome social invitations
- Persistent unwelcome telephone calls from work mates at home or work
- Being followed home from work
- Unsolicited letters
- Obscene phone calls
- Stares or leers
- Offensive hand or body gestures
- Physical acts such as patting, touching, or putting an arm around another person's body
- Unwanted text messages
- Unwanted comments or invitations on social media
- Provocative posters with a sexual connotation including some works of art which may be inappropriate in some contexts.

Sexual harassment is not behaviour which is based on mutual attraction, friendship and respect. If the interaction is consensual, welcome and reciprocated it is not sexual harassment.

### **Harassment on the Basis of Disability**

The *Disability Discrimination Act 1992* (DDA) makes it unlawful for harassment in relation to disability, or based upon a relative, or associate having a disability. Disability based harassment is derogatory, verbal or physical conduct directed at a person with a disability, which is unwelcome, uninvited and usually repeated.

- Harassment, on the basis of disability, can take place whether the victim has a real or presumed disability. Some forms include:
- Humiliation of a person with a disability
- Assuming because someone is physically impaired, they must also be intellectually impaired
- Tasmanian *Anti-Discrimination Act 1998* ("the Act") staring or other physical gestures which can cause discomfort to a person with a disability
- Designing a workplace in such a way as to effectively deny access to particular categories of disabled people.

#### **Resources for those seeking assistance with complaints on harassment of a person with a disability**

- **SPEAKOUT**
- **ADVOCACY TAS 1800 005 131**[advocacytasmania.org.au/](http://advocacytasmania.org.au/)

#### **Racial Harassment**

Under the federal anti-discrimination law, the *Racial Discrimination Act 1978* (Cth) it is unlawful to discriminate or harass any person on the grounds of race, colour, descent, national or ethnic origin and immigration status.

Racial harassment is any verbal or physical conduct of a racial nature which can include uninvited, unwelcome and usually repeated actions or comments.

There are various forms of racial harassment in the workforce, and can include:

- Racially oriented 'kidding'/verbal abuse, derogatory comments or jokes of a racial nature
- Derogatory comments about a person's accent or speech
- Victimisation in the form of threats or assault
- Isolation or segregation of those from a minority racial or ethnic background
- Persistent denigration of the race to which a person belongs.

#### **What people can do if they feel they are being harassed**

- Make an appointment to see their supervisor or the CEO
- Seek support from fellow workers
- Change jobs/or areas of work
- Lodge an official complaint

#### **Australian Human Rights Commission's National Information Service**

Website:[www.humanrights.gov.au](http://www.humanrights.gov.au)

Make a complaint: [www.humanrights.gov.au/complaints/lodging-your-complaint](http://www.humanrights.gov.au/complaints/lodging-your-complaint)

#### **Equal Opportunity Tasmania (The office of the Anti-Discrimination Commissioner)**

Level 1 54 Victoria Street

HOBART TAS 7000

Statewide local call: 1300 305 062

Email: [office@equalopportunity.tas.gov.au](mailto:office@equalopportunity.tas.gov.au)



## 20. STAFF ACCOUNTABILITY

It is important for the smooth running of Community Care TASMANIA that all staff members (paid and unpaid) are clear about who they have responsibility to, and that there is a set procedure for reporting.

The CEO is responsible for managing the day-to-day operations of the organisation, in accordance with the written procedures, and is responsible to the Board of Management.

All other paid staff and volunteers are responsible to the CEO.

## 21. HIGHER DUTIES ALLOWANCE

An employee who is directed to perform temporarily the duties of an employee of a higher classification to cover annual leave, long service leave or extended periods of sick leave shall be paid at the higher classification rate for each day so worked. A minimum of five (5) days of coverage at the higher level must be worked to be eligible to be paid at this level. In the event of the coverage for the CEO the award rate applicable is the next level above the current rate for that employee.

## 22. LEAVE

This policy is to be read in conjunction with the Social, Community, Home Care and Disability Services Industry (SCHCADS) Award.

While an employee is on leave they will have no contact with clients of Community Care TASMANIA. If clients make contact with an employee while the employee is on leave, the employee is to refer them to Community Care TASMANIA office for assistance.

### 22.1 Application for leave

Any employee taking leave must complete an Application for Leave form for consideration where possible, at least fourteen (14) days prior to the requested dates. The application must be completed and approved before annual leave, long service leave, or unpaid leave is taken.

All leave must be approved by the CEO and is done so in consideration with required staffing levels. If the application form is not completed, payment will not be made for leave taken.

Office staff are required to undertake a handover prior to their leave, with Care Coordinators/ Case Managers to ensure that their clients are allocated to alternative staff in their absence. A list of client allocations must be provided to all office staff.

IT staff will assist staff to setup an email auto-response is set up for office staff whilst they are on leave.

