MHA Care

'The Right Care for You'

Volunteer Registration

Confidential Information

(None of the below information is to be given out unless authorised by the person listed on the form)

Mr Mrs Ms *(please circle)*

Surname: _____

Given Name: _____

Date of Birth: _____

Street Address: _____

Town: _____

Postcode: _____

Telephone: _____ Mobile: _____

Email Address: _____

Emergency Contact Person: _____

Relationship: _____ Contact Number: _____

Do you speak a language other than English? Y / N If yes what language do you speak? _____

Have you been a citizen or permanent resident of a country other than Australia after the age of 16? Yes No

Volunteer Program: Please circle your preferred program(s). Note: More than one can be chosen.

Meals on Wheels Planned Activity Groups

Foodshare Yarrawonga Community Opportuniry Shop

Availability (please circle)

Preferred Days: MON TUE WED THU FRI SAT SUN

Program	Meals On Wheels		Planned Activity Groups	
Public Holidays	Yes	No	Yes	No
School Holidays	Yes	No	Yes	No
Emergency List	Yes	No	Yes	No

Signed: _____

Date: _____

PTO

Refernce 1 **Name;**_____ **Contact Number:** _____

Reference 2 **Name:**_____ **Contact Number:**_____

Please see below a checklist of documents which are to be completed.

Please bring all these documents with you to your information session.

Check List of Documents to be Completed:

- **Volunteer Registration Form**
- **Volunteer Position Description**
- **Policy & Procedure Acknowledgement Form**
- **Pre-existing Injury or Medical Conditions Declaration Form**

POSITION DESCRIPTION

POSITION TITLE:	Volunteer – Opportunity Shop
REPORTS TO:	Volunteer Co-ordinator
DIRECT REPORTS:	N/A
AWARD:	N/A
CLASSIFICATION:	N/A

POSITION PURPOSE

This position is responsible for assisting with the running of the Yarrawonga Community Opportunity Shop run by MHA Care Limited.

Reporting directly to the Opportunity Shop Coordinator, it is the responsibility of this position to carry out delegated tasks as directed that ensure that MHA Care Limited can promote and deliver a quality service through its two retail outlets. Funds raised from the Opportunity Shop Project are used to assist specific consumer groups such as frail aged people, younger people with disabilities and the disadvantaged people across our catchment area.

MHA Care in partnership with our valued volunteers aims to assist clients to maintain independence and to enhance their quality of life.

KEY ACCOUNTABILITIES & RESPONSIBILITIES

The following description of responsibilities is not exhaustive and may include others as directed from time to time:

Accountability 1: Delivering a quality retail business

Responsibilities:

- A commitment to assisting opportunity shop staff to present quality products for sale to the greater community.
- Able to work to allocated roster of days and times.
- Ability to interact with customers in a positive and helpful manner.
- To assist opportunity shop staff where necessary to ensure the smooth running of the retail business. This may include interacting with customers, sorting of clothing and goods, cleaning and other general light duties.
- Inform Opp Shop Coordinator as soon as possible if unable to attend your rostered session.

Accountability 2: Direct contact with MHA Care customers

Responsibilities:

- An ability to communicate sensitively and effectively with members of the general public as well as specific consumer groups such as frail aged people, younger people with disabilities and their carers and the disadvantaged people across our community.
- An understanding of the issues that impact on the social, emotional and physical wellbeing of our vulnerable and disadvantaged clients across the community.
- Demonstrated observational skills with the ability to report any hazards, risks, incidents or concerns in relation to self and customers, which may require management or intervention.
- Respect the privacy and confidentiality of customers and staff whilst on duty and outside the organisation.

Accountability 3: Workplace Health and Safety (WHS)

Responsibilities:

All staff (paid and unpaid) have a responsibility to ensure that they comply with the provisions of WHS regulations and:

- Maintain and foster a safe work environment at all times.
- Follow safe work practices, procedures, instructions and rules at all times.
- Identify, report any hazards, risks, incidents or injuries in the course of their duties that have occurred, or have potential for injury/illness to people or damage to/loss of MHA assets.
- Support a safe and healthy working environment and perform all duties in a manner that ensures personal health and safety, and that of others.

Accountability 4: Team Work

Responsibilities:

- An ability to work as a team member.
- A willingness to accept guidance and direction from the opportunity shop co-ordinator and/or team members.
- Liaise and communicate with opportunity shop co-ordinator.

CORE BEHAVIOURS

The following Core Competencies are the behaviours expected of an employee or potential employee:

Service Focus

- A passion for helping those in need within our community.
- Aim to deliver a high level of care and customer service.

Communication

- A willingness and capacity to follow directions, to work co-operatively within a team and to support others.
- Good oral communication skills and a demonstrated ability to communicate sensitively and effectively with customers including the aged, people and disabilities and their carers.
- Basic written communication skills.

Motivation / Time Management

- A demonstrated strong work ethic, punctual, reliable and committed to quality service delivery.

Flexibility & Adaptability – Change Management

- An ability to be flexible and adapt to changes whilst on duty.

POSITION SPECIFIC REQUIREMENTS & QUALIFICATIONS

Essential

- A valid and current police check or consent to obtain same.

Desirable

- A current and valid driver's licence.

Physical Requirements

- Capacity to lift and transfer up to and no more than 10kg.
- Capacity to stand for long periods of time.
- Ability to undertake basic manual handling tasks.
- Where necessary a medical assessment may be required by individual request to confirm the volunteer is able to carry out the tasks outlined in this position description

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ACCEPTANCE OF POSITION DESCRIPTION

This position description will be reviewed annually, when the position becomes vacant or as deemed necessary.

OPPORTUNITY SHOP VOLUNTEER:	
DATE:	
VOLUNTEER CO-ORDINATOR:	
DATE:	

APPLICATION AND **INFORMED CONSENT FORM**

CrimCheck™

NATIONAL POLICE CHECKING SERVICE (NPCS)

INFORMATION ABOUT THIS FORM

Terms used in this form

Nationally coordinated criminal history check	Describes both: the checking process undertaken by the ACIC and police, and the result received by the accredited body. Commonly known as a 'police check'.
You/the applicant	Individual seeking a nationally coordinated criminal history check.
Accredited body	CrimCheck Ltd, the organisation responsible for submitting your *Application and Informed Consent form*.
Australian Criminal Intelligence Commission (ACIC)	Australian Government agency responsible for facilitating access to nationally coordinated criminal history checks.
Legal entity customer	Organisation the accredited body may use to collect your *Application and Informed Consent form*. This may be your employer, benefits provider or issuing body.
Third party	Organisation the accredited body is required by law to disclose your personal information and police information to.
Personal information	Information about you, including any information contained in your identity documents.
Police information	Information released as part of a nationally coordinated criminal history check.

Who completes this form?

As the applicant, you are required to provide your personal details and informed consent to complete this form.

You must also provide your identity documents, as detailed in Documents required. If you are less than 18 years of age, this form must be completed by your parent or legal guardian.

You are completing this form to obtain a nationally coordinated criminal history check.

What is a nationally coordinated criminal history check?

A nationally coordinated criminal history check is conducted with your informed consent to determine your suitability for a position of trust, specified field of endeavour or as required by legislation. A nationally coordinated criminal history check contains your personal information, and police information that is disclosable about you, according to the purpose of your check.

Providing incomplete, false or misleading information

You must take reasonable steps to ensure you provide accurate, complete and up-to-date personal information. Withholding and/or providing misleading, or false information on this form is a Commonwealth offence and you may be prosecuted under the *Criminal Code Act 1995 (Cth).*

If you become aware you have provided incorrect information you must contact the accredited body as soon as possible.

PRIVACY NOTICE

How will my information be used?

The ACIC and Australian police agencies

The ACIC and Australian police agencies use the information on this form and the applicant's identity documentation:

- to disclose police information relating to you, to CrimCheck Ltd
- to update records held about you
- for law enforcement, including purposes set out in the *Australian Crime Commission Act 2002 (Cth)*

CrimCheck

CrimCheck uses the personal information collected in this form to request a nationally coordinated criminal history check and to assure itself of your identity. CrimCheck may have a legislative basis for the collection, use and disclosure of your personal information and police information to a third party.

CrimCheck must advise you if your personal information or police information will be transferred or supplied to a location outside Australia, known as the permitted offshore transfer arrangement. If this applies, the legal name and location of the overseas entity are listed in this form.

You can contact CrimCheck for more information on the nationally coordinated criminal history check process and how your personal information is handled:

Phone 03 9955 0300
Email support@crimcheck.org.au
Privacy policy www.crimcheck.org.au/privacy-policy

How is my national check result determined?

Police information is disclosed in accordance with applicable legislation and information release policies of the Australian Government and state and territory governments. These links may help you source information on spent convictions:

Australian Government
www.legislation.gov.au

Australian Capital Territory
www.legislation.act.gov.au

New South Wales
www.legislation.nsw.gov.au

Northern Territory
www.legislation.nt.gov.au

Queensland
www.legislation.qld.gov.au

South Australia
www.legislation.sa.gov.au

Tasmania
www.thelaw.tas.gov.au

Victoria
www.police.vic.gov.au

Western Australia
www.slp.wa.gov.au

How do I dispute my result?

If you do not agree with the results of your nationally coordinated criminal history check, contact CrimCheck or, if applicable, its legal entity customer, using the contact details on page 5 and tell them you want to dispute the result.

CrimCheck or its legal entity customer accepts and escalates all disputes.

DOCUMENTS REQUIRED

Minimum identity requirements

You must provide four documents with your completed form to confirm your identity:

- one commencement document to confirm your birth in Australia or arrival in Australia
- one primary and two secondary documents to show the use of your identity in the community

CrimCheck or its legal entity customer will use these documents to verify your identity against the personal information you have provided on this form. The personal information contained in the identity documents you provide will be used to conduct a nationally coordinated criminal history check, as you consent to in Section D.

The documentation you provide must include evidence of your full name, date of birth and a photograph of you. If a photograph is not provided on the identity documents presented, a passport-style photograph certified by a person listed in Schedule 2 of the *Statutory Declarations Regulations 1993 (Cth)* can be accepted in addition to the four required documents.

Commencement documents

a. full Australian birth certificate (not an extract or birth card)

b. current Australian passport (not expired)

c. Australian Visa current at time of entry to Australia as resident or tourist*

d. ImmiCard issued by Department of Home Affairs (previously the Department of Immigration and Border Protection) that enables the cardholder to prove their visa and/or migration status and enrol in services

e. certificate of identity issued by Department of Foreign Affairs and Trade (DFAT) to refugees and non-Australian citizens for entry to Australia

f. document of identity issued by DFAT to Australian citizens or persons who have the nationality of a Commonwealth country for travel purposes

g. certificate of evidence of resident status

** A Visa Entitlement Verification Online (VEVO) record may be provided. If you are a New Zealand citizen on a Special Category Visa, you can request your VEVO details from the Department of Home Affairs via their website.*

Primary documents

a. current Australian drivers licence, learner permit or provisional licence issued by a state or territory, showing a signature and/or photo and the same name as claimed

b. Australian marriage certificate issued by a state or territory (church or celebrant-issued certificates are not accepted)

c. current passport issued by a country other than Australia with a valid entry stamp or visa

d. current proof of age or photo identity card issued by an Australian Government agency in the name of the applicant, with a signature and photo

e. current shooters or firearms licence showing a signature and photo (not minor or junior permit or licence)

f. for persons under 18 years of age with no other Primary Use in Community Documents, a current student identification card with a signature or photo.

