



NACCHO

National Aboriginal Community Controlled Health Organisation

Template De-Identified
Human Resources Policy & Procedures
Manual

for an

Aboriginal Community Controlled Health
Organisation (ACCHO)

December 2015

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CONTEXT

This is one example of a de-identified, template Human Resources Policy & Procedures Manual. It attempts to consolidate comprehensive and current best practice.

NACCHO has made this example template available to Member ACCHOs as a resource which each ACCHO can consider and adapt to their individual operational and legal environments; or at least reduce the costs of hiring consultants.

Any queries should be directed to the Chief Operations Officer of NACCHO. NACCHO also welcomes feedback in the spirit of continuous quality improvement.

DISCLAIMER

Not all the sections may apply to your ACCHO.

ACCHO's in reviewing or adopting any components or parts of the provided policies will need to contextualise the relevant sections to:

- suit their own organisational structures/scale
- suit their organisational industrial environment eg relevant Awards,
- ensure compliance with their own state/territory legislation.

Considered by the CEO:	Date
Considered by the Board	Date
Review Date:	Date

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HUMAN RESOURCE POLICY & PROCEDURES

1. HR POLICY & PROCEDURES FRAMEWORK

National Employment Standards, Modern Industrial Awards & ACCHO Policy & Procedures

All employees have the minimum entitlements set out in the National Employment Standards (“NES”). Apart from these minimum statutory entitlements, employees may be subject to the terms of a modern industrial award or enterprise agreement as well as their common law contract of employment.

The National Employment Standards apply to all employees covered by the national workplace relations system, however only certain entitlements apply to casual employees.

The Modern Awards applicable to an ACCHO include:

- Aboriginal Community Controlled Health Services Award 2010 (MA000115) and potentially, depending on organisation functions and job roles: -
- Social, Community, Home Care and Disability Services Award 2010 (MA000100)
- Health Professionals and Support Services Award 2010 (Award code MA000027)
- Nurses Award 2010, (Award code MA000034).
- Medical Practitioners Award 2010 (Award code MA000031).
- [Royal Australian College of General Practitioners & General Practice Training Employees Award 2003 \(transitional\) Award \(MAA000027\)](#)
- [Aged Care Award](#)

The objectives of an ACCHO’s HR Policies and Procedures are:

- to ensure all NES and Modern Award entitlements and conditions are met
- to ensure compliance with other relevant legislation
- to take all practicable steps to provide and maintain a workplace that is safe and healthy and free from discrimination and harassment
- to articulate the ACCHO specific procedures and conditions

It is common for an ACCHO’s HR policies actually exceed the statutory requirements in a number of areas and are constructed to reflect the industry, sector and organisational specific needs.

Employees are required to comply with the ACCHO’s policies and procedures.

2. EMPLOYEE CODE OF CONDUCT

2.1 Purpose - The Code of Conduct outlines the responsibilities, general standards of work, conduct and behaviour expected of all employees of the ACCHO, with a view to encourage and promote a culture of integrity, quality and performance.

The Code of Conduct draws together a number of requirements outlined in legislation and specific HR policies. It is presented as a stand-alone policy to emphasise key requirements, it is to be presented to all staff as part of an induction process.

All employees are required under the Code of Conduct, to behave at all times in a way which adheres to the ACCHO's expectations of employees.

Compliance with the Code of Conduct is mandatory. A breach of the Code of Conduct can result in sanctions, ranging from a reprimand to termination of employment.

2.2 Scope - The Code of Conduct applies to all employees (full-time, part-time, fixed term, casual, voluntary and temporary) for the duration of their employment.

2.3 Principles

The Code of Conduct requires that employees at all times:

- behave in a way that upholds the integrity and good reputation of the ACCHO
- respect and observe appropriate cultural protocols and practices;
- act with care and diligence in the course of their employment;
- perform the duties and responsibilities which are assigned to them to the best of their ability, with all care and diligence and in compliance with the directions of the ACCHO
- comply with all applicable Australian laws;
- not be under the influence of drugs and/or alcohol in the workplace;
- comply with any lawful and reasonable direction given by someone who has authority to give the direction;
- disclose, and take reasonable steps to avoid, any conflict of interest (real or apparent);
- disclose any offer of gifts or benefits offered or suggested to them in carrying out their duties;
- provide evidence of and maintain all necessary licenses/accreditation/certification /qualifications/checks required to fulfil their work requirements
- use provided resources in a proper manner;
- take responsibility for their actions, and be accountable for the consequences;
- maintain a high level of confidentiality in regard to the work they undertake and any other client matters they may encounter;
- not make improper use of inside information, or the employee's duties, status, power or authority, in order to gain, or seek to gain, a benefit or advantage for the employee or for any other person;
- maintain all premises and vehicles as smoke free environments;
- ensure access to and use of mobile phones, internet, email and social media are as authorised and consistent with policies and procedures;
- ensure that no unauthorised public or media comment pertaining to the operations of the business are made
- not conduct themselves in such a manner, whether during work hours or after work hours, as to cause damage to the ACCHO's property or reputation (or the property or reputation of any of the ACCHO's clients);

- not, without the ACCHO's express written consent, engage directly or indirectly in any trade, business or professional activity for any other entity during the period of their employment with the ACCHO (unless the employee is a casual employee and therefore this sub-clause will not apply); and
- not unlawfully discriminate against or harass another person.

2.4 Disclosures by Employees

All employees are required, as a condition of their employment, to disclose:

- details of any employment /second job held outside of the ACCHO and
- details of any pre-existing injury and any previous Work Cover Claims.

Second Job

Employees are required to provide immediate advice of any outside employment. Details must include any other employer's name, their job role, hours and term of employment.

The ACCHO requires all employees to provide "*faithful service*", meaning to serve the best interests of the ACCHO. Accordingly any outside employment that creates obligations that conflict with your obligation to ACCHO are unacceptable. eg where there is a clash of hours, the outside role is in competition with ACCHO, the outside role conflicts with the ethos and values of the ACCHO.

The following circumstances will be considered a breach of Policy and Procedure and will be subject to disciplinary action (including possible termination of employment);

- failure to advise of a Second Job/outside employment and obtain written agreement from the ACCHO
- outside employment which is deemed by the ACCHO to be in conflict with your obligations to the employer
- using the ACCHO time and/or resources to perform work for another organisation

Pre Existing Injury

The employee (including a prospective employee) is required to disclose, in writing, details of any existing medical condition or disability which may adversely affect their ability to carry out their functions and duties and/or which may be aggravated by the duties offered by the ACCHO. The employee (prospective employee) is required to provide written consent for the ACCHO to seek a copy of their Work Cover claims history.

2.5 Code of Conduct Acknowledgement

All staff are provided with a copy of the Code of Conduct upon commencement.

A signed copy of the Code of Conduct Acknowledgment will be maintained on the Personnel File.

Section 1 - EMPLOYEE CONDITIONS

1. Employment Contracts

1.1 Responsibility

The Chief Executive Officer is responsible for the authorisation and issuing of Employment Contracts. (The Board Chairperson is responsible in the case of the CEO's contract).

The Chief Finance Officer **[INSERT ALTERNATIVE POSITION TITLE FOR YOUR ACCHO]** will coordinate development of the employment contract content in accordance with the relevant HR Policies and Procedures. The Chief Finance Officer will coordinate signing, issue, processing and filing of the Employment Contract.

1.2 Contract Duration

Other than casual and contractor arrangements, all of the [ACCHO's Employment Contracts are subject to funding renewal and will be fixed term contracts for a specified maximum term, in line with the period of funding for each position.](#)

Should the funding that provides for a position cease, at any stage, the contract of employment will be terminated at the same date as the cessation of funding. The ACCHO will advise you of any withdrawal of funding, and the resultant effect on your employment, as soon as possible after the ACCHO has been advised of the withdrawal of such funding by the relevant statutory authority.

1.3 Employment Contract Elements

The Employment Contract outlines the key non-legislative conditions applicable to employment. It should be read in conjunction with the Policies and Procedures to identify the full conditions applicable to employment with the ACCHO.

The Employment Contract will clearly set out:

- The employment status; eg full time, part time, fixed term or casual
- The position title, ordinary hours of work, status of work, conditions of termination, leave entitlements and superannuation guarantee fund details.
- A commencement date and to whom the person should report upon their arrival
- [A maximum term end date](#)
- The probation/qualifying /minimum employment period for statutory unfair dismissal purposes should be stated.
- Remuneration details including salary and benefits.
- Conflict of Interest, Confidentiality, Intellectual Property obligations

The Contract will have attached:

- A position description
- A Confidentiality Agreement

The Employment Contract will be signed by both parties. Signing by the employee confirms their acceptance and acknowledgement of:

- the terms of the Employment Contract
- the ACCHO's policies and procedures

- the Confidentiality Agreement
- full disclosure of any or all pre-existing injuries or diseases that an employee suffer from, of which the employee is aware, and which could be affected by employment by the ACCHO.
- If the employee fails to disclose or makes a false or misleading disclosure about any such pre-existing injury or disease then the relevant legislation will apply and the employee may not be entitled to workers' compensation under Workers Compensation legislation for any recurrence, aggravation, acceleration, exacerbation or deterioration of that injury or disease.

A signed copy will be provided to the employee and the original kept in the personnel files.

Note: An Employment Contract for an individual who is a school aged child for the purpose of child employment legislation will require Parental/Guardian consent.

2. Remuneration and Salary Sacrifice

The Policy applies to all full time, part time and casual employees/positions.

It details the principles and procedures that apply to:

- Payment of Salaries/Wages, - Setting of Salaries, - Salary Review, - Salary Sacrifice.

2.1 Pay Rates

Pay rates are set by the Organisation to ensure:

- Compliance with Minimum Award conditions
- Fairness , Transparency and Consistency
- (Above award salaries are discretionary based upon ACCHO consideration of own situation, location and the relative market to attract and retain the required skills)

Where salary ranges for any job family are set above Award rates, then the salary ranges for each job will be reviewed and set annually by the CEO, and approved by the Board.

The Salary ranges and points will be determined as a result of analysis of:

- The level of work required and Job grades of all positions
- Relevant Modern Award(s) Salary Ranges (adjusted by Fair Work Commission July each year)
- Relevant Queensland Health pay grades
- Funding Agreements and budget situation on funding levels, the organisations ability to pay.
- Consideration of Total Reward position to ensure alignment and consistency in approach to non- Salary reward including, vehicles, benefits and any other Reward and Recognition programs

Overtime and Penalty rate conditions are as per Section 4.

2.2 Base Salaries

2.2.1 Salary on Commencement

- Each employee's salary will be set by the CEO, informed by the Job Grade and the ACCHO Salary Table/Award rates.
- Commencement will typically be at the base point of the Grade. The CEO has discretion to vary in accordance with the employee's relative experience, qualifications and or situation.
- For the Senior Management level jobs, the pay point on commencement will be as determined by the CEO, based on relative experience and qualifications.

2.2.2 Pay Increases

Each employee's salary will be reviewed as a minimum annually but it may be reviewed more or less regularly at the ACCHO's discretion.

Staff on award rates may receive

- automatic increases in line with relevant award rate increases, usually with effect from 1 July in each year;
- annual increment adjustments, where applicable, on the anniversary date of commencing in the role, subject to satisfactory performance

Staff on above Award rates will be

- reviewed annually
- Individual salaries for employees will increase only in the following circumstances;
 - where the employee is not paid above the salary range for their current job grade
 - where the employee's salary has not been reviewed or set above base level in the six months prior to the review date
 - if there has been satisfactory performance on the job
- salary changes will be advised in writing and applicable from a set date each year

Salary Changes outside of the Annual Review process are possible where there is a significant change in job role.

2.3 Payment of Wages

The ACCHO operates on a weekly/fortnightly payroll system.
Staff are paid retrospectively for the period worked.

Wages will be paid after the end of the week into a bank account nominated by the employee. Payments must be made to a bank account or financial institution.

[NOTE: THE PRECEDING CLAUSES ARE SUGGESTED BUT EACH ACCHO WILL ADJUST THE HOURS TO REFLECT THEIR OWN OPERATIONAL CIRCUMSTANCES.]

2.4 Superannuation

The ACCHO will make employer contributions, in accordance with the Superannuation Legislation Amendment (Choice of Superannuation Funds) Bill 2003.

Contributions will be at a rate as determined by the ACCHO Board and will ensure compliance or payment above the rate required by legislation, currently 9.5%.

The contribution will be paid into the employee nominated superannuation fund.

Should the employee fail to nominate a fund, the ACCHO will make contributions to the Default Fund, which is currently **[INSERT NAME OF FUND, FOR EXAMPLE, HESTA]**.

2.5 Higher Duties

Absences/Vacancies will not automatically create a higher duties situation.

Where the CEO approves the need to fill a position on a temporary basis, higher duties may be payable. Periods of short term acting in a higher role are considered by the ACCHO, to be primarily development opportunities for the individual.

The ACCHO will automatically pay higher duties where an individual is assigned to and performs the **full** responsibilities of a higher role for a minimum period of one (1) week or more. The higher duties will be paid at a rate equivalent to the minimum rate for that role for the entire period of higher duties. Such rate is as determined and approved by the CEO.

At the discretion of the CEO, payment of partial higher duties may be authorised where acting is for a minimum period of two weeks and less than the full position responsibilities are assumed by the employee. The assessment of responsibility and rate of pay will be as determined by the CEO.

2.6 Salary Sacrifice

Salary Sacrifice provides eligible employees with the flexibility to package benefits into their salaries thus minimising the amount of PAYG tax paid and maximising their available income.

Salary Sacrifice is an arrangement between an employee and their employer, whereby the employee agrees to forego part of their salary or wages and in return receive a benefit to the same value as the amount sacrificed. The main aim of a “Salary Sacrifice” arrangement is to legitimately restructure the way participating staff receive their salary and maximise their net pay after tax, thus reducing the amount of PAYG tax paid.

2.6.1 Eligibility

To be eligible to participate in the Salary Sacrifice Policy of ACCHO the employee must:-

- be a permanent full time employee with an employment contract, and
- earn a minimum gross base salary *of \$45,000* or greater.

Employees who are employed on a part time or casual basis are **not eligible**, nor are contractors.

2.6.2 Capping of concessional & exempt Fringe Benefits Tax

ACCHO as a Public Benevolent Institution (PBI) under the Fringe Benefits Tax Legislation is deemed to be an Exempt Employer. As an Exempt Employer ACCHO receives concessional treatment under the legislation.

The first \$30,000 of grossed-up taxable benefits provided to an employee will be exempt of tax for an Exempt Employer. Any excess, however, will be taxed in the normal way. The \$30,000 grossed-up taxable benefits capping equates to an actual cash value of \$15,899.

This means that ACCHO as the employer will pay no fringe benefits tax on the first \$15,889 of taxable fringe benefits of each employee. This exempt threshold amount is dependent upon the top marginal tax rate and is subject to change depending on changes to this tax rate.

2.6.3 How does it work?

Salary sacrifice is not mandatory and it is up to each eligible employee to decide whether they wish to take advantage of this benefit offered by ACCHO. As such, ACCHO requires all eligible employees who wish to arrange salary sacrifice to obtain independent financial advice about the packaging of

benefits and salary, in line with this policy and the Fringe Benefits Tax Legislation. The employee is required to provide a letter from their independent financial advisor, to ACCHO outlining how the employee's salary is to be packaged and also complete the "Salary Sacrifice Application Form".

For a salary sacrificing arrangement to be considered to be *bona fide*, the arrangement must be agreed to in writing before the arrangement commences and must be reviewed annually prior to 1st April each year to ensure that the agreement and amount of salary sacrificed complies with the PBI exempt threshold and the Fringe Benefits Tax Legislation.

The exempt threshold of \$15,889 of taxable fringe benefits per year for each employee equates to \$306.00 per week of salary based on a payroll year of 52 weeks. Some payroll years will be 53 weeks and therefore the weekly threshold is reduced to \$301.892 per week. Essentially the employee would salary sacrifice an amount equivalent to \$306 per week from their weekly payroll.

The \$306 is coded to an "Employee Salary Sacrifice Control Account" in the general ledger. It is from these accounts that the salary sacrifice payments for all employees are administered. Payments are made to the employee's nominated expenses at regular intervals. These individual control accounts are liability accounts and must never be overdrawn (go into debit). At the end of each Fringe Benefits Tax year, 31st March, all employee control accounts must be cleared to a zero account balance.

