



NT Working Women's Centre

# **Policy Manual April 2017**

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# 1. Agency Management

## NTWWC Governance and Management

COM Endorsement 19/12/11

The NTWWC takes direction from the;

- NT Working Women's Centre Constitution
- NT Working Women's Centre Inc. Enterprise Agreement
- Social, Community, Home Care and Disability Services Industry Award 2010 (the 'modern SCHADS award')
- Services Contract with the Fair Work Ombudsman
- Memorandum of Understanding with the Department of Trade, Business and Innovation
- Strategic Plan

This policy document is designed to operate in conjunction with those documents.

The NTWWC is committed to sound and effective management practises. The NTWWC also highly values participatory management practises that are empowering and respectful. In all management practises the NTWWC strives towards transparency, efficacy and accountability.

## Vision Statement

Our vision is for all Northern Territory working women to have fair, inclusive and sustainable workplaces, where they can participate in and benefit from employment which is free from unfair working conditions, discrimination, sexual harassment and bullying.

## Objects and Purposes

COM Endorsement 13/12/11

The objects and purposes of the NTWWC are to provide an accessible, ethical and effective service to empower, support and advocate for Northern Territory working women, in a feminist framework. The NTWWC provides information, advice, referral, representation and community education about work related issues. The NTWWC models good employment practices that support work life balance and a family friendly workplace.

## The Roles and Responsibilities of the Governance and Management Teams

COM Endorsement October 2012

The committee concerns itself with the longer-term strategic issues: setting overall aims, establishing broad policies, and working with the Director on strategic plans, objectives and targets.

Staff-members under the Director have responsibility for, day-to-day operations – carrying out administrative work, monitoring progress and reporting to the committee.



<b>Committee</b>	<b>Director</b>
Is focussed on organisation's stated goals.	Is focussed on operations (day-2-day) activities.
Creates a vision for the future.	Acts to make the Committee's vision a reality.
Makes strategic and tactical decisions.	Make operational decisions.
Develops organisational policies.	Implements organisational policies and develops policies related to staffing matters.
Through COM meetings monitor the performance of the Director (including implementation of policies and strategic plan).	Through day to day operations monitor the work of other staff members and volunteers.
Makes major decisions about human, physical and financial resources.	Manages the resources and makes minor decisions about their allocation.
Has ultimate legal responsibility for all aspects of the organisation's affairs.	Has delegated responsibility for some of the organisation's affairs.

#### Committee Responsibilities

- Setting long term goals
- Having the final say when determining yearly objectives
- Ensuring the mission of the organisation is adhered to
- Finalising budgets and allocating funds
- Approving the annual budget, and any changes or additions outside the budget
- Taking responsibility for the financial records
- Evaluating programs, services and products
- Evaluating committee and its performance
- Employing the organisation's Director setting their compensation package and evaluating their performance in the job
- Appointing new Committee members when there are unplanned vacancies
- Selecting sub-committee members and managing committees
- Taking responsibility for all legal matters
- Taking responsibility for compliance with regulatory requirements (e.g. annual general meeting, annual returns, audit, insurances and licences etc.)
- Appointing auditors and approving the audit of the financial records
- Maintaining and building the organisation's public profile

#### Staff Responsibilities

Staff members have contact with the Committee through management channels. In most cases, formal responsibility for staff functions will rest with the Director– the Staff are responsible to the Director, who is in turn responsible to the Committee. The following are generally staff members' responsibilities (in relation to Governance):

- Providing information to the Committee
- Supporting the Committee's planning function
- Determining community needs
- Operating programs and reporting on their successes and shortcomings

- Evaluating staff performance
- Organising events, fundraising activities etc. once approved by the Committee
- Employing and dismissing staff members and volunteers
- Managing staff problems
- Implementing Committee decisions
- Conducting day-today financial operations
- Monitoring and managing daily operations

#### Joint responsibilities

The following activities are best conducted jointly:

- Discussing ideas and forming long-term goals
- Planning organisation strategies
- Designing programs to achieve the group's mission
- Proposing fundraising ideas
- Ensuring risk management programs are implemented
- Ensuring that achievements are recognized and documented
- Promoting the organisation

Footnote: Whilst every effort is made to adhere to the demarcation of roles and responsibilities, it is noted that the Directors provide assistance to the Committee in meeting their objectives with the following: Draft Policy, Organising AGM, Draft Budget.

## Values and Responsibilities

COM Endorsement 12/02/07

The principles of social justice (access, equity, participation and rights) underpin the practice of NTWWC staff and Committee of Management at all levels. Specifically, NTWWC will ensure that women from the Northern Territory, regardless of disability, age, culture, religion, or geographic location are informed about, and have access to its services.

Northern Territory women will have the opportunity to participate in aspects of the organisation's practice and policy, through membership, becoming a Committee of Management member and or consultative processes.

NTWWC respects the right of individuals to self determination. This principal provides for clients to be the decision maker in relation to their own situation, with the benefit of information from the NTWWC.

