

Policy 7	HUMAN RESOURCE MANAGEMENT
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Record of policy development		
Version	Date approved	Date for review
2.4	December 2020	January 2021 – updates to NDIS screening to be completed
2.3	May 2019	January 2021
2.2	August 2017	August 2020

Policy purpose: COASTLINK manages human resources to ensure that adequate numbers of appropriately skilled and trained staff/volunteers are available for the safe delivery of care and support to clients.

Policy:

COASTLINK engages staff, volunteers and contractors, who have the required skills, qualifications and personal qualities, to provide a high level of quality services for clients.

Those engaged by COASTLINK will adhere to a strict Code of Conduct, work within the limitations of their own personal skills and qualifications, uphold the Values of the organisation at all times, demonstrate a respect and understanding for the needs of clients, and be subjected to probity that supports the provision of a safe workforce.

COASTLINK will provide remuneration and a working environment relevant to the position of those engaged, consistent with any legislative requirements, and to allow for the safe delivery of services. COASTLINK will provide opportunities for those engaged to develop their existing skills, provide feedback, and be respected as valued members of the organisation.

COASTLINK will keep HR policies current and relevant. Therefore, from time to time it will be necessary to modify and amend sections of the policies and procedures, or to add new procedures.

Any suggestions, recommendations or feedback on the policies and procedures specified here are welcome.

These policies apply to **all** employees.

Relevant Standards

NDIS Practice Standards and Quality Indicators: (January 2020)

1. Rights and Responsibilities
2. Provider Governance and Operational Management
3. Provision of Supports

- Access to supports
- 4. Provision of Supports
 - Safe environment
 - Participant Money and Property
 - Management of Medication
 - Management of Waste

High Intensity Daily Personal Activities

Specialist Behaviour Support

Implementing Behaviour Support Plans

Early Childhood Supports

Specialised Support Coordination

Specialist Disability Accommodation

<https://www.ndiscommission.gov.au/sites/default/files/documents/2019-12/ndis-practice-standards-and-quality-indicators.docx>

Aged Care Quality Standards

1. Consumer Dignity and choice
2. Ongoing assessment and planning with consumers
3. Personal care and clinical care
4. Services and supports for daily living
5. Organisation's service environment
6. Feedback and complaints
7. Human Resources
8. Organizational governance

<https://www.agedcarequality.gov.au/sites/default/files/media/Aged%20Care%20Quality%20Standards.pdf>

Related Legislation & References

[Aged Care Act 1997 \(Cth\), Schedule 2 User Rights Principles 2014. Charter of Rights and Responsibilities – Home Care](#)

[Aged Care Quality & Safety Commission](#)

[Better Practice Guide to Complaints Handling in Aged Care Services \(2013\)](#)

[Children's Guardian Act 2019](#)

[Child Protection \(Working with Children\) Act 2012 \(NSW\)](#)

[Child Protection \(Working with Children\) Regulation 2013 \(NSW\)](#)

[Child Protection \(Working with Children\) Regulation 2013 - Reg 24 \(NSW\)](#)

[Children and Young Persons \(Care and Protection\) Act 1998](#)

[Children and Young Persons \(Care and Protection\) Regulation 2012 \(NSW\)](#)

[Commonwealth Home Support Programme Guidelines](#)

[Commonwealth Privacy Act 1988](#)

[Crimes Act 1900 NSW](#)

[Crimes Act 1900 \(Grooming\) NSW](#)

[Crimes Act 1900 \(Child Abuse Material\) NSW](#)

[Criminal Code Act 1995 \(CWth\)](#)

[National Disability Insurance Scheme \(Practice Standards—Worker Screening\) Rules 2018](#)

[National Disability Insurance Scheme \(Provider Registration and Practice Standards\) Rules 2018](#)

[National Disability Insurance Scheme Act 2013](#)

[National Disability Insurance Scheme Code of Conduct](#)

[NDIS Quality and Safeguards Commission](#)

[Nursing Midwifery Board](#)

[Ombudsman Act 1976](#)

[SafeWork NSW](#)

[United Nations Convention on the Rights of Persons with Disabilities](#)

[Work Health and Safety Act 2011](#)

[Work Health and Safety Regulation 2017](#)

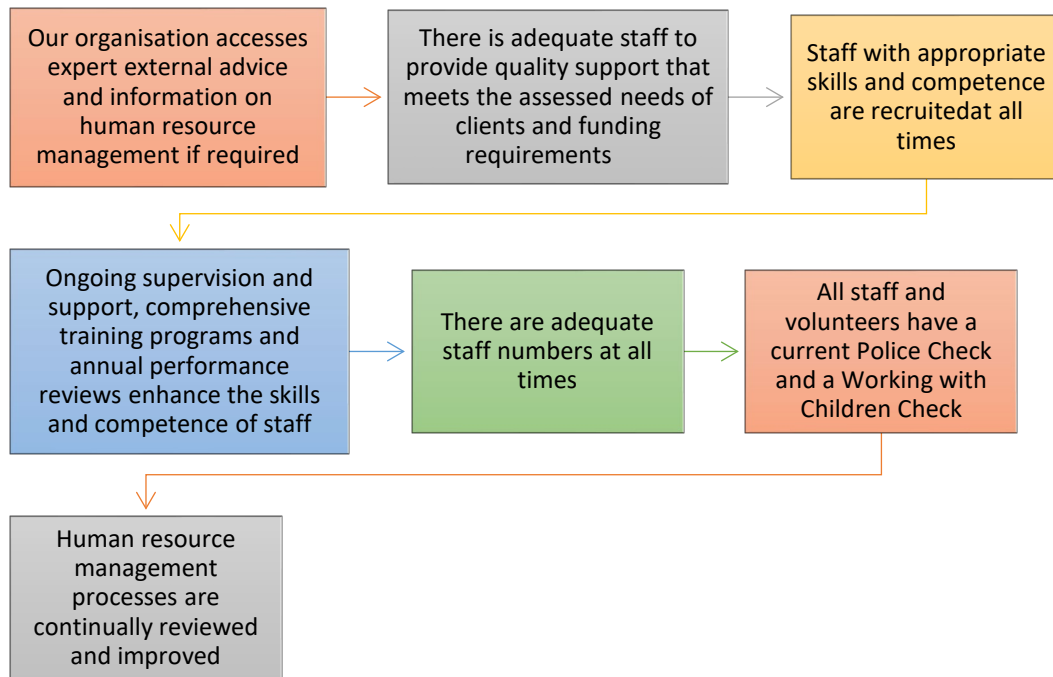
Related Procedures	
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Documents/Forms	
Employment Checks	Shared files/workers files (e and hard)
Position Descriptions	Shared Drive/Workers Employment Manual folder
Employee Files	Finance/Operations Manager's Office
Human Resource Forms	Shared Drive Forms folder
Corporate Calendar	Shared Drive

Responsibilities and delegations	
This policy applies to: Clients Employees/volunteers	It will be distributed through: Client handbook, Coastlink website, Coastlink brochures Employee/volunteer handbook, sharepoint, online induction
Policy approval	Board

Definitions
Refer to Definitions list at front of Coastlink Policy and Procedure Manual

HUMAN RESOURCE MANAGEMENT PROCEDURE OVERVIEW



HUMAN RESOURCE MANAGEMENT PROCEDURE

7.1 Human Resource Support

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

- Australian Federation of Employers and Industries (AFEI)
- PCC Workplace Lawyers
- Realise Performance
- PerformHR
- Standard Candle HR
- Fair Work Ombudsman
- Anti-Discrimination Board
- Safe Work NSW
- Safe Work Australia
- NDIS Quality and Safeguards Commission
- Aged Care Quality and Safety Commission

7.2 Staff Recruitment and Selection

Our business always aims to employ the best candidates based on merit and competence.

We have a range of staff to ensure that the organisation is effectively managed and services meet the needs of clients. These are outlined in the organisation structure in 1.6.1 Reporting Process (Figure 1.1: Management Structure).

The selection criteria for all staff including senior staff incorporates the vision, purpose and values of the organisation and the probity requirements of our funding. These are explored in all steps of the Recruitment and Selection processes.

7.2.1 Recruitment Policy

- All staff are recruited according to our Equal Employment Opportunity Policy (see below)
- All permanent vacancies are advertised externally and internally
- The Operations Manager (OM) is responsible for the recruitment of staff and volunteers
- The Board of Directors is responsible for the recruitment of the CEO.

7.2.2 Equal Employment Opportunity

This policy applies to all staff including contractors and covers all work-related functions and activities including external training courses sponsored by CCACGL.

It also applies to recruitment, selection and promotion decisions.

The objectives of the EEO policy is to improve business success by:

- Attracting and retaining the best possible employees
- Providing a safe, respectful and flexible work environment
- Delivering our services in a safe, respectful and reasonably flexible way

Our organisation ensures that all our HR practices and activities are undertaken to ensure equal opportunities regardless of an individual's:

- Race
- Physical, intellectual or psychological impairment
- Gender
- Age
- Sexual orientation
- Marital status
- Family status and responsibility, including pregnancy
- Caring responsibilities
- Religious or political beliefs, activities or practices
- Spent convictions.

Equal opportunity principles are followed in all areas of staff management. Individuals are appointed based on their ability to meet selection criteria that are consistent and commensurate to the role and detailed position description.

To ensure pay equity, staff are employed under the Coastlink Certified Agreement 2005, modified 2008 and the NES standards as a minimum.

7.2.3. Conflict of Interest

Conflict of Interest arises whenever the personal, professional or business interests of an employee are potentially at odds with the best interests of CCACGL.

All employees are required to act in good faith, employees need to be aware of the potential for a conflict of interest to arise and should always act in the best interests of CCACGL and our clients.

As individuals, employees may have private interests that from time to time conflict, or appear to conflict, with their employment with CCACGL. Employees should aim to avoid being put in a situation where there may be conflict between the interests of CCACGL and their own personal or professional interest or those of relatives and/or friends. Where such a conflict occurs (or is perceived to occur), the interests of CCACGL will be balanced against the interests of the staff member and, unless exceptional circumstances exist, resolved in favour of CCACGL.

It is impossible to define all potential areas of conflict of interest. If an employee is in doubt if conflict exists, they should raise the matter with their manager.

COASTLINK is committed to ensuring that actions and decisions taken at all levels in the organisation are informed, objective and fair. A conflict of interest may affect the way a person acts, decisions they make or the way they vote on group decisions.

Conflicts of interest must be identified and action taken to ensure that personal or individual interests do not impact on the organisation's services, activities or decisions.

All Directors, staff, volunteers and contractors are required to act in the interests of the organisation at all times, and to notify the organisation when this conflicts with other interests or commitments.

Declaration and management of conflicts of interest are specifically required for Management Committee members as part of their legal responsibilities as Management Committee members.

Conflicts of interest

This policy requires that all staff, volunteers and Directors:

- act impartially and without prejudice
 - declare any potential or actual conflict of interest in a timely manner
 - do not accept gifts or benefits that would influence a decision
- This will include situations in which, and not limited to:
- close personal friends or family members are involved, such as decisions about employment, discipline or dismissal, service allocation or awarding of contracts;
 - an individual or their close friends or family members may make a financial gain or gain some other form of advantage;
 - an individual is involved with another organisation or offers services that are in a competitive relationship with our organisation and therefore may have access to commercially sensitive information, plans or financial information;
 - an individual is bound by prior agreements or allegiances to other individuals or agencies that require them to act in the interests of that person or agency or to take a particular position on an issue;
- an individual is unable to act in a dual capacity within the organisation for example paid staff do not act as volunteers whilst they are employed by the organisation nor do volunteers act as paid staff while they are volunteering for the organisation.

PROCEDURES

All Board members, employees and contractors must:

- declare any potential, actual or perceived conflicts of interest that exist on become a Board member or upon employment;
- declare any potential, actual or perceived conflicts of interest that arise or are likely to arise during employment to management;
- avoid being placed in a situation where there is potential, actual or perceived conflict of interest if at all possible.

Board of Directors

Board agendas will include conflict of interest declarations which will be included in all Board minutes.

Registration of known conflicts of interest

A register of Board and staff conflicts of interest will be kept and all staff and volunteers (if applicable) will be asked to declare:

- Potential or actual conflicts of interest that exist when a person joins the organization;
- Conflicts of interest that arise during their involvement with the organization.

The register will be maintained by the CEO and will be kept private and confidential at all times. All potential and actual conflicts will be recorded in the register, showing:

- the name of individual;
- their position or role in the organization;
- the nature of the conflict interest;
- the date of record;
- any incidents that arise where the interest comes into conflict with the interests of the organisation, the date of the incident and a summary of how it was managed.

Identification and declaration of conflicts of interest

In addition to an initial declaration of any potential conflicts of interest at the beginning of their involvement with the organisation, all Directors, staff and volunteers are required to declare any potential or actual conflicts of interest they are aware of by:

- At the beginning of any meeting or decision-making process informing those present when a conflict becomes apparent;
- Outside of a meeting informing the CEO when a conflict becomes apparent;

Management of conflicts of interest

If a conflict of interest is declared or identified, the potential areas of conflict will be identified and a mutual agreement will be reached on practical arrangements to resolve the situation:

For Directors:

- The Chair and/or the Board will assess whether a conflict exists;
- If the matter is not resolved prior to a meeting, the Board will decide on the action to be taken by the individual. They may be asked to:
 - contribute to the discussion but abstain from voting or taking part in a decision on the matter;
 - observe but not take part in the discussion or decision making;
 - leave the meeting during discussion and decision on the matter.
- Board members with a significant and ongoing conflict of interest may be asked to:
 - take leave of absence from the Board for the period over which the matter will be discussed and decided;
 - resign from the Board.
- the declaration of conflict of interest will be recorded in the minutes of the Board meeting along with the action taken.