Secondary documents

a. certificate of identity issued by DFAT

b. document of identity issued by DFAT

c. convention travel document secondary (United Nations) issued by DFAT

d. foreign government issued documents (for example, drivers licence)

e. Medicare card

f. enrolment with the Australian Electoral Commission

g. security guard or crowd control photo licence

h. evidence of right to an Australian government benefit (Centrelink or Veterans' Affairs)

i. consular photo identity card issued by DFAT

j. photo identity card issued to an officer by a police force

k. photo identity card issued by the Australian Defence Force

l. photo identity card issued by the Australian Government or a state or territory government

m. Aviation Security Identification Card

n. Maritime Security Identification card

o. credit reference check

p. Australian tertiary student photo identity document

q. Australian secondary student photo identity document

r. certified academic transcript from an Australian university

s. trusted referees report

t. bank card

u. credit card

Names

All names under which you have been or are currently known will be included on the nationally coordinated criminal history check. If you are concerned about the disclosure of details relating to your previous known names, please contact the accredited body through which you are submitting your check for a nationally coordinated criminal history check for assistance.

Change of name

If you provide identity documents using a former name, you must provide evidence of your name change. This means providing a change of name certificate issued by the Australian Registry of Births, Deaths and Marriages or an Australian marriage certificate issued by a state or territory, in addition to your four identity documents. Church or celebrant-issued certificates are not accepted.

Special provisions for proof of identity

The ACIC recognises that in exceptional circumstances you may not be able to meet the minimum proof of identity requirements.

Please contact CrimCheck who will assess your ability to meet the requirements and determine the most suitable method to confirm your identity.

HOW TO SUBMIT THIS FORM

Before submitting this form, ensure all sections are complete and that you have signed and dated the form.

Once completed, please print the form, sign the required fields and return it to the organisation listed as the *Legal Entity Customer* on page 5.

SECTION A – PERSONAL INFORMATION

A1 **Please read this before answering the following questions.**

You must disclose all names you have been known by throughout your life, including your primary name, name before marriage (maiden name), and other previous names and/or alias names.

All names that you submit as part of your nationally coordinated criminal history check, will appear on the check result. If you are concerned about the disclosure of previous name, please contact the accredited body.

With each additional name you provide, you must include your family name, first given names and other given names (if applicable).

Example:
When Lucianne was born, she was given the first name Lucianne, second given name Jane and surname of Jones. When she was married, she changed her surname to Smith. Lucianne commonly uses the name Lucy when introducing herself in the community.

As such, Lucianne has four known names—her current name, maiden name, the alias name she used before she got married and the alias name she uses now. Lucianne needs to provide all four names when completing this form, as follows:

Current name	Smith, Lucianne Jane
Maiden name	Jones, Lucianne Jane
Alias name	Smith, Lucy Jane
Previous name	Jones, Lucy Jane

Primary name

Family name
First given name(s)
Other given name(s)

Previous known name (if applicable)

Name type	Maiden	Alias	Previous
Family name			
First given name(s)			
Other given name(s)			

Previous known name (if applicable)

Name type	Maiden	Alias	Previous
Family name			
First given name(s)			
Other given name(s)			

If more room is required, please list on a separate sheet, sign and attach to this form.

Additional sheet attached?	Yes	No

A2 **Please read this before answering the following question.**

You must select the gender that best describes how you identify yourself within the community.

The gender details that you submit as part of your nationally coordinated criminal history check, will be the gender that appears on the check result.

The ACIC's processes are aligned with the Australian Government *Guidelines on the Recognition of Sex and Gender*. If these Guidelines affect you and you would like additional information specifically regarding this, please contact the ACIC directly at npcs@acic.gov.au

Gender		
Male	Female	Indeterminate/intersex/unspecified

A3 **Please read this before answering the following questions.**

If you cannot provide all these details, contact the organisation listed as the *Legal Entity Customer* on page 5.

Date of birth	/ /

Place of birth

Suburb/town
State/territory
Country

A4 **Please read this before answering the following questions.**

Provide your current and previous residential addresses for the past five years.

If you cannot provide full details, provide as much information as possible. If you are unsure how to complete this section contact the organisation listed as the *Legal Entity Customer* on page 5.

Current residential address

Street address
Suburb/town
State/territory
Postcode
Country

Date residing at address from			
/ /	to	/ /	

Previous residential address

Street address
Suburb/town
State/territory

A4 *(continued)*

Postcode

Country

Dates residing at address

/ / to / /

Previous residential address

Street address

Suburb/town

State/territory

Postcode

Country

Dates residing at address

/ / to / /

If more room is required, please list on a separate sheet, sign and attach to this form.

Additional sheet attached? Yes No

Phone Number

Email Address

A5 Please read this before answering the following questions.

If you have an Australian drivers licence and/or an Australian firearms licence, you must provide the licence number and the state or territory that issued your licence.

If you have a foreign drivers licence and/or a firearm licence you must provide the licence number and the country that issued your licence.

If you have a passport, you must provide the passport number and the country that issued your passport.

Drivers licence number (if available)

Issued by (state/territory)

Firearm licence number (if available)

Issued by (state/territory)

Passport number (if available)

Issued by (country)

SECTION B – PURPOSE OF THE NATIONALLY COORDINATED CRIMINAL HISTORY CHECK

The purpose for your nationally coordinated criminal history check helps determine what police information is disclosed on your result.

B1 Please read this before answering the following questions.

For question B1, provide the following information:

a. position title, occupation, volunteer role or entitlement being sought

b. proposed place of work (name of organisation or type of workplace or industry)

c. location of the role (town and state/territory)

Acronyms must not be used – except for the state/territory.

Example: Case worker, Youth Housing Facilities, Canberra, ACT.

Example: volunteer in canteen, St Bebes, Canberra, ACT

Your position title, occupation, volunteer role or entitlement

Your proposed place of work
(name of organisation or type of workplace or industry)

The location of your work (town and state/territory)

B2 Please read this before answering the following question.

For question B2, indicate whether you will have supervised/ unsupervised contact with vulnerable groups as part of the role you are applying for.

Vulnerable groups means:

› a child,

› an adult who is disadvantaged or in need of special care, support or protection because of age, disability or risk of abuse or neglect.

Contact means direct or indirect face-to-face contact, phone contact or any type of communication over the internet.

Supervision means in the presence of an adult who is responsible for the safety or care of the vulnerable person.

Unsupervised means you will not be in the presence of an adult who is responsible for the safety or care of the vulnerable person.

Select the statement that best describes the role you are applying for

- Supervised contact with vulnerable people
- Unsupervised contact with vulnerable people
- No contact with vulnerable people

SECTION C – TYPE OF NATIONALLY COORDINATED CRIMINAL HISTORY CHECK

C1 **Please read this before answering the following question.**

You may request a volunteer check if you will hold a position or perform a role where you will not receive any salary, benefits or financial gain. This includes students undertaking compulsory vocational placements.

Volunteer check type must not be selected for the Australian Government's Work for the Dole Scheme.

You must be able to validate the charity organisation or volunteer position to support your selection of the volunteer type.

What is the check type for this application?		
	Standard	Volunteer

SECTION D – INFORMED CONSENT

What is informed consent?

Your informed consent is needed before an accredited body can request a nationally coordinated criminal history check for you. Your informed consent means you:

- have read and understood the information provided in this form about how your personal information and any police information relevant to you will be handled and disclosed
- provide your permission for CrimCheck to request a nationally coordinated criminal history check on your behalf
- provide your permission for CrimCheck to disclose your information to any organisation listed in D1 of this form.

How do I provide my informed consent?

An important aspect of providing informed consent is that you understand what you are consenting to. It is important that you read the consent statements in question D2 and, where required, get clarification from the accredited body or its legal entity customer, to ensure complete understanding.

You must then sign and date this form at D2, to give your informed consent.

D1 **Please read this before answering the following questions.**

Question D1 provides the details of the organisations to whom your personal and police information will be disclosed to.

In D2, you will provide your informed consent for your personal and police information to be disclosed to the ACIC, Australian police agencies, law enforcement agencies, and any organisations detailed in question D1.

Organisations to whom the applicant's personal and police information will be disclosed

Accredited body

Legal name	CrimCheck Ltd
ABN	58 151 705 725
Contact details	03 9955 0300
Street address	PO Box 252
Suburb/town	Blackburn
State/territory	VIC
Postcode	3130

Legal entity customer or related government entity

Legal name
ABN
Contact details
Street address
Suburb/town
State/territory
Postcode

Third party (as required by law)

Legal name
ABN
Contact details
Street address
Suburb/town
State/territory
Postcode

Permitted offshore transfer arrangements

Overseas entity
Location (country)

If more room is required, please list on a separate sheet, sign and attach to this form.

Additional sheet attached?	Yes	No

D2 Please read this before answering the following questions.

You must provide your name, read each statement carefully and then print your name, sign and date to provide your informed consent.

Applicant's consent to submit a nationally coordinated criminal history check

I, Family name

First given name(s)

Other given name(s)

1. acknowledge that I/the applicant understand the information on this form.
2. acknowledge that the accredited body named in D1 is collecting information in this form to provide to the Australian Criminal Intelligence Commission (ACIC) and police agencies, for a nationally coordinated criminal history check to be conducted for the purpose outlined in Section B of this form.
3. have fully and accurately completed this form, and the personal information I/the applicant, have provided relates to me/the applicant, and contains the full name and all names previously used by me/the applicant.
4. acknowledge that withholding and/or providing misleading or false information on this form and in any supplied identity documents is a Commonwealth offence and may lead to prosecution under the *Criminal Code Act 1995 (Cth).*
5. acknowledge that personal information that I/the applicant provided on this form and on the supplied identity documents may be disclosed to the accredited body named in Section D of this form (including contractors, legal entity customers, related bodies or third parties named in D1 of this form in Australia or overseas, if applicable).
6. acknowledge that any information sent by mail or electronically, in relation to this form, including identity documents, is sent at my/the applicant's risk and I/the applicant, am aware of the consequences of sending information in these ways.
7. acknowledge that I/the applicant am aware that I/the applicant am providing consent for a nationally coordinated criminal history check to be conducted using all personal information provided in this form and provided in suppled identity documents.
8. understand and consent to police information relating to me/ the applicant, being disclosed in accordance with the purpose identified in Section B of this form, and applicable legislation and information release policies (including spent convictions legislation described in Australian Government and state or territory legislation).
9. give consent to:
    a. the ACIC and police agencies using and disclosing my/the applicant's personal information that I/ the applicant, have provided in this form and personal information contained in my supplied identity documents to conduct a nationally coordinated criminal history check.
    b. the ACIC disclosing the police information sourced from the police agencies to other approved bodies and the accredited body named in D1 of this form.
    c. the accredited body named in D1 of this form disclosing to the legal entity customer, third parties and any permitted offshore transfer arrangements also detailed in D1, my/ the applicant's personal information and police information to assess my/the applicant's suitability for the purpose identified in Section B of this form.
10. acknowledge that it is usual practice for my/the applicant's personal information and police information to be used by police agencies and the ACIC for law enforcement, including purposes set out in the A*ustralian Crime Commission Act 2002 (Cth).*

Applicant

Print name

Signature

Date / /

Parent or legal guardian

(where the applicant is under the age of 18)

Print name

Signature

Date / /

Authorised agent

(person responsible for the applicant, such as a legal representative)

Print name

Signature

Date / /

SECTION E - OFFICE USE ONLY

E1 What is the nationally coordinated criminal history check category for this application?