## Committee of Management (COM)

### Reference to the Constitution

COM Endorsement 13/02/07

Rules in relation to the following matters are found in the NTWWC Constitution;

- Committee of Management members Grievance and Disputes Procedure
- Role and Powers of the Committee of Management and Executive
- Duties of Committee of Management members
- Proceedings of meetings

Policy in relation to Bullying, Sexual Harassment and Discrimination can be found in the People Management policies at part 2 of this policy document. The Bullying, Sexual Harassment and Discrimination policy covers staff and Committee of Management.

### **Code of Ethics**

COM Endorsement 13/02/07

All Committee of Management members must agree to be bound by and sign the code of ethics document.

The code of ethics document is found at Appendix A.

### **COM Charter**

COM Endorsement 13/05/12

The COM Charter outlines the COM's roles, responsibilities, operations, culture and standards. The Charter is found at Appendix C. All Committee of Management members must agree to be bound by the COM Charter.

### **Committee of Management Recruitment Policy**

COM Endorsement 15/02/16

#### **Introduction**

The nomination and selection of Committee of Management (COM) members is the prerogative of the members of the NTWWC. However, given the responsibilities of the COM, there is a need for the COM to have an appropriate mix of expertise and experience.

This policy must be read in conjunction with the NTWWC Constitution.

#### **Purpose**

COM members should provide an appropriate mix of skills to provide the necessary breadth and depth of knowledge and experience to meet the COM's responsibilities and objectives. The COM also aims for a composition that will appropriately represent the interests of a diverse range of NT women.

#### **Policy**

The COM should attempt, using its network of contacts within and without the organisation's membership, to identify appropriate individuals with desired skills and interests as potential COM members. When casual vacancies arise among the elected COM positions, such individuals should be encouraged to nominate for election.

#### **Responsibilities**

It shall be the responsibility of each member of the COM and the Director to be actively involved in the recruitment of new committee members.

#### **Procedure**

#### **Assessment of the composition of the committee of management**

The COM shall regularly assess its composition by reference to;

- Necessary areas of expertise;
- Representation of women who reside outside of Darwin but within the NT;
- The ideal balance between experience and freshness; and
- Desirable diversity in relevant areas.

The COM shall identify areas where existing committee of management composition falls short of the ideal.

### **Locating suitable candidates to apply to join the committee of management**

Once the COM has identified shortfalls in the composition of the committee, COM members should identify women that have the required skills and expertise from within their networks to meet those shortfalls.

If the COM is unable to identify a suitable committee nominee from within existing networks they may advertise a committee vacancy via email networks, online, in newspaper(s) or by other appropriate means.

### **The application process**

Women who are identified as having the required skills and expertise should be contacted and provided with general information about the structure and role of the NTWWC and the COM. Ideally, this should be provided via a face to face meeting or telephone conversation between a current COM member or Director and the potential new member, but may occur via email.

As only NTWWC members are eligible to become COM members women who express an interest in joining the COM will be asked to become a financial member of the organization if they are not already a member.

The potential new committee member will be asked to provide a CV and a written statement addressing COM selection criteria.

### **The selection of suitable committee of management members**

The COM will assess all applications against the selection criteria below. The COM may also consider additional information such as information gained through a face to face meeting, telephone conversation or other communication between a current COM member or Director and the potential new member.

1. **Commitment:** to the work of NTWWC and to women's employment rights.
2. **Availability:** of approximately 6 hours per month (includes meeting preparation and attendance at bi-monthly meetings, sub-committee meetings and AGM, as well as participation in email discussions between meetings).
3. **Responsibility:** being prepared and actively engaged; ie reading COM papers, asking questions, expressing opinions, making informed decisions, and participating in discussion and debate.
4. **Reliability:** follow through on all tasks, responding to emails and RSVPing for meetings.
5. **Respect:** for privacy and confidentiality.
6. **Independence:** acting in the best interests of the NTWWC without giving thought to personal gain. Being aware of, reporting and abstaining from any conflicts of interest.
7. **Connection:** involvement in or membership of particular groups or communities.
8. (desirable) **Skills:** Knowledge and skills in one or more areas of Board governance: financial management, risk management, policy, community advocacy, marketing and fundraising, media and public relations.
9. (desirable) **Experience:** on other Boards or Management Committees

### **Appointment to the NTWW committee of management**

The decision to accept an application to join the committee of management must be made at a COM meeting, by e-decision or AGM.

The applicant shall be informed of their acceptance or otherwise to the committee as soon as is practicable after the committee meeting or AGM.

### **Induction of new Committee Members**

COM Endorsement 13/02/07

All new members of the Committee of Management must receive an induction package prior to their first meeting.