The fringe benefits tax year commences 1st April and ends 31st March, so it is important that the salary sacrifice system is coordinated around these dates. The FBT return is required to be completed for the FBT year ended 31st March and will involve reconciliations of the "Employee Salary Sacrifice Control Accounts" which will provide information and data to calculate the employee's reportable benefits amount to be included on the employee's PAYG Payment Summary for the year ended 30 June.

2.6.4 Superannuation on Salary Sacrifice Amounts

The FBT and Superannuation legislation state that the employer is only obliged to calculate and pay the statutory superannuation guarantee charge on the gross salary after salary sacrifice. ACCHO's salary sacrifice policy states that the employer statutory superannuation guarantee charge is calculated and paid on the gross salary before salary sacrifice, ensuring that the employee's overall salary package is not diminished by the act of salary sacrifice.

2.6.5 Benefits Available to be Salary Packaged

The following is a list of benefits that are available to be salary packaged, this list is not exhaustive nor complete. To keep administration costs to a minimum, each employee will be limited to salary packaging only three benefits.

- Housing Loans / Mortgages, Personal Loans, HECS Loans
- Rent
- Credit Card repayments
- Superannuation

2.6.6 Documentation Requirements

With all salary packaged benefits, whether exempt or not, it is important to ensure that the employee provides copies of receipts, invoices and loan statements to verify the expense before the expense payment benefit is made from their salary sacrifice control account. Any loan account including credit card accounts are required to be verified that a debt actually exists before the salary sacrifice payment is made. This can be achieved by obtaining a copy of the latest statement. If the debt does not exist at the time the salary sacrifice payment is made, then the payment must

be treated as salaries and wages and therefore taxed as such in the hands of the employee. Where there are transactions of benefits where the GST input credit is able to be claimed by ACCHO, the employee must ensure that a correct "Tax Invoice" is supplied to the finance department.

It is the employee's responsibility to ensure that they are adequately informed about the operations of salary sacrifice and that they provide all the necessary supporting documentation and declarations to assist ACCHO in administering this salary sacrifice policy.

2.6.7 Administration Fees

Currently ACCHO does not charge an administration fee for administering the salary sacrifice arrangements of its employees. The decision not to charge a fee is based on employees salary packaging a maximum of three benefits.

ACCHO reserves the right to charge an administration fee at any time should there be legislative changes and/or other factors which significantly impact on the cost of administering the salary sacrifice policy. Should ACCHO decide to charge an administration fee, we would ensure that the employees are advised of these charges prior to them being imposed.

2.6.8 Changing or Terminating Salary Sacrifice Arrangements

Employees may elect to terminate their salary sacrificing arrangements at any time. This termination advice must be in writing and provided to the Chief Finance Officer with sufficient notice for the changes to be made in payroll.

Employees may elect to make changes to their salary sacrificing arrangement at the commencement of the FBT year, namely 1st April. The employee may only make a change to the salary sacrificing arrangement at another time during the year when these changes are brought about from extenuating circumstances which necessitate the amendments to the arrangement. All changes must be advised in writing to the Finance Manager.

2.6.9 Changes to the Salary Sacrificing Policy

This salary sacrifice policy is guided by the provisions of the Fringe Benefits Tax Legislation, Income Tax Assessment Act, Superannuation Industry Act and Australian Tax Office Rulings and Determinations and may be modified or altered from time to time to ensure compliance with the relevant legislation.

ACCHO reserves the right to make any alterations or changes to or terminate the salary sacrificing arrangements between the employer and the employee as may be required to maintain ACCHO's compliance with the applicable legislation.

3. Hours of Work & Attendance

3.1 Ordinary Hours

Staff are expected to be at work for their full weekly hours of employment. All absences and variations must be accounted for by completing relevant leave forms.

The standard applicable requirement is for all full time staff to work an ordinary 38.0 hour week.

The standard weekly hours of work, as prescribed in the relevant Awards, may be worked, as directed by the CEO, any time between:

- ACCHS Award - 7.00 am and 7.00 pm Monday to Friday
- [Nurses Award - 6.00am to 6.00pm Monday to Friday for Nurses](#)
- [Social and Community Services Award – 6.00am - 8.00pm Monday to Sunday](#)

Part time staff will work the daily and weekly hours as agreed in their contract.

Casual staff will work the daily and weekly hours as determined by their Line Manager.

ACCHO's standard hours / Daily Start and Finish times will be typically between 8.30am and 5.00pm as determined by the Line Manager in line with operational needs.

Unpaid lunch breaks will be ½ an hour as determined by the Line Manager and a morning / afternoon tea break is to be kept to a maximum of 10 minutes.

Part time staff will work the daily and weekly hours as agreed in their contract.

Casual staff will work the daily and weekly hours as determined by their Manager.

Any variations to standard start and finish times must be requested in writing and can only be approved by the CEO if in accordance with operational needs.

Any variation must be included in the individual's employment contract.

[NOTE: THE PRECEDING CLAUSES ARE SUGGESTED BUT EACH ACCHO WILL ADJUST THE HOURS TO REFLECT THEIR OWN OPERATIONAL CIRCUMSTANCES.]

3.2 Record of Work Attendance

To record their hours of work each employee must complete a Timesheet each week, and submit to their Line Manager for signature.

For known periods of leave, timesheets must be completed and submitted in advance prior to going on leave.

The timesheet is to be used daily to record attendance/times and should be supported by Leave forms as required. All employees must record their daily hours of work, including lunch breaks. It is each employee's responsibility to ensure they make use of this system in an accurate way to record attendance.

The employee's Line Manager will check and approve each employee's Timesheet. It is the responsibility of the employee to ensure that their timesheet is duly completed and in the timesheet folder for Line Manager signature by [2.00pm on Tuesday of each week](#).

Failure of staff to complete timesheet correctly will mean that you are not paid until it is submitted and this may mean waiting until the next pay period.

3.3 Absence from Work

If for any reason a staff member is unable to attend work, they must telephone their Manager as soon as practicable and in any event no later than (½) half an hour prior to the scheduled start time. This will help to minimise the disruption to other staff members.

An SMS or email message is unacceptable as the sole means of advice of absence.

Any person who will be absent from work for any health-related reason must advise his or her manager of his or her inability to report for work and of the nature of the illness/injury.

In cases where a person is absent from work on personal leave for two or more consecutive days, a medical certificate from a duly qualified medical practitioner is required to be submitted to the Manager at the earliest possible opportunity, or on the day that the person returns to work after the absence in the event of the staff member's illness and a statutory declaration in the event of the staff member taking carer's leave.

Unless unusual circumstances exist, absences of one day do not require a medical certificate. Notwithstanding the ACCHO reserves the right to request a Medical Certificate from any person, for any absence due to illness, at any time if it is believed that unusual circumstances exist.

An employee who is absent from work for a continuous period exceeding (3) three working days without notification to the employer shall be evidence that the employee has abandoned their employment.

3.4 Leave Forms

An employee must submit all requests for leave via Replicon in the following manner:

Annual Leave – Minimum four (4) weeks' notice, approved by CEO

TOIL – requires prior approval by CEO

Personal Leave – As soon as you return to work following your absence or as soon as practicable for pre-arranged leave eg surgery

Leave forms must clearly identify the type of leave claimed and reasons for leave, especially where combination of leave types taken in one pay period.

Separate Leave forms are required for periods of non-continuous leave.

3.5 Right to Request Workplace Flexibility

Permanent staff who have completed twelve (12) months continuous service or long term casual employees with a reasonable expectation of continuing employment on a regular and systematic basis and are;

- parents who care for, or persons with responsibility for the care of children under school age or a child under 18 who has a disability,
- employees who are legal carers,
- employees with a disability,
- employees over 55,
- employees experiencing family violence or who provide care or support to a member of the employee's immediate family or household who requires care or support because the member is experiencing violence from the member's family,
- employees returning to work after taking parental leave

may request in writing a change in working arrangements relating to their circumstances.

The written request must address both the reason for the change (ie how it will assist) and the nature of the change.

The ACCHO will respond within twenty-one (21) days advising whether the request is granted or refused. Employers can refuse on reasonable business grounds. These reasons may include the nature of the role, the impact of the request on business/team operations and associated costs to the business and individual.

4. Overtime / Time Off in Lieu (Toil) and Penalty Rates Policy

4.1 Principles

The employer has a reasonable expectation that ad hoc requirement to work back/get in early, up to 15 minute over standard hours in line with operational demands, will be completed without additional compensation.

Where full time and part time employees are required *for pre-approved work of a minimum of 15 minutes* above their standard weekly or rostered hours, they will be entitled to receive compensation for that extra time worked, unless otherwise specified in their employment contract. This extra time will either be TOIL or overtime in accordance with the conditions detailed below.

Penalty rates apply to hours worked outside the ordinary span of hours

The ordinary hours of work, as prescribed in the relevant Awards, are between:

- ACCHS Award - 7.00 am and 7.00 pm Monday to Friday
- Nurses Award - 6.00am to 6.00pm Monday to Friday for Nurses
- Social and Community Services Award – 6.00am - 8.00pm Monday to Sunday

4.2 Overtime (extra pay) vs TOIL (time off)

The majority of pre-approved extra work on weekdays is not regular or substantial and will be compensated as TOIL.

All ACCHO work groups, with the exception of those designated below are, with acknowledgement of staff, required to participate in the TOIL scheme.

Work groups, as determined by the CEO, where TOIL will not apply and overtime payments are automatic, unless otherwise specified in the individual contract, currently include,:

- [staff working after hours clinics](#)
- [Staff working Community Events on weekends](#)
- [GP's, Senior Managers](#)

4.3 ToiL Scheme

Time off-in-lieu is granted at the discretion of the CEO. Reasonable extra work time up to 15 minutes worked, within the span of hours, in order to fulfil the requirements of an employee's position will not be TOIL or overtime

All accrual of TiL. must be pre-approved by CEO/Manager prior to accumulation.

4.3.1 Requirement to Work Extra Hours

Management will attempt to provide all employees with as much notice as possible of the need to work outside usual hours. However, due to operational requirements, advance notice may not always be possible.

The work outside of usual hours, which is to qualify as TOIL, must be undertaken by mutual agreement and be approved by the manager before the work is done. This mutual agreement must be the result of genuine consultation between the manager and the employee, free from duress.

4.3.2 Accruing of TOIL Credits and Credit Limits

Accrual of TOIL above the standard hours can only occur in the following circumstances:

- I. TOIL is not intended as a system for individuals to determine their own flexible start, lunch and departure times or to claim reasonable travel time as overtime.
- II. Extra Work time (normal work activities/meetings ...)
 - Only relates to approved extra work time above standard weekly hours (eg 38)
 - Must be for pre-approved extra work on weekdays, within ordinary span of hours (eg 7.00am -7.00pm)
 - Must be for one continuous period of greater than 15 minutes
- III. Extra Travel time for approved Work purposes (travel to alternate location, workshops ...):
 - Only that part of travel time not already absorbed in standard (7.6) daily hours, can be recorded as TOIL. eg does not include travel during normal daily work hours
 - Weekdays – car travel to alternate location with early departure or late arrival, only count total actual time above standard daily hours, from time left/arrived at Head Office and arrived/left the temporary work location
 - Weekends – car travel to alternate location (but not working on that day) on a non-standard work day, count from time left/arrived at Head Office and arrived/left the temporary work location
 - Note: Weekend work including travel compensated as Overtime
 - Air Travel – travel time commences from 30 minutes prior to scheduled flight departure and time counts till 30 minutes after scheduled flight arrival. Only that part of travel time not already absorbed in standard (8) daily hours, can be recorded as TOIL. eg does not include travel during normal daily work hours
- IV. TOIL Credits – will be accrued at the standard rate eg one hour worked = one hour TOIL. Credits may be accrued up to a maximum of 15.2 hours (2 standard days) in a fortnight. Only in exceptional circumstances will accrual above 15.2 hours be approved by the Line Manager and CEO.
- V. TOIL accrued in any pay period (week), *must be* used within two months of its accrual
- VI. Prior to separation TOIL balances should be proactively managed by staff and Manager down to a zero balance
- VII. On separation any TOIL balances remaining shall be paid out at the standard hourly rate

4.3.3 Recording of approved TOIL credits

Recording requirements of TOIL accrued in the above circumstances, are as follows:

- I. The number of approved and agreed hours must be recorded on the timesheet.
- II. The hours recorded and accrued as TOIL will be the actual hours worked. (as defined above at 4.3.2)
- III. The timesheet and hours must be verified by the Line Manager
- IV. TOIL balances will be maintained on personnel/payroll records

4.3.4 Management of and Taking of TOIL

Both the line manager and the employee must carefully monitor demands to work hours in excess of ordinary working hours and work cooperatively to manage TOIL balances and granting of TOIL leave.

- I. If an employee wishes to access their TOIL, they are required to complete a Leave Application Form, and submit it to their Line Manager for approval
- II. The Line Manager is responsible for authorising all leave requests, within their delegation in line with the service delivery needs of the business;
- III. TOIL leave shall be granted in minimum of 4.0 hour blocks (1/2 day)

4.4 Overtime and Penalty Rates

Rates will be paid in accordance with the provisions of the relevant Modern Award.

For full time employees - time and half for the first two hours of overtime, double time after the first two hours in any one instance. (Sundays double time for Nurses)

4.5 Roster Scheme

A Roster Scheme (for full time employees only) will be applied to some work groups.
eg Nurses, Senior Managers

Designated work groups will be as approved by the Board.

The Roster Scheme will operate in accordance with following conditions:

- Staff will be rostered to work set hours, equalling 40 hours per week, allowing one RDO per 4 week period, (to be taken as approved by the CEO)
- Roster start and finish times are as determined by the Practice Manager / CEO
- Prior to separation, staff should use any RDO's so as to manage any balance down to zero
- On separation any RDO balances remaining shall be paid out at the standard hourly rate

5. Staff Exit Policy

5.1 Resignation

Permanent employees are required to give the period of notice of resignation as per the National Employment Standards, unless otherwise indicated on their individual employment contract.

If a permanent employee fails to give notice, the organisation has the right to withhold monies due to an amount equal to the ordinary time rate of pay for the period of the notice.

5.2 Termination

The ACCHO may terminate employment at any time by giving the other party the required period of notice specified below and be approved by the Chief Executive Officer:

In order to terminate the employee, the employer must give the following period of notice:

Years of Service	Required Notice
1 Year or less	1 week
Over 1 Year up to completion of 3	2 weeks
Over 3 Years up to completion of 5	3 weeks
Over 5 Years completed service	4 weeks

In addition, employees 45 years and over who have completed at least two (2) years continuous service with the employer will receive one (1) additional weeks' notice.

Payment in Lieu of the prescribed notice period must be made if the appropriate notice period is not required to be worked. Note: that the employment may be terminated with the employee working part of the required period of notice and by the employer making payment for the remainder of the period of notice.

Note: The period of notice in this clause does not apply:

- in the case of dismissal for serious misconduct;
- to employees engaged for a specific period of time or for a specific task or tasks;
- to trainees whose employment under a traineeship agreement or an approved traineeship is for a specified period;
- to casual employees

Employees still in their initial six month qualifying period shall be entitled to one (1) weeks' notice of termination.

Should the funding from the relevant statutory authorities that provides for a position cease, at any stage, the contract of employment will be terminated at the same date as the cessation of funding. The ACCHO will advise you of any withdrawal of funding, and the resultant effect on your employment, as soon as possible after ACCHO has been advised of the withdrawal of such funding by the relevant statutory authority.

5.3 Summary Dismissal

The Chief Executive Officer (or Chairperson for the CEO position) may summarily dismiss an employee for serious misconduct, which may include but not be limited to:

- any serious breach of this Agreement committed by the employee or any disgraceful, wilful disobedience, dishonest or improper conduct in connection with employee's employment;
- any conduct that brings or may reasonably have been foreseen to bring the employee or the ACCHO or any of its associated companies into disrepute; or
- any failure to carry out any lawful and reasonable order or direction given by the ACCHO

5.4 Redundancy

Genuine redundancy occurs where the ACCHO decides it no longer wants an employee's job to be done by anyone and terminates their employment. This may include circumstances where:

- the job someone has been doing is replaced due to introducing new technology (i.e. it can be done by a machine)
- the business relocates
- a merger or takeover happens
- the business restructures or reorganises

Redundancy does not apply in situations where funding for a specific role ends nor due to the ordinary and customary turnover of labour.

If the employer decides that the employee's position cannot be continued because of redundancy, the employer shall consult with the employee about alternative possibilities, such as working in another form of employment and other opportunities besides the ending of their employment.