Employ, probity, licence

E2 CrimCheck or its legal entity customer declares that:

- The correct **check type** has been selected for this check and they have verified the legitimacy of this claim.
- They are satisfied as to the applicants identity and have verified the linkage between the Applicant and the claimed identity

E3 CrimCheck or its legal entity customer declares they have verified the link between the applicant's personal details and identity documents, and is satisfied that they are correct.

Staff member

Print name

Signature

Date / /

Employee and Volunteer Confidentiality and Privacy Agreement

Confidentiality and Privacy Agreement

Whilst working as an employee or volunteer with MHA Care you may be required to collect personal information or to have access to personal information on clients/staff/volunteers and their families. This information must be kept confidential at all times.

It is the responsibility of MHA Care employees and volunteers to maintain the confidentiality and privacy of all clients, staff, volunteers and organisational information to which they have access. This includes ensuring the security of documents, files, computer data, photographs, technical data and other information which is the property of MHA Care.

If you have any questions regarding confidential information please seek prior advice from your supervisor.

I, _____

agree that I will maintain at all times the confidentiality of all privileged or proprietary information to which I am exposed whilst working as a volunteer with MHA Care , whether this information involves a client, a paid staff person or other person, or involves overall agency business.

I agree that should I be uncertain about the appropriate use of confidential information, I am to discuss this with my supervisor.

_____

Employee/Volunteer signature Date

MHA CARE

PRE- EXISTING INJURY OR MEDICAL CONDITIONS DECLARATION FORM

Section 82 (8) of the Accident Compensation Act 1985 *will apply to a failure to make such a disclosure or the making of a false or misleading disclosure.*

Section 82 (8) states:

"If a subsection applies, any recurrence, aggravation, acceleration, exacerbation or deterioration of the pre-existing injury or disease arising out of or in the course of or due to the nature of employment with the employer does not entitle the worker to compensation under this Act."

1. Do you have a medical condition, allergy, disability or past injury?

- ☐ YES – please continue below to Questions 2-6
- ☐ NO - please go to bottom of form and date/sign

2. What is your medical condition, allergy, disability or past injury? Please provide basic detail on what the condition means to your health.

_____

_____

_____

_____

3. Information about the condition/injury:

(a) How serious is the condition if aggravated? (Tick one or more of the following)

- ☐ Potentially life threatening
- ☐ Could Require own medication
- ☐ Could require medical (doctor/hospital) treatment
- ☐ Could require rest or time off work

(b) Please tell us how we recognise that your condition has recurred or been aggravated

_____

_____

_____

(c) When was the most recent episode?

_____

_____

4. What actions, triggers or situations do you need to avoid?

_____
_____
_____
_____

5. What is the management plan to minimise any aggravation to the condition/injury? E.g. Self medication, avoidance of allergy triggers, etc.

_____
_____
_____
_____

6. What is the emergency plan if serious aggravation does occur?

_____
_____
_____
_____
_____

EMPLOYEE/VOLUNTEER

Signature: _____ Name: _____ Date: _____

SUPERVISOR

Signature: _____ Name: _____ Date: _____

OFFICE USE ONLY : Introduced 12/07/2017

Please ensure disclosure has been considered. Any relevant changes to workplace safety have been enacted and this form is placed on appropriate employee or volunteer file.

HR Officer/Volunteer Co-coordinator: _____ Date: _____

22 Orr Street (PO Box 376)
Yarrawonga Vic 3730
Tel: (03) 5742 1111
Fax: (03) 5743 2533

VOLUNTEER CHECKLIST, RIGHTS AND RESPONSIBILITIES

Welcome to our service. MHA Care considers that you are a highly valued member of our team. As a member of our team you will be offered support and training as well as opportunities for development, skill sharing and networking. It is hoped that your experience with MHA will be rich and rewarding and bring benefit to our clients.

It is recommended that prior to volunteering you are satisfied that:

- the organisation is a not for profit;
- the purpose of the organisation matches your own values and beliefs;
- your role is clear and specific;
- the organisation can provide you with written information about its purpose and activities;
- you are satisfied that the funds of the organisation are expended in accordance with its mission;
- you hold personal car insurance (comprehensive) which provides protection against damage to your car plus any damage to other people's property in the case of an accident you may cause; and
- the organisation carries the required public liability & personal accident Insurance which will cover you for out of pocket expenses following accidental injury, disability or death while carrying out their work on behalf of the organisation.

When you become a volunteer you have the right:

- not to fill a position previously held by a paid worker;
- not to do the work of paid staff during industrial disputes;
- to be interviewed and engaged in accordance with equal opportunity and anti-discrimination legislation;
- to be given accurate and truthful information about the organisation for which you are working;
- to have your confidential and personal information dealt with in accordance with the principles of the Privacy Act 1988;
- to be given a copy of the organisation's volunteer policy and any other policy that affects your work;
- to have a job description and agreed working hours;
- to be provided with orientation to the organisation;
- to be provided with sufficient training to do your job;
- to be adequately covered by public liability and personal accident insurance for any out-of-pocket expenses following accidental injury, disability or death while carrying out work on behalf of the organisation;
- to be reimbursed for out of pocket expenses;
- to work in a healthy and safe environment (refer various Occupational Health and Safety Act[s]); and
- to have access to a grievance procedure.

As a volunteer you have a responsibility to:

- meet the key responsibilities outlined in your position description;
- adhere to and perform your volunteer role in accordance with the conditions outlined in the volunteer agreement; and
- maintain the privacy of MHA clients and the confidentiality of the information obtained during the course of performing your volunteer role.

MHA Care
'The Right Care for You'

WORKPLACE PARTICIPANT POLICY AND PROCEDURE ACKNOWLEDGEMENT

By signing the below I acknowledge:

- I have received, read and understood the below listed policy and procedure documents;
- I am required to comply with these policies and procedures at all times; and
- That there may be disciplinary consequences if I fail to comply with these policies and procedures, up to and including the termination of my employment or contract.

POLICY & PROCEDURE DOCUMENTS
Workplace Health and Safety Policy/Procedure
Code of Conduct
Privacy and Confidentiality Policy & Procedures
Anti Discrimination and EEO Policy/Procedure
Workplace Bullying Policy/Procedure
Employee & Volunteer Confidentiality & Privacy Agreement

Name: _____

Signature: _____

Date: _____

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Anti-Discrimination and Equal Employment Opportunity

Policy and Procedure

Version 2
June 2021
Document Status –FINAL

This document ***Anti-Discrimination and EEO Policy and Procedure***
has been approved by

_____	_____
Board of Management	Chief Executive Officer
MHA Care Ltd.	MHA Care Ltd.
June 2021	June 2021

- Amended June 2021
- Review June 2024

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POLICY

1. MHA Care is committed to providing a safe, flexible and respectful environment for board members, staff, volunteers, contractors and customers free from all forms of discrimination, bullying and sexual harassment.
2. All MHA Care board members, staff, volunteers and contractors are required to treat others with dignity, courtesy and respect.
3. By effectively implementing our Anti Discrimination and Equal Employment Opportunity policy we will attract and retain talented staff and create a positive environment for staff.

SCOPE

4. Board members
5. All staff, including: managers and supervisors; full-time, part-time or casual, temporary or permanent staff; job candidates; student placements, apprentices, contractors, sub-contractors and volunteers
6. How MHA Care provides services to clients and how it interacts with other members of the public
7. All aspects of employment, recruitment and selection; conditions and benefits; training and promotion; task allocation; shifts; hours; leave arrangements; workload; equipment and transport
8. On-site, off-site or after hours work; work-related social functions; conferences – wherever and whenever staff may be as a result of their MHA Care duties
9. Staff treatment of other staff, of clients, and of other members of the public encountered in the course of their MHA Care duties.

10. This Policy does not form part of any employee's contract of employment. Nor does it form part of any other workplace participant's contract for service.

PROCEDURES

UNACCEPTABLE WORKPLACE CONDUCT

11. Discrimination, bullying and sexual harassment are unacceptable at MHA Care and are unlawful under the following legislation:
    a. Sex Discrimination Act 1984 (Cth)
    b. Racial Discrimination Act 1975 (Cth)
    c. Disability Discrimination Act 1992 (Cth)
    d. Age Discrimination Act 2004 (Cth)
    e. Australian Human Rights Commission Act 1986 (Cth).

12. Workplace participants found to have engaged in such conduct might be counselled, warned or disciplined. Severe or repeated breaches can lead to formal discipline up to and including dismissal.

DIRECT DISCRIMINATION

13. Direct discrimination in employment occurs when a person is treated less favourably than another in their employment because of a reason or ground which is prohibited by law. The prohibited grounds of discrimination are set out in the Federal, State and Territory anti-discrimination laws and include sex, race, age etc. A full list of the grounds of discrimination

which operate federally and in the State and/or Territories in which workplace participants undertake their work for MHA will be relevant and are listed below.

a. Race (including colour, nationality, descent, ethnic, ethno-religious or national origin)
b. Sex
c. Pregnancy (including potential pregnancy) and working parents
d. Carers' responsibilities, family responsibilities, carer or parental status, being childless
e. Breastfeeding
f. Physical features
g. Industrial/trade union membership, non-membership or activity
h. Employer association membership, non-membership or activity
i. Employment activity
j. Medical Record
k. Association (i.e. association with a person who has one or more of the attributes for which discrimination is prohibited)
l. Religious belief, affiliation, conviction or activity
m. Marital status, domestic status, relationship status
n. Homosexuality, transsexuality, sexuality, sexual preference/orientation, lawful sexual activity, gender identity
o. Disability/impairment, including physical, mental and intellectual disability
p. Age (including compulsory retirement)
q. Political belief, opinion, affiliation, conviction or activity
r. Defence service
s. Criminal Record
t. Domestic and Family Violence

INDIRECT DISCRIMINATION

14. Indirect discrimination may occur when an employer imposes a policy, requirement or condition which applies to everyone equally but it in fact operates to disadvantage a particular condition which applies to everyone equally but it in fact operates to disadvantage a particular group because of a characteristic of that group, such as their sex, age, race (ie a prohibited ground of discrimination).

15. Example: The Council imposes a height restriction on all applicants for the position of 'Parking Officer', that is, an applicant must be over 185cm (6 feet) tall in order to be successfully considered for the position. This requirement at first glance appears fair because it applies to all applicants irrespective of gender. However, in practice this requirement will disadvantage women as a group because statistically, women are naturally shorter than men. So the effect is to disadvantage women because of their sex.

16. Discrimination also includes the situation where a workplace participant harasses another person based on a ground of discrimination. Harassment is unwelcome conduct that a reasonable person would expect to offend, humiliate or intimidate.

VILIFICATION

17. Vilification is a public act which incites hatred, severe contempt or severe ridicule of a person or group, because of race, homosexuality, transgender, transsexuality or HIV/AIDS. Vilification is a particularly serious breach of EEO laws and will be dealt with accordingly.