For staff members:

- The conflict will be assessed by the staff member's immediate supervisor, or for the CEO, the Chair;
- Where the conflict concerns a group process, the assessment may be conducted by the group convener or the staff team concerned;
- If a conflict of interest exists or there is a perception that a conflict exists, the staff member may be asked to:
 - contribute to the discussion but abstain from voting or taking part in a decision on the matter;
 - observe but not take part in the discussion or decision making;
 - leave the meeting during discussion and decision on the matter;
 - decide on the role they prefer to take in the organization.

Staff involvement in external activities

COASTLINK encourages and supports staff members becoming involved in community activities and volunteer work in their personal lives. However, it is possible that staff members may undertake volunteer or professional roles outside the organisation that give rise to a conflict of interest, or a perception of conflict.

As a result COASTLINK expects that all staff members declare their involvement in internal and external activities related to the work of COASTLINK when they are employed, and discuss and plan with their supervisor how any potential conflicts of interest can be managed. Staff members are required to advise their supervisor if they plan on taking on other (new) work outside COASTLINK.

Where there are external involvements that do not represent a conflict of interest, these must not affect performance or attendance whilst working at CCACGL. If such involvement does affect the performance or attendance it will be considered a conflict of interest.

Failure to declare a potential, actual or perceived conflict of interest or to take remedial action agreed with CCACGL in a timely manner may result in performance improvement proceedings including dismissal.

Contractors

All contracts with external consultants being engaged by the organisation will include a declaration that no conflict of interest exists.

7.2.4 Process for Filling a Vacant Position

1. Review the position

Clarify the need for, and the role of, the position and develop or review the position description. The PD for the job should cover key activities, tasks, skills required, expectations, deliverables and safety considerations.

Develop essential and desirable selection criteria. Determine how each of the selection criteria is assessed, e.g. written application or interview.

2. Advertise the position

Positions are advertised internally and in newspaper/s, employment agencies or the internet.

Advertisements should avoid discriminatory language, and target the required attributes and include:

- Information about our organisation
- Primary role of the vacant position
- Point of contact for further information
- How to apply
- Closing date.

A copy of the most recent advertisement for all positions is maintained in Sharepoint and by the CEO for use in developing new advertisements.

A copy of our Application for Employment and the position description are sent to all prospective applicants on request.

The recruitment process will include: an application form, interviews, practical testing (if required), reference checks, right to work in Australia checks, WWC checks.

3. Set up a selection panel

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

For the employment of the CEO the selection panel comprises of:

- The Chairperson;

- Two other Board members or one other Board member and a person external to our organisation with appropriate expertise;
- Others as determined by the Board.

For the employment of Coordinators, the selection panel comprises of:

- The Operations Manager (OM) and the CEO;
- A coordinator and others selected by the OM or CEO.

For the employment of other staff, the selection panel comprises of:

- The OM and/or Chief Finance Officer or relevant senior coordinator or a coordinator when required.

The senior person on the panel is delegated chair, unless they delegate to another panel member. The Chair coordinates the panel and makes notes regarding the decisions of the panel.

4. Shortlist applicants

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

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

5. Interview applicants

The selection panel prepares interview questions prior to the interviews. For fairness and verification purposes all applicants are asked the same questions. The questions explore the applicant's relevant skills and experience to perform the duties and are based on the selection criteria.

When all interviews have been completed, the preferred applicant is selected by the selection panel. Recruitment decisions and reasons for them are documented by the chair of the panel.

6. Conduct pre-employment checks

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

- Reference check (at least two phone checks from direct supervisors)
 - No relatives or family members are allowed as referees;
 - The applicant's last and/or current employer must be contacted for a reference;
 - Referees should have recently supervised the applicant in the workplace;
 - Referees will be contacted by phone; references will be written and kept in the workers file for future reference;
 - Referees are asked to comment on the person's ability to carry out the duties of the position applied for;

- Referees comments are noted in writing on the Referee form provided and filed in the applicant's file.
- Australian Federal Police Check
- Working with Children Check
- Request a copy of current senior first aid certificate for support workers
- Request of relevant Qualifications.

The procedures for conducting these checks are described in 7.8 Employment Checks.

7. Offer of employment

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

Immediately send the successful applicant an Offer of Employment specifying setting out clear terms and conditions of employment, including the nature of the employment e.g. full time, permanent part time, or casual and start details. This should be signed and returned prior to commencing employment.

8. Eligibility Lists

Interviewees deemed suitable for a position but not offered the job can be held on an eligibility list for a maximum of 6 months.

If the person selected for the position proves not to be suitable, a person can be chosen to fill the position from the eligibility list.

9. Advise unsuccessful applicants

All unsuccessful applicants are informed (by telephone or in writing) of the outcome of their application immediately following the appointment of the successful applicant.

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

7.3 Procedure for New Staff

Items covered when a new employee commences are described in detail in the Employee Employment Manual (for support staff) or the Staff Orientation Package for coordinating or other office staff.

Volunteers will use the Volunteer Orientation Manual.

The Chairperson or another Board member will complete orientation with a new CEO. The CEO will orientate new senior coordinators and any new volunteers. The OM will complete orientation with coordinators and the OM and/or the coordinators for support staff.

All forms and documents signed by the employee are filed in the employee file with copies provided to the employee as appropriate.

An individual file will be created for each new employee following successful interview.

The file will contain all documents required by the Workers Current File spreadsheet which is located in the Shared file.

All written information gathered about the employee (e.g.: police checks, references, legal documents, reports, correspondence) will be kept on the employee's file. Files should contain copies of all correspondence and other updates concerning the employee.

Employee and volunteer files will be subject to regular audits as outlined in the Corporate Calendar (Section 1)

When a staff member or volunteer exits our service, the file will be closed, archived and kept for an appropriate length of time (usually min 7 years) and then destroyed in a safe and secure way.

7.3.1 Supervision of New Staff

Support staff are recruited to various levels of the organisation including assistant workers, CW1 and CW2. Each level has a separate and discrete job description according to the skills they bring to the role and their qualifications and experience.

New support staff are supervised and oriented to their position by a mentor or 'buddy' who is allocated by the coordinator. Staff in more senior positions are mentored by other senior staff, such as coordinators and senior coordinators. The duration of support is dependent on the new staff person's skills and experience but at least two support worker shifts are supervised by another support worker once general orientation is complete.

7.4 Position Descriptions

All staff (paid and unpaid) have a position description which specifies their roles and responsibilities. Samples of position descriptions are available in Sharepoint in Restricted HR folder.

Position descriptions are reviewed and updated when a staff member leaves and further recruitment is undertaken and/or every two years to ensure that they are appropriate.

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

7.5 Staff and Volunteer Codes of Conduct

COASTLINK has a general Code of Conduct for employees and volunteers (section 7.5.2) and a Code of Conduct specifically for working with children and young people aged under 18 years old, (section 7.5.3 includes the Office of the Children's Guardian: Child Safe Code of Conduct) and has adopted the National Disability Insurance Scheme (NDIS) Code of Conduct under section 7.5.1.

All staff and volunteers are required to comply with the Codes which encapsulate the respectful, safe and professional delivery of support to our clients, representatives, contractors, the community and any other stakeholders.

Staff (including volunteers) are required to sign a Codes of Behaviour for Staff and Volunteers form on commencement. Disciplinary and/or performance action may be taken if staff do not abide by it and termination if significantly breached.

A copy of the Code of Behaviour will be given to all staff at orientation, when they are informed that failure to abide by the Code will result in instant dismissal.

7.5.1 National Disability Insurance Scheme (NDIS) Code of Conduct

The NDIS Code of Conduct applies to all NDIS providers and all persons employed or otherwise engaged by an NDIS provider. COASTLINK has adopted the NDIS Code of Conduct to apply to the organisation, all employees, volunteers and the Board of the COASTLINK. The Code is to be adhered to in tangent with the Code of Conduct for Employees and Volunteers (section 7.5.2).

While the NDIS Code of Conduct was intended to apply to providers and employees supporting people with disability, the principles of this code apply to the provision of all supports provided by COASTLINK.

The Code must be followed at all times. In providing supports or services to people with disability (and all other COASTLINK clients) all COASTLINK employees, volunteers and Board members must:

- act with respect for individual rights to freedom of expression, self-determination, and decision-making in accordance with relevant laws and conventions;
- respect the privacy of people with disability;
- provide supports and services in a safe and competent manner with care and skill;
- act with integrity, honesty, and transparency;
- promptly take steps to raise and act on concerns about matters that might have an impact on the quality and safety of supports provided to people with disability;
- take all reasonable steps to prevent and respond to all forms of violence, exploitation, neglect, and abuse of people with disability;
- take all reasonable steps to prevent and respond to sexual misconduct.

FAILURE TO ABIDE BY ANY ASPECT OF THIS CODE OF CONDUCT COULD LEAD TO INSTANT DISMISSAL.

I have read and understand this COASTLINK adopted NDIS Code of Conduct and I agree to abide by the Code at all times.

- Signature.....
- Printed Name.....
- Date.....

7.5.2 Code of Conduct for Employees and Volunteers

The Code applies to all COASTLINK employees, contractors and volunteers.

Coastlink expects its employees to maintain a high standard of conduct and work performance to make sure the organization maintains its good reputation with its clients and the community. Good personal conduct contributes to a good work environment for all.

This involves all employees:

- Observing all policies and procedures;
- Treating colleagues with dignity, courtesy and respect;
- Treating clients in a professional manner;
- Working safely at all times.

COASTLINK will take appropriate action in relation to any breach of the Code. For employees such action may range from performance counselling to disciplinary action (which may include dismissal). Breaches of certain sections of this Code may be punishable under law and could result in criminal charges being laid against the offending person/s.

The Code operates in conjunction with legal and regulatory requirements of Federal and State laws and Coastlink's policies, procedures and rules. COASTLINK employees, contractors and volunteers must comply at all times with the behaviours outlined in this Code of Conduct. You are to adhere to the following general principles:

Standards in the Workplace

All staff members are required to:

- Carry out their duties in a lawful, professional, responsible and conscientious manner;
- Not harass or bully others;
- Exercise best judgment in the interests of the organisation, and make decisions fairly and without bias using the best factual information available;
- Treat clients, including children and young people, carers, staff members and other stakeholders with respect and honesty at all times;
- Attend work in the times agreed on the roster; notify the rostering coordinator or line manager and other stakeholders of any absences; report and account for all leave taken, record attendances and obtain approvals before changing work times;
- Comply with the requirements of their position description and agreed work plans, as well as any clients' individual care plans including behavioural plans, paying attention to quality and detail in their work;
- Work within NSW and Commonwealth legislation and COASTLINK policies and procedures at all times;
- Provide accurate and honest information to supervisors and managers about work completed and challenges experienced in completing work;
- Follow instructions that are reasonable and lawful and within capability and training;
- Report any suspected corrupt or fraudulent practices of others. Any staff member making a report will be protected from reprisal in line with the NSW Whistleblowers/Protected Disclosures legislation;
- Observe the requirements for conditions of employment and safety as described in COASTLINK's Work Health and Safety Policies;

- Do not have sexual relations with clients;
- Do not attend the workplace under the influence of alcohol or drugs;
- As a minimum standard, dress should be clean, neat and professional. Coastlink reserves the right to request an employee to dress to an appropriate standard as a condition of employment;
- Maintain a harmonious, cooperative and productive workplace, respectful of diversity;
- Share a common commitment to the values and objectives of COASTLINK.

Work participation

Staff members will:

- share a commitment to the vision, purpose, values and objectives of COASTLINK;
- work within priorities identified by the Board and senior staff;
- actively participate in planning and consultative processes where appropriate and contribute to the development of the organisation;
- use the specified communication channels for reporting and direction;
- provide and receive constructive feedback and criticism.

Teamwork

Staff members will:

- work together towards agreed work objectives and goals, and communicate regularly with one another about progress;
- work together to look for ways to improve work methods and to solve workplace and service related problems;
- give support and guidance to each other, ensure appropriate training and development and recognise each other's results and achievements.

Use of resources

Staff members will:

- ensure they have the necessary delegation to authorise expenditure or make use of organisational resources;
- only use organisational materials, facilities, funds, people and equipment for authorised purposes and take responsible steps to prevent misuse by others;
 - COASTLINK owned electronic equipment such as computers, phones, iPads, buses and cars are to be used only for COASTLINK business purposes and not for personal use;
- conserve and efficiently use resources through recycling, energy saving and waste minimisation.

Information

Staff members will:

- adhere to the organisation's policies regarding privacy and confidentiality when disclosing sensitive or confidential information, and provide access to information when required by law or to assist other staff in their duties;
- not misuse information obtained at work either for financial reward or gain, or for taking advantage of another person;
- observe the organisation's policies regarding information management and follow specified practices in the collection, storage and disposal of files and other records.

Maintaining a Fair Workplace

- Help build and maintain a culture that is fair and just to all;
- Be honest and accurate in timekeeping and in meeting attendance and training requirements;
- Create and maintain full and accurate records of work performed, including reasons for any decisions made;
- Report unethical, dishonest and/or corrupt conduct;
- Follow any grievance procedures set down by the Board of Directors to try to resolve any conflicts with others;
- Any decisions you make in the workplace must be ethical and comply with legislation, Agreements and Awards, policies, procedures, rules and job requirements.