### 22.2 Annual leave

Annual leave should be taken within twelve (12) months of falling due. It is not the practice of Community Care TASMANIA to pay leave entitlements in lieu of annual leave unless employment is terminated.

An Application for Leave must be completed as per the Application for Leave Policy. The application will be considered by the relevant team leader and Management.

### 22.3 Personal leave (carers/sick and compassionate leave)

Personal leave of up to ten (10) days is available due to illness or injury of the employee or for the purposes of caring for an immediate family or household member who is sick and requires the

employee's care and support or who requires care due to an unexpected emergency. Whilst accumulative, personal leave is not payable upon termination.

A doctor's certificate is required for sick leave of two or more consecutive days regardless of whether this leave is paid or unpaid.

When sick leave is required this should be communicated to the relevant Team Leader, as soon as possible and at a minimum by the usual start time of the employee.

An application for Leave must be completed immediately after an employee returns to work after any personal leave.

Compassionate & Bereavement Leave. All paid employees are entitled to 2 days compassionate leave each time an immediate family or household member dies or suffers a life-threatening illness or injury. Access to full details and conditions may be located <https://www.fairwork.gov.au/employee-entitlements/national-employment-standards> for full details. Paid compassionate leave is not available to casual employees or those employees who receive the loading in lieu of paid entitlements.

## 22.4 Long Service Leave

Long Service Leave entitlements shall be in accordance with the Long Service Leave Act 1976 as amended, entitling employees to access accrued leave after 10 years of continuous service.

This shall mean that an employee will be entitled to access 8.666 weeks leave after ten (10) years continuous service and an additional 4.333 weeks every subsequent 5 years.

Long Service Leave will be paid at the employee's current rate when leave is taken.

## 22.5 Pro-rata Long Service Leave

Pro-rata Long Service Leave for eligible part time employees will be calculated on the hours worked during the immediate 12 month period preceding the leave being taken.

For an employee covered by the *Long Service Leave Act 1976* to be entitled to a pro-rata payment on leaving their employment, they would need to have either:

- 10 years continuous service or more with their employer, or
- 7 years service but less than 10 years and be leaving due to illness, incapacity, domestic or other pressing necessity of such a nature to justify termination, or attained the age of retirement.
- Workers can apply for a minimum of two weeks LSL on each application.
- Be an employee whose employment is terminated by his employer for any reason other than the serious and wilful misconduct of the employee.

## 22.6 Recording leave

All leave taken and owing to staff is tracked on QuickBooks Payroll.

## 22.7 Jury service leave

If an employee is required for Jury Duty, Community Care TASMANIA will endeavour to release that employee. The employee is expected to claim their loss of wages from the Court. Monies received will be credited against the employee wages.

If an employee is subpoenaed by the Court to act as a witness, Community Care TASMANIA will approve such an absence with pay, provided the employee claims witness expenses from the Court, and the monies paid to Community Care TASMANIA

## 22.8 Parental leave

As part of the National Employment Standards (NES) all Community Care TASMANIA employees who have or will have responsibility for the care of a child are eligible to unpaid parental leave of up to a maximum of 24 months if they have completed at least twelve (12) months of continuous service. Employees will be provided with a Parental Leave – Employee Checklist and any relevant forms.

Employees wishing to take parental leave must discuss with the Human Resources Officer or CEO of their intent to take parental leave at least ten (10) weeks prior to starting leave.

An Application for Leave form must also be completed and submitted at least six (6) weeks prior to the intended start date of leave.

An employee taking twelve (12) months parental leave may request an extension of a further twelve (12) months leave (up to 24 months in total) but must do so in writing by completing the Parental Leave – Application for Extension form and submitting to the CEO at least four (4) weeks before the end of the employee's initial period of parental leave. The CEO will respond within twenty-one (21) days, stating whether they grant or refuse the request.

An employee taking twelve (12) months parental leave may request a variation within the initial twelve (12) months from the time leave began but must do so in writing by completing the Parental Leave – Application for Variation form and submitting to the CEO. The CEO will respond within twenty-one (21) days, stating whether they grant or refuse the request.

If working within six (6) weeks of the expected date of birth of the child you will be asked to provide a medical certificate confirming you are fit for work. If you are certified as fit for work, ensure that your medical certificate establishes whether it is advisable for you to continue in your current position because of illness or risks related to your pregnancy or hazards connected with your usual job role.

If you do not provide a medical certificate within seven (7) days after the Human Resources Officer or CEO request one you may be directed to take unpaid leave as soon as possible.

Parental leave provisions include birth-related leave and adoption-related leave, and also recognise same sex and de facto relationships.

Parental leave must be taken in a single continuous period and can be taken up to six weeks before the expected date of birth. It can also be taken in conjunction with annual leave.