SEXUAL HARASSMENT

18. Sexual harassment is unwelcome conduct of a sexual nature, which makes a person feel offended, humiliated or intimidated. Conduct can amount to sexual harassment even if the person did not intend to offend, humiliate or intimidate the other person. However, conduct will not be sexual harassment if a reasonable person, having regard to all the circumstances, would not have anticipated that the conduct would offend, humiliate or intimidate the other person. Sexual harassment does not have to be directed at a particular individual to be unlawful. Behaviour which creates a hostile working environment for other workplace participants can also be unlawful.

19. Examples of sexual harassment include, but are not limited to:

    a. physical contact such as pinching, touching, grabbing, kissing, brushing up on someone or hugging

    b. staring or leering at a person or at parts of their body

    c. sexual jokes or comments

    d. requests for sex or sexual favours

    e. persistent requests to go out, where they are refused

    f. sexually explicit conversations

    g. displays of offensive material such as posters, screen savers, internet material, calendars, objects etc

    h. accessing or downloading sexually explicit material from the internet

    i. suggestive comments about a person's body, appearance or private life

    j. sending rude or offensive emails, attachments or text messages.

    k. Sexually explicit, or inappropriate advances posted on social networking sites

    l. Insults or taunts of sexual nature

    m. Intrusive questions or statements about a person's private life

    n. Behaviour that may also be considered an offence under criminal law, such as physical assault, stalking or obscene communication.

BULLYING

20. Bullying is repeated, unreasonable and inappropriate behaviour directed towards an individual or group, which creates a risk to health and safety.

21. Please refer to the MHA Workplace Bullying Policy and Procedures for more information in relation to workplace bullying.

VICTIMISATION

22. Victimisation is where a person is retaliated against or subjected to a detriment because they have lodged a complaint, they intend to lodge a complaint or they are involved in a complaint of unlawful conduct. Workplace participants must not retaliate against a person who raises a complaint or subject them to any detriment.

RIGHTS AND RESPONSIBILITIES

23. All workplace participants are entitled to:

    a. recruitment and selection decisions based on merit and not affected by irrelevant personal characteristics
    b. work free from discrimination, bullying and sexual harassment
    c. the right to raise issues or to make an enquiry or complaint in a reasonable and respectful manner without being victimised
    d. reasonable flexibility in working arrangements, especially where needed to accommodate their family responsibilities, disability, religious beliefs or culture.

24. All workplace participants must:

    a. understand and comply with this Procedure;
    b. ensure they do not engage in any unlawful conduct towards other workplace participants, customers or others with whom they come into contact through work;
    c. ensure they do not aid, abet or encourage other persons to engage in unlawful conduct;
    d. follow the complaint procedure in this Procedure if they experience any unlawful conduct;
    e. report any unlawful conduct they see occurring to others in the workplace in accordance with the complaint procedure in this Procedure; and
    f. maintain confidentiality if they are involved in the complaint procedure.

25. Workplace participants should be aware that they can be held legally responsible for their unlawful conduct.

26. Workplace participants, who aid, abet or encourage other persons to engage in unlawful conduct, can also be legally liable.

ADDITIONAL RESPONSIBILITIES OF MANAGERS AND SUPERVISORS

27. Managers and supervisors must also:

    a. model appropriate standards of behaviour
    b. take steps to educate and make staff aware of their obligations under this policy and the law
    c. intervene quickly and appropriately when they become aware of inappropriate behaviour
    d. act fairly to resolve issues and enforce workplace behavioural standards, making sure relevant parties are heard
    e. help staff resolve complaints informally
    f. refer formal complaints about breaches of this policy to the appropriate complaint handling officer for investigation
    g. ensure staff who raise an issue or make a complaint are not victimised
    h. ensure that recruitment decisions are based on merit and that no discriminatory requests for information are made
    i. seriously consider requests for flexible work arrangements.

GENDER EQUALITY IN THE WORKPLACE

28. MHA aims to fulfil its obligations under the Gender Equality Act 2012 (Cth) by developing and implementing a workplace program which will attempt to eliminate discrimination and contributing to gender equality in employment and in the workplace.

29. The aim of MHA's actions are to:

    a. promote and improve gender equality (including equal remuneration between women and men) in employment and in the workplace; and

    b. support employers to remove barriers to the full and equal participation of women in the workforce, in recognition of the disadvantaged position of women in relation to employment matters; and

    c. promote, amongst employers, the elimination of discrimination on the basis of gender in relation to employment matters (including in relation to family and caring responsibilities); and

    d. foster workplace consultation between employers and employees on issues concerning gender equality in employment and in the workplace; and

    e. improve the productivity and competitiveness of Australian business through the advancement of gender equality in employment and in the workplace.

30. These actions are about attempting to achieve the potential of all workplace participants. It has direct benefits throughout the organisation. These benefits include increased productivity, increased morale, reduced absenteeism, and higher retention rates of employees. For these reasons, Actions in this area have been incorporated into MHA's Strategic Plan.

BREACH OF THIS PROCEDURE

31. All workplace participants are required to comply with this Procedure at all times. If an employee breaches this Procedure, they may be subject to disciplinary action. In serious cases this may include termination of employment. Agents and contractors (including temporary contractors) who are found to have breached this Procedure may have their contracts with MHA terminated or not renewed.

32. If a person makes an unfounded complaint or a 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.

COMPLAINT HANDLING PROCEDURE

33. If a workplace participant feels that they have been subjected to any form of unlawful conduct contrary to EEO laws or this Policy, they should not ignore it. MHA has a complaint procedure for dealing with these issues. The complaint procedure has numerous options available to suit the particular circumstances of each individual situation. The manner in which a complaint will be handled is solely at the discretion of the CEO or Manager.

EXAMPLES OF THE WAYS IN WHICH A COMPLAINT CAN BE DEALT WITH

CONFRONT THE ISSUE

34. If a workplace participant feels comfortable doing so, they should address the issue with the person concerned. A workplace participant should identify the offensive behaviour, explain that the behaviour is unwelcome and offensive and ask that the behaviour stop. It may be that the person was not aware that their behaviour was unwelcome or caused offence.

35. This is not a compulsory step. If a workplace participant does not feel comfortable confronting the person, or the workplace participant confronts the person and the behaviour continues, the workplace participant should report the issue to the CEO, Service Manager or Business Manager.

36. If a workplace participant is unsure about how to handle a situation and is also unsure if they want to make a complaint they should contact the CEO, Service Manager or Senior Finance Officer.

REPORT THE ISSUE

37. A workplace participant should report the issue to a Complaints Officer. The Complaints Officer(s) in the workplace participant's workplace are the CEO, Service Manager or Senior Finance Officer.

38. The Complaints Officer will aim to deal with the workplace participant's complaint in accordance with this Policy. There are two complaint procedures that can be used: informal and formal (detailed further below). The type of complaint procedure used will be determined by the nature of the complaint that is made.

INFORMAL COMPLAINTS PROCEDURE

39. Under the informal complaint procedure there is a broad range of options for addressing the complaint. The procedure used to address the issue will depend on the individual circumstances of the case. Possible options include, but are not limited to:

    a. the Complaints Officer discussing the issue with the person against whom the complaint is made; and/or

    b. the Complaints Officer facilitating a meeting between the parties in an attempt to resolve the issue and move forward.

40. The informal complaint procedure is more suited to less serious allegations that if founded, would not warrant disciplinary action being taken.

FORMAL COMPLAINTS PROCEDURE

41. The formal complaint procedure involves a formal investigation of the complaint. Formal investigations may be conducted by a Complaints Officer or a person from outside MHA, appointed by MHA.

42. An investigation generally involves, collecting information about the complaint and then making a finding based on the available information as to whether or not the alleged behaviour occurred. Once a finding is made, the Complaints Officer or the external investigator will make recommendations about resolving the complaint.

43. If MHA considers it appropriate for the safe and efficient conduct of an investigation, workplace participants may be required not to report for work during the period of an investigation. MHA may also provide alternative duties or work during the investigation period. Generally, employees will be paid their normal pay during any such period.

CONFIDENTIALITY

44. The Complaints Officer will endeavour to maintain confidentiality as far as possible. However, it may be necessary to speak with other workplace participants in order to determine what happened, to afford fairness to those against whom the complaint has been made and to resolve the complaint. If a complaint is raised and it appears that unlawful conduct has potentially occurred, MHA will endeavour to take appropriate action in relation to the complaint.

45. All workplace participants involved in the complaint must also maintain confidentiality, including the workplace participant who lodges the complaint. Spreading rumours or gossip may expose

workplace participants to a defamation claim. Workplace participants may discuss the complaint with a designated support person or representative (who is not a workplace participant employed or engaged by MHA). However, the support person or representative must also maintain confidentiality.

POSSIBLE OUTCOMES

46. The possible outcomes will depend on the nature of the complaint and the procedure followed to address the complaint. Where an investigation results in a finding that a person has engaged in unlawful conduct or breach of this Procedure, that person may be disciplined. The type and severity of disciplinary action will depend on the nature of the complaint and other relevant factors. Where the investigation results in a finding that the person complained against has engaged in serious misconduct, this may result in instant dismissal. Any disciplinary action is a confidential matter between the affected workplace participant and MHA.

47. Agents and contractors (including temporary contractors) who are found to have engaged in unlawful conduct and/or breached this Procedure may have their contracts with MHA terminated or not renewed.

48. MHA may take a range of other non-disciplinary outcomes to resolve a complaint, depending on the particular circumstances. Examples include, but are not limited to:

    a. training to assist in addressing the problems underpinning the complaint;

    b. monitoring to ensure that there are no further problems;

    c. implementing a new policy;

    d. requiring an apology or an undertaking that certain behaviour stop; and/or

    e. changing work arrangements.

QUESTIONS

49. If a workplace participant is unsure about any matter covered by this Procedure, a workplace participant should seek the assistance of the CEO, Manager Care Services or Manager Corporate Services.

RELATED LEGISLATION

50. As outlined in the Equal Opportunity Act 2010, discrimination, vilification, sexual harassment, bullying and victimisation are unlawful and strictly prohibited. Discrimination is also unlawful under federal legislation such as the:

    a. Age Discrimination Act 2004

    b. Sex Discrimination Act 1984

    c. Racial Discrimination Act 1975

    d. Disability Discrimination Act 1992

    e. Human Rights and Equal Opportunity Commission Act 1986

    f. Gender Equality Act 2012 (Cth)

    g. Fair Work Act 2009

    h. Victorian Equal Opportunity Act (2010)

RELATED POLICIES AND PROCEDURES

Workplace Bullying Policy and Procedure

Staff and Volunteer Grievances Policy and Procedure

Code of Conduct

Communication Code of Conduct

MHA's Strategic Plan

Flexible Workplace Arrangements Policy and Procedure

REFERENCES

'Anti-Discrimination & EEO Policy' - Big Business Solutions (BBS)

RELATED STANDARDS

Links to MHA Policy Statements.