Legal Requirements

- Immediately inform management if you have been charged or convicted of a serious criminal offence (an offence punishable by imprisonment) or another offence which prevents you from carrying out your full range of duties safely;
- Immediately report to management if you lose your driver's licence or are charged with a drink driving offence;
- If you are convicted by a court of a serious criminal offence, COASTLINK is entitled to terminate your employment in line with the organisation's Criminal Record Check policy.

Relationships with Clients and Carers

Relationships with clients and their families must always remain on a professional basis. All staff and Volunteers will take all reasonable precautions to ensure both they and the clients are not put in a vulnerable or compromising situation. Special consideration must be undertaken when individual care is provided to clients of the opposite gender to the employee.

Social and Other Media Use

- All social media usage will be strictly in line with Coastlink's Social Media Policy (provided in this manual);
- Employees are not allowed to contact/communicate/interact with any client or carer using social media such as Facebook, Instagram or Twitter and all other current and future social media platforms;
- Employees are not allowed to take photos of clients, including children and young people, unless asked to by their Coordinator/Manager and using a COASTLINK owned phone/device which must be returned to the office for downloading the day the photos are taken and with

the consent of the people being photographed. These photos must not be downloaded elsewhere except at the COASTLINK office;

- Employees are not allowed to keep photos of COASTLINK clients on their phones, iPads or any other device.

Leadership Responsibilities

If you are a manager, coordinator or supervisor you have additional responsibilities.

You must:

- Lead by example;
- Promote the highest standards of professional conduct;
- Ensure you do not permit or encourage any employee to breach this Code;
- Maintain the integrity and security of all COASTLINK documentation or information;
- Ensure you properly and diligently discharge your supervisory responsibilities;
- Provide advice and assistance to employees when necessary;
- Be aware that you can be held accountable if you have been negligent in your supervisory role, e.g. if you knew that a problem existed and did not take corrective action.

Grievances

- Any person with a grievance associated with breaches or the content of this Code should follow the COASTLINK Staff Grievance Procedure policy.
- If a person makes an unfounded complaint or false complaint in bad faith (e.g. making up a complaint to get someone else in trouble or making a complaint where there is no foundation for the complaint), that person may be disciplined and may be exposed to a defamation claim.

Supervisors and managers may be, in many cases, accountable for what their employees do and fail to do.

If you are uncertain about what is required of you at any time under this Code you should immediately seek advice from the CEO. Always ask for help if unsure.

FAILURE TO ABIDE BY ANY ASPECT OF THIS CODE OF CONDUCT COULD LEAD TO INSTANT DISMISSAL.

I have read and understand this COASTLINK Code of Conduct and I agree to abide by the Code at all times.

- Signature.....
- Printed Name.....
- Date.....

7.5.3 Staff, Volunteer and Student Code of Conduct for working with Children, Young People, and People at Risk

This child and young person specific Code of Conduct must be adhered to by all employees working with clients aged under 18 years of age.

Role Modelling and Language around Children and Young People:

Children and young people pick up on inappropriate behaviour and language very quickly so we all need to role model behaviours and language with each child and young person. This includes:

Being positive and not negative:

- Use DO's and not DON'T's;
- Praise not punish;
- Avoid negative words like NO and CAN'T;
- Avoid using swear words and foul language around all clients including children and young people.

Physical Contact:

Physical contact that is not related to each person's disability or in accordance with their care plans is strictly forbidden with any child or young person attending COASTLINK's services.

Employee relationships with children and young people:

Employees need to understand their duty of care to children and young people, part of which is to ensure that relationships are always appropriate. The following will apply at all times:

- Employees will not perform tasks for a client/carer or their family members or relations which are not authorized by COASTLINK.
 - This includes carrying out any babysitting, caring or supporting any COASTLINK client or carer either as a volunteer or being paid by the client/family;
 - Employees must only do the shifts/tasks allocated to them formally by COASTLINK and which are shown on the COASTLINK roster.
- Employees will not have sexual relationships with children and young people. These are reportable offences and are strictly prohibited by legislation in NSW and by COASTLINK.
- Employees must not develop any **"special relationships"** with children and young people which could be seen as favouritism, such as offering gifts or special treatment;
- Any employee who suspects another employee of **"grooming"** a child, carers or family must report this to the Operations Manager immediately (employees will be provided with training in how to recognise grooming behaviour);

- Sometimes a child or young person may develop a “crush” on an employee which may cause the employee stress or distress. In these cases the Coordinator can talk to the client and/or their carer to discuss the matter sensitively and manage it effectively where possible. If these approaches fail the employee can be removed from shifts where this child or young person is present and provided with other work.

Neglect or Abuse of a Child or Young Person:

Neglect and abuse of a child or young person is unacceptable and will not be tolerated.

Neglect and abuse can include deficits in meeting that person’s basic needs including failure to provide basic physical health care, supervision, nutrition and emotional and psychological nurturing.

Always follow Coastlink’s policies, procedures and guidelines to ensure the safety of children and young people.

Reporting Responsibilities:

Each employee and volunteer must record and act on any complaints of abuse in line with the requirements of Coastlink’s Child Protection policies and procedures.

Office of the Children’s Guardian: Child Safe Code of Conduct

As an employee, contractor or volunteer, I am responsible for promoting the safety and wellbeing of children and young people in this workplace.

I will not:

- Subject a child to any form of corporal punishment, social isolation, immobilisation, sexual suggestion, offence or misconduct.
- Direct a child to perform in a sexually provocative or unsafe manner.
- Communicate with a child in ways that are likely to humiliate, frighten or distress the child.
- Use tobacco products or possess or be under the influence of alcohol or illegal drugs at any time while working with children.
- Develop any ‘special’ relationships with children that could be seen as grooming/favouritism such as the offering of gifts or special treatment.
- Do things of a personal nature that a child can do for themselves, such as toileting or changing clothes.

I will:

- Treat children with respect and be a positive role model in my conduct with them.
- Communicate with the children in an age appropriate and realistic manner.
- Set clear boundaries about appropriate behaviour between myself and a child.
- Only have physical contact with a child in ways which are appropriate to my professional or agreed role and responsibilities.
- Be willing to listen and respond appropriately to a child’s views and concerns.



- Respond quickly, fairly and transparently to any serious complaints made by a child or related to a child.
- Abide by my reporting obligations in relation to the employer’s Incident Register.
- Abide by the mandatory Code of Practice as part of the Children and Young Persons (Care and Protection) (Child Employment) Regulation 2015.

FAILURE TO ABIDE BY ANY ASPECT OF THESE CODES OF CONDUCT COULD LEAD TO INSTANT DISMISSAL.

I have read and understand this COASTLINK Staff, Volunteer and Student Code of Conduct for working with Children, Young People, and People at Risk and I agree to abide by the Code at all times.

- **Signature**
- **Printed Name**
- **Date**/...../.....

Addendum 1 to the Code of Behaviour for Employees and Volunteers:
Code of Personal Presentation for COASTLINK Staff and Volunteers

While representing COASTLINK, each worker and volunteer will be responsible for ensuring that their standards of personal presentation are maintained to a level which is appropriate to their responsibilities within the organisation.

Neat, casual clothes will be worn on duty. This clothing will be appropriate to the WHS considerations of the individual work responsibilities of each worker and will include:

- Appropriate clothing must be worn at all times. Clothes must be comfortable and well fitting – not excessively tight, low cut, brief or see through;
- Leggings must be worn with a top or skirt which reaches at least the mid-way point between the wearer’s thigh and knee;
- Shorts may be worn by both men and women, however the length of the shorts must reach two inches above the knee and no shorter;
- At all times at work tops worn by females must cover all parts of the breast;
- When taking clients swimming, female workers will cover bikini tops with a singlet top, tee shirt or rashi at all times. Board shorts should also be used when using the pool and can be worn over swimming costumes. Male workers must wear board shorts;
- Enclosed shoes will be worn at all times when on duty with COASTLINK. All workers must wear closed shoes of sturdy construction such as joggers, boots with non-slip soles, or lace up shoes. Thongs, sandals, high heels and open toed shoes are not to be worn;
- Hats and other appropriate protection against sun damage will be worn whilst working outside in all instances.

No items of clothing or accessories will be worn when representing the organisation which may be offensive to any client or family or fellow worker, for example:

- T-shirts with political or religious slogans;
- Badges or jewellery with contentious or potentially inflammatory insignia or symbols.

COASTLINK places restrictions on the **jewelry** worn by staff on duty to ensure clients are not able to injure workers by pulling dangling or other jewelry. Dangling earrings and long necklaces, face, nose or tongue jewelry of any kind is not allowed.

Hairstyles worn by individual workers must not present a safety hazard.

If an employee attends a shift wearing inappropriate clothing and/or footwear the supervisor can ask that employee to return home and change into more appropriate clothing and/or shoes.

The employee’s shift will commence when they have returned to the workplace wearing appropriate clothing and/or footwear.

Addendum 2 to the Code of Behaviour for Employees and Volunteers:

Professional Boundaries

- A close working relationship between a client and a COASTLINK worker or volunteer often develops. The relationship needs always to remain professional. Workers need to understand their personal limits and be aware of the risk of being over-involved.
- Remember that the client is a customer of COASTLINK and does not “belong” to the support worker or volunteer and support workers do not “belong” to clients. The coordinator assigns them and changes occur periodically.
- Do not, under any circumstances, perform tasks for a client that are not authorised by the coordinator.
- Do not give or sell anything to a client.
- Do not receive or accept any gift, money or loan from a client. If the client offers you money or a gift, you must inform the coordinator and refuse the offer.
- Do not carry out, or offer to carry out, services for clients outside the hours specified by COASTLINK.
- Do not give clients your home telephone number or mobile number. Only contact the client or family if you are advising them that you are not coming to work or are running late. All other communication with the client and family MUST go through the coordinator.
- Do not discuss with the clients or families, your personal life. It is acceptable to make light friendly conversation that includes minimal information about your life and family but anything beyond this is unacceptable. Clients often take on burdens of people who come to their homes because they are often socially isolated.

7.6 Staff and Volunteer Information

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

New staff and volunteers are provided with time to read the policies and procedures and these are reiterated at staff meetings and through communication with staff and volunteers.

7.7 Staff Files

A staff personnel file is maintained for each employee. It includes their Application for Employment, police check information, evidence of Working with Children Check (as applicable), professional registrations, signed Offer of Employment, position description, a completed Staff Volunteer Personal Details Record, signed Staff Volunteer Orientation Checklist, signed Code of Behaviour for Staff and Volunteers, Record of Staff Counselling Interview and any other relevant paper based information.

Employees are entitled to see their own personal file, at any suitable time arranged with the Coordinator.

7.8 Employment Checks

An Employment Checks Register is maintained that includes information on police checks, Working with Children Checks, driver’s license and insurance, and professional registration checks. It is maintained by Human Resources Administration Officer and updated as required.

7.8.1 Driving record check

All staff are required to provide a copy of their valid driver's license (and, if they transport clients in their own vehicles) a copy of their valid car registration and insurance certificates (identifying that the vehicle is used for work purposes where appropriate) on commencement with the organisation. Staff are required to advise COASTLINK if their licence or registration is revoked.

Each preferred applicant will be asked to provide a copy of their driving record available from the RMS. This is necessary as all support workers on a full licence are required to drive clients in COASTLINK vehicles.

COASTLINK reserves the right to refuse employment to any person who has a driving record which the panel considers may place clients in danger.

7.8.2 Statutory Declaration

This statutory declaration is in addition to a current national police certificate, as this reports only those convictions recorded in Australian jurisdictions.

The prospective employee makes a Statutory Declaration stating that they:

- **Have no criminal or other charges currently laid against them or pending, and have never been:**
 - convicted of murder or assault, including sexual assault;
 - convicted of, and/or sentenced to imprisonment for, any other form of assault;
 - convicted of stealing, larceny, fraud, break and enter, burglary and/or other offences against any person or property.
- Staff members, volunteers and Senior Management personnel who have been citizens or permanent residents of a country other than Australia since turning 16 years of age must make a statutory declaration before starting work with COASTLINK, stating either that they have never, in a country other than Australia, been convicted of an offence or, if they have been convicted of an offence, setting out the details of that offence.
- If the applicant has committed an offence the nature of the offence, the penalty and when it occurred are considered by the selection panel before proceeding with the Offer of Employment.
- The organisation provides services to people who are aged and disabled in their homes, in our centres and in the community and reserves the right to refuse employment to any person who it believes may present a risk to any client, carer, family member or other staff member.
- Where an applicant has not disclosed an offence at interview or in an application form which is later revealed by a police check or Working with Children Check, the offence will be considered by senior management and if it is considered that the applicant presents a risk to our services users or other workers they will not be offered employment.
- If an applicant has been suspected or convicted of child offences from a Working with Children check they will not be employed.

7.8.3 AFP and Working with Children Checks

7.8.3.1 Police clearance check

Obtaining police checks

As per the DSS Comprehensive Grant Agreement, Commonwealth Home Support Program Manual, NSW Department of Family and Community Services (FACS), National Disability Insurance Scheme (Practice Standards—Worker Screening) Rules 2018, a National Police Certificate is required for all employees and is arranged by the applicant at their own cost¹.

An application for an Australian Federal Police Check is available on line or from the COASTLINK office.

It is the responsibility of the applicant or employee to obtain and pay for their initial check and subsequent renewals. COASTLINK will pay for applications on behalf of volunteers.