### **Conflict of Interest**

COM Endorsement 13/02/07

The Committee of Management is committed to high standards of ethical conduct and accordingly places great importance on making clear any existing or potential conflict of interest. All members must declare any potential conflict of interest at the time of nominating for a position on the Committee of Management. This declaration must be made in writing. In addition to this;

- Members shall declare any conflicts of interest either at the start of the Committee of Management meeting concerned or when a relevant issue arises. The nature of this conflict of interest should be entered into the meeting minutes. The interest should also be documented in the minutes.
- Where a conflict of interest or potential conflict of interest is identified and/or registered, the Committee of Management member concerned shall leave the room as soon as that item comes up for discussion. The concerned Committee of Management member shall not vote on that issue, nor initiate or take part in any Committee of Management discussion on that topic (either in the meeting or with other Committee of Management members before or after the Committee of Management meetings), unless expressly invited to do so by unanimous agreement by all other members present.
- If a person declares themselves to have existing or potential conflict of interest confidentiality will be respected. If a person alleges that another person has a conflict of interest, whether existing or potential, and if the Committee of Management cannot resolve this allegation to the satisfaction of both parties the matter shall be referred to the Executive. The Executive will make a recommendation to the Committee of Management as to what action shall be taken.

Examples of conflict of interest could be (but are not limited to);

- When a Committee of Management member or their immediate family or business interests stands to gain financially from any business dealings, programs or services of the NTWWC.
- When a Committee of Management member offers a professional service to the NTWWC.
- When a Committee of Management member stands to gain personally or professionally from any insider knowledge if that knowledge is used to personal advantage.
- Where a Committee of Management member or the ex/officio member of the Committee of Management has a role on the governing body of another organisation, where the activities of that other body may be in direct conflict or competition with the activities of the NTWWC.
- Where a Committee of Management member has a personal interest in a decision made.

## **Creation of Sub Committees**

COM Endorsement 13/02/07

The Committee of Management recognises that there are times when a sub-committee can act more effectively than can the full Committee of Management. As a general rule, the Committee of Management will establish sub-committees only in response to its own work.

The Committee of Management has the authority to establish sub-committees to assist it in its work.

The Committee of Management shall clearly define the terms of reference of the sub-committee, including the membership, roles, procedures and functions, and the boundaries of their authority.

Committee of Management sub-committees shall consist of at least 2 members of the Committee of Management.

Committee of Managements may from time to time co-opt non-Committee of Management members to serve on a sub-committee in order to bring additional skills, experience or networks.

Sub-committees cannot exercise authority over staff nor shall they delegate tasks to any staff unless the Director has specifically agreed to such delegations.

All sub-committees shall review their terms of reference annually, including their membership and the results of their work and so report to the Committee of Management.

Unless explicitly empowered by the full Committee of Management, sub-committees cannot make binding Committee of Management decisions. For the most part the function of committees is to solve problems for and/or make recommendations to the Committee of Management on which the latter, and only the latter, has the power to make decisions or policy.

The Director is ex-officio on all Committee of Management sub-committees.

## **Attendance at Committee of Management Meetings**

COM Endorsement 13/02/07

Committee of Management members are expected to demonstrate their commitment to the organisation by unbroken attendance at Committee of Management meetings except when prevented by unforeseeable events.

Where Committee of Management members are prevented from attending any Committee of Management meeting, they should notify the Chair of their intended absence.

Where a meeting is arranged to be held either in the form of a teleconference or online, the Chair should notify members accordingly. Participation in these meetings shall be equivalent to attendance at a regular meeting.

If a Committee of Management member is absent for 3 consecutive committee meetings or 3 committee meetings in the same financial year without tendering an apology to the Chair of which meetings the member received notice that Committee of Management member is in breach of their obligations and is liable be removed from the Committee of Management, subject to the following processes.

Prospective members of the Committee of Management shall be issued with copies of the attendance policy and asked to commit themselves to observing its terms.

### **Process**

If a Committee of Management member is in breach of their attendance requirements then the Chair shall consult them to discuss this matter.

If the Committee of Management member's difficulties are resolvable, then the Chair shall attempt to resolve them.

If no mutually satisfactory resolution is possible, and if the Committee of Management member wishes to continue on the Committee of Management, then the member's response will be put to the Committee of Management at its next meeting. The Committee of Management member shall be entitled to speak to this item. The Committee of Management will then decide what actions to take regarding that Committee of Management member's future membership on the Committee of Management.

If the Committee of Management decides that termination is justified, the Committee of Management may suspend that person's membership of the Committee of Management in accordance with rule 18 of the constitution, Suspension or expulsion of members of the Association.

The Committee of Management may remove any person from any Committee of Management sub-committee for any reason, including (but not limited to) non-attendance.

When any person has been removed from the Committee of Management or from any sub-committee under this provision, the Committee of Management will promptly initiate a process to recruit a new Committee of Management member. The person whose membership has been terminated shall retain the right to stand again at the next election for the Committee of Management.

### **Responsibility**

It is responsibility of the Committee of Management Chair to monitor the attendance of each member and to issue warning as appropriate.

### **Confidentiality**

COM Endorsement 13/02/07

This Committee of Management confidentiality policy is intended to regulate the release or retention of Committee of Management material by Committee of Management members.

The Committee of Management shall decide from time to time whether any or all of its agendas, minutes, or papers, or those of its sub-committees (not otherwise required by legislation, regulation, or its rules to be made public) shall be made public. Where no express decision has been recorded the assumption shall be that the material is not confidential.