Standard 1 Dignity Choice - Policy Statement

Standard 2 - Ongoing Assessment and Planning - Policy Statement

Standard 3 - Personal Care and Clinical Care - Policy Statement

Standard 4 - Services and Supports for Daily Living - Policy Statement

Standard 5 - Organisation Service Environment - Policy Statement

Standard 6 - Feedback and Complaints - Policy Statement

Standard 7 - Human Resources - Policy Statement

Standard 8 - Organisational Governance - Policy Statement

Links to Aged Care Quality - Standards Reference Documents

Aged Care Quality Standard 1 - Consumer Dignity and Choice

Aged Care Quality Standard 2 - Ongoing Assessment and Planning with Customers

Aged Care Quality Standard 3 - Personal Care and Clinical Care

Aged Care Quality Standard 4 - Services and Supports for Daily Living

Aged Care Quality Standard 5 - Organisation's Service Environment

Aged Care Quality Standard 6 - Feedback and Complaints

Aged Care Quality Standard 7 - Human Resources

Aged Care Quality Standard 8 - Organisational Governance

Code of Conduct

Policy and Procedures

Version 5
August 2019
Document Status –FINAL

This document ***Code of Conduct Policy and Procedures*** has been approved by

_____	_____
Board of Directors	Chief Executive Officer
MHA Care Ltd.	MHA Care Ltd.
28 September 2020	8 Sep 2020

- Amended Aug 2020
- Review Aug 2023

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INTRODUCTION

1. The Code of Conduct ('Code') relates to MHA Care Limited ('MHA') and, where relevant, operates in conjunction with other policies relating to:
    a. minimum standards of behaviour;
    b. staff and volunteer performance and conduct;
    c. the Contract of Employment; or
    d. Contract for Services.

PURPOSE

2. MHA recognises the importance of maintaining a work environment which actively promotes best practice. The purpose of this Code is to describe the standards of behaviour and conduct expected from workplace participants in their dealings with customers, suppliers, clients, co-workers, management and the general public.
3. MHA expects all workplace participants to observe the standards set out in this Code. Compliance with this Code is expected and non-compliance may result in disciplinary action including the termination of employment or contract for services.

SCOPE

4. The Code applies to all employees, volunteers, agents and contractors (including temporary contractors) of MHA, collectively referred to as 'workplace participants'.
5. The Code does not form part of any person's contract of employment. Nor does it form part of any other workplace participant's contract for services.

POLICY

6. All workplace participants are expected to observe the highest standards of ethics, integrity and behaviour during the course of their employment or engagement with MHA. This Code provides an overview of MHA's fundamental business values. It is by no means exhaustive, but summarises some of MHA's most important policies, which are based on standards that underlie business ethics and professional integrity, standards that apply to all workplace participants.
7. All employees, volunteers, agents and contractors will need to sign off on acknowledgement of the MHA Care Code of Conduct.
8. All employees will need to sign off on the NDIS Code of Conduct.

RESPONSIBILITIES

MANAGERS AND SUPERVISORS

9. Managers and Supervisors are responsible for:
    a. Promoting a team spirit;
    b. Maintaining confidentiality so far as is reasonably practicable when conducting investigations into grievances and disputes;
    c. Avoiding bias in decision making;
    d. Ensuring compliance with procedures when carrying out counselling and discipline;
    e. Exercise objectivity when administering rewards or discipline; and

f. Not condone, permit, or fail to report any breaches of the Code as outlined above by workplace participants under their supervision.

WORKPLACE PARTICIPANTS

10. As representatives of MHA, all workplace participants are to conduct themselves in a professional and courteous manner and maintain the following standards of behaviour both inside and outside of the workplace:

    a. Comply with all laws, policies, procedures, rules, regulations and contracts.

    b. Comply with all lawful and reasonable directions from MHA.

    c. Be honest and fair in dealings with customers, clients, suppliers, co-workers, management and the general public.

    d. Display the appropriate image of professionalism at the workplace. Wear the required uniform, safety equipment or work clothes, and if a workplace participant wears their own clothes, ensure their appearance is neat and tidy.

    e. Do not make statements or act in a manner where such actions may bring disrepute upon MHA in its relationships with customers, clients, suppliers, and the general public at large and may possibly call the workplace participant's fitness for continued employment or to provide services into question.

    f. Treat customers, clients, suppliers, co-workers, company management and the general public in a non-discriminatory manner with proper regard for their rights and dignity. In this regard, discrimination, victimisation or harassment based on a person's race, colour, religion, national origin, age, sex, sexual orientation, marital status, family responsibilities, pregnancy or potential pregnancy, union membership or non-membership, mental or physical disability, or any other classification protected by law will not be tolerated.

    g. Promptly report any violations of law, ethical principles, policies and this Code.

    h. Maintain punctuality. If a workplace participant is late or cannot report for work they are to telephone and inform the supervisor of their situation as soon as possible.

    i. Do not use work time for private gain. If a workplace participant is required to leave the work premises for personal reasons they should advise their Manager well in advance.

    j. Maintain and develop the knowledge and skills necessary to carry out duties and responsibilities.

    k. Observe health and safety policies and obligations at all times and co-operate with all procedures and initiatives taken by MHA in the interests of work health and safety.

    l. Be truthful in all dealings with persons encountered at the workplace. Workplace participants must not make false or misleading declarations during the performance of their duties or when providing services on behalf of MHA. A declaration can be considered to be misleading if information is omitted or presented in a manner that enables a misleading view of the situation to be formed. This including failure to comply with reporting requirements and falsifying records and other documents.

    m. Refrain from any form of conduct which may cause any reasonable person unwarranted offence or embarrassment or give rise to the reasonable suspicion or appearance of improper conduct or biased performance.

n. Not act for an improper or ulterior purpose to the detriment (whether perceived or actual) of MHA.

o. Workplace participants must not abuse the advantages of their position for private purposes, or solicit or accept any gift or benefit in connection with their employment or engagement which might compromise, or be seen to compromise their integrity or MHA's reputation.

p. Respect MHA's ownership of all of its property including but not limited to funds, equipment, supplies, books, records and confidential information (however described).

q. Maintain during employment with MHA and after the termination of employment, the confidentiality of any confidential information, records or other materials acquired during the employment with MHA.

r. While employed at MHA, not accept any employment with another organisation that is a supplier or competitor of MHA, or any other employment that is in conflict with your position at MHA, without prior written approval from the CEO.

s. Not make any unauthorised statements to the media about MHA's business (requests for media statements should be referred directly to the CEO).

t. Do not fight in the workplace.

u. Do not use inappropriate language in the workplace.

v. Never report for work in circumstances where there is a risk that you could be affected by or 'under the influence' of illicit drugs or alcohol (eg if you have ingested or otherwise taken drugs or alcohol the night before or in the period leading up to your next work period). If a workplace participant is taking prescription medication, they must inform their manager at the commencement of their working day. Workplace participants may be required to produce medical evidence to prove their medication does not affect their capacity to perform their duties in a safe manner without harm to themselves or others.

w. Do not smoke during working hours unless it is during prescribed breaks and within designated areas.

BREACHES OF THIS CODE

11. A breach of this Code may lead to disciplinary action including, but not limited to, termination of employment or services.

RELATED DOCUMENTS

Communication Code of Conduct

Performance and Misconduct Policies and Procedures

Managing Employee Performance Policy and Procedures

Termination Policy

NDIS Code of Conduct

RELATED STANDARDS

Aged Care Quality Standard 1 - Consumer Dignity and Choice

Aged Care Quality Standard 3 - Personal Care and Clinical Care

Aged Care Quality Standard 4 - Services and Supports for Daily Living

Aged Care Quality Standard 5 - Organisation's Service Environment

Aged Care Quality Standard 7 - Human Resources

Aged Care Quality Standard 8 - Organisational Governance

Work Health and Safety Act 2011

DHHS Standards – Governance and Management

Privacy, Confidentiality and Consent

Policy and Procedures

Version 5
Document Status – FINAL

This document ***Privacy, Confidentiality and Consent Policy and Procedures*** has been approved by

_____	_____
Board of Management MHA Care Ltd. 19 Mar 2018	Chief Executive Officer MHA Care Ltd. 13 Apr 2021

- Amended Apr 2021
- Review Apr 2024

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PURPOSE

1. The expected outcomes of the Privacy and Confidentiality Policy and Procedures are:

    a. The right of all customers (carers/families), staff, contractors, volunteers and students to privacy, dignity and confidentiality is respected.

MHA Care complies with the Privacy Act 1988 and Australian Privacy Principles (2014)

    b. Staff are aware of the organisation's policy and practices to ensure privacy and confidentiality is upheld.

    c. Staff and volunteers participate in training to support them in maintaining the privacy and confidentiality of health information, personal information and sensitive information.

    d. Customers are advised of the organisation's privacy policy in the Customer Information Handbook.

    e. Customers provide written consent to share information with others as applicable to their needs.

    f. Customers are encouraged to provide feedback on any perceived breaches of privacy and confidentiality.

    g. Processes to support privacy and confidentiality are reviewed periodically to ensure implementation and appropriateness.

POLICY

2. MHA Care regards the privacy and confidentiality of 'health information', 'personal information' and 'sensitive information' (see Definitions) in relation to clients, staff, volunteers, contractors and students as a high priority within the organisation.
MHA Care is committed to the principles outlined in the Privacy Act 1988 (Privacy Act) and Australian Privacy Principles (2014) and has in place procedures to ensure compliance with the legislation.

PROCEDURES

Customer and staff personnel files and other sensitive information are securely stored and managed in line with the Information and Records Management Policy and Procedure.

3. All information including health information, personal information and sensitive information received from or about a customer, staff member, student, volunteer or contractor is confidential and private and is not disclosed to another person or organisation without permission.

4. If a customer or anyone else provides information on the condition or understanding that it will not be passed on to anyone else, then that information should be treated as confidential.

5. Non-confidential information, which might include whether or not a person is a customer of a particular service or information in relation to a person and his or her activities, is private.

6. We do not discuss customers, or their services with people not directly involved in supporting them.

7. Any personal information presented at internal and external meetings (including staff and customer related information) will be de-identified.

8. Customers will be provided with information on privacy and confidentiality in the Customer Handbook.

PURPOSE OF COLLECTING PERSONAL INFORMATION

9. Customer information is gathered by MHA in order to develop a well-considered individual care plan and / or service plan for each customer. The personal information gathered is to be viewed only on a need to know basis and only by authorised staff.

10. Staff, Student, Contractor and Volunteer information is gathered as part of the recruitment process. Information is also held in regards to training and performance matters.

CONSENT TO COLLECT AND SHARE PERSONAL INFORMATION

11. Particular care should be had in relation to personal information. In general, MHA does not collect, keep, use or pass on personal information unless the client consents.

12. MHA will only share customer information when it is necessary to ensure appropriate support is delivered and only with the customers consent (unless extenuating circumstances apply as outlined in clause 15. below)

Each Customer is requested to provide consent to collect and share information with other internal and / or external agencies to support the customer service plan in the Customer Service Agreement.

13. When obtaining consent the following checks are to be followed:

    a. It should be informed and freely given

    b. The person should understand, in a general way, what they are consenting to and should be under no threat or pressure to consent

    c. Consent doesn't have to be in writing to be legal, but a written record is useful in the event of disputes

    d. Children, and some people who have an illness or disability which impairs their decision-making capacity, may need someone else to consent on their behalf, such as a parent or guardian.

