

# 23. Human Resource Management Policy and Procedure

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## Purpose

Australian Quality Care's policy objective is to manage our Staff safely and effectively. It's also Australian Quality Care's goal to create a structured, fair, safe and supportive environment that supports Australian Quality Care's Staff to meet organisational requirements and to facilitate delivery of high levels of participant service and satisfaction.

## Scope

Human resources are used to describe both the people who work for our organisation and the management of resources related to our Staff members. This policy is designed to incorporate many aspects of human resources and to comply with the *Fair Work Act 2009* and NDIS Quality and Safeguards Commission requirements.

## Policy

### Human resource management principles

Our human resource management principles are as follows:

- Staff with appropriate qualifications, skills and competence are recruited.
- All Staff are required to undertake, and successfully pass, the NDIS Worker Screening Clearance, NDIS Worker Orientation Module and any other state requirements.
- Adequate levels of Staff are maintained to provide quality support that meets the assessed needs of participants and organisational requirements.
- Skills and competency levels of all Staff are improved through ongoing supervision and support and through the implementation of comprehensive training programs and annual performance reviews.
- All Staff are to hold current legislated work clearance, professional registrations, licences, insurances and any other employment requirements (as needed).
- Poor Staff performance or allegations of misconduct will result in performance management
- Human resource management procedures are continually reviewed and improved.

- Expert external advice and information on human resource management is accessed by management, as and when required.
- Working conditions for Staff will comply with relevant legislation and be comparable with industry standards.
- Australian Quality Care will apply the following principles to all aspects of our relationship with Staff:
  - Equity and fairness
  - Respect for individuals, their privacy and confidentiality
  - Accountability for actions and performance
  - Encourage and support professional development
  - Workplace flexibility and understanding of personal needs.

## **Corporate governance management**

A review of all persons who influence the Australian Quality Care's governance is instigated to ensure they hold the relevant experience and knowledge to undertake their role. If a person requires additional expertise, then Australian Quality Care will arrange for the relevant education or training necessary.

## **Staff recruitment**

Individuals are appointed based on their ability to meet criteria that are consistent with their role and position description. We employ Staff with a range of skills and experience to ensure that our organisation is managed effectively, and our services meet the needs of all participants. Roles are outlined in the organisational structure within Australian Quality Care's 'Corporate Governance Policy and Procedure'.

All Staff are recruited according to our Equal Employment Opportunity Policy (see below - '3.4. Equal Employment Opportunity Policy'). All permanent vacancies are advertised externally and internally. Only Staff who successfully pass the NDIS Worker Screening Check and NDIS Worker Orientation Program will be employed. The General Manager and their delegates are responsible for the recruitment of Staff and administration Staff.

## **Equal Employment Opportunity (EEO) Policy**

Australian Quality Care commits to:

- Providing equal employment opportunity to all prospective and current Staff
- Promoting a fair and equitable work environment
- Complying with all relevant anti-discrimination legislation
- Creating and maintaining an environment in which diversity is valued, human dignity is respected, and people are treated with equity and tolerance

- Ensuring Staff and visitors are free from any form of discrimination, harassment or victimisation.

Our organisation chooses the best person for the job, regardless of:

- Race
- Nationality or ethnic origin
- Disability (physical, intellectual or psychological)
- Gender
- Age
- Sexual orientation
- Marital status
- Family status and responsibility; including pregnancy
- Religious or political beliefs
- Activities or practices.

## **Code of Conduct**

All people who are engaged by Australian Quality Care must abide by both the NDIS Code of Conduct and Australian Quality Care's Code of Conduct.

## **NDIS Code of Conduct**

- Act with respect for individual rights to freedom of expression, self-determination and decision-making, in accordance with applicable laws and conventions.
- Respect the privacy of people with disabilities.
- Provide supports and services safely and competently and with care and skill.
- Act with integrity, honesty and transparency.
- Promptly take steps to raise and act on concerns regarding matters that may impact the quality and safety of supports and services provided to people with disabilities.
- Take all reasonable steps to prevent and respond to all forms of violence, exploitation, neglect and abuse against people with disabilities.
- Take all reasonable steps to prevent and respond to sexual misconduct against people with disabilities.