On those occasions and for those matters that the Committee of Management elects not to make public, Committee of Management members shall respect the confidentiality of those documents and of any deliberations in the Committee of Management on those matters.

In particular, Committee of Management members shall not;

- Disclose to any member of the public any confidential information acquired by virtue of their position as a Committee of Management member.
- Use any confidential information acquired by virtue of their position on the Committee of Management for their personal financial or other benefit or for that of any other person.
- Disclose to any member of the public any confidential information related to the interests of individuals, groups or organisations acquired by virtue of their position on the Committee of Management.
- Make unauthorised statements to the media in the name of the NTWWC.
- Permit any unauthorised person to inspect or have access to any confidential documents or other information.

The obligation to protect such confidential matters from disclosure continues even after the individual Committee of Management member is no longer serving on the Committee of Management of the NTWWC.

The Committee of Management shall decide from time to time whether any observers shall be permitted to attend any or all of its meetings. Where appropriate, observers may be admitted subject to their undertaking to maintain confidentiality.

Where appropriate, information identifying individuals may be removed by the Chair from material before its consideration by the Committee of Management.

### **Responsibility**

It is responsibility of the Committee of Management Chair to ensure that Committee of Management materials are appropriately classified as confidential or open to release.

## **Delegations Policy**

### **Introduction**

This policy sets out the circumstances under which the COM may delegate its responsibilities.

Delegations of authority are the mechanisms by which the NTWWC enables officers of the NTWWC to act on behalf of the NTWWC.

### **Purpose**

The purpose of the Delegations Policy is to establish a framework for delegating authority within the NTWWC in a manner that facilitates efficiency and effectiveness and increases the accountability of staff and volunteers for their performance.

The policy applies to all members of the COM and staff of the NTWWC who have delegated authority to act and sign documents on behalf of the NTWWC.

Delegations of authority within the NTWWC are intended to achieve four objectives:

- to ensure the efficiency and effectiveness of the organisation's administrative processes;
- to ensure that the appropriate officers have been provided with the level of authority necessary to discharge their responsibilities; and
- to ensure that delegated authority is exercised by the most appropriate and best-informed individuals within the organisation; and
- to ensure internal controls are effective.



Delegations are a key element in effective governance and management of the NTWWC and provide formal authority to particular staff to commit the organisation and/or incur liabilities for the organisation.

### **Policy**

The COM of the NTWWC is responsible for the overall management of the organisation.

Under the Associations Act and NTWWC's constitution, the COM can delegate any of its functions except:

- the power of delegation and
- any functions reserved to the COM under the Associations Act

The COM may delegate its functions to:

- A member or members of the COM; and
- A sub-committee of the COM; and
- The Director and through the Director to members of the staff of the organization

However, the COM may not delegate its power:

- to adopt the organisation's strategic plan; or
- to adopt the organisation's annual budget

The Director:

- is charged with the duty of promoting the interests and furthering the development of the NTWWC; and
- is responsible for the administrative, financial, and other business of the NTWWC; and
- exercises management and supervision over the staff of the NTWWC.

The Director may seek the approval of the COM to delegate any function or any power or duty conferred or imposed upon them, subject to this delegations policy, to any member of the staff of the organisation, or any person or persons, or any committee of persons.

The NTWWC is committed to the highest standards of integrity, fairness and ethical conduct, including full compliance with all relevant legal requirements, and in turn requires that all its COM members, Director, employees, volunteers and contractors acting on its behalf meet those same standards of integrity, fairness and ethical behaviour, including compliance with all legal requirements.

There is no circumstance under which it is acceptable for the NTWWC or any of its employees or contractors to knowingly and deliberately not comply with the law or to act unethically in the course of performing or advancing the NTWWC's business.

### **Responsibilities**

The Secretary must maintain records of any delegations to members of the COM and of the terms of reference of any sub-committees of the COM.

The Director must prepare delegation schedules within the framework of the Delegations Policy for approval by the COM.

### **Processes**

Delegations are to be exercised within the framework of the Act, regulations, rules, policies, and any external legislative requirements.

Any delegation may be made subject to any conditions and limitations as the COM shall approve.

### **Delegations to members of the COM**

Delegations to members of the COM shall be made by resolution of the COM and recorded in the minutes of the COM.

### **Delegations to sub-committees of the COM**

Delegations to sub-committees of the COM shall be made by resolution of the COM and recorded in the terms of reference of the sub-committee.

## **Strategic Plan**

COM Endorsement 11/5/12

The Centre's Strategic Plan is written for a 3 year period and undergoes an annual review.

All Committee of Management members and staff are invited to participate in the development and annual review of the Strategic Plan.

The Strategic Plan guides the agenda of all Committee of Management meetings.

A copy of the current Strategic Plan is provided to all staff and Committee of Management.

## **Records Management**

### **Corporate Memory**

13/02/07

The NTWWC will ensure that a workable record-keeping system is maintained. This is to ensure that when a staff or Committee of Management member leaves the organisation, or is in charge of organising an event, effective documentation and storing of information will benefit current staff and Committee of Management members and the service delivery of the organisation.