14. Consent to share information may not be required if:

    a. Passing on information will prevent serious and imminent harm;

    b. Mandatory notification law applies;

    c. A serious crime is involved; and / or

    d. There is a search warrant or court subpoena.

15. No information is to be disclosed without consent, without first speaking to the Chief Executive Officer.

16. Consent to share information may be withdrawn at any time by the Customer.

ACCESS TO AND CORRECTION OF PERSONAL INFORMATION

17. Individuals have a right to access the personal information held about them providing the access does not pose a serious or imminent threat or impact the privacy of others. Access can also be denied if it would breach legal privilege, prejudice criminal, disciplinary or tax investigations, or be unlawful.

18. Individuals also have the right to correct information that is held about them if they feel that it is not correct and true.

All requests for access to personal information are to be referred to the Chief Executive Officer. Requests will be managed as outlined in Information and Records Management Policy and Procedure

EXCEPTIONAL SITUATIONS

19. There are exceptional situations where MHA may be required to breach confidentiality. These situations are:

    a. Obligations to fulfil Incident Reporting requirements.

    b. Where the client is at risk of harming themselves or another person, i.e. threatened bodily harm, self-directed or towards another person; or where their condition impairs their decision-making abilities.

    c. Where an employee is subpoenaed by a Court.

    d. Where the information is provided to ensure that a client has access to the appropriate levels of support.

GRIEVANCES

If an individual has a concern about the management of their personal information this should be managed in accordance with the Complaints and Concerns Management Policy and Procedure

RESPONSIBILITIES

20. If staff observe or are part of practices that they do not think meet the needs of the customer for privacy and confidentiality, they should contact the CEO or Service Manager.

21. If there are any circumstances or areas in which staff think MHA's service is not reaching these or any other standards in relation to privacy and confidentiality, they must contact the CEO or Service Manager.

22. All MHA staff and managers should be continually aware of the need to achieve the highest standards of confidentiality and privacy. They should be pro-active in monitoring practices and procedures to ensure this is achieved.

23. The CEO and Managers are also responsible for ensuring that all legislation, relevant industry standards and codes of conduct are observed, and information in relation to Standards and codes is kept up-to-date, communicated, and accessible to all staff.

24. All staff, volunteers, contractors, students and Board members are required to sign a Employee and Volunteer Confidentiality and Privacy Agreement

DEFINITIONS

Privacy refers to a person's right to keep certain information confidential, in such controlling the use and disclosure of particular information.

Confidentiality is the restriction of access to information, and the control of the use and release of this information.

Health Information means:

a. Information or an opinion about:

   i. The health or a disability (at any time) of an individual; or

   ii. An individual's expressed wishes about the future provision of health services to him or her; or

   iii. A health service provided, or to be provided, to an individual; that is also personal information; or

b. Other personal information collected to provide, or in providing, a health service; or

c. Other personal information about an individual collected in connection with the donation, or intended donation, by the individual of his or her body parts, organs or body substances; or

d. Genetic information about an individual in a form that is, or could be, predictive of the health of the individual or a genetic relative of the individual.

Personal Information means:

Information or an opinion (including information or an opinion forming part of a database), whether true or not, and whether recorded in a material form or not, about an individual whose identity is apparent, or can reasonably be ascertained, from the information or opinion.

Sensitive Information means:

a. Information or an opinion about an individual's:
    i. Racial or ethnic origin; or
    ii. Political opinions; or
    iii. Membership of a political association; or
    iv. Religious beliefs or affiliations; or
    v. Philosophical beliefs; or
    vi. Membership of a professional or trade association; or
    vii. Membership of a trade union; or
    viii. Sexual preferences or practices; or
    ix. Criminal record;
    x. That is also personal information; or
    xi. Health information about an individual; or
    xii. Information about an individual that is not otherwise health information.

Staff Personnel File:

In relation to an employee means a record of personal information relating to the employment of the employee. Examples of personal information relating to the employment of the employee are health information about the employee and personal information about all or any of the following:

a. the engagement, training, disciplining or resignation of the employee;
b. the termination of the employment of the employee;
c. the terms and conditions of employment of the employee;
d. the employee's personal and emergency contact details;
e. the employee's performance or conduct;
f. the employee's hours of employment;
g. the employee's salary or wages;
h. the employee's membership of a professional or trade association;
i. the employee's trade union membership;
j. the employee's recreation, long service, sick, personal, maternity, paternity or other leave;
k. the employee's taxation, banking or superannuation affairs.

RELATED DOCUMENTS

Privacy Act 1988 and Australian Privacy Principles (2014)

Information and Records Management Policy and Procedure

Complaints and Concerns Management Policy and Procedure

Customer Service Agreement

Your Information Its Private Information Form

Consumer Consent to Share Information Form

Employee and Volunteer Confidentiality and Privacy Agreement

Standard 1 Dignity Choice - Policy Statement

Standard 6 - Feedback and Complaints - Policy Statement

RELEVANT STANDARDS

Aged Care Quality Standard 1 - Consumer Dignity and Choice

Aged Care Quality Standard 6 - Feedback and Complaints

Workplace Bullying

Policy and Procedure

Version 2
June 2021
Document Status –FINAL

This document ***Workplace Bullying Policy and Procedure*** has been approved by

_____	_____
Board of Management MHA Care Ltd. June 2021	Chief Executive Officer MHA Care Ltd. June 2021

- Amended June 2021
- Review June 2024

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INTRODUCTION

1. This Policy and Procedure outlines the MHA's commitment to a safe workplace and is aimed at ensuring, so far as it reasonably can, that employees are not subjected to any form of bullying while at work. It also details the legal responsibilities of MHA and workplace participants in relation to preventing bullying in the workplace.

POLICY

2. MHA Care Limited ('MHA') aims to provide a safe and healthy work environment, so far as is reasonably practicable, in which all workers are treated fairly, with dignity and respect. Bullying is a risk to health and safety in the workplace, and will not be tolerated by MHA.

SCOPE

3. This Policy and Procedure covers all employees of MHA (whether full-time, part-time or casual) and all persons performing work at the direction of, in connection with, or on behalf of MHA (for example volunteers, contractors, subcontractors, agents, consultants, and temporary staff) (collectively ***'workplace participants'***).

4. This Policy and Procedure extends to all functions and places that are work related, for example, work lunches, conferences, Christmas parties and client functions.

5. This Policy and Procedure does not form part of any employee's contract of employment. Nor does it form part of any contract for service.

PROCEDURE

WHAT IS WORKPLACE BULLYING

6. Workplace bullying is repeated, unreasonable behaviour by an individual or group of individuals, directed towards a worker or a group of workers that creates a risk to health and safety. It includes both physical and psychological risks and abuse.

7. ***'Repeated behaviour'*** refers to the persistent nature of the behaviour and can refer to a range or pattern of behaviours over a period of time (for example, verbal abuse, unreasonable criticism, isolation and subsequently being denied opportunities — ie a pattern is being established from a series of events).

8. ***'Unreasonable behaviour'*** means behaviour that a reasonable person, having regard to all the circumstances, would expect to victimise, humiliate, undermine or threaten another person, regardless of what the intention of the behaviour is.

EXAMPLES OF WORKPLACE BULLYING

9. Bullying behaviours can take many different forms, from the obvious (direct) to the more subtle (indirect).

10. The following are some examples of both direct and indirect bullying.

    a. Direct bullying:

        i. abusive, insulting or offensive language or comments

        ii. spreading misinformation or malicious rumours

        iii. behaviour or language that frightens, humiliates, belittles or degrades, including over criticising, or criticism that is delivered with yelling or screaming

        iv. displaying offensive material

v. inappropriate comments about a person's appearance, lifestyle, their family, or sexual preferences

vi. teasing or regularly making someone the brunt of pranks or practical jokes

vii. interfering with a person's personal property or work equipment, or

viii. harmful or offensive initiation practices.

b. Indirect bullying:

i. unreasonably overloading a person with work, or not providing enough work

ii. setting timeframes that are difficult to achieve, or constantly changing them

iii. setting tasks that are unreasonably below, or above, a person's skill level

iv. deliberately excluding or isolating a person from normal work activities

v. withholding information that is necessary for effective work performance

vi. deliberately denying access to resources or workplace benefit and entitlements, for example training, leave etc.

vii. deliberately changing work arrangements, such as rosters and leave, to inconvenience a particular worker or workers

11. The above examples do not represent a complete list of bullying behaviours. They are indicative of the type of behaviours which may constitute bullying and therefore unacceptable to MHA.

12. A single incident of unreasonable behaviour does not usually constitute bullying. However, it should not be ignored as it may have the potential to escalate into bullying behaviour.

13. A person's intention is irrelevant when determining if bullying has occurred. Bullying can occur unintentionally, where actions which are not intended to victimise, humiliate, undermine or threaten a person actually have that effect.

14. Management action that isn't carried out in a reasonable way may be considered as bullying.

15. Bullying in the workplace is harmful not only to the target of the behaviour but damages MHA's culture and reputation. It is unacceptable and will not be tolerated.

WHAT DOES NOT CONSTITUTE WORKPLACE BULLYING

16. Managing workplace participants does not constitute bullying, if it is done in a reasonable manner. Managers have the right, and are obliged to, manage workplace participants. This includes directing the way in which work is performed, undertaking performance reviews and providing feedback (even if negative) and disciplining and counselling staff. Examples of reasonable management practices include:

a. setting reasonable performance goals, standards and deadlines in consultation with workers and after considering their respective skills and experience

b. allocating work fairly

c. fairly rostering and allocating working hours

d. transferring a workplace participant for legitimate and explained operational reasons

e. deciding not to select a workplace participant for promotion, following a fair and documented process

f. informing a workplace participant about unsatisfactory work performance in a constructive way and in accordance with any workplace policies or agreements

g. informing a workplace participant about inappropriate behaviour in an objective and confidential way

h. implementing organisational changes or restructuring, and

i. performance management processes.

WHAT STEPS WILL MHA TAKE TO PREVENT WORKPLACE BULLYING

17. MHA will take all reasonable steps to prevent bullying through a risk management process. This process includes, but is not limited to:

    a. identification of bullying risk factors — these are things and situations which could contribute to bullying such as the way in which staff are managed, or organisational change such as redundancies (refer to the common risk factors set out below);

    b. assessment of the likelihood of bullying occurring from the risk factors identified and their potential impact on the workplace participants or workplace;

    c. eliminating the risks, as far as reasonably practicable, or controlling, or minimising, them as far as reasonable practicable;

    d. reviewing the effectiveness of the control methods put in place and the process generally; and

    e. training workplace participants about bullying, how to deal with it and its impact on the workplace.

WHAT ARE SOME OF THE COMMON RISK FACTORS WHICH MAY LEAD TO BULLYING

18. Bullying can result from a number of different factors in a workplace, from the general culture to poor management skills. Some risk factors which make bullying more likely to occur are:

    a. ***organisational change*** — ie significant change in the workplace that may lead to job insecurity for example, restructure and redundancy, introduction of technology, change in management.

    b. ***the culture*** MHA's values, views and beliefs can either expressly or implicitly encourage bullying behaviours, for example, when a company promotes aggressive behaviour as a means of ensuring its workers are performing their roles, or adopts a culture in which it is acceptable to ignore such behaviours.

    c. ***negative leadership styles*** — such as strict, autocratic management styles, which do not allow for flexibility or involvement by employees; or passive, 'laissez-faire' management styles which are characterised by a tendency to avoid decisions, inadequate supervision and little guidance to workers.

    d. ***inappropriate systems of work*** — this includes excessive workloads, unreasonable timeframes, uncertainty about roles and how they should be performed, and lack of support.

    e. ***poor work relationships*** — this can be characterised by poor communication between workplace participants and management, or negative relationships with supervisors or colleagues, excessive criticism by manager and the exclusion or isolation of workers.

    f. ***workforce characteristics*** – groups of workplace participants may be at a higher risk of bullying because of certain characteristics: for example, young workers, new workers, apprentices, injured workers, workers in a minority group because of their race, disability, religion, gender or sexual preference.