## **Australian Quality Care Code of Ethics and Conduct**

- Abide by the philosophy of our organisation.
- Observe all the rules of our organisation.
- Provide supports to participants in a safe, ethical manner with care and skill.
- Work in a safely and competently, in accordance with the policies and procedures of our organisation.
- Respect the dignity, culture, values and beliefs of all individuals.
- Don't discriminate against participants on any basis.
- Respond in flexible and innovative ways to support participant decision-making.
- Don't discuss confidential issues with people outside the organisation; regard all information provided by a participant as confidential, and never disclose personal information to a participant.
- Do not harass other Staff or members of our organisation.
- Do not alienate participants from their family or representatives.
- Do not take illegal drugs or consume alcohol when on duty, or on the organisation or participant's premises.
- Never accept gifts or purchase items from participants.
- Do not engage in sexual misconduct with participants.
- Staff are never to take a participant to their (Staff) home or engage in a relationship with a participant outside of a professional association.
- Always positively represent our organisation.
- Always wear appropriate work clothes or a uniform while at work.
- Adhere to all our record keeping and accounting procedures.
- Provide quality services.

## **Procedure**

### **Process for filling a vacant position**

#### **Review the position**

1. Clarify the role and the need for the position; develop or review the position description.
2. Develop essential and desirable selection criteria, as per the position description.

3. Determine how each of the selection criteria is assessed, e.g. written application and interview.

## **Advertise the position**

1. Positions are advertised internally and externally.

## **Interview applicants**

1. All applicants will be asked the same questions. The questions will explore the applicant's relevant skills and experience to perform required duties.
2. When interviews are completed, the preferred applicant will be selected.
3. Recruitment decisions and reasons for decisions made are documented.
4. The successful applicant will be notified, and feedback provided to unsuccessful applicants.
5. An offer of employment will be made to the successful applicant, conditional on pre-employment checks:
  - a. Mandatory worker screening, i.e. Criminal record check and working with children check as per state requirements
  - b. Registration check (as applicable to the role)
  - c. Insurances (as applicable to the role)
  - d. Licences (as applicable to the role)
  - e. NDIS Worker Orientation Program Certificate.
  - f. Once appropriate checks are completed and satisfactory, an offer of employment will be sent to the applicant for signing prior to commencing employment.

## **Procedure for new Staff**

1. Managers complete an onboarding procedure with all new staff members.
2. All forms and documents signed by the Staff are filed in a personnel file with copies provided to the Staff, as appropriate.

## **Supervision of new Staff**

- New Staff inducted into their role and supervised appropriately.
- The General Manager mentors senior Staff.
- A supervisor will appoint a delegated Staff member to support the development of a new Staff member's skills and knowledge. This orientation process will vary according to the experience of the new Staff member but is usually for a minimum of two (2) shifts.

## **Position descriptions**

- All Staff are provided with a position description which specifies their roles and responsibilities.
- Position descriptions are reviewed and updated regularly.
- Every Staff member is provided with a copy of their position description before commencing employment and whenever their position description is changed.

## **Code of Conduct and Privacy and Confidentiality Agreement**

- All Staff are required to comply with the Code of Conduct, which encapsulates the respectful, safe and professional delivery of support to our participants, representatives, community and any other stakeholders.
- Staff are required to sign a Code of Ethics and Conduct Agreement and a Privacy and Confidentiality Agreement on commencement. Disciplinary action will be taken if Staff do not abide by the agreements.

## **Staff information**

Australian Quality Care's policies and procedures contain critical information that all Staff must know to complete their roles safely and effectively. New Staff are provided the time to read all policies and procedures and are reminded during Staff meetings and through communication with co-Staff to do so. A Staff Handbook is provided to all Staff, to be used as a reference guide only.

## **Record keeping**

A Staff personnel file is maintained for each Staff member. These files may include the following:

- Employment application
- Criminal record check
- Working with children check
- Professional registrations
- Signed offer of employment
- Photocopy of driver's licence, car registration and insurance (wherever applicable)
- Signed code of conduct agreement
- Signed privacy and confidentiality agreement
- Training offered
- Training provided

- Mandatory training attendance record
- Evaluation of training events
- Mandatory NDIS worker screening check
- Mandatory NDIS worker orientation certificate.

Staff are entitled to view their file at any suitable time arranged with management.

Australian Quality Care must never employ a person as a Staff member unless satisfied that all regulatory checks are current and in place.

## **Staff supervision and support**

Supervision and support are essential to making Staff feel supported in their work and ensuring they perform satisfactorily. Additionally, supervision sessions provide an opportunity to follow-up on Staff development issues noted in Staff development reviews. Australian Quality Care will supervise performance issues at Australian Quality Care offices, in participants homes and in the community.

