Human Resource Management Policy and Procedure

1.0 Purpose

121 Supports Hunter’s policy objective is to safely and effectively manage our staff. It is also our goal to create a structured, fair, safe and supportive environment that supports our staff to meet organisational requirements and to facilitate the delivery of high levels of participant service and satisfaction.

2.0 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.

3.0 Policy

3.1 Human resource management principles

Our human resource management principles are as follows:

- Only employ staff with appropriate qualifications, skills and competence are recruited.
- All staff are required to undertake and successfully pass, the NDIS Worker Screening Check, NDIS Worker Orientation Program and any other state requirements before commencing work.
- Adequate levels of staff members 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.
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- All staff are required to hold current legislated work checks, 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 are accessed by management, as and when required.
- Working conditions for staff will comply with relevant legislation and be comparable with industry standards.
- 121 Supports Hunter will apply the following principles to all aspects of our relationship with our employees:
  - 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.

3.2 Corporate governance management

A review of all persons who influence our governance is instigated to confirm they hold the relevant experience and knowledge to undertake their role. If a person requires additional expertise, then 121 Supports Hunter will arrange for the relevant education or training necessary.

3.3 Staff recruitment

Individuals are appointed based on their ability to meet criteria that are consistent with their role and position description. We employ staff who offer a range of skills and experience so that our organisation is managed effectively, and our services meet the needs of all participants. Roles are outlined in the organisational structure within 121 Supports Hunter’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 those who successfully pass the NDIS Worker Screening Check and NDIS Worker Orientation Program will be employed by 121 Supports Hunter. The Community Engagement Coordinator is responsible for the recruitment and administration of all employees.
3.4 Equal Employment Opportunity (EEO) Policy

121 Supports Hunter commits to:

- providing equal employment opportunity to all prospective and current employees
- 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.

3.5 Code of Conduct

All employees who are engaged by 121 Supports Hunter must abide by both the NDIS Code of Conduct and 121 Supports Hunter’s Code of Conduct.

3.5.1 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.

3.5.2 121 Supports Hunter Code of 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 safely and competently, in accordance with the policies and procedures of our organisation.
• Respect the dignity, culture, values and beliefs of all individuals.
• Do not discriminate against participants on any basis.
• Respond in flexible and innovative ways to support participant decision-making.
• Do not 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 members of our organisation.
• Do not alienate participants from their family or representatives.
• Do not take illegal drugs or consume alcohol when on duty and when 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 member's) home or engage in a relationship with a participant outside of a professional association.
• Always positively represent our organisation.
• Always wear clean and appropriate work clothes, or uniform, while at work.
• Adhere to all our record keeping and accounting procedures.
• Provide quality services.
4.0 Procedure

4.1 Process for filling a vacant position

4.1.1 Review the position

1. Clarify the role and the need for the position.
2. Develop or review the position description.
3. Review position against requirements for the relevant registration group.
4. Develop essential and desirable selection criteria, as per the position description.
5. Determine how each of the selection criteria is assessed (e.g. written application and interview).

4.1.2 Advertise the position

1. Positions are advertised internally and externally.

4.1.3 Interview applicants

1. The Community Engagement Coordinator conducts the interviews and uses the appropriate interview form.
2. All applicants will be asked the same questions. The questions will explore the applicant's relevant skills and experience to perform the required duties.
3. When interviews are completed, the preferred applicant will be selected.
4. Recruitment decisions and reasons for decisions made are documented.
5. Pre-employment/reference checks take place.
6. The successful applicant will be notified, and feedback provided to unsuccessful applicants.
7. An offer of employment will be made to the successful applicant, conditional on pre-employment checks:
   a. reference checks (if the position is a risk assessed role)
   b. mandatory worker screening (i.e. criminal record check and working with children check as per state requirements)
   c. registration check (as applicable to the role)
   d. insurances (as applicable to the role)
   e. licences (as applicable to the role)
   f. NDIS Worker Orientation Program Certificate
8. Once appropriate checks are completed and satisfactory, an offer of employment will be sent to the applicant for signing before commencing employment.

4.2 Procedure for a new employee

1. The Community Engagement Coordinator/General Manager will complete an orientation procedure with all new employees.
2. A Staff Orientation Checklist will be completed by the new employee and signed off by the Community Engagement Coordinator/General Manager.
3. All forms and documents signed by the employee are filed in a personnel file with copies provided to the employee, as appropriate.

4.3 Supervision of new staff

- New staff members are inducted into their role and supervised appropriately.
- The Director mentors senior staff members.
- The Community Engagement Coordinator 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.

4.4 Position descriptions

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

4.5 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.
- Employees are required to sign a Code of Conduct Agreement and a Privacy and Confidentiality Agreement on employment commencement. Disciplinary action will be taken if employees do not abide by these agreements.
4.6 Staff information

121 Supports Hunter's policies and procedures contain critical information that all staff must know to complete their roles safely and effectively. New employees are provided the time to read all policies and procedures and are reminded during staff meetings and through communication with the Community Engagement Coordinator/General Manager to do so. A Staff Handbook is provided to all new employees to be used as a reference guide only. The Policies and Procedures are also available on 121 Supports Hunter's website at www.121supportshunter.org

4.7 Staff uniform

All staff representing 121 Supports Hunter are required to wear our uniform or other provided form of identification (e.g. name tags), so participants easily identify them as belonging to our organisation. Staff uniforms must be clean and neat before commencing work.

4.8 Record keeping

An employee 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
- a 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.

All employees are entitled to view their file at any suitable time; this can be arranged directly with the Community Engagement Coordinator/General Manager.
121 Supports Hunter must never employ a person as a staff member unless satisfied that all regulatory checks are current and in place.