If employment is ended because of redundancy then, as well as notice or payment in lieu of notice, the employer will pay to the employee a severance payment according to the following Table:

Period of continuous service	Redundancy pay
Less than 1 year	nil
1 year and less than 2	4 weeks pay
2 years and less than 3	6 weeks pay
3 years and less than 4	7 weeks pay
4 years and less than 5	8 weeks pay
5 years and less than 6	10 weeks pay
6 years and less than 7	11 weeks pay
7 years and less than 8	13 weeks pay
8 years and less than 9	14 weeks pay
9 years and less than 10	16 weeks pay
10 years and over	12 weeks pay

Note: long service leave entitlements provide the rationale for reducing the redundancy pay entitlement for employees who have a period of 10 years' continuous service or greater.

5.5 Exit Checklist

An exit procedure is to be conducted for all staff members by their Senior Manager. The purpose is to recover work items and provide an avenue for the employee to communicate feelings/ concerns/ views.

The following procedure should be coordinated by the Senior Manager when an employee leaves the organisation:

- Staff members who are given notice of termination or resign will be provided with a certificate of service,
- Recover properties, passwords, tools, keys, relevant documents.
- Letter of resignation or letter of termination to be placed on the personnel file.
- Termination payment to be prepared with ordinary wages due or wages in lieu of notice calculated.
- Annual leave due to the date of termination to be calculated and paid at the employee's current rate.
- Leave loading in accordance with the employment contract is calculated. Any pro-rata long service leave entitlements that may be applicable are calculated.

The Manager should dedicate time to the employee to discuss:

- The staff member's views on the ACCHO, work procedures and any relevant matters.
- The staff members needs and feelings in regards to moving on from the ACCHO

The Manager is to consider and make operational/procedural improvements as required.

Finance staff will ensure:

- Staff members who are given notice of termination or who resign will be provided with a Statement of Service, on request
- Termination payments will be prepared with ordinary wages due or wages in lieu of notice calculated and paid within one week of the termination date
- Annual leave due to the date of termination to be calculated and paid at the employee's current rate.
- Leave loading in accordance with the employment contract is calculated. Any pro-rata long service leave entitlements that may be applicable are calculated.

6. Annual Leave

The National Employment Standards provide for an employee (other than a casual employee) to have four weeks of paid annual leave for each year of service with the ACCHO. *This may be varied by individual Employment Contract or overridden by an Award eg Nurses Award – five weeks.*

An employee's entitlement to annual leave accrues on a continuous basis according to the number of ordinary hours they worked.

New Employees must complete 3 months service before annual leave can be taken.

Employees will be paid Annual Leave loading of 17.5% of their ordinary weekly pay.

Typically the approval of periods of annual leave is dictated by our operational requirements.

6.1 Christmas Leave

The ACCHO will determine on an annual basis whether there is a close down period over Christmas. At the sole discretion of the Chief Executive Officer, the ACCHO may close down over Christmas for the ordinary working days that fall between 26 December (Boxing Day) and 1 January (New Year's Day). Further it is at the sole discretion of the CEO whether staff are required to access annual leave and/or time-in-lieu (less public holidays) or will paid in full without use of leave entitlements for this close down period.

6.2 Applying of Annual Leave

Staff wishing to take annual leave must submit an application for leave at least one month prior to the date that the leave is to commence.

6.2.1 Approval of annual leave is at the discretion of the CEO. Staff must not assume that leave will be granted until written approval, appropriately authorised by the manager, is received.

6.2.2 The principle behind the concept of Annual Leave is to provide an avenue for staff to relax and rejuvenate without loss of income. Accordingly annual leave should ideally be taken in blocks of a minimum of one week's duration however variations to this is at the discretion of the CEO.

6.2.3 Accrued annual leave should be taken regularly. No person will be allowed to accrue more than eight (8) weeks annual leave without the written approval of the CEO. Staff are encouraged to take leave in the year it falls due.

6.2.4 Due to the requirements of the business and other departments, the number of people from the same unit allowed to take leave concurrently may be limited.

6.2.5 In the event of a person, without appropriate approval, accruing greater than eight (8) weeks annual leave, the ACCHO reserves the right to insist that the person arrange to take annual leave. If the person does not take steps to arrange such leave, the ACCHO will, with 4 weeks' notice in writing, send the person on annual leave.

6.2.6 The primary objective of the ACCHO is to successfully operate its business and there are business peaks at various times each year. At these times, annual leave may be either unavailable or of limited availability. In all cases, unless extenuating circumstances exist, annual leave will be approved on a "first in, first served" basis.

6.2.7 The ACCHO reserves the right to cancel or defer approved annual leave of any person if business requirements dictate that the leave would have a detrimental effect on the operation of the business. The decision to cancel or defer approved annual leave is at the discretion of the Chief Executive Officer.

7. Personal/Carers Leave

Every employee (other than a casual employee) is entitled to ten (10) paid working days per annum (pro rata for part time employees) of Personal and Carer's Leave and two (2) days of unpaid carer's leave per occasion.

An employee's entitlement to paid personal/carers leave accrues progressively during a year of service according to the number of ordinary hours worked, and can accumulate from year to year.

Personal/Carer's leave is:

- (a) paid leave (sick leave) taken by an employee because of a personal illness, or injury, of the employee; or
- (b) paid or unpaid leave (carer's leave) taken by an employee to provide care or support to a member of the employee's immediate family, or a member of the employee's household, who requires care or support because of:
 - I. a personal illness, or injury of the member; or
 - II. an unexpected emergency affecting the member.

Full-time and part-time employees are only eligible for unpaid carer's leave if they do not have any paid personal/carers leave credit available.

Casual employees are entitled to a period of up to two (2) days unpaid Carer's Leave for each permissible occasion, as above.

7.1 Procedure

7.1.1 Any person who will be absent from work for any health-related reason must advise his or her manager of his or her inability to report for work and of the nature of the illness/injury. Where practicable, the manager must be advised no later than 1/2 hour prior to the normal work commencement time. This notification must be by way of telephone call. **SMS or email messages** are not acceptable.

7.1.2 In cases where a person is absent from work on personal leave for two or more consecutive days, immediately before or after a public holiday, a medical certificate from a duly

qualified medical practitioner is required to be submitted to the manager at the earliest possible opportunity, or on the day that the person returns to work after the absence.

7.1.3 Unless unusual circumstances exist, absences of one day do not require a medical certificate.

7.1.4 Notwithstanding points above, the ACCHO reserves the right to request a Medical Certificate from any person, for any absence due to illness, at any time if it is believed that unusual circumstances exist.

7.1.5 Medical Certificates are confidential documents and must be placed in each individual staff member's HR file as soon as possible after receipt.

7.1.6 Managers must take all reasonable steps to ensure that the operation of the business is not delayed or unduly effected by the absence of one or more person through personal leave.

8. Long Service Leave (varies according to STATE)

The ACCHO recognises that Employees are entitled to a minimum of **xx** weeks on full pay after each period of **xx** years continuous service (pro rata for part time employees). [CHECK relevant STATE/TERRITORY LEGISLATION for ENTITLEMENTS](#)

Employees with **(xx) to (xx)** years or more of continuous employment are entitled to be paid pro rata long service leave on termination of employment, in the following circumstances:

- The employee's service is terminated by their death;
- The employee terminates their service because of their illness or incapacity or because of a domestic or other pressing necessity;
- The employer terminates the employee for reasons other than serious and willful misconduct; or
- The employer unfairly dismisses the employee.

Long service leave is exclusive of public holidays that may fall during the period of leave.

Only the CEO can approve granting of LSL and will take into account the organisation's needs. Leave loading is not payable in relation to any long service leave.

Long service leave may be taken in conjunction with other leave entitlements.

Employees will not receive payment instead of long service leave except where eligible on termination of the employee's employment and subject to the employee meeting the long service leave requirements.

8.1 Procedure

8.1.1 For the purposes of this policy "service" shall be deemed to mean "continuous service", which will be defined as service without a break in employment.

8.1.2 A break in your continuous employment for any unpaid leave is not included towards the length of the employee's continuous service.

8.1.3 Any person wishing to take Long Service Leave should provide CEO with a minimum of 3 months' notice, in writing, of his or her intention.

8.1.4 Any variation from the content of this policy that is not dictated by legislative requirements shall be at the discretion of the CEO.

8.1.5 Managers must take all reasonable steps to ensure that the operation of the business is not delayed or unduly effected by the absence of one or more people on Long Service Leave.

9. Parental Leave

9.1. Unpaid Leave

Parental Leave may include Maternity Leave, Paternity Leave or Adoption Leave.

The ACCHO's employees are eligible after 12 months continuous service with the ACCHO. Each eligible member of an employee couple may take a separate period of unpaid parental leave totalling 12 months combined subject to a limited entitlement to take concurrent leave.

Parental leave is only available to employees who have or will have responsibility for the care of a child. The leave must be associated with:

- the birth of a child to the employee, the employee's spouse, or the employee's de facto partner or
- the placement of a child under 16 with the employee for adoption.

9.2 Procedure

9.2.1 General rule -: Employee needs to have completed 12 months of service.

9.2.2 Any person who requires Parental Leave will be entitled to take such leave in accordance with the NES. The employee will be required to provide a letter from a duly qualified practitioner or other person of authority.

9.2.3 A minimum of 2 month's notice, in writing, must be provided to the ACCHO by any person intending to take Parental Leave.

9.2.4 When a person wishes to return to work from Parental Leave, he or she must provide the ACCHO with a minimum of 1 month's notice in writing prior to the intended date of return.

9.2.5 The Manager must take reasonable steps to ensure that the operation of the business is not unduly effected by absences due to Parental Leave.

9.2.6 The ACCHO will take reasonable steps to ensure that a person returning from Parental Leave may return to the same role that he or she held prior to commencing the leave. Changes within the business may however dictate that the role has significantly changed or no longer exists. In these instances each situation shall be dealt with in a way that provides the best possible outcome, within legislative requirements, for all parties.

9.3. Paid Leave

An employee may in lieu of or in conjunction with parental leave, access any annual leave or long service leave entitlements which they have accrued subject to the total amount of leave not exceeding fifty-two (52) weeks.

From 1 July 2011, employees who have 12 months service prior to the expected date of birth or adoption of their child, will be entitled to a government funded Parental Payment in addition to the above unpaid leave entitlement.

Eligible staff may receive 18 weeks Government funded pay at the National Minimum Wage. The Family Assistance Office will advance funds to the ACCHO.

Staff need to advise the ACCHO of their intention to take this leave up to 3 months prior to expected date of birth/adoption, to enable application to the Family Assistance Office.

10. Public Holidays

You will be entitled to all statutory and gazetted holidays including:

- 1 January (New Year's Day), • 26 January (Australia Day), • Good Friday, • Easter Monday
- 25 April (Anzac Day), Labor Day, • Queen's Birthday holiday
- 25 December (Christmas Day), • 26 December (Boxing Day)
- *local*

Pay for public holidays will be at normal base rate.

The ACCHO may request employees to work on public holidays, where there is an overriding business need and sufficient notice is provided.

11. Ceremonial/Cultural Leave (unpaid leave)

An employee who is legitimately required by Aboriginal & Torres Strait Islander tradition to be absent from work for Aboriginal or Torres Strait Islander ceremonial/cultural purposes shall be entitled to up to ten (10) working days unpaid leave in any one year, provided leave is granted in advance with the ACCHO's authority.

11.1 Procedure

11.1.1 An employee should complete the Leave Application Form and a written statement of reasons and evidence of requirement to attend and submit it to their Chief Executive Officer at least four (4) weeks prior to the requested leave date (where possible). An application will be granted based on the following criteria:

- The leave request is legitimate; and
- The business needs of the ACCHO can be met whilst the employee is on leave.

11.1.2 Approval of Leave of Absence will be at the discretion of the Chief Executive Officer. The Manager will notify the employee as soon as possible prior to the requested leave date, of the outcome of the application.

12. Compassionate Leave

Compassionate leave is paid leave taken by an employee (other than Casual employees);

1/ For the purposes of spending time with a person who is a member of the employee's **immediate family** or a member of the employee's household who has a personal illness, or injury, that poses a serious threat to his or her life;

or

2/ After the death of a member of the employee's immediate family or a member of the employee's household.

An employee (other than Casual employees); is entitled to a period of two (2) days of paid compassionate leave for each occasion as specified above.

The employee will be required to provide evidence of the illness, injury or death (ie. funeral notice) that would reasonably satisfy the ACCHO.

The definition of **Immediate Family Member** includes an Employee's:

- *Spouse, De facto partner, Child, Parent, Grandparent, Grandchild, Sibling, or*
- *a Child, parent, grandparent, grandchild or sibling of the employee's spouse or de facto partner*

12.1 Procedure

12.1.1 People, other than casual team members, may take two days compassionate leave per occasion, without loss of pay, upon the death of an immediate relative.

12.1.2 Casual team members shall be allowed 2 days' time off without pay for the purposes of compassionate leave.

12.1.3 Applications for compassionate Leave should be completed on the Leave Application form with a statement of reasons and supporting evidence

12.1.4 For the purposes of maintaining appropriate records, any Compassionate Leave taken should be recorded in writing.

12.1.3 Approval of Leave of Absence will be at the discretion of the Chief Executive Officer. The Manager will notify the employee as soon as possible prior to the requested leave date, of the outcome of the application.

13. Community Service Leave

Employees, including casual employees, are entitled to be absent from work for the purpose of performing certain community service activities such as:

- a 'voluntary emergency management activity';
- jury service (including attendance for jury selection) that is required by or under a law of the Commonwealth, a State or a Territory.

An employee engages in a voluntary emergency management activity only if they:

- engage in an activity that involves dealing with an emergency or natural disaster
- engage in the activity on a voluntary basis
- the employee is a member of, or has a member-like association with, a 'recognised emergency management body' and either:
 - the employee was requested by or on behalf of the body to engage in the activity or
 - no such request was made, but it would be reasonable to expect that if the circumstances had permitted the making of such a request, it is likely that such a request would have been made.

Community service leave under the NES is unpaid, except in relation to jury service where an employee (other than a casual) is entitled to 'make-up pay' for the first 10 days that the employee is absent for a period of jury service. Make-up pay is the difference between any jury service pay the employee receives (excluding any expense-related allowances) and the employee's 'base rate of pay' for the ordinary hours they would have worked.

13.1 Procedure

13.1.1 There is no set limit on the amount of community service leave an employee is entitled to. An employee is entitled to be absent from his or her employment:

- for the time that the employee is engaged in the eligible community service activity, including reasonable travelling time associated with the activity, and reasonable rest time immediately following the activity
- if the absence is reasonable in all the circumstances (jury service is taken to always be reasonable).

13.1.2 An employee who wants an absence from his or her employment to be covered by community service leave must provide the ACCHO with:

- notice of the absence as soon practicable, by completing the Leave Application form with supporting evidence
- the period or expected period of absence.

The ACCHO may require an employee, who has given notice of taking community service leave, to provide evidence that would satisfy a reasonable person that the employee is entitled to the leave. A request to attend Jury Service requires documentation from the relevant government department.

13.1.3 The ACCHO may, at its discretion, elect to provide the person with a letter requesting that he or she be excused from jury service.

13.1.4 Casual team members required to attend jury service will be allowed to be absent from the workplace. This time will be taken as leave without pay.

14. Leave without Pay (LWOP)

Employees are contracted to perform their duties to enable the ACCHO to provide quality and efficient services to clients in accordance with the Action plan. The ACCHO provides a number of leave options to employees to meet planned and unexpected personal requirements.

Leave without Pay is not available for staff to opt for occasional unpaid days off work and approval cannot be anticipated.

Leave without Pay maybe authorised at the discretion of the Chief Executive Officer, subject to the following conditions:

- only full time and part time employees with 12 months service are eligible (unless exceptional circumstances exist)
- staff must have exhausted all other available sources of leave eg annual leave
- planned LWOP can only be approved for a minimum period of 5 days and up to a maximum of twelve (12) months

Whilst absence on leave without pay will not break an employee's service, this absence will not generally count for the purposes of accrual of leave entitlements.

14.1 Procedure

14.1.1 Reasonable advance notice is required, for LWOP requests in excess of two weeks, two months' advance notice is required.

14.1.2 Application for LWOP must be made in writing with a full statement of reasons, addressed to the Chief Executive Officer with an accompanying Leave Form, indicating dates.

14.1.3 The date of return to work will be fixed in advance as part of the application and approval process.

14.1.4 The Chief Executive Officer must take reasonable steps to ensure that the operation of the business is not unduly effected by absences due to LWOP.