The following points apply to Police Certificates:

- Police certificates, not more than three years old, must be held by:
 - all staff members who are reasonably likely to have interaction with clients, whether supervised or unsupervised;
 - volunteers who have unsupervised interaction with clients; and
 - Senior Management.
- A staff member is defined, for the purposes of the policies, as a person who:
 - has turned 16 years of age;
 - is employed, hired, retained or contracted by the grant recipient (whether directly or through an employment or recruitment agency) to provide care or other services under the control of the grant recipient;
 - interacts, or is reasonably likely to interact, with clients.

Individuals who are not considered to be staff members, for the purposes of the Guidelines, include:

- employees who, for example, prepare the payroll, but do not interact with clients;
- independent contractors;

Generally, an independent contractor is a person:

- who is paid for results achieved;
- provides all or most of the necessary materials and equipment to complete the work;
- is free to delegate work to others;
- has freedom in the way that they work;
- does not provide services exclusively to the grant recipient;
- is free to accept or refuse work;
- is in a position to make a profit or loss.

For the purposes of these policies, a subcontractor who has an ongoing contractual relationship with the grant recipient is not taken to be an independent contractor but is regarded as a staff member. A person who is contracted to perform a specific task on an ad-hoc basis may fall within the definition of an independent contractor. Having an Australian Business Number does not automatically make a person an independent contractor.

- A volunteer is defined as a person who:
 - is not a staff member;
 - offers his or her services to COASTLINK;
 - provides care or other services on the invitation of COASTLINK and not solely on the express or implied invitation of a client;
 - has, or is reasonably likely to have, unsupervised interaction with clients (See below: Arranging Volunteer Police Checks).

- A Senior Manager is:
 - a member of the group of persons who is responsible for the executive decisions of the entity at that time;
 - any other person who has responsibility for (or significant influence over) planning, directing or controlling the activities of the entity at that time;
 - any person who is responsible for the day-to-day operations of the service, whether or not the person is employed by the entity.

[Proof of identity requirements for National Police Checks](#)

The Operations Manager or her delegate is to confirm the identity of the employee or volunteer.

Proof of identity requirements are:

[Primary identification](#)

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

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

[Secondary identification](#)

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

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

Processing police checks

The Operations Manager or her delegate completes the Individual Police Check Assessment when the original or certified copy of the police clearance document or notification is received and enters the relevant information including the reference number into the Employment Checks Register. The Police Certificate is copied and placed into the employee or volunteers file which is kept in a locked cabinet.

Staff and volunteers are required to advise their Coordinator if they are convicted of any offence in the three year period between obtaining and renewing their police clearance. Any offences will be considered by the Operations Manager, other senior staff as appropriate and the Board or delegate. If the reviewers are satisfied on reasonable grounds that the offence makes the person unsuitable to work with our clients and other staff they will not be permitted to continue as a staff member or volunteer.

Notes are maintained on all considerations of a police check detailing offences.

7.8.3.2 Senior Management

As approved providers we are required to take reasonable steps to ensure that none of COASTLINK's Senior Management team are disqualified individuals.

We require from each Senior Management team member:

- A signed statutory declaration acknowledging that they have not been convicted of an indictable offence, are not insolvent or under administration;
- A National Police Check;
- If they have been citizens or permanent residents of a country other than Australia since turning 16, a statutory declaration before starting work stating either that they have never, in a country other than Australia, been convicted of an offence or, if they have been convicted of an offence, setting out the details of that offence.

We also may:

- Conduct a search of bankruptcy records;
- Conduct previous employment and referee checks;
- Ensure that the key personnel are aware of their obligations under the Aged Care Act in relation to disqualified individuals; and
- Satisfy ourselves that the person is mentally capable of performing the duties as key personnel.

Under CHSP Guidelines we may use limited discretion when assessing a person's criminal history to determine whether any recorded offences are relevant to performing the functions and duties of a Senior Management Team member. A person whose police certificate records a precluding offence is not permitted to perform the functions and duties of a Senior Manager member. The following are precluding offences:

- A conviction for murder or sexual assault;
- A conviction and sentence to imprisonment for any other form of assault;
- A conviction for an indictable offence within the past 10 years.

7.8.3.3 Working with Children Check

A Working with Children Check is required for all employees and volunteers who may come into contact with children during the course of their work and are arranged by the applicant. It is also a requirement for all Senior Managers, including the Principle Officer and all Board members. All Host Family residences must also provide Working with Children Checks for all people residing or regularly visiting the home. COASTLINK will meet the cost of this check for volunteers. Employees including senior management and the Principle Officer must register with the Office of the Children's Guardian as an employee for the purposes of obtaining a Working with Children Check.

Staff and volunteers are responsible for ensuring that their check is current.

Three months prior to the expiry COASTLINK will advise the staff person/volunteer that their check is due to expire and the staff person/volunteer must then renew the card and provide details to Reception.

Applications for a Working with Children Check can be made on line from the NSW Office of the Children's Guardian.

If an applicant receives an adverse finding that person will not be employed.

A copy of the Working with Children Check is kept in the staff file and details entered in the Employment Checks Register.

Prospective or New Employees

Some prospective or new employees may already have either an AFP check carried out in the past 3 years and/or a current clearance to work with children from the NSW Office of the Children's Guardian (checked by Reception) and these are acceptable. Any person who has both can commence work immediately subject to satisfactory interview and reference checks.

- Note that:
 - An application number for a Working with Children check is NOT a clearance;
 - All Working with Children check cards presented must be checked by Reception on the appropriate website to ensure it is genuine;
 - A Driver's License will also be required to ensure the right person is using the Working with Children Check and the AFP clearance.

HOST FAMILIES

Host families must bear all the cost of checks for any person aged 18 and over living or regularly visiting their home.

NEW SUPPORT WORKERS

- New support workers will be able to attend "trial" days in adult programs such as CP if they have lodged an application for a Working with Children check and an AFP check;
- Trial days will not occur in children's or young peoples' programs;
- Trial days enable senior staff to assess the suitability of new support staff;
- The maximum number of trial days will be five (5). People will be paid to attend however they will not be offered other work until their Working with Children check has been cleared;

- Some people may not be offered further work following their trial days depending on their suitability;
- Until the return of both cleared checks new staff will be informed that they are on probation and their continued employment depends on receiving clearance on both checks.

NEW SUPPORT STAFF WHO HAVE APPLIED FOR POLICE CHECKS

It is preferred that new support workers receive clearances from the AFP and Working with Children checks before commencing work at COASTLINK however, given the delays in AFP clearances this is not always possible. Therefore, such people will be allowed to commence work supporting groups of adult clients if their Working with Children check has been returned clear or they have an existing clearance from the NSW Office of the Children’s Guardian; and

- the person makes a Statutory Declaration stating details in 7.8.2 (above)
- the care, support or other service to be provided by the person is essential; and
 - if an application for an AFP check has been made before the date on which the person first becomes a staff member or volunteer.

Note: The person will not be allowed, under any circumstances, to work on an individual basis with a client or with a young person aged 18 and under (including in a group setting) until both the AFP and Working with Children clearance checks have been returned clear.

- If an applicant has been suspected or convicted of child offences from a Working with Children check they will not be employed.
- COASTLINK uses the Office of the Children’s Guardian to check Working with Children checks the Commission would be aware of any person suspected or convicted of a child offence if applying to work at COASTLINK.

Any current worker/carer receiving a “bar” for working with children will be immediately removed from all supports of children. The Board will be immediately advised of the “bar” and the action taken to remove the worker/carer from working with children pending any investigation or advice from external agencies. Disciplinary action will be taken as appropriate including dismissal as appropriate.

7.8.3.4 ASSESSING AFP AND WORKING WITH CHILDREN CHECKS

A selected administration staff member is responsible for:

- Verifying on-line that Working with Children checks for all staff, volunteers, senior management, the Principle Officer and Board members, and all adult workers or members of a household where host family programs/supports are undertaken are valid;
- keeping accurate records of each staff members’ or volunteers’ AFP and Working with Children Checks on the appropriate spreadsheet and placing a copy of each into each person’s file;
- Maintaining the spreadsheet of each employee’s personal information i.e. police checks, first aid certificates, license details and so on;
- informing the CEO of any convictions or other issues with checks.
- Informing employees and volunteers within 3 months of their AFP and Working with Children checks need renewing.

The CEO and/or the Board will decide if previous convictions or other issues disqualify a prospective or existing staff member or volunteer from working in our organisation taking into consideration the nature of the offence, the penalty and when it occurred. A previous conviction does not necessarily disqualify a person from working with us depending on the offence.

The administration staff member who verifies all other Working with Children Checks will have their WCC verified by the Operations Manager.

RENEWAL OF AFP AND WORKING WITH CHILDREN CHECKS

- Australian Federal Police checks must be renewed every 3 years.
- NSW Working with Children checks must be renewed every 5 years.

COASTLINK will remind each employee and volunteer 3 months before their renewal is due.

If the checks are not renewed by the renewal date no work will be provided until the renewal has been presented and approved by COASTLINK.

PRECLUDING OFFENCES

Staff and volunteers are required to advise their Coordinator if they are convicted of a precluding offence* in the three year period between obtaining and renewing their police clearance.

If we are satisfied, on reasonable grounds, that a staff member or volunteer has been convicted of a precluding offence, the person will not continue as a staff member or volunteer.

*A precluding offence is an offence that prevents staff working in aged care or disability care, including: having been convicted of murder or sexual assault or other assault, or convicted of and sentenced to imprisonment for robbery, burglary, larceny, break and enter or other crimes against people or property.

Any staff member convicted of any offence against a child or young person (ie, a person under 18 years of age) will not be provided with work and will be dismissed if employed at COASTLINK when the offence occurs.

The CEO will notify the NSW Ombudsman of any reportable allegations and convictions against employees, volunteers or students within 30 days of becoming aware of them.

Note: See the Safe Environment for Clients Section of this manual (Section 7B Child Protection Policies) for details on reportable offences against children and young people.

Copies of the AFP and Working with Children Check are kept in the staff file and details entered in the Employment Checks Register.

7.8.4 Registration Check

Registered Nurses are required to provide a copy of their current registration on an annual basis.

A copy of the registration certificate is kept in the staff file and entered in the Employment Checks Register. The staff person is to provide a copy of their current registration certificate each year or when it expires.

Registered Nurses are bound to comply with the professional practice guidelines, code of professional conduct and code of ethics available on the Nursing and Midwifery Board of Australia website: [Nursing Midwifery Board](#)

7.8.5 Drivers Licence and Registration Checks

All staff and volunteers are required to hold a valid driver's license and to provide photocopies of licenses when updated.

Staff or volunteers who use their vehicle in their work are required to provide a copy of their valid driver's license and, if they transport clients, a copy of their valid car registration and insurance certificates (identifying that the vehicle is used for work purposes) on commencement with the organisation. Staff are required to advise us if their licence or registration is revoked.

7.8.6 Contractors

The contract signed between our organisation and contractors, requires that they or their staff or sub-contractors have a current police clearance and Working with Children check and professional registrations as appropriate. This is monitored by the Operations Manager.

7.9 Staff Supervision and Support

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

The number of staff working in our organisation means that ongoing supervision and support is continuously provided informally. To ensure that staff have an opportunity to address problems or issues the coordinator also provides staff with a formal supervision session annually through a performance development review (see 7.10 Performance Development Reviews).

Support workers and other staff have monthly meetings with their coordinator to ensure that they are supported and are aware of changes to support for clients and have an opportunity to provide input and feedback regarding operations.

The line manager/supervisor of each staff position provides supervision and support as per the organisation structure in 1.6.1 Reporting Process (Figure 1.1: Management Structure).

Administration and Finance staff are supported by the Finance/Operations manager.

7.10 Performance Development Reviews

COASTLINK is committed to supporting staff to improve their efficiency and effectiveness and overall performance. It is an ongoing process and should include informal and formal review. A two way process should be encouraged where employees can also give management feedback on their performance. Staff are expected to perform their duties to the best of their ability and to show a high level of personal commitment to providing a quality, professional service at all times.

Performance development reviews are conducted twice a year in consultation with the staff person and their coordinator using the Performance Development Review form.

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

- To allow free and confidential discussions about work between the employee and supervisor;
- To discuss the employee's job performance in the context of their position description, including positive feedback;
- To discuss any work problems and search for solutions;
- To discuss means of improving work performance including identification of training and development needs or changes to work practices;
- To work together on producing KPIs to work towards over the next six months.

Procedure:

1. The manager and the employee agree on the date for a performance appraisal meeting allow time to prepare;
2. The manager and the employee will review the Performance Development Review form and rate performance of the previous period accordingly and add any comments or matters to be discussed at the meeting;
3. The manager and employee will meet and openly and constructively discuss performance over the period;
4. Training and development will be considered as part of the process;
5. Revised and or new KPIs should be discussed and agreed upon for the next review period;
6. Notes should be captured on the Performance Development Review form and copies kept after signatures are completed.

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

Outside of this formal process employees are encouraged to raise any issues they may have as they arise.

On completion of the performance development review both the employee and the coordinator sign the review form. The staff person and the coordinator respectively, are responsible for implementing any agreed actions and recording these on the form and in the Training Spreadsheet (see 7.11.4 Staff Training Records). The Performance Development Review cannot be closed out until all agreed actions have been implemented.