19. MHA will consider these factors when undertaking its risk management process.

COMPLAINT PROCEDURE

20. If a workplace participant feels that they have been bullied, they should not ignore it.

21. MHA has a complaint procedure for dealing with bullying (set out below). The complaint procedure has numerous options available to suit the particular circumstances of each individual situation. The procedure should be referred to and followed.

22. Any bullying issue should be brought to MHA's attention as soon as possible. There are a number of options available to workplace participants.

CONFRONT THE ISSUE

23. If a workplace participant feels comfortable doing so, they should address the issue with the person concerned. A workplace participant should identify the bullying behaviour, explain that the behaviour is unwelcome and offensive and ask that it stop.

24. This is not a compulsory step. If a workplace participant does not feel comfortable confronting the person, or the workplace participant confronts the person and the behaviour continues, the worker should report the issue to their manager. If the manager is the alleged perpetrator, then the matter should be reported to the CEO, another senior manager or HR.

25. If at any time, a workplace participant is unsure about how to handle a situation they should contact the CEO, Service Manager or Business Manager for support and guidance.

REPORT THE ISSUE

26. There are two complaint procedures that can be used to resolve bullying complaints: informal and formal (detailed further below). The type of complaint procedure used depends on the nature of the complaint that is made. The aim is to ensure that workplace participants are able to return to a productive and harmonious working relationship as soon as possible.

INFORMAL COMPLAINT PROCEDURE

27. Under the informal complaint procedure there are a broad range of options for addressing the complaint. The procedure used to address the issue will depend on the individual circumstances of the case. The CEO or Manager will determine which process to follow. The possible options include, but are not limited to, the CEO or Manager:

    a. discussing the issue with the person against whom the complaint is made; and/or

    b. facilitating a meeting between the parties in an attempt to resolve the issue and move forward.

28. The informal complaint procedure is more suited to less serious allegations that if founded, may not warrant disciplinary action being taken.

FORMAL COMPLAINT PROCEDURE

29. The formal complaint procedure involves the workplace participant making a written complaint and a formal investigation of that complaint. It is appropriate for more serious allegations, or if senior management are involved. Formal investigations may be conducted by MHA or by an external investigator appointed by MHA.

30. An investigation generally involves collecting information about the complaint and then making a finding based on the available information as to whether or not the alleged behaviour occurred. Once a finding is made, MHA or the external investigator will make recommendations

about what actions should be taken to resolve the complaint and any appropriate disciplinary action.

31. If MHA considers it appropriate for the safe and efficient conduct of an investigation, workers may be required not to report for work during the period of an investigation. MHA may also provide alternative duties or work during the investigation period. Generally, workplace participants will be paid their normal pay during any such period.

DEALING WITH BULLYING COMPLAINTS

32. In handling bullying complaints, MHA will adopt the following principles:

    a. Take all complaints seriously.

    b. Act promptly.

    c. Will not victimise any person who makes a complaint, any person accused of bullying, or any witnesses and will direct other workplace participants not to victimise any person involved in a complaint.

    d. Support all parties.

    e. Be impartial.

    f. Communicate the investigation or complaint process to all parties involved, including estimating length of time for resolution.

    g. Maintain confidentiality MHA will endeavour to maintain confidentiality as far as possible. However, it may be necessary to speak with other workers in order to determine what happened, to legal representatives or MHA's senior managers. It will also be necessary to speak to those against whom the complaint has been made in order to afford fairness. All workplace participants involved in the complaint must also maintain confidentiality, including the workplace participant who lodges the complaint. Spreading rumours or gossip may expose the workplace participant responsible to a defamation claim.

    h. Act appropriately — if a complaint is made and it appears that bullying has occurred, MHA will endeavour to take appropriate action in relation to the complaint.

    i. Keep records — documentation is essential. A record of all meetings and interviews stating who was present and agreed outcomes should always be maintained.

POSSIBLE OUTCOMES

33. The possible outcomes of an investigation will depend on the nature of the complaint. Where an investigation results in a finding that a person has engaged in bullying behaviour, that person will be disciplined. The type and severity of disciplinary action will depend on the nature of the complaint and other relevant factors. Where the investigation results in a finding that the person complained against has engaged in serious misconduct, this may result in instant dismissal. Any disciplinary action is a confidential matter between the affected workplace participant and MHA.

34. MHA may take a range of disciplinary action. Examples include, but are not limited to:

    a. providing training to assist in addressing the problems underpinning the complaint;

    b. monitoring to ensure that there are no further problems;

    c. implementing a new policy;

    d. mentoring and support from senior management;

e.requiring an apology or an undertaking that certain behaviour stop;

f. changing work arrangements;

g. transferring to another work area;

h. issuing a written warning (this can be a first or final warning depending on the circumstances);

i. dismissal.

RESPONSIBILITIES

LEGAL RESPONSIBILITIES

35. Everyone at the workplace has a legal responsibility to prevent bullying from occurring.

36. Under relevant health and safety legislation (the 'WHS Legislation') MHA has the primary duty to eliminate or minimise, as far as reasonable practicable, the risks to health and safety in the workplace. This duty includes the implementation of strategies to prevent workplace bullying. This policy will assist MHA in complying with its legal responsibilities.

37. Workplace participants are also required under the WHS Legislation to take reasonable care for their own health and safety, as well as that of others at MHA's workplace. All workplace participants must also comply with any reasonable instruction given by MHA.

MANAGEMENT'S ROLE

38. Managers and supervisors have a key role in the prevention of workplace bullying. Managers and supervisors must:

    a. ensure that they do not bully workplace participants, clients or customers

    b. ensure that they do not aid, abet or encourage other persons to engage in bullying behaviour

    c. ensure all workplace participants who report to them are aware and understand this policy and their responsibility to comply with it

    d. ensure that all workplace participants who report to them understand that any bullying in any form is unacceptable and will not be tolerated by MHA

    e. act promptly and appropriately if they observe bullying behaviours

    f. ensure that all workplace participants who report to them understand that they should report any bullying behaviour

    g. ensure all workplace participants who report to them are aware and understand the complaint procedures

    h. act promptly if a complaint is made. If this is not possible, or is inappropriate, inform the CEO as soon as possible.

WORKPLACE PARTICIPANT'S ROLE

39. All workplace participants must:

    i. understand and comply with this procedure

    j. sign the workplace participant acknowledgement to this policy / procedure

    k. attend yearly mandatory training on Workplace Bullying and Harassment

    l. ensure they do not engage in any conduct which may constitute bullying towards other workplace participants, customers/clients or others with whom they come into contact through work

m. ensure they do not aid, abet or encourage other persons to engage in bullying behaviour

n. follow MHA's complaint procedure if they experience bullying

o. report any bullying they see occurring to others in the workplace in accordance with this policy

p. maintain confidentiality if they are involved in the incident which has been reported.

BREACH OF THIS PROCEDURE

40. MHA takes very seriously its commitment to provide, so far as is reasonably practicable, a safe and healthy work environment, free from bullying. All workplace participants are required to comply with this procedure.

41. If an employee breaches this procedure, they may be subject to disciplinary action. In serious cases this may include termination of employment. Agents and contractors (including temporary contractors) who are found to have breached this Policy may have their contracts with MHA terminated or not renewed.

42. If a person makes a false complaint, or a 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.

MORE INFORMATION

1. If a workplace participant is unsure about any matter covered by this procedure, or requires more information about workplace bullying they should seek the assistance of their manager, or of Human Resource Coordinator. They may also wish to seek external advice from the relevant regulatory authority, such as WorkCover/WorkSafe/SafeWork.

2. If an employee is unhappy with how MHA Care has dealt with a bullying complaint and they are still employed, the employee can apply to the Commission to stop bullying. Contacting the commission can be found by going to the Fair Work website found in the Related Policies section of this Policy.

3. An employee can also take action by contacting WorkSafe. They can provide advice and assistance about workplace bullying and provide appropriate referrals to other bodies. There are also national bodies that may be able to help including the Australian Human Rights Commission (AHRC). See links to these bodies in the Related Policies section of this policy.

RELATED LEGISLATION

Fair Work Act 2009

Occupational Health & Safety Act 2004 (Vic)

RELATED POLICIES, PROCEDURES AND DOCUMENTS

Anti Discrimination and Equal Employment Opportunity Policy and Procedure

'Workplace Bullying Policy' - Big Business Solutions (BBS)

Fairwork's guide for preventing and responding to Bullying and Harassment

WorkSafe

Australian Human Rights Commission

RELATED STANDARDS

Links to MHA Policy Statements.

Standard 1 Dignity Choice - Policy Statement

Standard 2 - Ongoing Assessment and Planning - Policy Statement

Standard 3 - Personal Care and Clinical Care - Policy Statement

Standard 4 - Services and Supports for Daily Living - Policy Statement

Standard 5 - Organisation Service Environment - Policy Statement

Standard 6 - Feedback and Complaints - Policy Statement

Standard 7 - Human Resources - Policy Statement

Standard 8 - Organisational Governance - Policy Statement

Links to Aged Care Quality - Standards Reference Documents

Aged Care Quality Standard 1 - Consumer Dignity and Choice

Aged Care Quality Standard 2 - Ongoing Assessment and Planning with Customers

Aged Care Quality Standard 3 - Personal Care and Clinical Care

Aged Care Quality Standard 4 - Services and Supports for Daily Living

Aged Care Quality Standard 5 - Organisation's Service Environment

Aged Care Quality Standard 6 - Feedback and Complaints

Aged Care Quality Standard 7 - Human Resources

Aged Care Quality Standard 8 - Organisational Governance

Workplace Health and Safety

Policy and Procedures

Version 4
19 February 2018
Document Status – FINAL

This document ***Workplace Health and Safety Policy and Procedures*** has been approved by

_____	_____
Board of Management	Chief Executive Officer
MHA Care Ltd.	MHA Care Ltd.
23 February 2015	February 2018

- Amended May 2019
- Review May 2022

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INTRODUCTION

1. MHA Care Limited ('MHA') is committed to providing a safe and healthy working environment for all workers, and other persons, so far as reasonably practicable. This will be achieved by management and employees working together, following a program of health and safety activities and procedures which are monitored, reviewed and audited to achieve best practice.
2. MHA undertakes to regularly review this policy to take account of changes in legislation, activities, services and products. As a result of this review, changes may be made to this policy from time to time and all employees and contractors are required to comply with those changes.