14.1.5 The ACCHO will take reasonable steps to ensure that a person returning from LWOP may return to the same role that he or she held prior to commencing the leave. Changes within the business may however dictate that the role has significantly changed or no longer exists. In these instances each situation shall be dealt with in a way that provides the best possible outcome, within legislative requirements, for all parties.

14.2 Conduct During Leave without Pay

Whilst on Leave without Pay, the employee will continue to maintain an employment relationship with the ACCHO. Consequently, the employee may not accept any other employment during the period of leave of absence without the permission of the Chief Executive Officer.

Where an employee is granted Leave without Pay, they are expected to conduct themselves in a manner in line with the Code of Conduct and policies of the ACCHO. Any conduct which might tend to adversely reflect upon the reputation or standing of the ACCHO will be viewed seriously and may result in disciplinary action

Section 2 - EMPLOYEE CONDUCT & MANAGEMENT

15. Workforce Planning & Recruitment Policy

15.1 Principles of Resourcing and Recruitment

The ACCHO is committed to management of a fair and effective process to ensure appointments are made in line with approved needs, are based on merit (that is the applicant best meeting the Position Description will be appointed) and are in line with equal employment opportunity principles.

Workforce Requirements

The Annual Action planning process will detail the organisations service delivery and program objectives, taking into account planned growth, strategic objectives and the requirements specified in relevant funding agreements.

The Chief Executive Officer **[INSERT ALTERNATIVE POSITION TITLE FOR YOUR ACCHO]** will be responsible for developing an annual Workforce Requirements Plan that addresses the organisations needs in terms of:

- the number and type of positions
- skills requirements
- current vs future needs
- resourcing options and timeframes

The plan will inform the annual Salary and Wages Budget.

All recruitment will be conducted in line with the annual Workforce Requirements Plan and approved Budget.

Recruitment Principles

The ACCHO is committed to appointing applicants based on merit (that is, the applicant best meeting the position description for the job).

The ACCHO is committed to appointing applicants based on equal employment opportunity principles, and to providing development opportunities to staff by advertising all vacancies internally in the first instance.

15.2 Recruitment Approval

Recruitment for existing vacancies (unchanged positions already approved in the budget), can be approved and initiated by the Chief Executive Officer.

Recruitment to a new or substantially changed position (as a variation to the existing approved budget positions), required a Business Case submitted by the Chief Executive Officer to the Board showing:

- current and budgeted FTE
- effect the position will have on salary budget
- why the position is needed
- the reason(s) that it needs to be full-time/part time/casual
- the benefit to the ACCHO

15.3 Position Descriptions

A Position Description will be developed or reviewed for each position to be filled. The relevant Manager is required to review the Position Description and ensure that it is accurate before a position is advertised.

15.4 Selection Criteria

The Selection Criteria will provide the basis for determining the relative suitability of candidates for the nominated vacancy.

In developing Selection Criteria, the following should be noted:

- each selection criteria should be specifically related to the work to be performed, as set out in the Position Description;
- the number of selection criteria should be restricted to key factors, as such there will be four to eight selection criteria.

The selection criteria should include, as appropriate, the following:

- organisational alignment/fit with values
- relevant skills, personal qualities, core competencies
- previous work experience and relevant knowledge
- required qualifications and training
- Working with Children Checks /Police Checks as required

15.5 Remuneration on Commencement

Following the review or development of the Position Description, the CEO will consider the salary to be offered for the position in line with award and the ACCHO Salary Table.

15.6 Advertising Positions

On receipt of relevant approval documentation the Manager will draft advertisement.

All vacancies will be advertised internally and as required, throughout the Sector and externally.

External advertisements will be placed via media that will best target the required audience.

15.7 Selection Panels

Interviews and appointment recommendations will be managed by a Selection panel.

The Selection Panel will be convened by the Manager of the vacant position.

It is the Line Manager's responsibility to ensure the Selection Panel:

- consists of at least two and no more than three members,
- is gender-balanced and includes where practicable an Aboriginal or Torres Strait Islander ACCHO manager
- only has members who have an understanding of relevant health and community issues

Panel members must be fair and objective when conducting the selection process. As such, where a panel member's personal relationship with an applicant may cause a conflict of interest, the panel member must disclose their relationship with the applicant to the other panel member/s. At this time, the panel member/s may feel that in the interest of fairness to the other applicants, the panel member (with the relationship to the applicant) should be disqualified from participating in the selection process.)

The Manager will normally be nominated as the Chair of the Selection Panel and will be responsible for coordinating and leading the process.

15.8 Shortlisting

The decision to shortlist an applicant will be based on the applicant's response to the selection criteria, and their skills, experience and relevant qualifications.

The Panel Chair is responsible for recommending a Selection Interview Shortlist to the relevant Unit Manager for approval.

15.9 Interviews

The Panel Chair is responsible for preparing relevant questions to ask during the interview process, using the Interview Questions Template. All shortlisted candidates shall be asked the same questions and given the same opportunities to respond. Other panel members are responsible for reviewing the questions for interview.

Interview notes must be taken for all applicants, and kept for 12 months following the appointment of the successful candidate. These interview notes will also be used to provide feedback to unsuccessful applicants.

At the conclusion of the interview for each candidate, the selection panel members will complete the scoring section. At the conclusion of all interviews, the selection panel will discuss and agree upon the preferred candidate, and then proceed to complete Reference Checking.

15.10 Reference Checks

Prior to any offer of employment, it is essential that reference checks are conducted and documented (Reference Check Form). It is recommended that at least two (2) reference checks are conducted on each applicant prior to the offer of employment being made.

Reference checks should also be conducted on previous employees being reconsidered for a position within the organisation.

Both written and telephone reference checks can be used to validate an employee's previous employment history. Prior to conducting a reference check, the express permission of the applicant should be obtained.

Qualifications should also be verified, and confirmation that the information provided is accurate should also be noted with the individual's application.

15.11 Offer of Employment

The Selection Panel will prepare a brief report (Selection Panel Report) outlining the recruitment process and the preferred applicant.

When the preferred applicant has been determined, the Selection Panel will submit their report to the CEO for approval. Once approved by the CEO, the Chief Finance Officer will coordinate the Letter of Offer and Contract.

Unsuccessful Applications

The Panel Chair will ensure unsuccessful applicants are advised in writing. (may be delegated to Corporate Services).

15.12 Police Check /Working with Children Check (Blue Card)

Specific positions/ employees will be required to have a Police Check and or Working with Children Check in accordance with legislative requirements or as determined by the Board.

A person will need a Blue Card if they work in a paid or voluntary capacity in a child-related area regulated by the Commission for Children and Young People and Child Guardian Act 2000.

All the ACCHO 's employees are required to undertake a national police record check.
The ACCHO will pay for the cost of obtaining and renewals of these documents.
The Police clearance process will be required/renewed every 2 years.

Evidence of disclosable convictions will lead to review of ongoing employment at the discretion of the Chief Executive Officer(Chair for Director positions) and may result in summary termination of employment, depending on the inherent requirements of the position.

Note: For Health professionals (Doctors and Nurses) a "police clearance" is provided as part of the AHPRA registration process.

15.13 Disclosure of Pre-Existing Injury and Claims History

Employees (prospective employee) are required to disclose, in writing, details of any existing medical condition or disability which may adversely affect their ability to carry out their functions and duties and/or which may be aggravated by the duties offered by the ACCHO.

Employees (prospective employee) are required to provide written consent for the ACCHO to seek a copy of their Work Cover claims history.

15.14 Probationary Period

Employees will be informed at the time of employment that the offer of employment is subject to the successful completion of a six (6) month probationary period and that continuity of all the ACCHO's positions are subject to annual funding approval.

16. Induction

16.1 Principles

The ACCHO is committed to a structured Staff Induction process which will provide the necessary information tools and support to enable new employees to be clear regarding the ACCHO's expectations and be job ready from time of engagement. This process is recognised as an important contributor to staff motivation, productivity and retention.

16.2 Scope

All new employees and volunteers will participate in all elements of the Induction Program. With the exception of casuals and staff contracted for less than three (3) months, who will have a tailored program.

16.3 Program Elements

The Induction Program covers three (3) broad areas.

- i. Organisation Overview
 - History of Organisation
 - Outline of current programs/services
 - Cultural Awareness

- ii. Job Specific
 - Unit Action Plan & PD
 - Job specific (as applicable) – Use of Equipment & Systems,
 - Site specific – introductions, facilities, workstation, Fire Evacuation procedure
- iii. Corporate Services / Administration
 - *Sign up procedures* – Contract, Confidentiality Agreement, Employee Details Form, Superannuation, TFN Declaration, provision of Qualifications , Salary Sacrifice
 - *Licences and Clearances* – Drivers Licence, Blue Card, Police check
 - Briefing on Pay and Leave processes – TiL, timesheet, leave forms, Fair Work Statement
 - *Provision of Tools* - cars, phones, computers, email ID/password, keys
 - *Policies* – briefing on HR Policies, Health & Safety, CQI, Medical Emergencies

16.4 Program Timetable and Responsibilities

The schedule of program elements is as detailed below:

Within First Week

- The Senior Manager shall complete all - Job Specific Induction elements
- Corporate Services Unit shall complete all – Corporate Services Induction elements
- Corporate Services Unit will arrange access to documents on Intranet/Share Point re Organisation overview

Within First Three Months – Corporate Services will coordinate all new starters' participation in an Induction session where Organisation Overview elements and other specifics will be presented.

16.5 Record of Attendance/Completion

Employees will be required to complete a declaration of attendance/completion of the Induction Program elements, for each program element.

The Record of Induction Attendance/Completion shall be kept on the employee's Personnel File.

17. Personnel Records

A range of information must be made and kept for each employee as prescribed by the *Fair Work Act 2009* and *Fair Work Regulations 2009*.

The ACCHO will maintain staff employment records to assist the effective operation of the business and ensure compliance with all legal and statutory obligations.

17.1 Records Management

Our employee records are:

- in a form that is readily accessible to a Fair Work Inspector
- legible and in English
- kept for seven (7) years
- not altered unless for the purposes of correcting an error
- not false or misleading to the employer's knowledge.

- private and confidential. Generally, no one can access them other than the employee, their employer, and relevant payroll staff, as required by the *Privacy Act 1988*.
- made available at the request of an employee or former employee (copy only)
- Currency of Records: Employment records are reviewed at least annually to ensure currency of clinical qualifications & registrations, professional indemnity insurance, training records, immunisations and personal contact details.

17.2 Personnel Records

A confidential employee personnel record is created for every employee. The following records are to be retained in the personnel file.

- Application for employment and medical report (if relevant);
- Evidence of qualifications / current registration (where required);
- Selection Assessment and reference checks;
- Copy of letter of offer and signed acceptance;
- Signed Workplace Confidentiality Agreement, Staff Code of Conduct and receipt of Policies and Procedures Manual;
- Proof of participation in orientation / induction;
- Copy of individual's Blue Card (where required);
- Leave application forms (including relevant supporting documentation such as medical certificates);
- Authority to make deductions from salaries;
- Change of employee details material;
- Performance review / appraisal documentation;
- Disciplinary notes;
- Complaints;
- Incident Report Forms relating to the employee;
- Workers compensation claims; and
- Separation forms, termination letter / form and any exit interview notes
- Training Records including:
 - Record of training attended, Training plans, Certificates

17.3 Payroll Records

In addition to the information kept in each individual employee's file the ACCHO maintains records on payroll, taxation and superannuation transactions, as required by the *Fair Work Act 2009*. These include:

Time and Wages Records

- The name of the employer and the name of the employee.
- Date the employee started employment.
- If the employee is full-time, part-time.
- If the employee is permanent, temporary or casual.
- The employee's pay rate, including gross and net amounts paid and any deductions from the gross amount.
- Any loadings, monetary allowances, bonuses, incentive-based payments, penalty rates or other entitlements paid that can be singled out.

- Leave information for all types of leave, including:
 - a. leave taken, leave balance
 - b. a copy of any agreement to cash out accrued leave, the rate of payment for the leave and when the payment was made.
- Employees paid superannuation (excluding payments to a defined benefit fund):
 - a. amount paid, pay period, date(s) paid
 - b. name of super fund, record of the employee's super fund choice and the date that choice was made).
- If the employee or employer terminates their employment:
 - a. name of the person who terminated the employment
 - b. how the termination took place - by consent, by notice, summarily or in some other way (need to include details).

Pay Slips

Pay slips are given to each employee and these include the following, as required by the *Fair Work Act 2009*.

- the name of the employer and ABN (if any).
- the name, position & classification of the employee.
- the period to which the pay relates and the date it is paid.
- the hourly rate (or annual rate, if applicable).
- the hours worked, itemised as normal hours, overtime, penalty rates & loadings, leave payments, etc. and the amount paid per hour for each income type.
- details of any additional allowances or deductions.
- the gross amount of the pay, taxation deducted and the net payment made.
- superannuation contributions for the period with the fund name and employer & employee contributions itemised separately.

17.4 Advising of Changes

It is the employee's responsibility to notify the Finance Officer **[INSERT ALTERNATIVE POSITION TITLE FOR YOUR ACCHO]** of any changes to their personal details, as soon as practicable. This may include change of address, name, phone number, person to notify in case of accidents or illness, any changes to information related to the tax status of the employee, change renewal of qualifications/licences or any other change affecting the relationship between the ACCHO and the employee.

17.5 Licence and Registration Renewals

Each employee is responsible to ensure current licenses and registration are on record. Each employee will receive a reminder email from Corporate Services, based on expiry/renewal dates of work required licences/registration. . The employee is required to provide updated evidence of renewal/current licence/registration to the Corporate Services Unit, **[INSERT ALTERNATIVE BUSINESS UNIT TITLE FOR YOUR ACCHO]** as soon as practicable.

17.6 Database of Record

Employee Records: - maintained on secure staff files, contracts on Sharepoint **[INSERT ALTERNATIVE SOFTWARE TITLE FOR YOUR ACCHO]**

Pay Records: - maintained on MYOB **[INSERT ALTERNATIVE SOFTWARE TITLE FOR YOUR ACCHO]**

Training and OH&S records: - maintained on files

17.7 Access to Personnel Records

Employee personnel records are considered confidential and will be maintained by the Chief Finance Officer. **[INSERT ALTERNATIVE POSITION TITLE FOR YOUR ACCHO]**

Managers can access personnel records of staff employed in their respective area. The Chief Executive Officer can access personnel records of all staff on a genuine “need to know” basis.

The Corporate Services Unit will only confirm (not release) employment dates, position and salary, when contacted by financial institutions, where written authorisation has been provided by the staff member.

Private telephone numbers of staff may be accessed by the Manager for work-related purposes only. No address information will be provided without clearance from individual employees.

Employees may view their personnel file at any time, subject to the following conditions:

The employee is to formally request in writing access stating the reason. This request is to be made to the Chief Executive Officer;

- The employee may then examine their file at a nominated time at the employer’s premises within 3 days of the employer receiving the request or the employer may post a copy to the employee within 14 days of receiving the request. The personnel record is the property of the organisation and will be viewed in the presence of the Chief Executive Officer;
- Under no circumstances is an employee permitted to remove the file from the location or remove documents from the file;
- The employee is free to insert notes or comments into the file. These notes may include disagreement with material contained in the file.

Filing cabinets / storage areas containing personnel files will be kept closed and locked at all time when not in use.

Personnel files are to be treated as strictly private confidential. Any breach or suspected breach of confidentiality must be reported to the Chief Executive Officer for investigation.

18. Confidentiality & Privacy

18.1 Principles

In order to protect the rights of clients, it is imperative that every member of staff, when dealing with others’ details, observe the strictest confidence in discharging their duties and professional responsibilities.

Any disclosure or discussion of records or information concerning clients of the ACCHO, will be regarded as a serious breach of confidentiality and could lead to dismissal. Such information and records would include, but are not exclusive to:

- client records
- employee records

- ACCHO documents
- computer records and passwords

Employees must take care in maintaining the integrity and security of official documents and information for which they are responsible. Misuse of information includes disclosing information without proper authority to:

- other employees,
- members of the public,
- government departments/agencies,
- banks, credit agencies,
- the media,
- private investigators.

- Accessing information for personal interest, benefit or advantage, or for the interest, benefit or advantage of another person.

- Seeking to take advantage, for any reason, of another person on the basis of information about that person held in official records.

18.2 Publicity/Media Statements

No staff member of the ACCHO is permitted to make any statement to the media concerning clients or the ACCHO's business or to allow their photograph to be taken in or around the organisation's premises without the express written approval of the Chief Executive Officer.