The Paid Parental Leave scheme is a new entitlement for working parents or children born or adopted from 1 January 2011. Eligible working parents can get up to 18 weeks of Parental Leave Pay at the rate of the National Minimum Wage. This pay is taxable and is funded by the Australian Government.

Dad & Partner Pay is also available to eligible working dads or partners (including adopting parents & same-sex couples) who care for a child born or adopted from 1 January 2013. It provides up to two weeks only of government-funded pay at the National Minimum Wage and under the Paid Parental Leave scheme is taxable.

Employees wishing to take parental leave through Dad & Partner Pay must discuss with the Human Resources Officer or CEO of their intent to take parental leave at least ten (10) weeks prior to starting leave. An Application for Leave form must also be completed and submitted at least six (6) weeks prior to the intended start date of leave.

The Family Assistance Office will assess whether you are eligible for Parental Leave Pay or Dad & Partner Pay and it is the employee's responsibility to lodge their claim and be assessed as eligible. Full-time, part-time, casual, seasonal, contract and self-employed workers may be eligible.

## 22.9 Leave without pay

Community Care TASMANIA acknowledges that there are occasions when employees require a period of time away from their employment. If the employee does not have any accrued leave, a request, in writing, should be presented to the CEO. In the case of the CEO, application will be to the Board. Each application is assessed individually, and the CEO's decision is final.

## 22.10 Entitlements

Support working staff who choose and nominate to the CEO to forgo paid annual and personal leave entitlements shall be paid a 25% loading in lieu of these entitlements.

Casual employees who are receiving a loading in lieu of entitlements to paid leave are entitled to be not available to attend work for up to 48 hours (i.e. two days) per occasion unless the CEO and the employee agree on a longer period of absence. The employee must give notice as soon as is practicable to the CEO and must provide documentation or a statutory declaration if caring for a family member.

Permanent office employees shall be paid leave loading of 17.5% on the payment made for annual leave.

A total of four (4) weeks annual leave is available to all employees including those employees who receive 25% loading in lieu of entitlements and those employees who have paid entitlements.

All leave must be approved by a team leader or the CEO. Employees are to complete a leave form and forward to the team leader or the CEO for approval prior to any leave being taken.

Annual leave can be taken as accrued, following the successful completion of the probationary period and in accordance with the Application for Leave.

Annual leave may be taken in separate periods provided that at least three (3) of the four (4) weeks are taken in period of not less than one week.

Any staff member who becomes ill during the annual leave period, shall be entitled to personal leave instead of annual leave provided that they supply the CEO with a medical certificate stating the period of illness and provided that they have sufficient accumulated personal leave hours.

## 22.11 Proportionate leave on termination of service

If after one month's continuous service an employee leaves or employment is terminated, the permanent or part time employee shall be paid annual leave entitlement on a pro rata basis.

## 22.12 Salary sacrificing and salary packaging

Salary Sacrificing and Salary Packaging is available upon request to all employees the process is managed by the Bendigo Bank.

Salary Packaging (FBT) has been set at a maximum of 25% of the employee's wage to a total not exceeding \$30,000 grossed up per year.

Salary Sacrificing is available up to an amount of \$16500.00 per annum and includes the total of superannuation paid by Community Care TASMANIA which is currently 9.5%. (this will be revised in line with government regulations).

It is the responsibility of individual staff members taking advantage of these entitlements to monitor the balances to ensure they stay within the stipulated guidelines. Community Care TASMANIA will not be held responsible for any infringements applied to employees as a result of inattention to monitoring.

### 23. LEAVE REQUESTS THAT DO NOT MEET THE STANDARDS ABOVE

For all leave requests that do not meet the minimum standards above, e.g. for emergency leave, full details of the leave is requested so that the Management team can assess the request. In such instances the leave may or may not be approved depending on a number of factors that CEO may need to consider. The CEO will endeavour to meet reasonable requests for emergency leave. Emergency leave definitions are those based on the individual circumstances as established by the worker in conjunction with Management team.

### 24. ROSTERED DAYS OFF

As per the SCHCADS Award, Community Care TASMANIA has agreed to establish a system of Rostered Days Off (RDO's) provided that:

- The employee is full time
- The employee works a 40 hour week to accumulate a monthly RDO over and above 38.
- This is in accordance with National Employment Standards which may change from time to time)
- An employee may elect, with the consent of the CEO, to take an RDO at any time, and that RDO does or will not affect the organisation in an adverse manner.
- An employee may elect, with the consent of the CEO, to take RDO's off in half day amounts
- An employee may elect, with the consent of the CEO, to accrue some or all RDO's within a year for the purpose of creating a bank to be drawn upon by the employee at times mutually agreed by the CEO, or subject to the reasonable notice by the employee or CEO
- All RDO's may be accumulated for one (1) year, with records kept by the CEO RDO's may be used in conjunction with annual leave
- On termination of employment, outstanding RDO's will be paid at the employee's current hourly rate.
- RDO's will accrue at a rate of one (1) RDO for every four (4) weeks worked therefore providing employees with up to twelve (12) RDO's annually.