To do this successfully a workable record-keeping system shall be planned at the same time as the event is being planned. The goal is to make the next event, or task, a much easier and more successful process. All the experience and contacts made throughout the planning and implementation of the event or task can help towards that goal, if managed and recorded appropriately. Future staff and Committee of Management will be able to use current records to predict attendance, estimate budget figures, hire contractors, schedule events and draft and amend documents.

Set up files for the following (not all will be necessary);

- Committee of Management and sub-committee contact lists, copies of meeting agendas, minutes and correspondence
- Budget papers, including receipts and accounts
- Venue details and agreements
- Copies of all printed materials, programs, invitations, programs, letterhead, posters and prices
- Speeches
- Supplier listings (business cards, quotations and contracts for all)
- Media releases and copies of subsequent media exposure.
- Timeline of activities (annotated to indicate what worked and what didn't)
- Catering details
- Risk management analysis

- Permits and licenses
- Acknowledgements of volunteers, committee members and sponsors
- Reports to your board or management committee

Keep photographic (digital if at all possible) records of the planning as well as of the event itself. These are good for the organisation's own information, archival material and to use as publicity shots for future events and general public relations material for the NTWWC.

When staff and key Committee of Management members do leave the organisation a 'hand-over' session shall take place.

Effective organisations are those that recognise the knowledge is 'owned' by the entire NTWWC and not just by the individual.

### **Storage of Client Files**

COM Endorsement 14/07/09

All client files will be kept in locked storage cabinets. Current client files will be stored in the NTWWC main office. All closed client files will be stored in the locked storage room.

The NTWWC will retain client files for 7 years after the file has been closed. After 7 years the file will be destroyed.

Clients have the right to access their closed file.

### **Storage of Financial Records**

COM Endorsement 13/02/07

All financial records will be stored in locked filing cabinets in the locked storage room for 7 years to ensure the NTWWC meets legal requirements.

Any financial records that are stored on electronic storage media will be kept in similar conditions.

### **Storage of Staff Records**

COM Endorsement 13/02/07

To ensure that the NTWWC keeps and maintains staff records that are in line with new requirements of the Fair Work Act the NTWWC must keep a record of the following:

- The NTWWC as the name of the employer
- The name of the employee
- The ABN of the NTWWC
- The date the employee commenced work with the NTWWC
- Whether the employee undertakes part time or full time work and whether they are engaged as a permanent, temporary or casual employee
- If the NTWWC and the employee have agreed to an individual flexibility arrangement, a copy of that agreement, and, if the agreement is terminated, a copy of the termination
- Superannuation fund details

- Details surrounding the termination of a worker's employment, including the name of the person who terminated the employment, how the termination took place (was the employment terminated by consent, by notice, summarily, resignation or in some other manner and the date of the termination).

If details surrounding the termination of a worker's employment are not clearly defined in a letter of termination or resignation it is the responsibility of the Director to prepare a statement that does provide such details and store it in the staff members file.

All of the above requirements will be recorded on the staff members file.

The NTWWC must also record the following:

- If a penalty rate or loading must be paid for overtime hours actually worked, the number of overtime hours worked (or start and finish times of those hours)
- Hours worked if the employee works casual or irregular part-time hours and is guaranteed a pay rate set by reference to a period of time worked
- The worker's rate of pay
- The gross and net amounts paid and details of any deductions
- Any allowances, penalty rates or loadings
- Leave accrued, leave taken and the balance of leave from time to time
- Superannuation fund contributions

These requirements will be recorded in the staff member's time book and/or pay slip.

### **Archiving of Documents**

COM Endorsement 13/02/07

Important documents will be stored in the locked storage room for 7 years to ensure the NTWWC meets legal requirements.

Any important documents that are stored on electronic storage media will be kept in similar conditions.

### **Pro-Formas**

COM Endorsement 13/02/07

All current pro-formas shall be kept in Shared Documents on the computer network system.

All current pro-formas shall be created with a footer to indicate file location.

### **Media Policy**

COM Endorsement 12/02/08

The NTWWC will adhere to the following procedure with respect to any approaches to the media about major issues (e.g. defunding of the NTWWC):

- The Director will discuss the major issue with the Committee of Management
- The Director and Committee of Management will devise key messages
- All media enquiries will be directed to the Director
- The Director will communicate the key messages as determined in collaboration with the Committee of

## Management

In some instances there may be a particular major issue that is most appropriately delegated to a Committee of Management member for dealings with the media. In this instance the following procedure will be followed:

- The Director will discuss the major issue with the Committee of Management
- The Director and Committee of Management will devise key messages
- The Director and Committee of Management will nominate a Committee of Management member to whom all media enquiries will be directed
- The Committee of Management member will communicate the key messages as determined in collaboration with the Committee of Management and Director

The Director may approach the media about minor issues (e.g. promoting a trip to provide community education in Alice Springs) without adhering to the above procedure.

Directors of the NTWWC will be trained to deal with the media.

## **Terms of Reference for Enterprise Bargaining**

COM Endorsement February 2013

The NTWWC values the relationship between the Committee of Management and staff. The aim of these terms of reference is to ensure that the bargaining that takes place in the lead up to a new Enterprise Agreement is respectful, efficient, transparent and fair.