18.3 Storage, Security and Release of Information

Information in the possession of the ACCHO shall only be used for the purposes for which it was acquired. Employees who use such information for any improper purpose may be guilty of serious and wilful misconduct, and their employment terminated in accordance with the Disciplinary Process.

Staff shall take all precautions to ensure that information is securely stored and managed so as to prevent other individuals and unauthorised persons obtaining access to personal information when not authorised to do so.

18.4 Confidentiality Agreement

All employees / contractors are required to sign a Workplace Confidentiality Agreement prior to/upon commencing with the ACCHO.

This Agreement will be filed on the employee's Personnel File.

Upon exiting the organisation all staff must handover all properties, passwords, tools, keys, relevant soft copy and hard copy documents. These elements remain the property of the ACCHO.

19. Performance Management

19.1 Principles

The ACCHO endeavours to assist employees maintain and improve their performance through a fair and structured Performance Management process which will:

- ensure that employees know what is expected of them in their jobs
- drive improved quality of performance and output
- ensure alignment of individual outputs with the ACCHO's Action Plan
- plan for the development and training of employees
- manage poor performance as it arises

19.2 Performance Review

Managers are responsible for the continuing management of employee work outputs. This will be managed through regular meetings, discussion and feedback on progress; including discussion of work plans and targets where relevant.

Formal Performance Reviews will be conducted;

- within the initial six month period of employment and
- as a minimum annually

19.2.1 Probationary Review

The ACCHO's expectation is that within the initial six months, the employee should have; the basics of the role under control; a good grasp of the broad business offering, strong ownership of the role, competence in terms of required administrative and stakeholder relationships.

If it is evident that an employee cannot meet the requirements of the role within six (6) months of commencement, employment may be terminated within the probationary period without being subject to Unfair Dismissal proceedings.

It is appropriate both that the employee gets on the job feedback and the ACCHO assess the suitability for ongoing employment within the initial six month period.

Steps in Probationary Review Process

- Managers provide employee with Probation Review Form and advise of process
 - Manager advises employee of date & time for review
 - Manager advises employee to write down key work outcomes/tasks/outputs for past 6 months
- Manager and Employee have discussion, document and complete a Form/Record
 - Manager gives feedback on performance
 - Highlight any relevant issues with examples if possible
 - Discuss issues raised
 - Document specific action or outcome
- Manager Completes Form/Record - indicates recommendation and both parties sign, forward to the CEO/Corporate Services Unit for action and filing.

19.2.2 Annual Review

The annual review will address:

- achievement of objectives ("What" done /outputs/targets/deliverables)
- behaviours and skills demonstrated ("How" worked eg Team Player, Initiative...)
- training and development plans

The Annual Review Process is a two stage process looking forward for next year and looking back on previous year.

Stage 1 – Looking Forward - Setting Performance Expectations (at start of financial year)

The manager in conjunction with the employee will set:

- performance objectives
- actions, deliverables, milestones, targets
- expected behaviours
- Commit to and record a Training and Development Plan

The form/record will be signed by both parties and a copy kept on the Staff Members file.

Stage 2 – Looking Back - Performance Review (at the end of financial year). The formal Annual Review will be informed by individual Work Plans, the regular Manager/Employee performance discussions, performance and activity reports for each role and reflect the Action Plan.

This is a formal event that requires preparation by both parties. The Manager will:

- set a date for performance review meeting
- advise employee of date and inform them that they need to prepare by reviewing reports, outcomes, objectives and work plan and document on the form at Column
- prepare for discussion by gathering performance evidence eg completed reports, statistics, feedback from member organisations/peers and consider examples of behaviours
- conduct the one on one meeting to discuss achievements, organisational behaviours and overall performance.
- record final details as discussed and add any further comments.
- consider the individual's performance and effectiveness against the Rating Scale and recommend a rating to the Chief Executive Officer for endorsement.

19.3 Review of Decisions

Any staff member is entitled to seek a review of decisions relating to the performance appraisal process. The following steps apply:

- The staff member should request that the Chief Executive Officer review the initial decision of the Manager. The CEO should review the decision and discuss the outcome with the staff member.
- The outcome of this meeting will be final so far as the organisation is concerned.

19.4 Confidentiality and Access

Information contained in the Performance Review forms and discussions held between the employee and their manager are confidential.

Performance Review forms are kept in the employee's personnel file, with access to the forms as per the Personnel Records Policy.

19.5 Managing Poor Performance

Managers are responsible for work outcomes in their unit and the direction of employees to achieve the business objectives. Accordingly Managers should address any issues regarding poor or under performance as they arise.

The process adopted should be fair, transparent and timely. A Six Step process with Manager Guidelines is outlined below at 19.5.1.

19.5.1 Process

STEP ONE: INFORMAL DISCUSSION

The first step, as appropriate to level of performance issue, is for the Manager to have an informal discussion with the employee regarding the performance concern.

The manager should explain to the employee the concerns the manager has regarding the employee's performance and find out from the employee if there is anything that is preventing them from performing at an optimal level.

The manager should then work with the employee to try and address the performance issue before it escalates into a larger problem.

STEP TWO: FORMAL PERFORMANCE MANAGEMENT MEETING AND VERBAL WARNING

Where informal discussions have failed to achieve the necessary improvement to performance, the manager should hold a formal performance management meeting with the employee concerned.

The purpose of the formal meeting is to inform the employee that there is a serious concern regarding their performance, formally set out the expected performance levels and verbally warn the employee that they may face disciplinary action if their performance does not improve.

Guidelines for Meeting - the Manager should;

- Give the employee 24 hours' notice, inform them of the purpose of the meeting, advise the employee they have the right to have a support person present, arrange a suitable location
- At the meeting
 - clearly explain the concerns, give specific examples where possible
 - Give the employee an opportunity to respond and provide explanations
 - Discuss the reasons behind the poor performance (includes personal and professional barriers) and whether anything the ACCHO can do to assist
 - Clearly explain the level of performance expected and actions employee needs to take to improve to standard required
 - Set a reasonable timeframe for further review
 - Warn the employee that if performance does reach level required within timeframe then further disciplinary action will occur
 - Make a written record of meeting, offer employee to sign (they may elect not to) and file on personnel file

STEP THREE: REVIEW OF PERFORMANCE (and WRITTEN WARNING IF NECESSARY)

During step two a timeframe for improvement of the employee's performance will have been set. Following the completion of that timeframe the manager should meet with the relevant employee for the purpose of reviewing their performance against the agreed actions and performance levels discussed at the first meeting.

The same guidelines apply to the conduct of this meeting as with the meeting in step two.

If after hearing from the employee and taking into account all relevant information and circumstances, the manager is of the view that the employee's performance has not improved to the requisite level the employee should be informed that a written warning will be issued following the conclusion of the meeting.

Guidelines for Written Warning - the Manager should;

- Consult with the Chief Executive Officer to confirm outcomes and confirm the content and obtain CEO signing of a Written Warning
- The Written Warning letter should;
 - confirm the process steps taken to date
 - outline the poor performance that has given rise to the warning
 - specify the actions and expectations to address the poor performance and the timeframe in which improvement to required standard is required
 - outline the consequences that if the employee's performance fails to reach the level required within timeframe then further disciplinary action, including potential termination of their employment, will be considered.
- Place a copy of the letter and record of the meeting on the employees personnel file

STEP FOUR: FURTHER REVIEW OF PERFORMANCE (AND SHOW CAUSE LETTER IF NECESSARY)

During step three a timeframe for further review of the employee's performance will have been set.

Following the completion of that timeframe the Manager should meet with the relevant employee for the purpose of reviewing their performance against the agreed actions and performance levels discussed at the first formal meeting.

The same guidelines apply to the conduct of this meeting as with the meeting in step two.

If after hearing from the employee and taking into account all relevant information and circumstances, the manager is of the view that the employee's performance has still not improved to the requisite level the employee should be advised that they will be issued with a "show cause letter" and asked to attend a meeting to explain why their employment should not be terminated.

Guidelines for Show Cause Letters – the Manager should;

- Consult with the Chief Executive Officer to confirm outcomes and confirm the content and obtain CEO signing of a Show Cause Letter
- The Show Cause letter should;
 - confirm the process steps taken to date
 - provide details of the continued poor performance
 - direct the employee to attend a further and final meeting to give them a final opportunity to provide an explanation for the poor performance and give reasons why their employment should not be terminated
 - inform the employee that they are entitled to bring a support person to the meeting and
 - warn the employee that if the ACCHO is not satisfied with the employee's responses at the meeting it is likely that their employment will be terminated.
- This letter should ideally be prepared and delivered within 48 hours of the meeting at Step 4, with the Show Cause Meeting set to take place within a further 48 hours.

STEP FIVE: SHOW CAUSE MEETING

In circumstances where a show cause letter has been issued a meeting should be held with the employee to give them an opportunity to show cause as to why their employment should not be terminated. The Chief Executive Officer will conduct this meeting and in most cases the Chief Finance Officer/HR Manager should attend this meeting along with the Manager.

At the conclusion of the meeting the employee should be told that consideration will be given to the responses provided by the employee during the meeting and a decision regarding their continued employment will be made and conveyed to them as soon as possible.

Following the meeting the Manager and Chief Executive Officer should decide on appropriate action to be taken in relation to the poor performance.

The decision regarding the outcome of the show cause meeting should be conveyed to the employee as soon as possible following the conclusion of the show cause meeting (and preferably within 24 hours of the meeting).

If a decision is made to take some form of action other than termination of employment (for example a further warning is to be issued, the employee is to be demoted or transferred, or no action is to be taken), this decision should also be conveyed to the employee orally and in writing. Where a decision has been made to terminate employment, that decision should be communicated to the employee both orally and in writing, as per Step Six.

STEP SIX: TERMINATION OF EMPLOYMENT

A termination letter on the basis of unacceptable performance, should only be issued in circumstances where an employee has been provided with at least a written warning and has been invited to attend/has attended a show cause meeting.

The Chief Executive Officer will issue the termination letter.

Guidelines for Termination Letters- the Termination Letter should;

- Refer to the show cause letter (and the history of performance management process)
- Refer to the show cause meeting
- Explain that the ACCHO does not consider that the employee has acceptable or sufficient reasons for their continued poor performance
- Clearly state that following consideration of all the circumstances a decision has been made to terminate the employee's employment for reasons of unacceptable performance as detailed in the show cause letter.
- Set out the separation entitlements including:
 - notice period and whether this will be paid out or required to work notice period
 - stipulate that accrued annual leave (and long service leave if eligible) will be paid out as soon as practicable

19.6 Related Policies

Misconduct & Disciplinary Action Policy

20. Training & Development

ACCHO is committed to the development of a competent workforce to enable the achievement of the strategic business objectives and annual action plan deliverables.

The approach to the training and development of employees has three key components:

- 1) the analysis of required workforce skills sets
- 2) the development and delivery of "critical" professional development programs
- 3) structured individual employee assessment and planning

The ACCHO recognises that a major proportion job specific skills learning and development occurs in the workplace eg systems, procedures and reports. The Training and Development policy provides a framework for the alignment of all learning and development activities to improved business performance outcomes.

20.1 Workforce Skill Sets

Training and development initiatives and investment will be targeted at the skilling of employees to meet the knowledge and skill competency requirements of their current position. The preference is for all training and development programs/initiatives to lead to achievement of an accreditation under the Australian Qualifications framework.

20.2 Continuing Professional Development

20.2.1 Registered Health Practitioners

As part of the annual Performance Review and Development process, Managers and employees who are Registered Health Practitioners will develop a learning plan that satisfies the continuing professional development (CPD) requirements as specified by AHPRA and the relevant National Board.

20.2.1 Other Professionals

As part of the annual Performance Review and Development process, Managers and employees are encouraged to plan for ongoing education and maintenance of competencies/professional requirements.

20.3 Corporate Programs

As part of the annual Action Planning process the ACCHO will identify key skills sets and development opportunities that will be coordinated by Corporate Services. This includes:

- Generic training needs - regular training will be organised for Fire and Evacuation, information systems eg Sharepoint **[INSERT ALTERNATIVE SOFTWARE TITLE FOR YOUR ACCHO]**

20.4 Employee Training and Development Plans

The Employee Performance Review process will provide a focus for the assessment and planning of employee training and development requirements.

Each Manager will be required to document an Employee Development Plan. This plan should identify needs, proposed actions eg courses, timing and estimated costings.

Corporate Services can advise Managers on training and development options, compliance with CPD requirements and assist with coordination of program sourcing/delivery as appropriate.

20.5 Training Approval Process

The Chief Executive Officer **[INSERT ALTERNATIVE POSITION TITLE FOR YOUR ACCHO]** approves release and expenditure in line with business requirements and budget.

Prior approval from the employee's Manager is required for all conference attendance and / or training undertaken by employees.

Courses of study that require a commitment extending over a period in excess of two months require approval by the Chief Executive Officer.

Employees seeking assistance to pursue a course of study, not specifically required as part of current role, must submit a written application to the Chief Executive Officer. (see 20.6)

20.6 Payment for Training and Release for Training

On the Job Training

The expectation is that the majority of training will be conducted on the job and during normal work hours. Accordingly this will mean normal hours of work and pay conditions apply.

Staff doing certificates as part of their current job requirement, will be able to have up to 4 hours per week for on-site study time, within standard weekly hours, as approved by their Line Manager and where operational needs permit.

Formal Training Blocks (eg offsite conferences)

The ACCHO will pay for all registration / course costs for approved conferences and/or training (may also include funding towards associated travel, accommodation costs)

The employees' time in attending approved training blocks/conferences is to be treated as normal work hours. The time should be recorded on the timesheet as training, noting that a maximum of a standard (7.6) hours per day can be recorded on the timesheet.

If conference attendance / training is undertaken outside normal working hours, the employee will receive no extra payment for their time.

Professional Development Leave

The expectation is that the majority of training will be conducted on the job and in work hours. Accordingly this will mean normal hours of work and pay conditions apply, unless specific contract entitlement to professional development leave is specified.

Non Job Specific / Personal Study / Training

Courses of study undertaken by employees on their own behalf, not as part of the approved Employees Training and Development plan must be done during non-working hours and costs paid by the employee.

The ACCHO does not provide for Study Leave for non-approved courses.

The Chief Executive Officer may review the granting of Study Leave on a case by case basis. In instances where non job specific training is supported with time off or payment of fees, this will be documented and authorised by the CEO and a formal written commitment from the Employee will be required, as below.

20.7 Employee Commitment to the ACCHO

Where the employee is supported by the ACCHO to undertake a non-job specific course of study or training eg Studies for a higher level qualification or alternate profession; then the employee is required to maintain ongoing employment with the ACCHO for a period as determined by the CEO, as recognition for the ACCHO as the employer supporting their development.

Should you leave the ACCHO of your own accord within twelve (12) months of the completion of such training, then the cost of that training may be deducted from any monies owing via reimbursement.

21. Staff Grievances

21.1 Purpose

The ACCHO acknowledges that employees experience a range of problems in the workplace which may affect their work performance. If these problems cannot be resolved and develop into a grievance, there needs to be a formal process to enable the grievance to be resolved.

The purpose of the Grievance Resolution Procedure is to provide employees with the opportunity to resolve a grievance concerning decisions which adversely affect them, or other matters about which they are aggrieved, in their capacity as employees of the ACCHO.

The procedures are intended to prevent personal conflicts becoming entrenched and to resolve disputes without delay and in a conciliatory, informal and effective manner.

21.2 Definitions

A grievance is a problem, concern or complaint related to the working environment. It can arise from discrimination, harassment, or any other behaviour by one employee against another, or by the organisation against an employee.

Grievances can be raised on a range of matters including:

- Breaches of policy;
- Interaction with colleagues;
- Employment conditions; and/or
- Any other forms of unfair treatment which are perceived to have a detrimental effect on an individual or their work environment.

Not every matter complained about necessitates a grievance. Managers are responsible for resolving concerns and may intervene in instances where inappropriate behaviour or actions have been observed or reported by others.

21.3 Principles

The Grievance Resolution Procedure will emphasise and promote the following principles:

- Fair and equitable treatment for all staff;
- Confidential treatment of all grievances;
- Access to grievance resolution for all employees;
- Timely resolution of grievances;
- Resolution of grievances by an accountable delegate wherever possible;
- Non-adversarial resolution;
- Open discussion; and
- Open communication and consultation with all stakeholders including relevant unions where appropriate and necessary.