7.11 Staff Education and Training

Appropriate training and development opportunities are provided for all employees and volunteers to ensure they have the skills and qualifications to competently deliver services to clients. This includes:

- Annual reviews of all positions and position descriptions to ensure the skill levels required for each position reflect the responsibilities of the positions.
- The annual identification of training needs through ongoing staff input, management input and annual performance development reviews.
- The provision of training to meet identified needs.
- Opportunities for all staff and volunteers to attend training.
- Ongoing evaluation of training to ensure it meets staff and volunteer needs and improves operations and services.

7.11.1 Mandatory Training

All staff and volunteers working for our organisation complete the following training:

- Orientation on commencement (see 7.3 Procedure for New Staff).
- Mandatory training to be completed within 12 months of commencing work:
 - Medication administration;
 - Fire safety/First attack/Workplace Evacuation;
 - Each supervisor must undertake at least four workplace fire drills annually;
 - Manual handling annually for all staff directly involved with clients;
 - Child Protection annually for all staff directly involved with clients under 18 years of age. New workers scheduled to work with clients aged 18 and under will be provided with Child Protection training, including a component on “grooming”, before they commence working with children and young people at COASTLINK;
 - Dealing with challenging behaviours;
 - WHS;
 - Fair Workplace including bullying and harassment;
 - Principles of service delivery
 - Delivering services within a wellness and reablement framework

Abuse and neglect/Zero Tolerance;

- Monthly program meetings cover issues such as: delivering safe services including privacy and confidentiality; advocacy; promoting independence; client handbook and available services; other community services and resources feedback and complaints processes; maintaining a safe workplace; critical incident reporting; Code of Conduct; duty of care and legal responsibilities associated with work;
- The coordinators keep a log of policies and procedures to be trained at each program meeting to ensure consistency across the organisation.

Medication competencies

Support Workers will be provided with training by RNs and the Operations Manager in medication administration and supervising the administration of medication. Upon completion of this training each person will be assessed for competency before he/she is able to administer or supervise the administration of any medications. (see 11.11.6 Overview of Medication Support Provided and 11.11.11 Staff Training for Medication Support).

Food safety training

Staff who handle and cook food for clients are provided with food safety training on a regular basis.

7.11.2 Staff Development Opportunities

COASTLINK encourages employees to undertake study that may assist their careers in the company and add value to their contribution to the organisation.

COASTLINK may, given certain conditions, contribute or reimburse, in full or part, certain costs incurred for approved courses of study through recognised external institutions.

Generally, courses will involve study for one or more years and will clearly be related to the career plan of the employee.

Any decision to offer education assistance will be made by the CEO.

Applies to: The policy applies to full time and permanent part time employees only.

Eligibility

Eligibility is based on the following criteria:

- Relevance of the chosen course of study to both the employee's current role and career path.
- Satisfactory performance reviews.
- Minimum of 12 months service with COASTLINK.
- Ability of the employee to remain fully competent in the current role while undertaking study.
- Whether the same skills could be developed through on-job training and mentoring.

Approval Process

- Approval is the responsibility of the CEO.
- Where COASTLINK funds are requested, the Board of Directors is be advised by the CEO and approval sought from them.
- Assistance should be requested and obtained prior to the employee commencing study. Reimbursement or payment for study will not be given for study completed before approval is given.
- Approval may be in part or full.
- Any applications for study leave, or to attend courses during working hours must be approved by the CEO.

Approval may be in part or in full. This means that though employees may not qualify for any financial reimbursement, they may be granted exam leave and/or study leave at a rate of 2 days per year. Exam schedules must be provided as evidence for this.

Note: Where an employee withdraws from a course voluntarily before completion the full cost of the course must be paid for by the employee.

Repayment to COASTLINK

Where COASTLINK provides financial assistance to an employee, should that employee resign within 12 months of receiving reimbursement, or where COASTLINK has paid for a course, the employee will be required to repay the total cost of the training undertaken to COASTLINK.

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

7.11.3 First Aid

All support staff and supervisors must complete a Senior First Aid Certificate and ensure that updates are completed when required. Staff will be paid an hourly allowance to compensate for the cost of obtaining a First Aid Certificate.

7.11.4 Staff Training Records

The OM and the Human Resources Administration Officer/Rostering Coordinator record the following information in Workbuddy:

- Training attended;
- Staff training attendances for mandatory and other training;
- Evaluation of training events.

7.12 Staff Performance Improvement/Dispute Procedure

The following is the procedure for supervisors to deal with a staff performance improvement/dispute not involving misconduct. Misconduct is action by staff that results in instant dismissal.

Where warranted Coastlink will use improvement processes to improve performance of its employees. Should such improvement processes be unsuccessful in improving an employee's performance Coastlink may decide to end an employee's employment. Depending on the circumstances, performance improvement action may include verbal or written warnings, counseling or retraining.

Coastlink requires a minimum standard of conduct and performance which will be made clear to employees in management appraisals. If an employee does not meet this standard, Coastlink will take appropriate corrective action, such as training. Formal performance improvement procedures will generally only start when other corrective action fails.

Each employee must understand their responsibilities, be counselled and given an opportunity to reach the standards expected of them. Coastlink will give an employee the opportunity show cause before management takes further action.

If an employee deliberately breaches policy or procedure, or engages in misconduct, Coastlink may start improvement procedures, or, in cases of serious misconduct or breach of policy, may dismiss an employee.

In this procedure the term employee refers to both staff and volunteers. Supervisor refers to the Coordinator, Senior Coordinator, CEO, Manager or Board representative as appropriate. Unless advised to the contrary the following steps apply:

Step 1: Seek Advice

Supervisors should seek advice from the CEO if unsure whether the issue with the staff person is a performance issue or are unsure how to deal with it. If necessary obtain advice from our external IR advisors;

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

Step 2: Verbal Warning

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

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

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

Step 3: First Written Warning

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

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

Step 4: Final Written Warning

If at the date set in Step 2, the employee's performance has not improved, there is further discussion with the employee. This includes the employee, a representative of their choice and the supervisor.

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

Step 5: Termination of Employment

If the problem still persists after the date set in the final written warning, the employee's employment may be terminated. The termination must be approved by the Manager. If the termination is not approved an alternative process for managing the performance issue is developed.

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

7.13 Staff Grievance Procedure

Any dispute or grievance arising in the workplace other than a dispute or grievance arising directly from the employer’s concern about an employee’s work performance or conduct shall be dealt with through use of the following policy:

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1. Introduction

1.1 Aim

COASTLINK is committed to ensuring a harmonious and balanced work environment and, through the implementation of this grievance policy, aims to provide a clear mechanism for employees to lodge their grievances in order to resolve disputes fairly and appropriately.

1.2 Definitions

Grievance

A grievance is a concern or complaint raised by an employee in relation to any work or work-related matter, such as the work environment. It may include any act, omission, situation or decision that the employee believes is unfair, discriminatory or unjust.

Complainant

The Complainant is the aggrieved employee.

1.3 Principles

In resolving disputes, COASTLINK will be guided by the following principles:

Confidentiality

Each party involved in the dispute and the resolution of the dispute, agrees to respect the interests of the parties and maintain strict confidentiality by not discussing the grievance with any person at work or outside of work who is not involved in the investigation or resolution of the complaint.

Procedural Fairness

Each allegation will be treated fairly and equally.

All employees involved will be informed of the allegations against them and will have adequate opportunity to respond.

No disciplinary action will be undertaken until the grievance has been found to be substantiated.

All employees concerned will have the opportunity to access a support person and/or representative during the course of the grievance procedure should they feel so inclined. This person will not be an employee of COASTLINK. If an employee does not have access to an external support person then a Fair Work representative could be arranged.

Impartiality

Each allegation will be approached without any preconceptions, stigmas or bias. Each party will be treated equally and will be given a fair hearing to explain their case, without any assumptions being made, until the facts are substantiated. COASTLINK management will take appropriate steps to ensure that Complainants are not victimised or bullied as a result of making a complaint.

Timeliness

All allegations and complaints will be dealt with as quickly as possible. COASTLINK aims to resolve all allegations in an expedient manner and to notify the Complainant promptly how the grievance will be investigated.

2. Grievance Procedure

2.1 One-On-One Resolution

Complainants should initially try to resolve the issue by speaking directly to the person or persons involved. It is important to remember that the other person may not be aware of their behaviour or its subsequent impact upon you, nor may they be aware of your views or circumstances regarding certain issues.

Remember to approach the other person calmly and in a non-confrontational manner and also to keep a diary note of all conversations and incidents that occur.

If this approach proves fruitless, the Complainant may decide to pursue other avenues such as the informal and/or formal resolution procedures detailed below.

2.2 Informal Resolution

The informal resolution process emphasises resolution rather than factual proof or substantiation of a complaint and is not formally recorded.

2.2.1 Complaint Received

The Complainant should go to their direct Manager and communicate their grievance either orally or in writing (maximum one page). If the Complainant finds that they do not want to take their grievance to their Manager (for example, if the complaint is about their Manager) they should take the complaint to the next level Manager or OM.

If the complaint is about the OM they should take the complaint to the CEO.

If the complaint is about the CEO they should take the complaint to the Board.

The Complainant must disclose to the Manager in their complaint, their purpose in seeking informal dispute resolution, including but not limited to the following options:

- The Complainant seeks advice on possible dispute resolution strategies from their Manager; or
- The Complainant asks their Manager to speak to the other party on their behalf to convey the Complainant's concerns and reiterate COASTLINK's policies and procedures; or
- A Manager may observe unacceptable conduct and may take independent action even though no complaint has been made.

The Manager will then inform the Complainant, in a reasonable timeframe, of the action to be taken and possible outcomes.

2.2.2 Complainant interviewed, informed of process and possible outcomes

The Manager will then meet with the Complainant and will record in writing their account of the situation.

Depending on the nature of the grievance, the Manager will then inform them of the action to be taken and possible outcomes, including what will happen if there is sufficient evidence to support the complaint or if there is insufficient evidence to support the complaint.

The Manager will talk to the other party/parties involved to give them an opportunity to respond to the allegations. The Manager will then consult with the Complainant as to what the other party/parties said and discuss what should be done next to resolve the complaint.

The Manager will then take appropriate action to resolve the dispute.

If the Complainant is not satisfied that the dispute has been resolved, they may proceed to the Formal Resolution Procedure detailed below.

2.3 Formal Resolution

The Formal Resolution Procedure focuses on substantiating a grievance and trying to bring the parties together to reach a satisfactory outcome. All documentation is formally recorded and subject to strict confidentiality.

2.3.1 Complaint received

The Complainant should go to the Operations Manager and communicate their grievance by written submission (maximum two pages), including all the previous steps taken to resolve the grievance.

The Complainant can, at their discretion, determine whether to raise the complaint with the Operations Manager.

The Operations Manager will then inform the Complainant in reasonable timeframe of the action to be taken and possible outcomes.

2.3.2 Complainant interviewed, informed of process and possible outcomes

The Operations Manager will then meet with the Complainant and will record in writing their account of the situation.

Depending on the nature of the grievance, Operations Manager will then inform them of the action to be taken and possible outcomes, including what will happen if there is sufficient evidence to support the complaint or if there is insufficient evidence to support the complaint.

2.3.3 Investigation of the allegations

The Operations Manager will notify the other party/parties of the allegations against them in writing, giving them an opportunity to respond, either orally or in writing, at an interview, which is to take place within five days.

This interview (depending on the nature and seriousness of the allegations, a series of interviews may occur) will aim to give the other party an opportunity to present their case and call any witnesses to substantiate their case.

Witnesses will be interviewed separately and their involvement will be kept to a minimum through a discussion of the facts only. Witnesses will not be victimised for speaking about what they know of the situation and their involvement will be confidential.

The Operations Manager will keep a written record of all interviews.

2.3.4 Result of investigation handed down

After all the information has been gathered, the Operations Manager will make a final decision as to whether the grievance is substantiated or unsubstantiated and will inform all parties of his or her decision in writing within seven days.

The Operations Manager will implement whatever appropriate disciplinary or other action he or she deems fit depending on whether the grievance is substantiated or unsubstantiated.

All documentation relating to the grievance will be filed in strict confidentiality in a restricted access filing area. If a grievance is found not to be substantiated, all documents will be destroyed.

2.3.5 Appeals

If a Complainant, or the subject of the complaint, thinks that the grievance procedure was not followed properly, they can submit an appeal to the Chief Executive Officer. The decision regarding the Grievance will only be changed on the basis that the procedure was not properly followed. The substance of the decision following the investigation will not be reviewed.

In the event that the original grievance concerned the Chief Executive Officer or the Operations Manager, any appeal is to be considered by the Chairman of the Board of Directors of COASTLINK.

7.14 Misconduct

Misconduct includes very serious breaches of our policies and procedures or unacceptable behaviour that warrants the dismissal of an employee. 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 abuse, bullying, intimidation or harassment or discrimination of any other employee or client;
- The disclosure of confidential information regarding the organisation to any other party without prior permission;
- The disclosure of client information other than information that is necessary to assist clients and to ensure their safety;
- Carrying on a private business from our premises or using the service's resources for private business without the permission of the Board;
- Falsification of any records belonging to the organisation;
- Failure to comply with the Codes of Behaviour for Staff and Volunteers.

The CEO deals with all issues relating to misconduct, except where the matter concerns the CEO, and ensures that there are two representatives from the organisation present at the meeting to discuss the misconduct.

The staff person involved is encouraged to bring another person (support person) with them for the interview to support them. This support person may not be another COASTLINK employee or volunteer. A Record of Staff Counselling Interview is completed and signed by all parties, a copy provided to the staff person and a copy filed in their personnel file. The CEO advises the Board at the next Board meeting, of any staff terminated due to misconduct.