4.9 Staff supervision and support

Supervision and support are essential to making our employees feel supported in their work and ensuring they perform satisfactorily. Additionally, supervision sessions provide an opportunity to follow-up on development issues noted in an employee’s development and performance reviews. 121 Supports Hunter will supervise work performance issues at our office/s, in participants’ homes and within the community.

Upon employment, all staff are provided with 121 Supports Hunter’s contact details. The Community Engagement Coordinator/General Manager is available to be contacted over the phone by the staff worker. Alternatively, the Community Engagement Coordinator/General Manager is available to meet with a staff member 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 are aware of participant support changes and to take the opportunity to provide input and feedback.

4.10 Performance development reviews

- 121 Supports Hunter is committed to supporting staff to improve their efficiency and effectiveness. All staff members 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 members.
- Performance development reviews are based on the position description and an agreed work plan.

The aims of the review are to:

- conduct an honest and confidential discussion regarding work performance and the workplace between the staff member and the Director
- 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.

Diagram 1. Staff recruitment and management process

4.11 Staff education and training

121 Supports Hunter provides appropriate training and development opportunities for all staff; this includes:

• identifying training needs through annual performance development reviews, quarterly performance appraisals 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 the needs of the staff member and assists to improve our operations and services
• completing a training needs analysis
• devising appropriate training plans to meet staff performance requirements.
• providing online training through the NDS Etrainu platform.
4.12 Staff development opportunities

121 Supports Hunter creates staff development opportunities, as follows:

- Staff attendance (for up to three (3) days per year) 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 upon recruitment, during annual performance reviews, performance appraisals and supervision sessions.

4.13 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 a staff member that results in instant dismissal.

4.13.1 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.

The Community Engagement Coordinator in consultation with the employee, will outline how the employee must improve their performance. Any assistance needed by the employee to improve their performance is identified and provided, wherever possible.

A date to review the employee’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.

4.13.2 First written warning

If the employee’s performance is still unsatisfactory at the time of the second review, further discussion will take place. This review will include the employee, a representative of their choice (optional), and the Community Engagement Coordinator.

The complaint against the employee 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 employee.
4.13.3 Final written warning

If at the given date set, the employee’s performance has not improved, there will be further discussion with the employee. This review will include the employee, a representative of their choice and the Community Engagement Coordinator and the Director.

The complaint against the employee 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 employee.

4.13.4 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 Director 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 employee's personnel file.

4.14 Staff grievance procedure

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

4.14.1 Discussion

The staff member may approach the Community Engagement Coordinator 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 their supervisor and request that the issue is raised with management. A decision on the issue and a discussion with the staff member will occur within seven (7) business days.

If the staff member considers that the discussion has not addressed their concerns adequately, they can seek external advice (e.g. union representative or another independent body).

4.14.2 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.

4.14.3 Seek advice

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

4.14.4 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.

4.15 Leave

4.15.1 Application for leave

Any staff member taking leave must complete an Application for Leave in the Brevity Care app. If the application 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.
4.15.2 Sick leave

A doctor’s certificate is required for sick leave of more than two consecutive days. When sick leave is required, the Community Engagement Coordinator/ General Manager should be informed as soon as possible and, at a minimum, at least two hours before the staff member’s usual start time. An Application for Leave Form must be completed immediately upon the employee returning to work after sick leave.

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

4.15.3 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 member returns to work. When leave is required, this should be communicated to the Community Engagement Coordinator/ General Manager as soon as possible and, at a minimum of at least two hours, before the usual start time of the staff member.

Annual leave taken and owing to staff is tracked on our accounting system software.

4.15.5 Time sheets

Each staff member is required to log in and out of shifts in Brevity Care App. The General Manager will check time sheets against the roster hours to determine accuracy, before forwarding them Xero for payment. Staff will contact the Community Engagement Coordinator/ General Manager for any rostering discrepancies in Brevity.

4.16 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, 121 Supports Hunter ensures that financial benefits and other assistance are provided, as required by the relevant state legislation and regulations.
4.17 Employee exit procedure

When an employee leaves 121 Supports Hunter, the following procedure applies:

1. The Director conducts the exit interview, and the employee is asked to provide useful feedback.
2. The exit interview is documented.
3. Completed documentation is viewed as relevant and used, if appropriate, integrated into the organisation’s continuous improvement process.

5.0 Related documents

- Code of Conduct Agreement
- Complaints and Feedback Form
- Human Resource Management Policy and Procedure
- Job Candidate Interview Form
- Delegation of Responsibility and Authority Policy and Procedure
- Delegation of Responsibility and Authority Form
- Offer of Employment Letter
- Employment Check Register
- Personnel File Contents Checklist
- Employee Performance Appraisal
- Privacy and Confidentiality Agreement
- Staff Handbook
- Staff Orientation Checklist
- Warning Letter
- Staff Training Plan/Record-Professional Development Plan (Performance agreement)

6.0 References

- Disability Discrimination Act 1992 (Commonwealth)
- Australian Human Rights Commission Act 1986 (Commonwealth)
- Fair Work Act 2009 (Commonwealth)
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- Privacy Act 1988 (Commonwealth)
- Safety, Rehabilitation and Compensation Act 1988 (Commonwealth)
- Work Health and Safety Act 2011 (Commonwealth)
- Workplace Gender Equality Act 2012 (Commonwealth)
- NDIS (Practice Standards - Worker Screening) Rules 2018
- NDIS (Code of Conduct) Rules 2018
- NDIS Practice Standards and Quality Indicators 2020