21.4 Who do you discuss/submit your Grievances to?

In the first instance grievances should be attempted to be resolved between the parties and then raised with their Line Manager as required.

All employees must comply with the procedures set out below. Unless there is a valid reason (ie. the employee's grievance is with their Line Manager), it is not acceptable for an employee to lodge a grievance outside of the escalation process (ie. an employee cannot take a grievance to the CEO unless they have first followed steps 1 and 2). The only circumstances in which a grievance can be lodged outside this procedure, is when an employee has a grievance against the CEO. In such an instance, it is acceptable for the employee to lodge their grievance directly with the Chairperson of the Board of Directors.

Aside from this instance, it is NEVER acceptable for an employee to approach any member of the Board with a grievance. If an employee deliberately acts outside of this procedure, formal disciplinary action will be taken.

21.5 Steps in Grievances Resolution Process

1. If an employee is unable to resolve their grievance on their own (ie. directly with the person (s) involved), they should discuss the matter with their Line Manager. The Manager will attempt to resolve the grievance within five (5) working days of the employee's grievance being notified.

All parties to the grievance should try to solve the grievance using the following problem-solving process:

- **Assess** the situation;
- **Plan**;
- **Implement** the plan; and
- **Evaluate**.

To assist in resolution at this stage, the aggrieved employee should clearly state their concerns, the party/parties involved and the outcome sought in writing. Any concerns raised verbally will be documented by the Line Manager for review and confirmation by the aggrieved employee.

If the issue is not capable of resolution on the spot, the Line Manager will establish a process for addressing the employee's concerns. If it is not within the power of the Manager to resolve the issue, they will advise the employee accordingly so they may take the process to the next stage.

2. If the Line Manager is unable to resolve the matter or it is inappropriate for the employee to approach their Line Manager, the employee may then approach the Chief Executive Officer.
3. The CEO will attempt to resolve the grievance within ten (10) working days of being notified of the grievance.
4. If the issue still exists after the above mentioned processes have been carried out, the matter may be referred by either party to the Fair Work Commission for conciliation and, if agreed, arbitration.
5. Until the grievance is determined, work shall continue normally in accordance with the custom and practice existing before the grievance arose, if practicable.
6. However in the instance of a workplace health and safety matter the CFO should be consulted before work recommences.
7. No party shall be prejudiced as to the final settlement by the continuance of work.

21.6 Records

Records of Grievances and actions taken will be maintained confidentially and secured on personnel files.

22. Misconduct and Disciplinary Action

22.1 Principles

The ACCHO seeks to deal with any breaches of policy, issues of misconduct and or poor performance; in a prompt, fair and reasonable manner.

Misconduct is quite separate and distinct from poor performance and therefore will be addressed in a different manner. An employee can be a good performer and still engage in misconduct.

Allegations and instances of Misconduct will be investigated and dealt with as soon as possible and in accordance with the procedure detailed below.

22.2 Investigation Procedure

All allegations of misconduct will usually be subject to some form of investigation prior to a decision being made to take disciplinary action. The precise steps involved in an investigation into misconduct will differ depending on the nature of the allegations and the particular circumstances of the matter.

All allegations should be referred by Managers to the Chief Executive Officer for decision on the appropriate process to be adopted. The CEO will typically assign someone independent to the allegations to conduct any required investigation.

22.2.1 By way of guidance, an investigation will usually involve the following steps:

- (a) gathering of relevant evidence (including documentary evidence and interviewing witnesses);
- (b) meeting with the accused to get their side of the story and give them an understanding of any evidence against them;
- (c) making a decision as to whether the allegations are substantiated and communicating that decision to the accused via the CEO; and
- (d) where the allegations are substantiated, discussion with the accused, via the CEO, in respect of any proposed disciplinary action.

22.2.2 Investigations should be conducted and resolved as quickly as possible once alleged misconduct is identified.

22.2.3 In conducting an investigation into an allegation of misconduct, the ACCHO will endeavour to ensure that the principles of natural justice and procedural fairness are adhered to.

This means that, where possible, the accused will be:

- i. fully informed of the details of the allegations against them and provided with details of any evidence that supports those allegations (this does not necessarily mean that the accused will be entitled to copies of witness statements);
- ii. given details of the process that will be followed in respect of investigating the alleged misconduct;
- iii. given a reasonable and genuine opportunity to provide a response to the allegations and put forward any additional evidence;
- iv. treated as innocent until proven guilty; and
- v. entitled to be represented and supported by a person of their choice (eg. family member, union representative, and lawyer).

22.3 Suspension

In most circumstances the accused is likely to be suspended whilst the allegations are being investigated, subject to the severity of the allegations. This should not be viewed as disciplinary action but simply a step designed to ensure that all parties' rights and interests are protected. Any suspension period will typically be on full pay.

22.4 Summary Dismissal

Serious misconduct is assessed by taking into account the effect of the conduct on the safety and well-being of clients, employees, business, and property; breaches of legislation, industrial instruments, or policies; and the knowledge, skill, motivation and state of mind of the employee at the time of the incident/s.

Employees should be aware that the following types of conduct are regarded by the ACCHO as constituting serious misconduct and are likely to result in summary dismissal:

- a) failing to comply with a lawful and reasonable direction given to the employee by their manager;
- b) walking off the job without reasonable excuse;
- c) consuming drugs or alcohol whilst on company premises or during working hours (other than where such consumption is authorised by the ACCHO – for example at a work function);
- d) attending for work under the influence of drugs or alcohol to the extent that the employee is incapable of carrying out their normal duties or is likely to injure themselves or any other person or cause damage to ACCHO property;
- e) theft or wilful or reckless damage to Organisation property or the property of other employees;
- f) dishonesty (including abuse of personal, carer's or compassionate leave);
- g) physical violence or threats of physical violence;
- h) failing to comply with directions and obligations in respect of workplace health and safety (including smoking on work premises); and
- i) breach of any company policy.

The above list is not exhaustive of the types of conduct that constitute serious misconduct.

22.5 Responsibilities

Managers - under this policy, managers have a responsibility to:

- notify the Chief Executive Officer as soon as a misconduct issue is identified;
- have concrete examples of the alleged misconduct;
- keep adequate records of all discussions and meetings;
- remain open minded and not prejudge outcomes before the investigation process has been completed;
- participate in or conduct the investigation as directed or guided by the Chief Finance Officer or other senior management; and
- maintain confidentiality at all times by not discussing the matter with anyone other than as directed by the human resources manager or other senior management.

Witnesses and the accused- under this policy have a responsibility to:

- participate in the investigation process;
- answer any questions asked of them honestly; and
- maintain confidentiality at all times by not discussing the matter with anyone other than as directed by the Chief Executive Officer or other senior management

22.6 Findings and Disciplinary Action

22.6.1 Findings

All relevant facts will be gathered before reaching a conclusion on the appropriate disciplinary action to be taken.

Factors to be considered in the process will include:

- the seriousness and implications of the work behaviour or poor performance;
- the employee's explanation of their conduct;

- the employee's past work record; and
- any previous disciplinary action undertaken.

In the event that the investigating officer makes a finding that misconduct has occurred, this will be presented to the CEO for confirmation and final decision on the disciplinary action to be taken.

22.6.2 Disciplinary Action

Depending on the judgement of the Chief Executive Officer on the severity of the misconduct the disciplinary action options include:

- requesting an apology be made by the employee;
- the issuing of a warning (as per the Performance Management process);
- demotion;
- counselling, possibly by external body/professional or by the ACCH'sO CEO or other professional as appropriate
- suspension for a fixed period or
- termination of employment

Where an employee has been found to have engaged in Serious Misconduct, their employment is likely to be terminated summarily (without notice or payment in lieu of notice).

The discipline action to be taken will be formally confirmed by letter issued by the Chief Executive Officer.

The records of the Investigation and Disciplinary Actions will be maintained confidentially and secured on personnel files.

22.7 Related Policies

Performance Management Policy

Section 3 - EMPLOYEE TOOLS & TRAVEL

23. Business Travel

23.1 Authorised Travel

Travel arrangements will be paid for and arranged by the ACCHO in the following instances;

- A requirement to undertake out-of-office travel
- A requirement to work temporarily at another location outside of the **[INSERT STATE/TERRITORY]**.
- A requirement to perform a specific travel activity or attend a function.

23.2 Booking Arrangements

All travel arrangements for employees of the ACCHO and the Board shall be arranged by the Administration Officer **[INSERT ALTERNATIVE POSITION TITLE FOR YOUR ACCHO]**. This includes:

- Airfares
- Accommodation
- Car Hire
- Travel Allowance

All payment processing of Travel Allowances shall only occur on a Tuesday and/or Thursday. It is the responsibility of the employee undertaking the travel to ensure that all relevant travel allowance forms are completed and appropriately authorised and provided to the Finance Officer in sufficient time to meet the processing deadlines.

Procedures

Employees must ensure that the “Travel Request / Allowance Form” has been completed correctly and is authorised by their relevant Manager before passing onto the relevant Administration Officer. (Refer to Appendix 6.) The relevant Administration Officer will complete the “Travel Request / Allowance Form” on behalf of the ACCHO’s CEO the form shall then be authorised by the Chief Executive Officer.

Appropriate travel includes, but is not limited to: meetings, conferences, community consultations, training programs, in-services, and delivery of outreach services that are directly related to the job roles, duties and work plans of managers and staff.

Where the travel involves a seminar or workshop, a copy of the registration form is required to accompany the “Travel Request / Allowance Form”. This will ensure that only the necessary travel arrangements will be made. If accommodation and/or meals are provided as part of the seminar/workshop and this is confirmed on the registration form, then the ACCHO will not book accommodation or pay the relevant meal allowance, thus avoiding double payment of travel costs.

The Manager who authorises the “Travel Request / Allowance Form” must record on the form the appropriate job number that corresponds to the project that the travel costs are to be assigned to.

The Finance Officer will match up copies of the travel forms with the invoices from the airlines, hire car companies, accommodation providers and/or training providers and assign the appropriate general ledger account code

23.4 Travel Allowances

Staff are paid a Travel Allowance to cover meals and incidental costs whilst away from home for work purposes.

Travel Allowance Rates are based on the “reasonable amounts for daily travel expenses” where overnight travel required, from the Australian Taxation Office.

Mileage Rates. The ACCHO’s policy is to encourage the use of pooled vehicles and Cabcharge vouchers for all business purposes. The ACCHO will, in exceptional circumstances, reimburse employees when authorised prior to travel to use their own personal motor vehicle for the ACCHO’s official business. The rate of reimbursement will be calculated in relation to the Australian Taxation guidelines or if paid via an Industrial Award the relevant Award entitlement appropriate to the individual employee

Airfares will be booked by the relevant Administration Officer who will always try to secure the best discounted airfare available for the travel required. If an employee wishes to change a flight itinerary and this results in additional costs to the fare, then the employee will be required to reimburse the ACCHO for these additional charges. If the change in flights for the employee is due to the request of ACCHO or is out of the control of the employee, then the ACCHO will cover any additional charges. All airfares for the Chief Executive Officer will be booked as “fully flexible” fares to enable the greatest amount of flexibility for travel.

23.5 Extension of Travel to Incorporate Private Travel

Where an employee undertaking domestic travel for work purposes, proposes to extend the visit for private purposes, or seeks to extend private travel for work purposes, prior approval from the CEO is required. The ACCHO will not coordinate or bear any costs involved in changing travel arrangements for private purposes.

Staff seeking approval for travel must disclose any associated private travel plans or funding at the time of making the application.

23.6 Overnight Accommodation

The need for overnight accommodation shall be determined by the CEO or delegate, having regard to the safety of the employee and local conditions applicable to the area.

Where employees are required to attend conferences or seminars, which involve evening sessions or employees are required to start early at another location, overnight accommodation will be appropriately authorised.

24. Standard of Dress and Staff Uniforms

24.1 Principles

The appearance of employees reflects the image of our company and has a significant impact on the way we are viewed by member’s, employees and the general public.

The ACCHO expects staff to dress and present professionally and in a manner that projects a good image. The ACCHO provides employees with access to comfortable and professional uniforms.

Whilst it is not mandatory to wear the provided uniform in the office at all times, the provided uniform must be worn whilst representing the ACCHO in any face to face work related activities with external groups/individuals.

This Policy will be reviewed and redeveloped by the Chief Executive Officer [INSERT ALTERNATIVE POSITION TITLE FOR YOUR ACCHO], with appropriate discussion with staff to ensure meets business needs.

24.2 Uniform Allocations

All full time and part time employees, from date of commencement, are eligible for a Staff Uniform on the following basis;

- All Staff will allocated 2 ACCHO polo shirts
- These shirts are provided free of charge, staff can purchase extras at their own expense
- The ACCHO will consider provision of replacements on a needs basis on the return of the old shirt(s)

24.3 Standard of Appearance

[INSERT OPTIONAL POLICY FOR YOUR ACCHO]

24.4 Wearing the Uniform outside of Work

The Corporate Uniform(s) must **not** be worn in the following situations/circumstances:

- whilst engaging in private activities outside work hours
- in situations/venues which are not in harmony with THE ACCHO's ideals of promoting better health and lifestyle choices or conflicting with the Code of Conduct and expectations of employees
- inside Pubs, TABs, Betting and Gaming Venues.

24.5 Completion of Employment

Uniforms not purchased by staff, remain the property of THE ACCHO. On termination of employment, all items shall be returned, before final payments will be made to the employee.

25. Mobile Devices Policy

25.1 Purpose

Employees may be provided with a Mobile Phone and/or Tablets for business usage where it is necessary to support their work role.

The intent of this policy is to establish a framework for consistent, authorised and lawful use of the device and minimise the risk of inappropriate and/or unauthorised use.

25.2 Allocation

Each position will be assessed to determine eligibility for allocation of a mobile device, in accordance with business need.

Business need criteria include, but are not limited to:

- a requirement to undertake frequent out-of-office duties, including travel.

- a requirement to be on call.
- limited access to a fixed phone.
- a requirement to perform a specific security or OH&S function.
- improved client services, productivity, or efficiency

In all cases the COO is responsible for approving issue of devices to employees.

The device remains the property of the ACCHO and may be reallocated or substituted for another device at the discretion of the Chief Finance Officer, or other approved delegate. (No employee is guaranteed to keep the same handset/device).

25.3 Approved Services

The ACCHO will pay for each service up to the monthly allowance on the provided mobile plan. Staff will be notified where excess charges are incurred and these will be deducted automatically from staff pay.

Staff are not permitted to enter into any telephony or data plan with any carrier on behalf of the ACCHO, regardless of funding source or device ownership. Unauthorised plans will be cancelled, and the carrier advised to recover costs from the staff member responsible for entering into the plan. The ACCHO will not meet or subsidise plan costs for non- ACCHO devices.

Standard Services provided include; Voice calls, Voicemail, Text messaging (SMS), Data plans, allowing Internet access, email, and data transfers, are standard on smart phones and certain other devices only.

Access to the following services is not considered a standard requirement and requires written approval from the CEO: Global Roaming , Conference calls , Call diversions (except to voicemail) , MMS (Multimedia Messaging Service) , WAP (Wireless Application Protocol), PXT (Picture Text message) , Chargeable downloads, Use of Multimedia Telephony Devices.

25.4 Responsibilities

Managers are responsible for:

- Monitoring usage of mobile devices for their staff.

Staff allocated Mobile Devices are responsible for/to:

- Abide by all laws relating to the use of mobile devices
- Report lost/stolen mobile devices to the Business Services Unit and complete the "Incident/Injury" form within 5 working days of the loss being reported
- Return the device and SIM to their Manager if the device is no longer required
- Limiting usage to that necessary for effective business
- Keeping calls brief
- Protecting devices from damage, loss or theft
- Not using the device for unlawful activities, commercial purposes unrelated to the ACCHO, or personal gain, or to send harassing, menacing, intimidating or offensive messages
- Reimbursing the ACCHO for all personal charges in excess of your monthly allowance on the provided mobile plan. Excess charges will be deducted automatically from your pay. At a minimum rate of 10% per pay until the outstanding is paid at the discretion of the Manager
- The use of any premium services or chargeable downloads (eg third party software, ring tone services, competitions, 1900 calls) are not permitted and must be fully reimbursed to the ACCHO. Breaches of this will also be subject to disciplinary procedures

- Make themselves aware of potential health and safety risks related to the use of mobile devices, including use while driving.

25.5 Return of Devices on Leaving the ACCHO

When a user ceases employment with the ACCHO their mobile device must be returned to their manager for reallocation/recycling.

If the device is not returned the user will be charged the cost of its replacement. The SIM will be cancelled and the device locked, rendering the device useless.