7.15 Leave

Any employee taking leave must complete an Application for Leave on-line through ProSIMS. 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 unpaid leave is taken. All leave must be approved by the worker's supervisor.

7.15.1 Application for ANNUAL Leave

All part time and full time staff must submit an annual leave form to the Operations Manager for approval at least four weeks before the requested annual leave.

So that clients and their families receive the usual excellent customer service from COASTLINK, it is preferred that two coordinators are on duty at all times in the office.

However, it is accepted that for single days only, one coordinator may be on duty at the office. An example might be when two coordinators are on annual leave and another coordinator is working in the field on his/her program. On all other occasions there should be two coordinators in the office at any time. Any two coordinators can take annual leave at the same time, as long as there is sufficient coverage in the office.

FWC would not usually be available for a coordinator if two coordinators were on annual leave.

Coordinators taking leave, need to provide clear and precise information on the activities and workers organised for the period they are on annual leave.

COASTLINK has the right to direct employees to take annual leave and will give four weeks notice of any such direction.

7.15.2 Sick Leave

A doctor's certificate is required for sick leave of two consecutive days or more.

When sick leave is required, this should be communicated to the senior rostering coordinator or the emergency phone as soon as possible and at a minimum by the usual start time of the employee.

An Application for Leave must be completed immediately after an employee returns to work after sick leave.

7.15.3 Personal/Carers Leave and Compassionate leave

If not completed beforehand, an Application for Leave must be completed immediately after an employee returns to work.

When leave is required this should be communicated to the employee's coordinator as soon as possible and at a minimum by the usual start time of the employee.

Personal leave and compassionate leave will be in line with current Fair Work Australia and National Employment Standards provisions.

7.15.4 UNPAID LEAVE (LEAVE WITHOUT PAY)

Leave without pay may be requested by a permanent staff member who wishes to take time off from work duties for personal reasons, for no greater than three separate business days because they have exhausted accrued sick leave/family leave and accrued annual leave;

It may not be used as an extension of annual leave or to create an annual leave period. It may not be used to free the staff member's time in order to attend to outside employment.

Approval of leave without pay is at the CEO's sole discretion. If it is denied, the employee may resign. In this case the employee will have no greater rights to further employment than if he or she had not taken leave without pay. If an employee chooses to resign there is no guarantee of re-employment.

Eligible staff members are full-time and part-time employees.

Exception. An exception to the three-day limit may be provided to a new member of the staff who, upon accepting an offer of employment, notifies the CEO in writing of personal commitments made prior to accepting COASTLINK employment offer and requests the time off as leave without pay. The request will be granted or denied at the discretion of the CEO.

Note: This policy does not cover permanent part time employees or direct care workers. It applies to full time employees only.

7.15.5 FLEXIBLE WORKING CONDITIONS

The National Employment Standards (NES) and the COASTLINK Agreement with support staff state that ordinary hours of work shall be no more than 152 hours in any four week period. At COASTLINK

the core hours for office staff are 8.30am to 4.36pm Monday to Friday with an unpaid 30-minute lunch break each day. These core hours cannot be varied without the prior consent of the CEO.

COASTLINK will make every endeavour to ensure that work requirements will be scheduled within the organisation's core hours, however from time to time it may be necessary for full time employees to work outside these hours to attend training sessions and/or meetings or to carry out assessments.

For these hours employees may choose to be paid at overtime rates in accordance with the NES, Agreement or relevant Award or may elect to take time off in lieu of payment of overtime at a time or times agreed with the employer.

Overtime taken as time off during ordinary hours shall be taken at the ordinary time rate, that is an hour for each hour worked.

Time accrued within this policy will be limited to 7.6 hours per month and must be taken within 7 days once this limit is reached.

Conditions applicable to the accrual of "time in lieu" are as follows:

- All hours anticipated to be accrued with a view to taking "time in lieu" must be agreed to and approved of by the CEO in advance of accrual.
- Once such hours are approved appropriate Leave Forms are to be completed and signed off by the CEO in every instance.

7.15.6 Parental Leave

The COASTLINK Parental leave policy is the same as that prescribed in the Fair Work Act and associated NES which may change from time to time.

7.15.8 Recording Leave

Leave taken and owing to staff is tracked by AussiePay.

7.16 Timesheets

Each staff person, except the CEO, is required to maintain up-to-date, a Fortnightly Timesheet. This must be submitted to the coordinators on the Tuesday of each pay week.

Coordinators check the timesheets (against Workbuddy for support workers) before forwarding them to the rostering coordinator for payment.

7.17 Employee Exit Procedure

When an employee leaves COASTLINK, the following procedure applies:

1. Arrange an exit interview.

The exit interview is conducted by the employee's Supervisor, the OM or the Workplace Coordinator and provides useful feedback about us for use in planning and evaluation. The Exit Interview Record guides the interview and is used to record responses.

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

2. Prepare the employee's termination payment:
 - Calculate ordinary wages due or wages in lieu of notice.
 - Calculate annual leave due to the date of termination. This is paid at the employee's current rate of pay.
 - Check if the employee is entitled to pro-rata long service leave.
 - Check if any allowances are owing (e.g. travel, meals).
 - Check if the employee owes us any monies and deduct these from the final payment
 - Prepare a written statement showing the detailed calculation of all monies to be paid to the employee.
 - Ensure the employee/volunteer has returned company property such as bus keys, back packs, client documentation and so on. Employees will not be paid until all of the company's property has been returned.
3. Ensure there is a letter of resignation from the employee if they resigned, or a letter of termination from the CEO if they were dismissed. (Copies of these letters are kept in staff files.)
4. If requested, prepare a written Statement Of Employment detailing the period of employment and type of work performed. Only the CEO may provide a verbal reference to a prospective employer if requested.
5. Complete a Centrelink Employment Separation Certificate if requested by the employee and provide it to the employee.

7.18 Volunteers

7.18.1 Volunteer Policy

Our organisation recognises the valuable contribution to the service made by volunteers and actively encourages their participation. Through volunteers we:

- Enhance the range of services available through our organisation.
- Allow for wider community participation in the service.

Volunteers are not used to replace paid workers in the service and currently provide driving support for the meals and transport services.

All volunteers are recruited according to our Equal Employment Opportunity Policy (see 7.2.2 Equal Employment Opportunity).

The Coordinator, Home and Community Care, is responsible for the recruitment of volunteers.

7.18.2 Volunteer Management

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

7.18.3 Reimbursement of Costs

Volunteers are reimbursed for the cost of mileage if they use their own vehicle. Volunteers are responsible for recording their mileage, submitting their mileage claims on a Vehicle Log Sheet and ensuring that their vehicles are insured appropriately.

7.19 Other HR policies

7.19.1 POLICY ON BULLYING, HARASSMENT AND DISCRIMINATION IN THE WORKPLACE

COASTLINK is committed to providing a safe and equitable environment for all employees, contractors, volunteers, clients, clients and visitors. We seek to eliminate bullying, harassment and discrimination from the workplace and ensure that employees are not subjected to treatment that is hostile or unprofessional. Behaviour that constitutes discrimination, sexual harassment or bullying will not be tolerated and will lead to action being taken, which may include dismissal.

Any reports of workplace bullying, harassment or discrimination will be treated seriously and investigated promptly, confidentially and impartially.

Appropriate action will be taken against an employee or manager who behaves in a bullying, harassing or discriminatory manner towards another person. This action may include disciplinary action and dismissal.

What is Bullying?

Bullying, harassment and discrimination include a wide range of unwelcome and unsolicited behaviours that are largely defined by the offended person.

Bullying is normally **repeated unreasonable behaviour** that could reasonably be considered to be humiliating, intimidating, threatening or demeaning to a person, or group of persons, which creates a risk to health and safety.

Repeated—refers to the persistent or ongoing nature of the behaviour. It does not refer to the specific type of behaviour, which may vary. Bullying may comprise a combination of behaviours including:

- unwarranted criticism or insults;
- spreading malicious rumours;
- deliberately withholding information or resources;
- influencing others to exclude or isolate the targeted person or group.

In many instances bullying appears to begin as discreet and indirect behaviours escalating over time into more open and direct behaviours.

Unreasonable behaviour—means behaviour that a reasonable person, having regard to the circumstances, would see as victimising, humiliating, undermining or threatening. It includes direct and indirect types of behaviour.

Reasonable management action, undertaken properly, is not unreasonable behaviour.

Risk to health and safety—includes the risk to the emotional, mental or physical health of person(s) in the workplace.

Workplace bullying can be:

- intended—where actions are intended to humiliate, offend, intimidate or distress, whether or not the behaviour did in fact have that effect
- unintended—which although not intended to humiliate, offend, intimidate or distress, did cause and, should reasonably have been expected to cause, that effect.

Bullying can be direct or indirect, inflicted by one person or groups.

Direct bullying includes:

- abusive, insulting or offensive language;
- spreading misinformation or malicious rumours;
- displaying offensive material;
- behaviour or language that frightens, humiliates, belittles or degrades, including criticism that is delivered with yelling and screaming ;
- inappropriate comments about a person’s appearance, lifestyle or their family;
- teasing or regularly making someone the brunt of pranks or practical jokes;
- interfering with a person’s personal effects or work equipment;
- harmful or offensive initiation practices;
- physical assault or threats.

Indirect bullying includes:

- unreasonably overloading a person with work;
- setting timelines that are difficult to achieve or constantly changing deadlines;
- setting tasks beyond a person’s skill level, setting meaningless tasks, or unfairly assigning unpleasant tasks;
- excluding, marginalising, ignoring or isolating a person;
- deliberately denying access to information, consultation or resources;
- unfair treatment relating to work rosters or accessing entitlements such as leave or training.

What is not Bullying?

Reasonable management action

It is important to distinguish between a person reasonably exercising their legitimate authority at work, in a proper and reasonable way, and instances of bullying. Managers and supervisors have a broad range of responsibilities including directing and controlling how work is performed. They are responsible for monitoring workflow and providing feedback to workers on their work performance.

Feedback provided properly, with the intention of assisting workers to improve performance or behaviour, does not constitute bullying. Care should be taken, however, to ensure that any performance problems are identified and dealt with in an objective and constructive way that is neither humiliating nor threatening.

Examples of reasonable management action include:

- performance management processes;
- action taken to transfer or retrench an employee;
- a decision not to provide a promotion in connection with an employee's employment;
- disciplinary actions;
- allocated work in compliance with systems and policies;
- managing an employee's injury or illness;
- business processes, such as workplace change or restructuring.

Examples of behaviours that are not bullying, if undertaken in a reasonable and proper way, include:

- expressing differences of opinion;
- constructive and courteous feedback, counselling or advice about work-related behaviour and performance;
- making a complaint about a manager's or another employee's conduct.

Single incidents

A single incident would not normally constitute bullying, although it may be distressing or harmful to the affected individual and should not be tolerated. A single incident may be a warning sign for bullying and steps should be taken to prevent a reoccurrence.

Who Bullies?

Under certain conditions most people are capable of bullying.

Workplace bullying can be:

- upwards—directed towards a manager or supervisor
- parallel—directed towards a colleague
- downwards—directed towards a subordinate.

It should be kept in mind that clients, clients and customers may also bully workers.

Note that bullying behaviour is not always intentional. Sometimes people do not realise that their behaviour can be harmful to others. Individuals should be sensitive about how they are perceived by others and find the best ways to communicate difficult or sensitive matters. In some situations, behaviour that is not intended to be humiliating, threatening or demeaning may cause distress and be perceived as bullying.

Impacts of Bullying

Workplace bullying has significant impacts and consequences on those directly experiencing or witnessing the bullying, and the organisation.

Each individual will react differently to bullying given their particular circumstances.

Reactions may include any persistent combination of the following:

- distress, anxiety, panic attacks or sleep disturbance
- impaired concentration or ability to make decisions
- loss of self-esteem and confidence, a sense of isolation or withdrawal from the workplace

- physical illness, including digestive problems, skin conditions, headaches and musculoskeletal disorders
- injury or increased risk of injury, particularly psychological injury
- reduced work performance
- incapacity for work resulting in workers' compensation claims
- loss of employment
- deteriorating relationships and poor quality of home life
- depression and risk of suicide.

The effects of bullying are not confined to the individual victim. Other workers who witness what is happening may:

- know it is wrong but feel guilty because they do not think they can do anything
- be afraid to support or help the victim in case they too get bullied
- feel angry, unhappy or stressed about the workplace culture

Responsibility

All employees are responsible for taking all reasonably practicable steps to ensure bullying does not occur in the workplace, as it creates a risk to health and safety of a person/s.

Managers are particularly responsible for fostering a positive work environment which is free from bullying, harassment and discrimination and they must not themselves perpetrate bullying, harassment or discrimination. Managers must ensure that their workers understand this Bullying Policy, and that any bullying behaviour is promptly addressed.

Under the [Work Health and Safety Act 2011](#), the organisation has a duty to take all reasonably practicable steps to protect the health and safety of workers while they are at work. The organisation is required to take proactive steps to identify hazards with the potential to affect the health and safety of workers. The organisation is also required to implement measures to eliminate or control the risks arising from those hazards. This duty extends to psychosocial hazards in the workplace including bullying behaviours.

When an incident of bullying occurs the organisation may be required to notify [SafeWork NSW](#) of the incident where it meets the statutory requirements for notification. Details, including an explanation of the legislative requirements for notifying [SafeWork NSW](#), are available on the [SafeWork NSW](#) website.