### 25. TIME IN LIEU

Time in lieu is offered to full time employees only. Community Care TASMANIA understands that there are occasions where additional hours may need to be worked due to unexpected crisis, work functions, and required attendance at meetings. All out of normal working hours and overtime must be **approved** by the CEO or their delegate **prior** to the time being worked.

If approved:

- Time in lieu can be accumulated to a maximum of eight (8) hours
- Time in lieu must cleared each three (3) month quarterly period
- Time in lieu will be paid as per the Award rates if not taken within the 3 month period.

All time in lieu must be clearly denoted on the employee's time sheet with an accurate record kept by the employee of time accrued. An employee may choose to have the TIL time owed paid to them rather than take time off. In that event the employee is to put that request in writing for the time to be paid to them at ordinary time.

Some employee contracts may include TIL provisions and in those cases this clause will not apply.

## 26.EMPLOYEE EXIT PROCEDURE

When an employee leaves Community Care TASMANIA, the following procedure may apply:

- Arrange an exit interview if applicable.

The exit interview is conducted by the Team Leader or HR Manager or may be given for completion at home. It provides useful feedback about Community Care TASMANIA for use in planning and evaluation. The Exit Interview Record guides the interview and is used to record responses.

Completed Exit Interview Records are forwarded to the CEO for review and consideration of improvements.

- Prepare the employee's termination payment:
  - Calculate ordinary wages due or wages in lieu of notice
  - Calculate annual leave due to the date of termination. This is paid at the employee's current rate of pay
  - Check if the employee is entitled to pro-rata long service leave
  - Check if any allowances are owing (e.g. travel, meals).
  - Check if the employee owes Community Care TASMANIA any monies and deduct these from the final payment
  - Prepare a written statement showing the detailed calculation of all monies to be paid to the employee.
  - Make sure there is a letter of resignation from the employee if they resigned, or a letter of termination from the CEO or the Board if they were dismissed. (Copies of these letters are kept in staff files).
  - Prepare a Certificate of Service letter detailing the period of employment and type of work performed. The CEO or Coordinators/Case Managers and authorised HR staff may provide a verbal reference to a prospective employer if requested.
  - Complete a Centrelink Employment Separation Certificate if requested and provide it to the employee.
  - Ensure all equipment such as keys, identification badge and equipment belonging to Community Care TASMANIA is returned prior to final payment being processed.

## 27.VOLUNTEERS

### 27.1 Volunteer Policy

Community Care TASMANIA recognises the valuable contribution made by volunteers and actively encourages their participation.

- Volunteers are not used to replace paid workers in the service and currently are employed through the Community Visitors Scheme which is auspiced by Community Care TASMANIA
- All volunteers are recruited according to Community Care TASMANIA Equal Employment Opportunity Policy (see Equal Employment Opportunity).

The Coordinator of the Community Visitors Scheme is responsible for the recruitment of volunteers.

### 27.2 Volunteer Management

The same procedures relating to staff recruitment, supervision and support, training, performance disputes, grievances, misconduct and staff files apply to volunteers with appropriate variations. Each volunteer completes a Volunteer Agreement on commencement.

### 27.3 Reimbursement of Costs

Volunteers are reimbursed for the cost of mileage if they use their own vehicle, on a monthly basis. Volunteers are responsible for recording their mileage, submitting their mileage claim forms and ensuring that their vehicles are insured appropriately.

## 28. MONITORING HUMAN RESOURCE MANAGEMENT PROCESSES AND SYSTEMS

Human resource management processes and systems are regularly audited as part of the Community Care TASMANIA services audit program and staff, clients and other stakeholders are encouraged to provide ongoing feedback on issues and areas where improvements can be made.

### REFERENCES:

- NDIS Practice Standards and Quality Indicators 2018
- National Disability Insurance Scheme (Practice Standards-Worker Screening) Rules 2018
- NDIS (Code of Conduct) Rules 2018
- Work Health and Safety Act 2011
- Workers Compensation Regulation
- Fair Work Act 2009([www.fairwork.gov.au](http://www.fairwork.gov.au))
- Anti-Discrimination Act 1977
- Privacy Act 1988
- Workplace Gender Equality Act 2012

Author	Revision	Board subcommittee review	Board Approved
CCT CEO or delegate	CEO or delegate February 2016		4/16
	CEO or delegate October - February 2019	February 2019	11/4/19
	BOM SR and CCT MH	November 2019	