Outstanding personal calls must be paid for on termination of employment and will be automatically deducted from your separation payment.

26. Use of ICT Systems, Internet, Social Media & Email

26.1 Purpose

The intent of this policy to establish a framework for consistent, authorised and lawful use and management of internet, email and other ICT devices and services; thus reducing the risk of threats, of denigration of service and of inappropriate and/or unauthorised use.

26.2 Definitions

This policy applies to the usage of all ICT devices used in the workplace or in connection with work, including: desk top computers and laptops (including palm or hand held devices); mobiles and portable devices (including blackberry, smartphones tablets); removable media (including USBs, SD cards, external hard drives); recorders and imaging equipment.

26.3 Access and Business Use

Employees should have access to the internet for email and research purposes only if it supports their work role.

System access will be via user-ID and password, the confidentiality of passwords must be maintained. This means that passwords should not be disclosed to any other unauthorised person and should not be written down. Computer terminals should be locked when not in use, logged out and closed down at the end of each day.

Employees must not allow family members or other unauthorised individuals to access the Information Technology environment. This includes the use of the ACCHO internet access devices such as modems and mobile phones.

The ICT systems are tools to be used for the ACCHO's purposes only.

Obtaining unauthorised access to electronic files of others or to email or other electronic communications of others, is not permitted and may constitute a criminal offence under the *Crimes Act* or other legislation.

26.4 Internet and Information Technology

The Internet and Information Technology environment of the ACCHO is intended to allow for the creation, access and transmission of information pursuant to achieving the objectives of the ACCHO. The ACCHO permits reasonable personal use of internet facilities provided that this use is lawful and does not:

- interfere with the performance of the employee's work duties or the duties of others; or
- interfere with the delivery of services to clients; or
- breach any policy or procedure.

The following guidelines apply to all employees:

- Internet time should be minimised to keep costs as low as possible and web browser applications should be closed when not in use;
- Extensive personal research on the internet is not permitted without prior authorisation from the Manager;
- The internet is not to be used to access, download, send, search or post inappropriate or offensive material;
- Web based email services are not to be used and contractors will require authorisation access to do so;
- Installation of links to social interaction tools and web sites such as Facebook, Youtube, MSN Chat, MySpace, etc is not allowed, unless without prior consent of the CEO. Installation of peer-to-peer (P2P) file-sharing network programs such as Limewire, is strictly forbidden
- Large volumes of data must not be downloaded or transmitted (A large file is defined as equal to or greater than 50mbits in size)
- Computer programs not supplied by the ACCHO must not be downloaded or installed without approval from the System Administrator;
- Employees must not gain, or attempt to gain unauthorised access to any network, service information, communications computing facility or resource through the use of the ACCHO information technology environment.

26.5 Email Usage Policy

Email is a business communication tool and users are expected to utilise this tool in a responsible, effective and lawful manner. The ACCHO permits reasonable personal use of email facilities (ie. correspondence to family / friends) provided that this use is lawful and does not:

- interfere with the performance of the employee's work duties or the duties of others; or
- interfere with the delivery of services to clients; or
- breach any policy or procedure.

Certain email content may expose employees and the ACCHO to legal liability. This includes material that may be construed as sexual harassment, workplace harassment (bullying), defamation, breach of confidentiality and / or copyright infringement. The following guidelines apply to all employees:

- Any personal use of Email must comply with workplace policies, including, (but not limited to) anti-discrimination, workplace bullying, and sexual harassment. Employees must NOT send or store emails that contain or attach inappropriate or offensive material (whether in text, visual or audio form). Employees must immediately delete any messages that contain inappropriate or offensive material;
- Broadcasting unsolicited views on social, political, religious, or other non-business related matters is prohibited;
- Employees must not use email for unauthorised purposes, including sending unauthorised broadcast emails to a group of individuals;
- Employees must not forward and / or reply to material that may be considered spam, chain letters or hoax emails if in doubt contact **[INSERT BUSINESS UNIT FOR YOUR ACCHO]** Unit;
- Employees must not personally subscribe to any non-work related external mailing lists or bulletin boards;

- Employees must not send / receive photos or videos without the written explicit approval of their Manager;
- The use of electronic communications for sending 'junk mail', for-profit messages, or chain letters is strictly prohibited.
- Retention of messages fills up large amounts of storage space on the network and can slow down performance. As few messages as possible should be maintained in a user's mail box. Messages for archive should be kept in separate archive files stored on the user's network home or shared drive.
- Email should not be considered as a secure medium to send private messages, and as such all information sent over Email should be written on the assumption that it may become public knowledge;
- All messages, both incoming and outgoing, will become the property of the ACCHO, and as such are subject to examination by the CEO, or any other authorised person, at any time;
- Documents and information that are confidential to the ACCHO must not be sent outside the organisation at any time via Email;
- Employees using Email should take care in the language they use in drafting Email messages. Users should endeavour to be polite in all messages and to avoid making statements on subjects about which they are uncertain, and use common sense to dictate what is acceptable and what is not;
- All incoming messages and attachments will be scanned for computer viruses to ensure the information technology system is not disabled or corrupted;
- Any virus infections must be reported as a matter of urgency to the IT department via voice as soon as practicable.

26.6 Unauthorised Email and Information Technology Use

Any material that is received by email or saved in the ACCHO information technology environment which is illegal, discriminatory, racially vilifying or which could reasonably be viewed as inappropriate or offensive or which, in the opinion of the ACCHO, could reasonably injure the reputation of the ACCHO must be forwarded to IT for archiving in case of need for future legal reference and deleted immediately. Such material must not, under any circumstances, be forwarded or distributed within or outside the ACCHO. Storage or distribution of such material will result in disciplinary action, which may include termination of employment.

26.7 Social Media

Social Media can have a significant impact on the workplace. Social forums such as Facebook and Twitter have blurred the line about what is acceptable conduct in a private forum that can also be viewed publicly.

Social Media includes, but is not limited to; social or business networking sites (eg Facebook, LinkedIn), video and/or phot sharing sites (eg YouTube, Flickr, Instagram), business and personal blogs/micro blogs (eg Twitter), chat rooms and forums.

The ACCHO policy guiding acceptable use of Social Media has two parts covering:

- 1/ Business Use - access and use in the workplace and
- 2/ Private Use - employee responsibilities regarding use of Social Media for their own purposes eg Facebook, Instagram and Twitter pages.

26.7.1 Business Use - ACCHO Sites / Forums and Authorised Use

All usage of ACCHO-related social media must be authorised by the Chief Executive Officer. Use of and participation in interactive services by employees must comply with the following standards for use;

- **Only** those authorised to do so by their Unit Manager should undertake social media activity on behalf of the ACCHO. This includes responding to any comments posted.
- The ACCHO actively encourages staff to *share* its posts with their social media networks.
- Any personal social media communication on matters that relate to the business should include a personal disclaimer and not the official view of the organisation.
- We do not provide any confidential or proprietary information.
- Posts and comments by authorised staff will always reflect the ACCHO's values and culture.
- We do not make reference to clients, colleagues or suppliers without their prior approval.
- We do not use this as a vehicle for your personal views
- Prohibited communications include; postings that may be considered discriminatory or harassing spam or junk type postings, profanity or pornography

26.7.2 Private Use - Responsibilities as an Employee when using Social Media

Employees should not use their ACCHO email address when creating or accessing social networking accounts and should not use the ACCHO's logos that may give the impression of official support or endorsement of personal comments made online.

Statements and/or comments that are made by an employee via social media eg on their Facebook and Twitter pages, can be considered to be a public statement. Where such comments concern the, the employees work, the organisation its employees or clients; these actions are subject to the Policies and Procedures of the ACCHO and must comply with the standards required by the ACCHO.

Specifically any comments/allegations against the company, clients and employees, that are;

- breaches of workplace confidentiality,
- examples of bullying, discrimination and/or harassment
- fraudulent or libellous claims
- denigrate the workplace and its employees
- portrayed as representing the company view

Will be considered to be unacceptable behaviour and subject to disciplinary action.

26.7.3 Use of Social Media for private purposes via the ACCHOs server

The ACCHO permits reasonable personal use of social media provided that this use is lawful and does not:

- interfere with the performance of the employee's work duties or the duties of others;
- interfere with the delivery of services to clients;
- breach any the ACCHO policy or procedure;
- put at risk the integrity of the system; eg check your account and privacy settings, carefully consider any 'friend' requests— especially from people not personally known
- it is not acceptable to spend hours using social media not related to your work

26.7.4 Reporting Inappropriate Use of Social Media

If any employee becomes aware of any negative comment made about the organisation, its brand, products or services, or employees on any social media they will not respond directly, but inform the their direct line manager or the communication manager as soon as possible.

The ACCHO will instigate the relevant investigation, grievance and discipline action as appropriate.

26.8 Viruses

Electronic communications are potential delivery systems for computer viruses. All data, programs and files which are downloaded electronically or attached to messages should be scanned by an anti-virus program before being launched, opened or accessed.

Viruses have the potential to seriously damage the ACCHO's ICT systems. Do not open any downloaded files, emails or attachments that you are not expecting or that look suspicious. In the event that you receive any files that you suspect contain a virus it should be reported immediately to **[INSERT BUSINESS UNIT FOR YOUR ACCHO]** Unit via Voice communication.

26.9 Property

The ACCHO is the owner of, and asserts copyright over, all electronic communications created by employees as part of their employment and sent through the ACCHO's ICT systems.

Electronic communications created, sent or received by the users referred to in this Policy are the property of the ACCHO, and may be accessed as records of evidence in the case of an investigation. Electronic communications may also be subject to discovery in litigation and criminal investigations. Please note that email messages may be retrieved from back-up systems and organisations, their employees and the authors of electronic communications can be held liable for messages that have been sent.

26.10 Copyright Infringement

The copyright material of third parties (for example, software, database files, documentation, cartoons, articles, graphic files, music files, video files, text and down loaded information) must not be used without specific authorisation to do so. The ability to forward and distribute electronic messages and attachments and to share files greatly increases the risk of copyright infringement. Copying material to a hard disk or removable disk, printing or distributing or sharing copyright material by electronic means, may give rise to personal and/or ACCHO liability, despite the belief that the use of such material was permitted.

The ACCHO supports the rights of copyright owners and does not and will not tolerate reckless or deliberate copyright infringement.

26.11 Monitoring

Use of the ACCHO's ICT systems may be monitored by Authorised Persons.

Use of the ACCHO's ICT systems is provided to users on condition that it is agreed that ICT systems are monitored in accordance with this Policy. Use of the ACCHO's ICT systems constitutes consent to monitoring in accordance with this Policy.

If at any time there is a reasonable belief that ICT systems are being used in breach of this Policy, the manager of the person who is suspected of using ICT systems inappropriately may suspend a person's use of ICT systems and may require that the equipment being used by the person be secured by the manager while the suspected breach is being investigated.

The monitoring and retrieval of email messages may be undertaken in any circumstances where the CEO believes it is appropriate to do so. These circumstances include, but are not limited to, the following:

- In the course of an investigation regarding misconduct, discrimination or sexual harassment;
- To comply with Workplace Health and Safety obligations;
- To protect and prevent interference with the ACCHO's business;
- To locate substantive information required for organisational business, which is not more readily available by some other means.

26.12 Complaints

If an employee suspects that this Policy may have been breached, or if they are exposed to an email or other electronic communication (including mobile phone messages), which offends them and / or which they believe is inappropriate, they should contact their Manager or the CEO.

Section 4 - EMPLOYEE CARE

27. Workplace Health & Safety

27.1 Purpose

The ACCHO is committed to providing a safe workplace and ensuring compliance with all requirements under the Federal workplace health and safety legislation and fire regulations applicable at any point in time.

27.2 Workplace Health and Safety System

Under current prevailing legislation (March 2015), the ACCHO is a PCBU - a person conducting a business or undertaking – and has a statutory obligation to establish a compliance system for specific duties under legislation. These include:

- providing and maintaining a working environment that is safe and without risks to health, including the entering and exiting of the workplace
- providing and maintaining plant, structure and systems of work that are safe and do not pose health risks (e.g. providing effective guards on machines and regulating the pace and frequency of work)
- ensuring the safe use, handling, storage and transport of plant, structure and substances (e.g. toxic chemicals, dusts and fibres)
- providing adequate facilities for the welfare of workers at workplaces under their management and control (e.g. washrooms, lockers and dining areas)
- providing workers with information, instruction, training or supervision needed for them to work safely and without risks to their health
- monitoring the health of their workers and the conditions of the workplace under their management and control to prevent injury or illness
- maintaining any accommodation owned or under their management and control to ensure the health and safety of workers occupying the premises.

In addition, a PCBU with management or control of a workplace must ensure, so far as is reasonably practicable, that the workplace, the means of entering and exiting the workplace and anything arising from the workplace do not affect the health and safety of any person.

The Act authorises a PCBU to establish a Health and Safety Committee (HSC) on their own initiative. The ACCHO has determined that the Senior Management Team will take on the functions of the HSC to ensure that the compliance system receives the highest level of authoritative attention and decision making. Workplace health and safety and fire regulation compliance are to be standing agenda items for every meeting of the Senior Management Team.

The Senior Management Team will ensure that there is an appropriately trained Fire Warden/Evacuation Coordinator and a First Aid Officer designated for the Secretariat's ACT

premises; that fire drills are carried out in compliance with fire regulations; and that the means of entering and exiting the workplace are periodically reviewed.

27.3 Workplace Health and Safety Responsibilities

The Chief Finance Officer **[INSERT ALTERNATIVE POSITION TITLE FOR YOUR ACCHO]** has lead responsibility within the Senior Management Team for ensuring the ACCHO and its Managers have;

- current information on work health and safety matters
- analysis of associated work hazards and risks
- appropriate resources and processes to eliminate or reduce risks to health and safety
- appropriate processes to receive and consider information about incidents, hazards and risks, and to respond in a timely manner
- processes for complying with their duties and obligations

All Business Unit Managers will;

- support compliance with Workplace Health and Safety procedures
- participate in prevention and review decisions as part of Senior Management Team

All Employees must:

- take reasonable care for their own health and safety while at work and take reasonable care that their acts or omissions do not adversely affect the health and safety of other persons
- cooperate with any reasonable instruction given by Management
- cooperate with any reasonable policy or procedure of the ACCHO
eg not smoke in work premises or vehicles, promptly report incidents, hazards and injuries to their Manager

27.4 Workplace Health and Safety Procedures

Workplace Audits

The Senior Management Team, advised by the Chief Finance Officer, will manage a program of workplace hazard identification, risk assessment and corrective action. Audit program outcomes and recommendations will be discussed by the Senior Management Team.

Health and Safety related Training

Corporate Services **[INSERT BUSINESS UNIT FOR YOUR ACCHO]** will manage a program of identifying relevant need based on a review of individual job requirements. Training will be organized by Corporate Services in fire warden/evacuation procedures, First Aid, CPR and – on a needs basis - Manual Handling.

A schedule of training will be overseen by the COO and the Workplace Health and Safety Committee.

Injury / Incident Reporting and Notification

Workplace Injury / Incident Report Forms are to be completed in the event of any incident which is not consistent with the routine operation of the organisation. This includes incidents with or without injury that relate to any client, staff member, volunteer or visitor to the organisation's premises.

The Injury / Incident Report form is available on Sharepoint. **[INSERT ALTERNATIVE SOFTWARE FOR YOUR ACCHO]**

In completing the Workplace Injury / Incident Report only known facts are to be recorded. Assumptions could leave the organisation liable in any legal matters.

The Report form is completed by the person reporting the incident and forwarded to the COO.

The CFO will arrange for further investigation as required, recording and reporting to the Senior Management Team in its capacity as the Workplace Health and Safety Committee.

27.5 Fire and Emergency Procedures

Corporate Services will ensure:

- (i) Procedures are in place to ensure persons can evacuate buildings safely including;
 - Development and maintenance of all procedural aspects which covers roles and responsibilities, fire procedures, fire awareness, warning systems and equipment, bomb threat procedures , other emergencies and checklists and reporting forms.
 - Evacuation Plan, diagram and assembly points are developed and displayed in each work area and toilet facility
 - A list of Emergency Contact phone numbers is kept at Reception at each work site
 - A Fire Warden/Evacuation Coordinator is appointed and briefed in order to coordinate evacuation procedures for each workplace premises
 - New employees to a worksite are instructed on these procedures and annual briefings are provided per workplace
- (ii) Prescribed fire safety installations for buildings are maintained. (Audit Form)

Evacuation Procedures

The ACCHO has adopted the following standard operating procedure to apply where evacuation of workplace premises is necessary.