Many people who are party to negotiating the NTWWC Enterprise Agreement will have had no prior experience in workplace bargaining. This policy is therefore also intended to provide appropriate guidance so that all negotiators can participate equally.

Negotiations shall commence at least 3 months prior to the expiry of the existing agreement and the parties will aim to reach agreement prior to the expiry date.

### **Prior to the negotiation period**

Two weeks prior to the negotiations commencing, representatives from the COM and staff will meet to establish the following:

- The size and composition of the Enterprise Agreement Committee (**EAC**)
- The names of individuals comprising the negotiating teams
- The presence, or otherwise, of observers
- The authority of the negotiators and any limitations to their authority
- The proposed frequency of meetings
- The proposed venue/s for meetings
- Protocols for email communication between meetings
- The proposed timeframe for the bargaining process including the making of claims and the response to claims made.
- The manner in which proposals will be made and responded to
- The manner in which any areas of agreement are to be recorded
- The provision of relevant information and costings
- When the parties consider the bargaining process is finalised

### **During the negotiation period**

- Each member of the EAC will take part in negotiations in good faith and genuinely try to reach agreement with the other negotiating party or parties.
- Each member of the EAC will agree to respect the agenda and the other members; be open, polite and punctual; and focus on issues not personalities.
- Each party commits to acknowledging receipt of the other party's communications in a timely manner and no later than seven (7) days after receipt.
- The parties will consider the other's proposals for a reasonable period and will provide a response to the proposal at their earliest opportunity but no later than 28 days after receipt of the proposal.
- Where a proposal is not accepted, the party not accepting the proposal will offer an explanation in writing for that non-acceptance.
- Where there are areas of disagreement, the parties will work together to identify the barriers to agreement and will give further consideration to their respective positions in the light of any alternative options put forward.
- Meetings may be held face-to-face or electronically.
- At each meeting a minute taker will be appointed. Minutes will be in the form of (a) brief summaries of discussions, (b) agreed decisions or recommendations and (c) actions arising from the meetings and the person appointed to complete the action. Minutes will be circulated to all members within three (3) days of completion of the meeting. Minutes of meetings will be made available to all staff.
- Any guest speakers must be agreed to by the EAC at the meeting prior to their attendance.

#### **Other**

- EA Employee Representatives must be provided with adequate paid time and facilities to perform their role including access to telephone, fax, email, internet and staff meetings to communicate and consult with staff
- An ASU Official may attend a meeting at the request of ASU members.
- All decisions made by the EAC will need to be ratified by the full COM.

## 2. People Management

### People Management Commitment

COM Endorsement 13/02/07

The NTWWC recognises that staff is the most valuable asset of the service and should be valued accordingly.

The NTWWC is committed to ensuring all staff are provided with every opportunity to realise their potential and be treated in a fair and equitable manner.

### Recruitment of Staff

#### Permanent Vacancies

COM Endorsement 13/02/07

Where a permanent vacancy arises;

- Vacancies are to be advertised via the NT News and/or other local networks
- A concise and accurate Duty Statement and Selection Criteria must be made available to any person interested in making an application
- An interview panel with representatives from staff and the Committee of Management must be convened
- Members of the interview panel must declare any potential or actual conflict of interests
- A set of appropriate interview questions must be used consistently with all applicants reaching the interview stage
- The interview panel will use the Selection Criteria to grade and/or assess applicants
- Applicants must be notified of the outcome of the interview process

#### Casual and Fixed Term Vacancies

COM Endorsement 11/05/12

Where a casual or fixed term vacancy of 6 months or under arises;

- All staff will be informed about the upcoming vacancy and will be invited to make an expression of interest
- A concise and accurate Duty Statement and set of Selection Criteria must be made available to any staff that wish to consider making an expression of interest
- All applications from staff will be considered and ranked according to the Selection Criteria

In the event that the casual or fixed term vacancy cannot be filled from existing staff;

- The position need not be advertised externally
- The Director shall determine a selection process appropriate to the circumstances

If the position is expected to be for a period longer than 6 months in duration then;

- The position will be filled in line with the 2.2.1 Permanent Vacancies Policy above

### **Recruitment of Relief Staff**

COM Endorsement 13/02/07

The NTWWC undertakes to have relief staff available so as to maintain service to clients when Industrial Liaison Officer staff are unavailable.

When recruiting relief staff;

- The position need not be advertised externally
- The Director shall determine a selection process appropriate to the circumstances

### **Fair Work Information Statement**

COM Endorsement 13/02/07

This policy must be read in conjunction with the National Employment Standard entitled 'Fair Work Information Statement'.

The NTWWC will provide each new employee with a copy of the Fair Work Information Statement. Each new employee will be given a copy of the statement before or as soon as practicable after the employee starts employment.

The statement may be provided to the employee in a hard copy or electronic format. It may be posted, emailed, faxed or delivered personally.

### **Staff Code of Ethics**

COM Endorsement 13/02/07

All staff must agree to be bound by and sign the code of ethics document. The code of ethics document is found at Appendix A.