Discrimination and sexual harassment:

For the purposes of this policy the following definitions apply:

Direct Discrimination: occurs when someone is treated unfairly and is disadvantaged because of a personal characteristic that is protected under NSW law.

Indirect Discrimination: occurs when a rule seems neutral, but has a discriminatory impact on certain people. E.g. a minimum height for a particular job may be applied equally to men and women but may indirectly discriminate against women as they tend to be shorter than men.

Sexual Harassment: includes unwelcome conduct of a sexual nature in circumstances in which a reasonable person, having regard to all the circumstances, would have anticipated that the person harassed would be offended, humiliated or intimidated.

Coastlink provides equal employment to all suitably able people without discrimination based on personal characteristics protected under state and federal Equal Employment legislation.

They include:

- Age
- Breastfeeding
- Carer status
- Disability/impairment
- Employment activity
- Gender identity
- Industrial activity
- Lawful sexual activity
- Marital status
- Parental status
- Personal association with someone having any of these characteristics
- Physical features
- Political activity/belief
- Pregnancy
- Race
- Religious activity/belief
- Sex
- Sexual orientation

Any employee found to have contravened this policy will be subject to disciplinary action, which may include dismissal. Employees must report any behavior that constitutes sexual harassment and discrimination to their manager.

Employees will not be victimized or treated unfairly for raising an issue or making a complaint.

Dealing with Bullying, discrimination and sexual harassment:

If you believe that you are being bullied there are a number of important steps you should take:

- Tell the person that their behaviour is offensive, unwelcome, unacceptable and against policy, and that it must stop (only if you feel comfortable enough to approach them directly, otherwise speak to your manager). It is important to say these things to the person who is carrying out the bullying otherwise they may interpret your silence as consent.
- Report the behaviour or incident to your manager especially if the behavior continues.
- If the alleged perpetrator is a manager then report the manager to a more senior manager.
- Keep your complaint confidential - this will avoid idle gossip.

Should unacceptable behaviour occur, employees can make a complaint by using the COASTLINK

Staff Grievance Procedure policy. (see more specific steps below) If you make a complaint of workplace bullying it will be taken very seriously and will be dealt with sympathetically and in a confidential manner.

The complaint will be investigated and if found to be proved, appropriate warnings or other disciplinary action will be taken against the person committing the bullying. In serious cases the person may be dismissed.

Potential complainants and witnesses should be assured that they are entitled to protection from any victimisation taken against them as a result of their complaint. Victimisation or reprisal by any employees involved in the case will not be tolerated and will result in appropriate disciplinary action.

If you are not satisfied with the way in which the organisation has dealt with your complaint, you can seek further advice and assistance from an outside agency such as SafeWork NSW and Fair Work Commission.

Procedure to receive a complaint:

When a manager receives a complaint or becomes aware of an incident that may contravene Coastlink EEO policies, they should follow this procedure:

1. Listen to the complaint seriously and treat the complaint confidentially. Allow the complainant to bring a support person to the interview if they choose
2. Ask the complainant for the full story, including what happened step by step
3. Take notes, using the complainant's own words
4. Ask the complainant to check your notes to ensure your record of the conversation is correct
5. Explain and agree on the next action with the complainant
6. If investigation is not requested (and the manager is satisfied that the conduct complained is not in breach of EE policies) then the manager should:
 - a. Act promptly
 - b. Maintain confidentiality
 - c. Pass any notes on to the manager's manager

Procedure to investigate:

When a manager investigates a complaint, they should follow this procedure:

1. Do not assume guilt
2. Advise on the potential outcomes of the investigation if the allegations are substantiated
3. Interview all directly concerned, separately
4. Interview witnesses, separately
5. Keep records of interviews and the investigation
6. Interview the alleged harasser, separately and confidentially and let the alleged harasser know exactly of what they are being accused. Give them a chance to respond to the accusation. Make it clear they do not have to answer any questions, however, the manager will still make a decision regardless
7. Listen carefully and record details
8. Ensure confidentiality, minimize disclosure
9. Decide on appropriate action based on investigation and evidence collected
10. Check to ensure the action meets the needs of the complainant and Coastlink

11. If resolution is not immediately possible, advise that a further investigation will take place and they will be advised of the outcome as soon as it is made
12. Discuss the outcomes affecting the complainant with them to make sure where appropriate you meet their needs.

Possible outcomes:

If after investigation management finds the complaint is justified, management will discuss with the complainant the appropriate outcomes which may include:

- Disciplinary action to be taken against the perpetrator (counseling, warning or dismissal)
- Staff training
- Additional training for the perpetrator or all staff, as appropriate
- Counselling for the complainant
- An apology (the particulars of such an apology to be agreed between all involved).

7.19.2 Higher Pay Policy

To provide a fair and equitable system of remuneration and/or recognition for employees who are undertake the duties and responsibilities of a job that is valued at a higher level than their current position.

Procedures

From time to time there will be opportunities for employees to assume higher duties in a position which is at a higher level than their own.

For a staff member to be considered for a higher role when the incumbent is on leave, they must have the skills, experience and qualifications to be able to carry out all of the responsibilities of the position.

When any staff member takes on a higher role while the person in that role takes leave, they will be compensated by receiving the normal remuneration applicable to that higher role during the period in which they are undertaking the responsibilities of that position.

7.19.3 Succession Planning

To ensure the organisation does not experience a sudden loss of leadership and senior management skills, the following succession planning strategies have been implemented:

- Identifying staff with the potential to advance to senior positions and leadership roles through initial interviews, observation, supervision and performance management processes;
- Providing a broad range of job experiences to potential staff;
- Providing opportunities for senior staff to act in more senior positions whenever they are vacant;
- The identification of training needs that will enhance the opportunities for staff to undertake more senior roles;
- The mentoring of less senior staff in senior staff roles by the incumbents prior to temporary vacancies;

- Working with staff to retain them.

7.19.4 Meal Payment Policy

The Award/Agreement states:

Meal breaks are of 30 minutes duration and should be taken before the employee has worked five hours continuously. Employees can elect to leave the group or activity to have their meal break and for this time away from work they will not be paid.

Where an employee is required to have their meal with clients either on the

employer's premises or at any other venue, the time spent having a meal is considered to be time worked and will be paid at the ordinary rates of pay applying to that shift.

The only exception to this will be those program activities where there is a set menu or where eating other food, including food brought from home, is not an option. In these cases COASTLINK will pay for the employees' meal.

Payment for any meals will be solely at the Coordinator's discretion.

When those employees who bring food from home are unable to eat it at a venue or activity and their meal is not been paid for by COASTLINK, the following will apply:

- The employee can elect to leave the group for 10-15 minutes to eat in the bus or outside the venue. Employees would continue to be paid during this time away from clients but will not receive an extra 10-15 minutes meal allowance;
- before leaving the group, the employee must formally seek permission from the supervisor and must formally hand over her/his clients to another employee/s as directed by the supervisor;
- where it is the supervisor who leaves to eat food brought from home, she/he must also choose the most appropriate time and must formally hand over clients to another employee/s;
- time away from clients is strictly limited to 10-15 minutes and this is to be noted on the timesheet.

The above applies strictly to those venues which do not allow food brought from home to be eaten on site.

Volunteers' food and expenses will be paid for by COASTLINK.

Staff meals when on activities;

- When taking clients on activities there is sometimes a cost involved – for example paying to go to a movie, to swimming or for something to eat.
- COASTLINK programs have different ways of paying for activities, i.e., Peer Support clients usually pay their own way, whereas younger clients pay an overall cost and everything is included.
- For 1:1 support, some clients will have their own funds and some will not. Some brokerage agencies will allow clients a certain amount for activities and others will not.
- Support staff need to ensure they are fully aware of who will be paying for the costs of any activity before accepting a shift.

- All expense claims must be accompanied by a receipt and unauthorised expenses will not be approved.

Expenses:

- The Community Worker is responsible for their own food and drink expenses on activities as per the 2005 (modified 2008) Certified Agreement.
- The only exception to this will be when there is a set menu, say at a Theatre restaurant, where there are no other options for the staff member to purchase or bring their own food.
- COASTLINK will pay for the costs of activities incurred by the worker and approved by the coordinator prior to the activity taking place. Receipts must be provided in all instances.
- When on holidays and/or breaks away with clients, staff are limited to spending up to \$15 on their breakfast, \$20 for lunch and \$20 for dinner.
- COASTLINK will not pay for snacks, coffees, bottles of water or other drinks during the day at any time – these are the responsibility of each staff member.
- COASTLINK will pay for volunteers' food and expenses when on activities or when away on holidays/breaks away.

7.19.5 Personal Mobile Phone Policy

To ensure the safety of COASTLINK clients it is necessary to ensure that the use of personal mobile phones by all staff is regulated.

Employees of COASTLINK must not normally have their own mobile phones switched on when working for COASTLINK.

Each COASTLINK employee will be able to access personal message banks every three hours or when taking a break as authorised by their supervisor, coordinator or manager.

When an employee is being paid to support a 1:1 client, message bank access will not be allowed until care of their client has been officially transferred to another employee and the supervisor notified where applicable.

The only exception to the above will be:

- when a group is out in the community on an activity and there is a need for carers to keep in contact throughout the activity
- in times of an emergency when it is necessary for a staff member to leave a personal mobile phone switched on, this must be arranged with a supervisor, coordinator or manager before commencing work.

7.19.6 Effective use of COASTLINK Resources:

Staff members who are provided with COASTLINK equipment such as computers, laptops, office phones, mobile phones, iPads and other equipment may only use this equipment on Coastlink's business. COASTLINK equipment is not to be used for personal use.

7.19.7 Policy when a Staff Member will be provided with a Fully Funded COASTLINK car for use at Work and Personal Use

This policy is to establish a set of guidelines for when an employee will be considered for the provision of a company car.

Preamble:

The provision on a company car is seen as both an incentive and a reward for employees who perform exceptionally well and who increase the company revenue in a substantial way.

The company sees the provision of a company car as a salary increase in all cases.

The company uses the provision a company car as a way of attracting and retaining good staff.

Procedures:

1. Who is provided a company car?

An employee may be offered a company car if their performance has added value to the performance of the company.

This will include:

- Bringing extra revenue to the company through the program they coordinate;
- Attracting extra programs to the company and therefore extra funding;
- Bringing new programs to the company which creates increased revenue;
- Bringing new clients to the company who have funding attached so that the revenue of the company is increased;
- Carrying out the performance of their duties in such a way as to add value to the company as decided by the CEO and the Board.

2. Who decides?

- In all cases the company will decide what model of car is to be purchased and offered to an employee;
- In all cases the company will decide when the car is to be replaced and upon what terms and conditions;
- The company will investigate leasing and purchasing options before making any decision;
- Each case of the provision of a company car will be dealt with on an individual basis and the company will decide the terms and conditions they offer to each individual employee concerning the provision of a company car. Terms and conditions *may* vary from employee to employee;
- When an offer has been made by the Company and accepted by an employee, a letter of offer of a company car will be prepared by the CEO which will state the terms and conditions on which the car has been supplied and what the responsibilities of the company and the employee will be.

3. Employees' Responsibilities

COASTLINK wishes to retain as much value as possible in each company car therefore the employee will be responsible for:

- Ensuring vehicle services are carried out in accordance with manufacturer's instructions;
- Ensuring the car is kept clean and tidy at all times and is regularly washed, polished and vacuumed at the employee's expense;
- Keeping a log when required.

Terms and Conditions of Use of a Company Owned vehicle:

- Senior staff will be provided with a company vehicle for business and personal use. The main focus of the vehicle provision is to enhance that person's ability to carry out Coastlink's business;
- Limited use of the Company vehicle by that person's spouse/partner is allowed but it must not be used on a regular basis or to replace a family vehicle. It may be driven by their spouse/partner in times of emergency or otherwise from time to time;
- If the person does not have a spouse/partner he/she may nominate an immediate family member who would be able to use the Company vehicle on the same terms and conditions as spouses/partners of other Employees;
- Employees are required to hold Black licenses to be allowed to drive an allocated Company vehicle (other than by an employee who has a provisional license);
- Any increases in insurance premiums or other costs related to the use by any family member of a Company vehicle must be reimbursed to the Company by the Employee;
- Any partner/spouse (or family member in the case of a person without a spouse/partner) must complete the Authorised Driver form which must be signed by the CEO;
- Any spouse/partner or other nominated family member driving a Company vehicle must provide an up to date Motor Vehicle Record from the RTA before driving a Company vehicle;
- If a person, other than the Authorised person, has an accident while driving the Company vehicle the Employee will be responsible for all costs incurred regarding the accident;
- If an insurance company refuses a claim following an accident or incident, the employee will be required to cover all costs to bring the vehicle back to original condition;
- No person is allowed to drive a Company vehicle while under the influence of drugs or alcohol; employees driving under the influence of drugs or alcohol will lose the right to use the Company vehicle and will face disciplinary procedures including possible termination of employment;
- Petrol and services for the vehicle will be provided within the borders of NSW only with the exception of the CEO.

7.19.8 Policy on Salary Packaging

GUIDELINES

Salary Packaging (also called “Salary Sacrifice”) is a legal process whereby existing cash salary is remodelled by an employee with the approval of the employer, through enabling employment arrangements, into a combination of cash and non-cash benefits. The non-cash benefits are paid from the employee’s pre-tax salary.

For an employee to take up this benefit, it must be allowable under the terms of their relevant award or employment conditions.