In the event of a fire or hazardous material emergency:

Staff will:

- Raise the alarm (yell Fire, Fire)
- Advise the Fire Warden/Evacuation Coordinator, if they are unavailable
- Ring 000 or 112 and ask for the Fire Service (refer sheet)
- Evacuate the building and gather at the assigned assembly point, as you leave, close all open doors and windows (if safe to do so).

The Fire Warden/Evacuation Coordinator will:

- Investigate the situation,
- If safe to do so attempt to extinguish fire
- Raise the alarm (yell Fire, Fire)
- Ring 000 or 112 and ask for the Fire Service (refer emergency contact sheet)
- If time permits, check all rooms; turn off building master power switches, heating and air-conditioners – secure computers and files
- Ensure safe evacuation of all occupants
- Account for all occupants at the assembly area
- Meet the Fire Service and advise them of any relevant information
- Brief emergency services when they arrive. If it is suspected that someone is still in the building, only enter the building again if it is safe to do so.

- Ensure occupants do not attempt to re-enter the building until safe to do so

At the Assembly point

- Responsibility rests with the most senior member of staff present
- Take roll call and check names off against staff list
- Ask each staff member if they had visitors with them and check location of the visitor.
- No one is to return to the building unless the all clear has been given by the most senior member of staff present in consultation with the emergency services.

Post Evacuation

- The Fire Warden/Evacuation Coordinator will complete an Incident/Injury Report Form and submit to the Chief Finance Officer
- Corporate Services will conduct debriefings and investigation as required and report findings to the Senior Management Team
- The Chief Executive Officer should be notified of the event at the earliest opportunity if (s)he was not present.
- Further instruction to be given to staff by the Chief Executive Officer in regard to arrangements for the rest of the day, and further duties

First Aid

Corporate Services **[INSERT BUSINESS UNIT FOR YOUR ACCHO]** will provide a First Aid kit and oversee training and appointment of a First Aid Officer for the ACT office.

27.6 Return to Work Procedures

The ACCHO is committed to assist employees return to work after periods of illness or injury, as quickly and safely as possible.

Corporate Services will coordinate return to work with a focus on active case management and outcomes based rehabilitation to enable optimal return to work in lines with the needs of the business and the individual.

28. Sexual Harassment, Discrimination and Workplace Bullying

28.1 Purpose

It is the policy of the ACCHO that all employees should enjoy good working relationships with each other and with management. This means that everyone should feel comfortable at work.

An important part of good working relationships is that everyone must be able to work in an environment free of:

- Sexual harassment;
- Discrimination; and
- Workplace Harassment/Bullying.

Such behaviours will not be tolerated by the ACCHO as they are disruptive to the well-being of our workforce and affect the performance and safety of co-workers. Therefore, the ACCHO is committed to implementing processes to prevent such behaviour from occurring and the elimination of sexual harassment, discrimination and workplace harassment/bullying in the workplace.

28.2 Definitions

28.2.1 Sexual Harassment

Sexual harassment refers to a range of behaviours which are sexual in nature and which are not wanted, not asked for, not reciprocated, and which make the recipient feel humiliated, intimidated, offended, hurt or upset. The behaviour can take many different forms and may include physical contact, verbal comments, jokes, propositions, display of offensive material or other behaviour, which creates a sexually hostile working environment.

Sexual harassment is not always intentional. Acts or behaviour, which are funny or trivial to one person may hurt or offend another.

Verbal Sexual Harassment

- rude jokes or comments;
- making promises or threats in return for sexual favours;
- requests for sex;
- repeated invitations to go out after prior refusal;
- sex-based insults, taunts, teasing or name calling;
- offensive or abusive telephone calls; or
- persistent questions or insinuations about a person's private life.

Non-verbal Sexual Harassment

- putting sexually suggestive, offensive, or insulting material including posters, pin-ups, cartoons, graffiti or messages, on walls, noticeboards, desks, computer screen savers, electronic mail or other common areas, "flashing" or offensive hand or body gestures;
- staring or leering at a person or parts of their body; wolf whistling; or
- unwelcome practical jokes.

Physical Harassment

- uninvited or unnecessary physical contact such as pinching, patting, brushing up against a person, touching, kissing, hugging or massaging a person without invitation;
- indecent or sexual assault or attempted assault putting a hand or an object (eg pay slip) into someone's pocket, especially breast, hip or back pocket.

Sexual Harassment does not refer to compliments or behaviour which neither party finds offensive and which is based on mutual attraction, friendship and respect. If the interaction is consensual, welcome and reciprocated, it is not sexual harassment.

28.2.2 Discrimination

[NOTE: THE FOLLOWING TEXT REFERS TO THE A.C.T. CHANGE THIS FOR YOUR OWN STATE/TERRITORY LEGISLATION'S DEFINITION.] Under the *Australian Capital Territory Anti-Discrimination Act 1991*, Discrimination is defined as treating anyone less favourably on the basis of the following attributes:

(a) sex; (b) relationship status; (c) pregnancy; (d) parental status; (e) breastfeeding; (f) age; (g) race; (h) impairment; (i) religious belief or religious activity; (j) political belief or activity; (k) trade union activity; (l) lawful sexual activity; (m) gender identity; (n) sexuality; (o) family responsibilities;

This policy prohibits such behaviour. [Note: Discrimination may be intentional or unintentional]

Direct & Indirect Discrimination

Direct discrimination happens when a person treats, or proposes to treat, a person with an attribute less favourably than another person without the attribute. Indirect discrimination happens when a person imposes, or proposes to impose, a condition:

- with which a person with an attribute does not or is not able to comply; and
- with which a higher proportion of people without the attribute comply or are able to comply; and that is not reasonable.

The organisation is an equal opportunity employer. All employees are treated on their merits, without regard to race, age, sex, marital status or any other factor not applicable to the position. Employees are valued according to how well they perform their duties, their ability and their enthusiasm in maintaining the standards of service and values.

Discrimination occurs when someone is treated less favourably because one of the personal characteristics noted above. Discrimination may involve (but is not limited to):

- Making offensive 'jokes' about another worker's racial or ethnic background, sex, sexual preference, age or disability;
- Expressing negative stereotypes about particular groups eg. 'Mothers shouldn't work';
- Judging someone on their political or religious beliefs rather than their work performance;
- Undermining a person's authority or work performance because you dislike one of their personal characteristics; or
- Using selection processes based on irrelevant personal characteristics such as age, race or disability rather than skills and merit.

28.2.3 Workplace Harassment/Bullying

Workplace bullying can be defined as the repeated less favourable treatment of a person which may be considered as unreasonable and or inappropriate workplace practice. It includes behaviour that intimidates, offends, degrades or humiliates a staff member possibly in front of another employee or client.

Bullying can occur at all levels within an organisation, between individuals and groups.

Bullying behaviours may include, but are not limited to:

- Poorly managed conflicts of opinion or personality;
- Intimidation;
- Abuse of power;
- Yelling, screaming abuse, offensive language, insults, inappropriate comments about a person's appearance, life or lifestyle, slandering an employee or their family;
- Belittling opinions or constant criticism;
- Isolating employees from normal work interaction, training and development or career opportunities;
- Overwork, unnecessary pressure, impossible deadlines;
- Underwork creating a feeling of uselessness;
- Undermining work performance, deliberately withholding work-related information or resources, or supplying incorrect information;
- Unexplained job changes, meaningless tasks, tasks beyond a person's skills;
- Tampering with an employee's personal effects or work equipment;

- Teasing or regularly being made the brunt of pranks/practical jokes;
- Displaying written or pictorial material which degrades/offends a worker or group of workers;
- Unreasonable 'administrative sanctions' eg undue delay in processing applications for training, leave or payment of wages.

28.3 Prevention and Response Procedures

28.3.1 Responsibility of Managers

The ACCHO has a legal responsibility to prevent sexual harassment, discrimination, and workplace harassment/bullying in the workplace and may also be liable for the behaviour of employees.

This means that Managers have a responsibility to:

- Monitor the working environment to ensure that acceptable standards of behaviour are observed at all times;
- Model appropriate behaviour themselves;
- Promote the Sexual Harassment, Discrimination, Workplace Harassment/Bullying Prevention policy within their work area;
- Treat all complaints seriously and take immediate action to investigate and resolve them under the Grievance Dispute Procedures or Disciplinary Policy. Management must ensure that complete privacy is maintained. The details or names of anyone involved in a complaint must not be discussed with anyone other than those people immediately involved in the complaint; and
- Refer complaints to CEO if they do not feel that they are the best person to deal with the case (eg. if there is a conflict of interest or if the complaint is particularly complex or serious).

28.3.2 Employee Responsibility

All employees have a responsibility to:

- Comply with the Sexual harassment, discrimination, workplace harassment/bullying prevention policy;
- Respect the rights of others and not knowingly tolerate sexual harassment, discrimination, workplace harassment/bullying in the work area;
- Offer support to a person being harassed by:
 - letting them know where they can obtain help and advice;
 - offering to act as a witness if the person being harassed decides to lodge a complaint;
 - maintaining confidentiality if required to provide information during the investigation of a complaint. Breaching confidentiality by spreading rumours or gossiping may expose a person to action for defamation.

28.3.3 What to do if you are harassed

Any person who claims to have experienced sexual harassment, discrimination, workplace harassment/bullying may:

- Tell the harasser to stop. Also tell them that you do not like what they are doing and that it is not OK with you or with management.
- If the harassment does not stop, or if you do not wish to approach them directly, you should report the incident to your Manager or CEO. Your Manager should take action to stop further sexual harassment, discrimination, workplace harassment/bullying.
- Record incidents of sexual harassment, discrimination, workplace harassment/bullying with dates, times, witnesses if any, what happened and what you said, did or felt.

28.3.4 Defamation

Sexual Harassment, Discrimination and Workplace harassment are serious matters and to formally lodge a claim against another person is also a serious matter.

A possibility of being sued for defamation arises when the person making the complaint speaks to someone other than the alleged harasser or those people involved in the process of formally resolving the complaint. It is in his or her own interests, that the person making the complaint should not discuss the matter with anyone else.

Complainants and those involved in investigating complaints need to ensure that the allegation is disclosed only to those with a genuine interest in resolving the dispute.

The defence of qualified privilege protects anyone necessarily involved in investigating or resolving the complaint both formally and informally.

It should be noted that the person accused also has rights and the principles of internal justice will be applied.

28.3.5 Rights of the Respondent

- To be informed of what they have been accused of (the specific allegation) and who is making the allegation;
- The right to natural justice and the opportunity to fully respond to any allegation made;
- The right to have a support person of their own choice during any investigation interviews;
- To fair treatment and procedures;
- Not to be prejudged or discriminated against on the basis of the complaint;
- The right to representation and advice throughout the investigation process;
- The right, taking into account all of the circumstances, not to be unfairly dismissed or otherwise treated harshly, unjustly, or unreasonably;
- Privacy to have the matter kept confidential on a “need to know” basis;
- The respondent is obliged not to victimise or harass the complainant, witnesses to the complaint or supporters of the complainant on the basis of the complaint.
- Protection from defamation and malicious complaints.

28.3.6 Consequences of breaching the sexual harassment, discrimination, workplace harassment/bullying Prevention Policy

The ACCHO views any complaint of sexual harassment, discrimination, workplace harassment/bullying seriously.

If a complaint is substantiated, it may be dealt with under the Disciplinary Policy. Depending on the severity of a case, possible disciplinary action can include:

- a verbal or written apology;
- transfer to another position;
- warning notes on file;
- demotion, or dismissal.

The ACCHO may also seek to take disciplinary action against anyone who victimises or penalises a person who has complained of harassment or who is a witness to such actions.

28.4 Procedures for Dealing with Criminal Conduct

Some forms of severe harassment (for example, sexual assault, stalking, indecent exposure, physical molestation, obscene telephone calls) may constitute criminal conduct.

While the ACCHO is committed to treat harassment complaints at an organisational level as far as possible, this type of conduct is not suited to internal resolution, and should be directed to the criminal justice system.

In relation to alleged criminal offences such as rape or sexual assault, the matter must be referred to the CEO. Employees should be advised of the option of police support or intervention. It is not the obligation or duty of the ACCHO to report such matters to the police on behalf of the complainant.

28.5 Contacts for Further Information

Within the ACCHO

Employees wishing to confidentially discuss sexual harassment, discrimination, workplace harassment/bullying complaints should contact the CEO for advice or further confidential contacts.

External Advice

Employees may seek external advice in relation to the matter (for example, a Union).

Equal Opportunity Commission/Anti-Discrimination Commission

You may at any time contact the Human Rights and Equal Opportunity Commission or the Anti-Discrimination Commission or the Fair Work Commission for advice or to make a complaint, if you feel that your complaint is not being handled properly.

29. SMOKING MANAGEMENT POLICY

The ACCHO is committed to fostering the improved health, safety and welfare of all employees, clients and visitors in the workplace, by providing a smoke free work environment and provision of information to employees to support healthy choices outside the workplace.

The specific objectives of the policy are two-fold:

- (1) to ensure a healthy and productive environment for staff and clients
- (2) to actively encourage and role model smoking prevention and cessation

29.1 Smoke Free Workplace(s)

29.1.1 All ACCHO staff are prohibited, without exception, from smoking in the following circumstances:

- at all ACCHO work sites and facilities (offices, restrooms, lunch areas, vehicles)
- during working activities at all outdoor locations (eg whilst working at Community Days)
- whilst acting in an official capacity off site
- where other ACCHO staff or clients are subjected to the smoke

29.1.2 ACCHO staff choosing to smoke during work hours must:

- comply with the restrictions listed above at 32.1.1
- do so at their own risk
- do so only during designated breaks (no additional breaks are provided to smokers)
- do so beyond 15 metres from ACCHO or Member Service premises/workplaces
- not go out for a smoke in groups

29.2 Smoking Cessation

The ACCHO will ensure that all staff members wishing to attempt quitting or having any concerns adhering to the policy will receive assistance in the following manner:

- Information about the dangers of smoking and passive smoke will be available to all staff. Resources available on the Sharepoint System **[INSERT ALTERNATIVE SOFTWARE FOR YOUR ACCHO]** include:
 - Deadly Choices Tips for Quitting
- 13QUIT (137848) is the State Government funded Quitline. **[INSERT ALTERNATIVE PHONE NUMBER FOR YOUR STATE/TERRITORY]** A 24x7 telephone service dedicated to helping people who want to quit smoking.

Section 5 – QUALITY MANAGEMENT SYSTEM

30. QUALITY MANAGEMENT

The scope of the ACCHO's policy and operational engagement with Quality encompass four domains:

(1) Complying with contemporary best practice quality standards in corporate governance appropriate to our not-for-profit status and our business size.

Benchmarks are set with the Board of Directors and to date include:

- Quarterly Board meetings
- Appointment of an independent Company Secretary
- Regular review of the Constitution
- Review of a Board-approved Charter of Corporate Governance
- Members' Conferences and General Meetings
- Appointment of Skills-based Directors (2)
- Board approved and monitored Risk Management Plan
- Board approved and monitored Compliance Register

(2) Complying with contemporary best practice quality standards

Benchmarks are set with the Board of Directors and to date include:

- Board-approved and monitored Annual Budget
- System of transparent, comprehensive and annotated monthly Financial Reports
- Monthly meetings of a Finance Risk and Audit Committee of the Board
- Appointment of an independent, external Auditor
- Board approval for a comprehensive Finance Policy and Procedure Manual

(3) Continuously improving the quality of their models of care for delivery of primary health care services.

The ACCHO's CQI strategies include:

- Collection, collation and analysis of data
- Publication of health information analytical products including reports, tables, graphs and maps

- Interpretation of these health information products for performance monitoring, service improvement, service expansion, stakeholder reporting, and competitive positioning
- Strengthening systems, policies and procedures for better clinical governance, including through the engagement of specialised staff as well as focused professional workshops/forums

(4) Maintaining an effective Quality Assurance System complying with QIC Standards [INSERT ALTERNATIVE ACCREDITATION SYSTEM FOR YOUR ACCHO]

The Senior Management Team has accountability for ensuring compliance with the Quality Assurance System and will continue to utilise independent, external professionals to position the ACCHO for periodic audits.

The Chief Operations Officer will ensure an ACCHO Quality Improvement Work Plan is in place and socialised with QIP, that ensures systems are in place for each of the components of the Standards as they evolve over time, and that the required processes and policy documentation are updated and renewed.