Staff must also adhere to the following;

- Staff shall respect the right of clients to self determination
- Staff shall carry out their duties with skill, professionalism and integrity
- Staff shall disclose their private financial and other interests where those interests may in conflict with the NTWWC
- Staff shall not take advantage of their duties, power, status or authority in order to seek any benefit for themselves or for another individual
- Staff should exercise appropriate consideration and sensitivity and shall act with fairness and equity in dealing with other staff members, committee members and members of the public
- Staff must not engage in acts of violence of any kind, nor deal with another staff member, committee member or client in an abusive capacity
- Staff must seek to resolve any grievances against another staff member or the NTWWC or committee member
- Staff must report grievances as soon as practicable

### **Gifts to Staff from Clients**

COM Endorsement November 2012



Sometimes very grateful clients wish to show their appreciation for the support they have received from the NTWWC by giving a gift to the worker who supported them or to the Centre. If a client mentions that they would like to give a gift to their worker the worker should (if appropriate) encourage the client to give to the Centre rather than the individual worker. Donations of cash to the NTWWC are tax deductible and this should be explained to the client. Any person who makes a cash donation to the Centre will be issued with a tax deductible receipt.

The client may insist however on giving the worker a gift and/or cash. Gifts of cash to individual workers cannot be accepted if they are above \$250. If more than \$250 is gifted to an individual staff member the NTWWC will call the client and explain that the money can not be accepted and discuss whether it can be changed to a donation to the Centre or returned.

All gifts of cash must be declared and approved by to the Director. They will be noted on the register of gifts that is maintained by the Director.

Gifts to individual workers of food, wine, flowers or other items that are up to the approximate value of \$250 can be received but must be disclosed to the Director and noted on the register of gifts.

## **Supervision and Professional Development**

### **Supervision**

COM Endorsement 16/03/15

All staff have the right to effective and appropriate supervision.

The aim of supervision is to provide a safe and respectful place to discuss and explore:

- work performance and provide constructive feedback
- staff's training, development and support needs
- workloads and ensure these are monitored
- staff requests for leave, or changes in hours or conditions
- client work and reflective practice
- organisational issues
- job satisfaction
- staff well-being
- any other relevant issues

The Director will be responsible for the supervision of all staff.

The NTWWC acknowledges that some staff may have special needs that cannot all be met by internal supervision. These needs may include:

- the need for face to face supervision (for those working remotely)
- the need for clinical or technical supervision that is beyond the scope of the Director
- the need to discuss organisational or personal work issues with an external and independent person
- the need for critical incident debriefing

Staff may request external supervision and may apply to the Director to arrange this. The application should outline the reasons for the request and the requested duration for the supervision. The Director will assess the application based on need and available resources.

External supervision is in addition to and not instead of internal supervision.

The NTWWC will cover the costs of supervision where approved by the Director for the period so approved.

The staff member may identify a preferred external supervisor subject to the Director's approval.

External supervision is private and no confidential information is shared between the service and the external supervisor.

The Committee of Management is responsible for the supervision of the Director. Supervision and feed-back will be offered to the Director 6 monthly, or more often on request.

The Director will have access to regular external supervision on request.

Accessing discipline/role specific clinical supervision required by professional associations for accreditation or registration purposes, remains the responsibility of the individual.

### **Professional Development**

COM Endorsement 10/02/09

In line with the NT Working Women's Centre Inc. Enterprise Agreement the NTWWC will allocate an amount of 3% of the total annual salary budget for the purpose of staff training and development in each financial year.

Staff are entitled to dedicate 2 hours per fortnight (pro rata for part time staff) to professional development. The entitlement to 2 hours per fortnight is non accruable. Professional development may include reading, skills development or supervision. This entitlement is in addition to NTWWC staff training and development activities and the 3% annual budget allocation.

### **Employee Personal Wellbeing**

COM Endorsement 25/09/14

The NTWWC is committed to the wellbeing of its staff and maintaining and a safe and healthy working environment.

The NTWWC will cover the costs of any staff member attending professional counselling for up to 3 sessions each year. This is a voluntary decision to be made by the staff member, and may be to seek support for work-related or personal issues. The staff member may choose the service provider of their choice. The NTWWC has no access to any information in relation this counselling, without the staff member's written consent. If a staff member seeks such assistance this will not jeopardise their employment in any way.

A staff member who wants to access this support is required only to inform their supervisor of this fact so that the appropriate payments may be made by the Administration Officer. They are not required to inform anyone of the reason for accessing the support.

Although this policy is designed to encourage self referral, there may be occasions when a supervisor suggests that a staff member seek counselling to assist with personal issues. Staff may, of course, decline the offer of counselling assistance.

## **Occupational Health and Safety**

COM Endorsement 17/03/13

### **Purpose**

The NTWWC is committed to provide, as far as is reasonably practicable, a workplace that is safe and without risk to the health, safety and welfare of its workers, contractors and visitors as is required by the NT Workplace Health and Safety Act.