Public Benevolent Institution (PBI) organisations are exempt from paying FBT up to a grossed up benefit of \$30,000 per employee. Taxation rules require the taxable value of any fringe benefits, as defined by the [Fringe Benefits Assessment Act 1986](#), to be “grossed up” and shown on an employee payment summary certificates at the end of each financial year. This applies equally to all workers including those working in PBIs.

Meal/Entertainment and Leisure Accommodation and Venue Hire tax free cards are also available to be used by eligible employees, who are totally responsible for how they spend the funds they allocate to these cards.

Salary packaging can provide a range of benefits to both employees and employers, such as:

- Net increases in remuneration for employees
- Retention of valued employees and
- Attraction of key employees

This policy and procedures document regulates the parameters, including the types of benefit items that can be salary packaged, and the administrative arrangements that operate at COASTLINK. These parameters and arrangements can change from time to time.

The [Fringe Benefits Assessment Act 1986](#) and [Income Tax Assessment Act 1936 and 1997](#) (and any changes made to this legislation) regulate the relevant tax payable on such benefits. Any changes to this legislation that impacts on salary packaging, will be reflected in the employee’s remuneration package and will not increase or decrease the total cost to the employer. Should such a change in legislation occur, the employee will need to amend their salary packaging arrangements in accordance with the arrangements set out in this document.

If the legislation changes it is not the responsibility of COASTLINK to inform employees.

If higher FBT becomes payable on a packaged item, the employee must make payments of the additional FBT amount, or equivalent, to the employer at the end of the reconciliation period.

The employee is responsible for any FBT payable if the grossed up value of the packages exceeds the capped limit, currently \$30,000 per annum.

FINANCIAL ADVICE

Prior to commencing salary packaging, employees are advised to obtain independent financial advice from a suitably qualified advisor accredited by a recognised professional association (such as the Financial Planning Association). All costs associated with obtaining independent financial advice are to be met by the employee.

COASTLINK TERMS AND CONDITIONS

Superannuation will be paid on the employee's pre-packaged salary.

First \$6,000 per annum, (or relevant tax -free threshold) of wage is not packageable.

Salary packaging will be offered only after an employee has successfully completed any probationary period or at the CEO's discretion.

Salary packaging is only available to full time or part time permanent employees who earn more than \$15,000 per annum at COASTLINK.

It is the employee's responsibility to monitor the amount Salary Packaged, to ensure the allowable grossed up limit is not exceeded.

SALARY PACKAGING COSTS

All direct costs from salary packaging are to be met by the participating employee/s, including, but not limited to:

- Salary package payments
- All administrative fees and charges
- Any Fringe Benefit Tax and GST payable (where applicable)
- Any costs associated with obtaining financial advice
- Any costs resulting from changes to legislation or Government taxes and charges
- Costs associated with changes to their salary packaging arrangements

SETTING UP PROCESS FOR EMPLOYEES

It is strongly recommended that independent financial advice is sought, at each employee's own expense, prior to participating in salary packaging.

Contact the COASTLINK CFO to get a Salary Packaging Application Form.

Complete the Application Form with

- Details of the institution where payments are to be made
- The account number for regular direct EFT payments such as mortgage payments
- Frequency of payments
- The payment amount
- The commencement date for regular payments
- Any specific payment instructions

The completed application form must be returned to COASTLINK for processing and referral to Aussie Pay, our payroll company.

CHANGING A SALARY PACKAGE

- In general, once an eligible employee has a salary package in place, the package is fixed for a full 12 month period, ie, the “package year”.
- Towards the end of each package year, the employee should review the components of their salary package and may vary the package for the following year.
- If an employee decides to vary his or her salary package, it is recommended that the employee seek advice from a qualified and independent financial advisor.
- Where an employee who is currently salary packaging wishes to increase his or her salary package amount, the employee may only do so if they are not at the maximum limit allowed.
- The employee must notify the Finance Officer in writing of any changes requested to salary packaging.
- An employee can vary their salary packaging once a year. However, if they vary their salary packaging more than once, there may be an extra cost involved.
- Upon receipt of the amendment to salary packaging the Finance Officer will notify Aussie Pay who will make the necessary changes at the next pay period.

CEASING SALARY PACKAGING

An employee may elect at any time to cease salary packaging. This may be due to such circumstances as:

- Ill-health
- Extended leave
- Substantive change in impacting on salary packaging
- Legislative change impacting on salary packaging
- A change to employer’s FBT status
- Termination of employment

Four weeks’ notice, in writing, is required to process the necessary paperwork to cease salary packaging.

In the event that an employee ceases employment with COASTLINK, or ceases to be an eligible employee, all responsibility for their salary packaging will revert to the employee.

In most instances, approval of any period of leave without pay will require the employee to cease or suspend salary packaging.

If the employee wishes to recommence salary packaging, they will need to complete a new Application Form and lodge it with the Finance Officer.

PAYMENT SUMMARIES AND SALARY PACKAGING

COASTLINK is required by the ATO to show the “grossed-up” taxable value of any fringe benefits packaged on your Payment Summary (formerly known as Group Certificates).

The term “grossed-up” refers to the taxable value of the fringe benefit, multiplied by a rate determined by the ATO. Gross-up is applied to ensure that the amount of tax paid on a fringe

benefit, is the same as the tax paid if a staff member received cash salary taxed at the highest marginal tax rate, plus the Medicare levy.

The reportable fringe benefit may adversely impact on an employee's financial situation and this is the reason we ask all employees to seek independent financial advice, at their own expense, from an independent financial advisor.

7.19.9 Smoking in the workplace

COASTLINK is committed to protecting its clients, its employees and others in the workplace from the health risks associated with smoking and the effects of passive smoking.

Employees are expected to take responsibility for their own health. The CEO is responsible for ensuring there is no smoking in workplaces under CCAGL control.

Office areas and centres will display Smoke Free Zone signs available from SafeWork NSW or the Heart Foundation.

Job advertisement will state the workplace is a smoke free environment and new staff will be informed of this at orientation.

Smoking is not allowed by COASTLINK employees or volunteers in:

- COASTLINK office areas;
- COASTLINK vehicles;
- Clients' homes;
- Whilst with clients in places away from their homes;
- Designated No Smoking areas whilst on COASTLINK business.

COASTLINK prefers that workers do not smoke. For those workers who do smoke the following will apply:

- On community access, permission must be sought from the supervisor for the smoker to leave the group to smoke;
- If permission of the supervisor is received, smoking time will be five minutes only;
- The supervisor will allocate the smoker's clients to another worker for the period that the worker is away from the activity;
- In all COASTLINK workplaces smokers are allowed to leave the workplace once every three hours for a five minute break to smoke;
- Only one worker is allowed to go at a time. Two or more workers are not allowed to leave the workplace together to smoke;
- If it is the supervisor who smokes he/she must nominate another worker to be acting supervisor for the five minutes the supervisor is away from the activity for a smoke;
- Clients are never to be left unattended for any reason;
- Under no circumstances will any worker or volunteer supply cigarettes to clients.

Each new volunteer and employee will be informed that COASTLINK is a smoke free workplace and that smoking is not allowed in the places listed above.

Each employee and volunteer will be supplied with a copy of COASTLINK's non-smoking policy.

Smoking at Hopetown

- Hopetown is owned and operated by the NSW Department of Education which has a strict no smoking policy on all sites;
- A smoker must seek permission from the supervisor, hand over clients and walk outside the front gates of Hopetown to smoke;
- In these cases 15 minute breaks will be shown on the employee's timesheet and they will not be paid for these breaks in their working schedule.

Procedures to Control Passive Smoking Risk in Clients' Homes

Whilst COASTLINK employees are not allowed to smoke while with clients or in clients' homes, they may still be exposed to the risk of passive smoking if the client or a member of their family chooses to smoke. COASTLINK is committed to reduce the risk to employees associated with passive smoking. Such risk is increased as the concentration of tobacco smoke increases, as the number of times and amount of time the worker is exposed to the smoke increases, and if the worker has respiratory problems.

Risks are to be minimised by:-

- Identifying if the client or a family member/s is a smoker at the initial assessment for service, and requesting that the client or family member/s does not smoke during the assessment.
- Identifying passive smoking as a hazard at the initial client assessment, reporting this on the Home Visit Checklist, and if necessary reporting to manager on a Hazard Form.
- Controlling this hazard by discussing our responsibility towards COASTLINK employees and volunteers and requesting that the client or a family member or anyone else present agree not to smoke while in the presence of our employees or agreeing to smoke outside.
- Requesting that the client or family member/s sign a written Non Smoking Agreement.

Written information about the risks to health of passive smoking can be obtained from SafeWork <https://www.safework.nsw.gov.au/> a copy of which is available at the office, or from the National Heart Foundation. Phone (02) 9219 2444.

Staff or clients who want to stop smoking may contact QUIT Line. Phone: 131848,

7.19.10 Drug and Alcohol Policy

Drug and alcohol use in the workplace creates a range of problems. Employees under the influence of drugs and alcohol can cause injury to themselves, other workers and clients, resulting in poor work performance, inefficiency and damage to property.

COASTLINK has a duty to ensure the health, safety and welfare of its employees. COASTLINK also has a duty of care to ensure the health, safety and welfare of clients.

It is every person's responsibility to take reasonable care of the health and safety of other employees and clients in the workplace and to ensure that their performance and actions are not impeded by the use of drugs (either legal or illegal) or alcohol.

It is the responsibility of all employees to report to their supervisor, any incidents where it is suspected that an employee is under the influence of drugs or alcohol. The employers' and employees' duty is covered by the [Work Health and Safety Act 2011](#).

CODE OF BEHAVIOUR

An employee, whilst on duty working for COASTLINK is prohibited from:

- possessing or using illegal drugs at the workplace;
- being under the influence of drugs, legal or illegal, or alcohol;
- consuming alcohol and smelling of having consumed alcohol whilst on duty and at meal breaks.

There are a range of medications which can affect performance including pain relievers, sleeping pills, tranquillisers etc. **An employee who is using medication or legally prescribed drugs that may impede performance must report this to their supervisor before commencing duty.**

If a supervisor or employee makes a visual assessment that an employee or volunteer is under the influence of drugs, legal and illegal, or alcohol the following is to apply:

The visual assessment is to be comprehensively documented by the supervisor or employee.

Another employee, who has made a visual assessment of the employee or volunteer under the influence, is to be asked to witness the statement.

The employee must be sent home immediately.

As soon as possible after this incident, the HR senior coordinator and the program Coordinator will meet with the employee to investigate the incident. The employee will be asked why he/she was acting strangely and if he/she is affected by prescription or other legal or illegal drugs or alcohol.

If the HR senior coordinator and the Coordinator believe that the employee or volunteer is affected by drugs or alcohol, the employee will be stood down on full pay and will be directed to have a drug test, paid for by COASTLINK.

The tests will be carried out under National Association of Testing Authorities (NATA) guidelines by either the Australian Government Analytical Laboratories on 9449 0151 or Division of Analytical Laboratories contact on 9646 0418.

COASTLINK will not accept drug or alcohol tests submitted by the employee which are not carried out by either of the above agencies or which do not meet NATA guidelines.

BREACHES

COASTLINK's Employees' Code of Conduct states that "intoxication through alcohol or other substances during working hours" is viewed as misconduct and is a very serious breach of COASTLINK's rules which warrants the instant dismissal of an employee or volunteer.

7.19.10 DOMESTIC VIOLENCE Policy

Intent

To provide COASTLINK employees with a framework to support employees who experience domestic violence.

Scope

This policy applies to all employees who are covered by the current COASTLINK Enterprise Agreement and all office staff employed on a permanent basis.

Definitions

Domestic violence

As defined in the Domestic Violence from the *Domestic and Family Violence Protection Act 2012*, domestic violence means:

behaviour by a person (the first person) towards another person (the second person) with whom the first person is in a relevant relationship that—

- (a) is physically or sexually abusive; or
- (b) is emotionally or psychologically abusive; or
- (c) is economically abusive; or
- (d) is threatening; or
- (e) is coercive; or
- (f) in any other way controls or dominates the second person and causes the second person to fear for the second person's safety or wellbeing or that of someone else.

Application of the Policy

COASTLINK is committed to supporting a staff member experiencing domestic violence to continue to participate in the workforce and maintain their employment through a broad range of support.

COASTLINK will provide support to a staff member experiencing domestic violence by approving reasonable requests for the following:

- a) Changes to hours of work;
- b) Changes to the location of work;
- c) Relocation to suitable employment where this is able to be identified;
- d) Changes to work phone numbers or work email addresses;
- e) Other appropriate measures such as family-friendly hours and flexible working arrangements;

- f) Access to leave entitlements under the COASTLINK Enterprise Agreement including personal and carers leave, annual leave and long service leave.

Leave absences will be determined by the individual's situation through negotiation between the staff member and appropriate line manager.

A staff member who experiences situations of violence and abuse in their domestic life which may adversely impact on their attendance and/or performance at work will not be disadvantaged in their employment at COASTLINK.

All personal information given in relation to situations of domestic violence will be kept confidential. No information will be kept on an employee's personnel file without their express permission.

COASTLINK will co-operate with all legal orders protecting a staff member experiencing domestic violence.

7.20 MONITORING HUMAN RESOURCE MANAGEMENT PROCESSES AND SYSTEMS

Human resource management processes and systems are regularly audited as part of our audit program and staff, clients and other stakeholders are encouraged to provide ongoing feedback on issues and areas where improvements can be made (see Corporate Calendar and Section 5: Continuous Improvement).