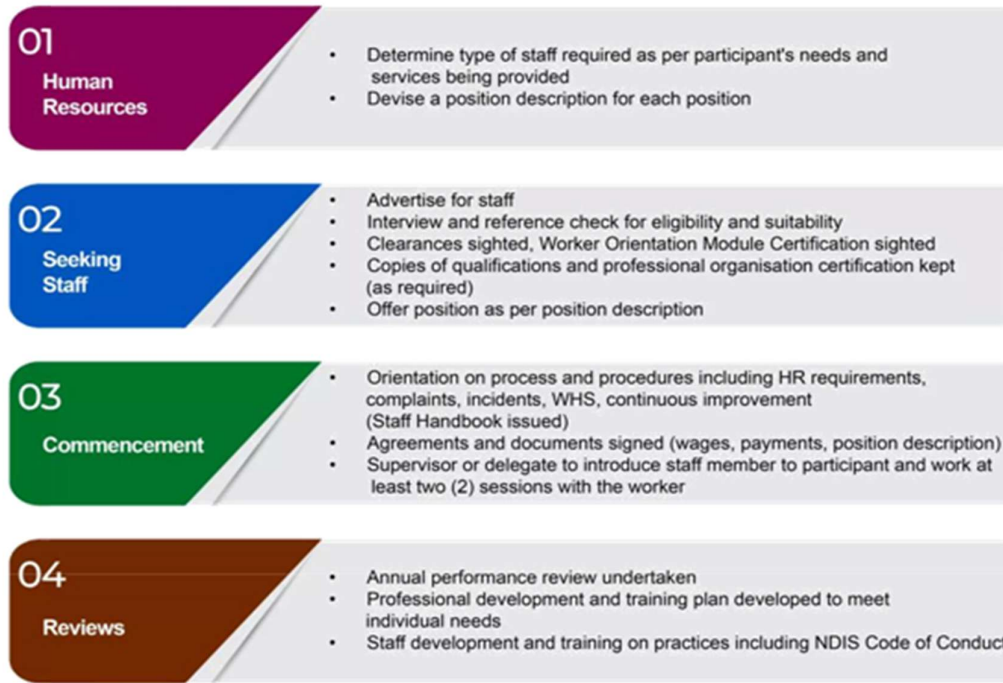
Upon employment, all Staff are provided with Australian Quality Care's contact details. Managers are available to be contacted over the phone by Staff, alternatively they are available to meet with Staff if they require time to discuss any issues or concerns.

A Staff member's annual competency assessment, education and training, and performance appraisal also provide other avenues for our organisation to provide Staff support and supervision. All Staff can attend meetings and care conferences to ensure they're aware of participant support changes and to take the opportunity to provide input and feedback.

## **Performance development reviews**

- Australian Quality Care is committed to supporting Staff to improve their efficiency and effectiveness. Staff are expected to perform their duties to the best of their ability and to show a high level of personal commitment to always provide quality and professional service.
- Performance development reviews are conducted annually in consultation with individual Staff.
- Performance development reviews are based on a position description and agreed work plans.
- The aims of the review are to:
  - Conduct an honest and confidential discussion regarding work performance and the workplace between the Staff member and management.
  - Discuss job performance in the context of a position description

- Discuss work problems and develop appropriate solutions
- Discuss possible ways of improving work performance; including identification of training and development needs or changes to work practice.



## Staff education and training

Australian Quality Care provides appropriate training and development opportunities for all Staff, this includes:

- Identifying training needs through annual performance development reviews and ongoing Staff and management input
- Providing appropriate training to meet identified needs
- Providing training opportunities for all Staff
- Evaluating training to ensure it meets Staff needs and is assisting to improve operations and services
- Completing a training needs analysis
- Devising appropriate training plans to meet Staff performance requirements.



## **Staff development opportunities**

Australian Quality Care creates Staff development opportunities, as follows:

- Staff attendance at workshops, seminars and conferences.
- Flexible working hours, so Staff can participate in accredited study courses at recognised educational institutions.
- Provision of learning resources for Staff education, e.g. videos, research literature.
- Training needs are discussed with each Staff member on recruitment, during annual performance reviews and supervision sessions.

## **Staff performance dispute procedure**

Outlined below is the procedure used to deal with a Staff performance dispute, not involving misconduct. Misconduct is an action by Staff that results in instant dismissal.

### **Verbal warning**

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

Management, in consultation with the Staff member, will outline how the Staff member must improve their performance. Any assistance needed by the Staff member to improve their performance is identified and provided, wherever possible.

A date to review the Staff member's performance will be set, with consideration given to providing adequate time for the person to resolve the issue and reduce risk to the organisation.

### **First written warning**

If the Staff member's performance is still unsatisfactory at the time of the second review, further discussion will take place. This review will include the Staff member, a representative of their choice (optional), and management.

The complaint against the Staff member and plans for improvement will be put in writing and will clearly state that a lack of development by a given date, will result in a final written warning being issued. A copy of the first written warning will be provided to the Staff member.

### **Final written warning**

If at the given date set, the Staff member's performance has not improved, there will be further discussion with the Staff member. This review will include the Staff member, a representative of their choice and the management.