SCOPE

3. This policy applies to:
    a. all employees of MHA (whether full-time, part-time or casual) and all persons performing work at the direction of, or on behalf of MHA (for example volunteers, contractors, subcontractors, agents, consultants, temporary staff and 'workers' as otherwise defined under relevant occupational/work health and safety (OHS/WHS) legislation) (collectively referred to as 'workplace participants'); and
    b. all of MHA's workplaces and to other places where workplace participants may be working or representing MHA, for example, when visiting a customer, client or supplier (collectively referred to as 'workplace').
4. This Policy does not form part of any employee's contract of employment.

POLICY

MHA WORKPLACE HEALTH AND SAFETY SYSTEM

5. The WHS system relates to all aspects of health and safety including (without limitation):
    a. WHS Committee;
    b. Defined WHS responsibilities;
    c. Exercising due diligence;
    d. Health and safety training and education;
    e. Adopting a risk management approach to manage health and safety risks;
    f. Consultation with Persons Carrying on a Business or Undertaking and employees on matters related to health and safety;
    g. Emergency procedures and drills;
    h. Workplace inspections;
    i. Incident/accident reporting;
    j. Management of injured workplace participants.

MHA WORKPLACE HEALTH AND SAFETY OBJECTIVES

a. To provide a safe and healthy work environment for all our employees, contractors and other persons;
b. To provide safe and healthy methods of work;
c. To provide programs of health and safety activities and procedures which are continually updated and effectively carried out;
d. To identify and eliminate or reduce hazards and risks to health and safety;
e. To continually monitor and improve work health and safety;
f. To provide education and training resources; and
g. To comply with all relevant laws, rules, standards and codes of practice.

MANAGEMENT RESPONSIBILITIES

6. All managers, team leaders and program co-ordinators are responsible and accountable for the safety of workplace participants, contractors and company property under their control so far as reasonably practicable. Managers, team leaders and program co-ordinators are responsible for ensuring all policies, procedures, safe work practices and safe work procedures are followed at all times.

EMPLOYEE RESPONSIBILITIES

7. All employees are required to comply with health and safety legislation and MHA's policies and procedures by taking reasonable care that their acts or omissions do not adversely affect their health or safety both themselves and that of other persons. Employees must report all hazards and incidents to their supervisors as soon as practically possible to ensure their own health and safety and the health and safety of others in our workplace, including contractors and third parties.

CONTRACTOR RESPONSIBILITIES

8. All contractors engaged to perform work for MHA are required to comply with the health and safety legislation as amended from time to time, the policy, programs and procedures of MHA as they relate to work health and safety and to observe all directions on health and safety given by management. Failure to comply or observe a direction will be considered a breach of the contract and sufficient grounds for termination of the contract.

WORKPLACE HEALTH AND SAFETY COMMITTEE PROCEDURES

PURPOSE

9. This procedure sets out the structure, roles and responsibilities of the MHA Care Limited ('MHA') Workplace Health and Safety Committee and ensures compliance with the requirements of the Occupational Health and Safety Act 2004 (The Act).

COMMITTEE STRUCTURE AND MEMBERSHIP

10. In accordance with the requirements of The Act at least half of the Committee members must be employee representatives and, where practicable, they should be elected Workplace Health and Safety Representatives (HSR's).

11. The term of office for each employee Committee member / HSR is three (3) years. Committee members / HSR's are eligible for re-election when their term of office expires.

12. Employee representatives may resign from the Committee at any time after the first twelve months. Resignation must be by written notification to the Chairperson of the Committee. Any Committee member who resigns from MHA will automatically be removed from the Committee.

DESIGNATED WORK GROUPS (DWG)

13. The Committee will comprise up to nine (9) representatives from the following designated work groups across the organisation:

    h. Community Care Workers – Cobram
    i. Community Care Workers – Nathalia / Numurkah
    j. Community Care Workers – Numurkah
    k. Community Care Workers – Yarrawonga

l. Planned Activity Groups
m. Administration
n. Volunteer Coordination
o. Assessment
p. Opportunity Shop
q. Foodshare

14. Committee membership shall also include a member of Senior Management - Business Manager, who has the necessary delegation to authorise actions in response to the Committee's recommendations and will act as Chairperson of the Committee.

ELECTION OF WORKPLACE HEALTH AND SAFETY REPRESENTATIVES

15. The election of Committee Members / HSR's will be undertaken through a nomination and ballot process within each Designated Work Group.

16. The Chairperson of the WH&S Committee will call for nominations using a Nomination Form – Workplace Health and Safety Representative (HSR). This form requires a nominator and a seconder from within the DWG, and also requires the nominated member to agree to the nomination. All members of a DWG are eligible to nominate for election.

17. The suggested timeline for the receipt of nominations is one (1) week.

    a. If there are no nominations received, the position will remain vacant until a nomination is received.
    b. If there is one nomination received, the nominee is declared elected as the HSR of the DWG for a period of three (3) years.
    c. If there is more than one nomination received an election will be held

18. If an election is required, a secret ballot process will be undertaken. Each member of the DWG will receive through postal distribution:

    a. A ballot paper which includes voting instructions,
    b. An envelope labelled "Voting Paper – CONFIDENTIAL"; and
    c. A second, larger envelope addressed to the Chairperson, Workplace Health and Safety Committee.

19. Voters are to place their completed ballot paper inside the Voting Paper envelope, place the Voting Paper envelope inside the envelope addressed to the returning officer and return by post or hand delivery.

20. The Chairperson receives and securely retains completed ballot papers unopened until the voting deadline has passed.

21. The suggested deadline for return of ballot papers is two (2) weeks.

22. The candidate receiving the most votes is declared elected as the HSR of the DWG for a period of three (3) years.

23. Unsuccessful candidates are to be advised of the outcome of the election.

24. Records pertaining to the election and ballot process should be retained for a period of three (3) years.

25. This election process is suggested by MHA, the election process for each Designated Workgroup HSR may be determined and undertaken by the members of each Designated Workgroup as outlined within The Act.

TRAINING OF WORKPLACE HEALTH AND SAFETY REPRESENTATIVES

26. All Workplace Health and Safety Committee members / HSR's will be offered training to ensure that they are provided with the knowledge and skills to effectively undertake their role.

27. Workplace Health and Safety Representatives will be encouraged to attend the following accredited courses:

    a. An initial course of training in Occupational Health and Safety upon election
    b. A refresher course after three years upon re-election

28. Such training will be provided at no cost to the employee.

WORKPLACE HEALTH AND SAFETY COMMITTEE MEETINGS

29. Meetings are to be scheduled and held quarterly. The Chairperson will distribute a calendar of planned meeting dates and locations in advance to Committee members on an annual basis.

ATTENDANCE AT MEETINGS

30. All representatives on the Workplace Health & Safety Committee are expected to attend each meeting with a view to reaching consensus on all aspects of the organisation's Workplace Health & Safety Policy, Procedures and Program.

31. Committee members will cease to be a member of the Committee if they fail to attend three (3) consecutive meetings without providing an apology to the Chairperson prior to the scheduled meeting.

QUORUM

32. A quorum of members must be present before the meeting can proceed. At least 50% of Committee members and one (1) representative from Senior Management must be present for the meeting to have legitimacy.

STANDING AGENDA ITEMS

33. The agenda for each scheduled meeting will be distributed one (1) week prior to the scheduled meeting and will include as a minimum, the following items:

    1. To be Present
    2. Apologies
    3. Confirmation of Previous Minutes
    4. Matters Arising from Previous Minutes – Action Status Report
    5. General Business
    a. Workplace Incidents and Trends Graph
    b. Workplace Health and Safety Incidents Report
    6. Review of Workplace Health and Safety Audits
    7. Review of Workplace Health and Safety Policies and Procedures
    8. Next Meeting – Date and Location

RESPONSIBILITIES

34. The role of **Workplace Health and Safety Representative (HSR)/ Committee Members** includes:

    a. Participating in health and safety training relevant to their role.
    b. Attending and participating in Workplace Health and Safety Committee meetings.
    c. Representing their Designated Work Group in health and safety consultation and communication processes.

d. Gathering input from fellow employees on how health and safety issues can be controlled in the workplace
e. Reporting Workplace Health and Safety concerns to Senior Management or the Workplace Health and Safety Committee
f. Reporting information from Workplace Health and Safety meetings back to their DWG at team meetings
g. Posting the minutes and action status report on the notice board of their Designated Work Group within one (1) week post the meeting.

35. The specific responsibilities of **Senior Management** include:
    a. Allocating time for Workplace Health & Safety representatives / HSR's to attend meetings and relevant training as required.
    b. Ensuring that changes to work practices that may affect the health and safety of staff are made in consultation with the Workplace Health & Safety Committee.
    c. Reviewing recommendations made by the Workplace Health & Safety Committee within defined timeframes
    d. Ensuring all hazards, incidents and accidents are investigated and recommended controls, where practicable, are implemented to prevent recurrence

36. The **Chairperson** of the Workplace Health and Safety Committee is responsible for:
    a. Scheduling Committee meetings and ensuring that members are notified of meeting times and locations
    b. Preparing and distributing the agenda including standing items as well as items submitted by Committee members
    c. Guiding the meeting according to the agenda and time available
    d. Ensuring all discussion items end with a decision and a clear course of action
    e. Reviewing and approving draft minutes and action status reports for distribution
    f. Ensuring that the committee operates in line with and carries out functions as outlined within this procedure

37. The functions, roles and responsibilities of the **Workplace Health & Safety Committee** include:
    a. The Committee will act as the key link for consultation with employees on work health and safety matters.
    b. The Committee will facilitate co-operation between management and employees in relation to health and safety matters.
    c. The Committee will develop, oversee the implementation of, review and update policies and other measures designed to protect the health and safety at work of employees on the basis of relevant legislation, Australian Standards, Codes of Practice and employee consultation.
    d. The Committee will assist in the dissemination of information to employees relating to health and safety at work and in appropriate languages.
    e. The Committee will monitor employee awareness of their rights and responsibilities in relation to health and safety at work.
    f. The Committee will oversee the undertaking of workplace hazard inspections and safety audits.
    g. The Committee will provide feedback to employees on action taken and recommendations made in response to health and safety issues that have been raised.
    h. The Committee will monitor, evaluate and review \MHA Health and Safety Management arrangements.

38. The Committee has the authority to do all things necessary to comply with the Work Health and Safety Regulations.

DEFINITIONS

Senior Management: The incumbent Chief Executive Officer or incumbent Service Manager or incumbent Business Manager.

Designated Work Group (DWG): A designated work group consists of all staff in a particular work area or department, who share similar Workplace Health and Safety concerns and conditions.

Workplace Health and Safety Representative (HSR): A Workplace Health and Safety Representative is an employee representative elected by the members of a DWG to represent their workplace health and safety interests.

Workplace Health and Safety Committee*:* A cooperative forum for employers and employees to work together on Workplace Health and Safety issues.

Person Carrying on a Business or Undertaking: means an individual or organisation that arranges, directs or influences work to be done or contributes something towards the work being done. It can include partners in partnerships, sole traders, trustees of trusts or committee members of unincorporated associations, public or private companies and incorporated associations.

RELATED DOCUMENTS

Occupational Health and Safety Act, 2004

Occupational Health and Safety Regulations 2017

Nomination Form – Workplace Health and Safety Representative (HSR)

RELATED STANDARDS

Home Care Common Standards: Standard 1 – Effective Management

DHS Standards: Occupational Health and Safety