The complaint against the Staff member and plans for improvement are recorded in writing, clearly stating that a lack of growth by a given date will result in termination of employment. A copy of the final written warning will be provided to the Staff member.

## **Termination of employment**

If the problem persists, after the date set in the final written warning, the Staff member's employment may be terminated. The Board must approve the termination. If the termination is not approved, an alternative process for managing the performance issue will be developed. Detailed notes of performance dispute management are recorded and kept in the individual Staff member's personnel file.

## **Staff grievance procedure**

If a Staff member has a grievance related to their employment, or concerning another Staff person, the following processes apply:

### **Discussion**

The Staff may approach the Board to discuss the issue and seek advice on the issue. The consultation will be confidential. The Staff member may put the matter in writing to a senior Staff member and request that the issue be raised. A decision on the issue and a discussion with the Staff member will occur within seven (7) business days.

If the Staff considers that the discussion has not addressed their concerns adequately they can seek external advice; this may be with their union representative or another independent body.

### **Misconduct**

Misconduct includes severe breaches of our policies and procedures or unacceptable behaviour that warrants the immediate dismissal of a Staff member.

Examples of misconduct include:

- Theft of property or funds from our organisation
- Wilful damage of property belonging to our organisation
- Intoxication through alcohol or other substances during working hours
- Verbal or physical harassment or discrimination of any other Staff member or participant
- Disclosure of confidential information regarding the organisation to any other party, without prior permission
- Disclosure of participant information, other than information that is necessary to assist participants and to ensure their safety

- Conducting a private business from our premises or using the organisation's resources for private business without permission
- Falsification of any records belonging to the organisation
- Failure to comply with the organisation's code of conduct.

## **Seek advice**

The General Manager must be informed immediately following receipt of an allegation of misconduct. If necessary, the Board will obtain external professional advice. Staff should consider seeking advice from their union or another independent body.

## **Suspension of duties**

A Staff member is informed, as soon as possible, of any allegation of misconduct. The Staff member may be suspended, with full pay, pending an investigation of the claim. A letter outlining the time, date and alleged misconduct will be provided to the Staff member.

## **Leave**

### **Application for leave**

Any Staff member taking leave must complete an Application for Leave Form. If the application form is not completed, payment will not be made for leave taken.

The application must be completed and approved before annual leave, long service leave, or if unpaid leave is taken.

### **Sick leave**

A doctor's certificate is required for sick leave of more than two (2) consecutive days. When sick leave is required, management should be informed as soon as possible and, at a minimum, at least two (2) hours before the Staff member's usual start time. An Application for Leave Form must be completed immediately upon the Staff member returning to work after sick leave.

The 'Continuity of Support Policy and Procedure' will be implemented to support participants during Staff absences.

### **Personal/carer's leave and compassionate leave**

Personal/carer's leave and compassionate leave are defined in the relevant award (this only applies if Staff are under an award). To qualify for personal leave, an individual's reason for leave must meet the definition of personal/carer's leave and compassionate leave within the award.

An Application for Leave Form must be completed immediately after a Staff returns to work. When leave is required, this should be communicated to management as soon as possible and, at a minimum of at least two (2) hours, before the usual start time of the Staff member.

## **Recording annual leave**

Annual leave taken and owing to Staff is tracked on Australian Quality Care electronic payroll system.

## **Time sheets**

Each Staff member is required to maintain up-to-date time sheets. Time sheets must be submitted to the Board, as per the work agreement. The Board or their delegate will check time sheets against the roster hours to determine accuracy, before forwarding them to the administration office for payment.

## **Workers compensation**

When a Staff member suffers an injury or suffers from a disease, and work is a substantial contributing factor to that illness or injury, Australian Quality Care ensures that financial benefits and other assistance is provided, as required by the relevant state legislation and regulations.

## **Related Documents**

- Application for Leave Form
- Code of Ethics and Conduct Agreement
- Complaints and Feedback Form
- Human Resource Management Policy and Procedure
- Delegation of Responsibility Policy and Procedure
- New Staff member details
- Offer of employment
- Privacy and Confidentiality Agreement
- Staff Handbook
- Training needs analysis

## References

- [Anti-Discrimination Act 1991 \(QLD\)](#)
- [Fair Work Act 2009](#)
- [National Disability Insurance Scheme \(Practice Standards-Worker Screening\) Rules 2018](#)
- [NDIS \(Code of Conduct\) Rules 2018](#)
- [NDIS Practice Standards and Quality Indicators 2020 – Version 3](#)
- [Compensation and Rehabilitation Regulation 2014 \(QLD\)](#)
- [Work Health and Safety Act 2011 \(QLD\)](#)
- [Workplace Gender Equality Act 2012](#)