This policy describes how the NTWWC will go about implementing its commitment to OH&S. It specifically details key actions and procedures required to meet this commitment, the responsibilities of the Committee of Management, the Co-Directors and staff.

### **Principles**

In making this commitment the NTWWC recognises that no demands for work output will be placed before the health, safety and welfare of any of its workers at any time.

NTWWC recognises that hazards in the workplace are not just physical or chemical but can also exist in the way the organisation functions and the way in which its work is organised.

Occupational stress is a major concern and one that NTWWC aims to minimise through good practice in management and operation of the organisation.

NTWWC expects all its employees to take an active role in identifying situations with the potential to cause harm or injury in the workplace. NTWWC through its managers and supervisor will assist employees to identify potential hazards.

### **Scope**

This Policy applies to all staff, visitors and Management Committee members of the NTWWC. It also applies to NTWWC staff who work at premises other than at the Darwin or Alice Springs office i.e. whilst providing community education at other locations.

### **Responsibilities**

The Committee of Management

- The Committee of Management shall be held accountable and responsible for adherence to this policy and any related procedures developed to aid its implementation.
- The Committee of Management shall provide support that will help staff and employees to maintain their psychological and physical health.

Co-Directors

Co-Directors are responsible for meeting the OH&S objectives set out in this policy and procedures related to it. Co-Directors play an important preventative and early intervention role in maintaining a healthy and safe work environment for their employees.

Specific obligations include:

- Continually seeking to improve OH&S practices and taking a risk management approach to their workplace.
- Ensuring that all employees are made aware of their OH&S responsibilities. This is part of the induction process.
- Providing funds for staff to attend occupational health and safety awareness training.
- Ensuring that OH&S is a standing item on the staff meeting agenda to facilitate the exchange of information, discuss the health and safety performance of the workplace and raise any OH&S matters or issues.
- Prominently displaying and promoting at the workplace emergency evacuation procedures and ensuring practice drills are conducted on a regular basis.
- Ensuring that everyone complies with appropriate standards and workplace directions to protect their own and others health and safety at work.
- Reporting, investigating, recording and ensuring that all preventative action is taken and implemented in relation to all incidents, including incidents of client aggression, injury and disease and reportable incidents under Part 6 – Incident Notification, NT Work Health and Safety Act.
- Notifying NT Worksafe in the specified timeframe of any reportable incidents and completing the incident report within specific timeframes.
- Respond immediately to any requests for a work health and safety representative or committee as per the NT Work Health and Safety Act.
- In the event that a health and safety representative is elected, provide funds for the representative to attend regular training courses as these become available in order to increase her knowledge of workplace health and safety.

#### Staff

All staff have a responsibility to:

- Contribute to OH&S by ensuring that they do not place at risk or endanger themselves or any other person working in the same environment.
- Monitor occupational health and safety within area of their responsibility.
- Actively participate in the development and implementation of hazard elimination or minimisation strategies.
- Observe standard operating procedures in the workplace.
- Participate in workplace inspections and audits.
- Participate in occupational health and safety training.
- Bring any potential OH&S problem to the attention of the Director as soon as possible.
- Immediately complete an Accident and Illness Register form, where an incident or a near-miss has occurred.
- Complete as soon as possible, an Accident and Illness Register form, where an injury has occurred.
- Staff have the right to seek information and assistance from NT WorkSafe or their union regarding OH&S hazards.

#### **Work Health and Safety Representatives**

COM Endorsement 17/03/13

In the event that a work health and safety representative is elected, representatives and staff will comply with their role and obligations as per the NT Work Health and Safety Act.

#### **Review of the System**

COM Endorsement 17/03/13

To ensure that the health and safety management system remains effective in providing a safe and health work environment, NTWWC's OH&S policy and procedures will be reviewed periodically.

This review will focus on the effectiveness of individual elements of the system, the relevance of changes to Commonwealth and NT OH&S legislation which may have occurred, and any other matters which potentially impact on the system.

### **Workplace Violence**

COM Endorsement 17/03/13

Violence in the workplace is totally unacceptable. All clients and staff have the right to feel safe and to participate in programs and services in a non-threatening environment.

A client who is violent will be asked to leave the workplace immediately. The incident may require making a report to the Police, if the act of violence amounted to a criminal offence.

A staff member who is violent or abusive will be subject to disciplinary action as per the Centre's Managing Under Performance policy.

Any behaviour, which constitutes a crime, is subject to legal remedy and criminal or civil justice.

Workplace bullying incidences should be dealt with under the NTWWC Bullying, Discrimination and Sexual Harassment policy.

### **Fire Emergency**

COM Endorsement 17/03/13

Every employee must know the location of the fire extinguisher. In Darwin the fire extinguisher is located to the right hand side of the internal door to the kitchen. In Alice Springs the fire extinguisher is located to the right hand side of the internal door to the meeting room/kitchen.

The first person to observe a fire should:

- Alert all staff in the building to the fire and ask them to leave the office immediately
- Report fire to the Fire Brigade 000
- If possible, use available fire extinguisher to extinguish or contain the fire. Close door to area to contain fire

### **Emergency Exit**

COM Endorsement 17/03/13

- The Darwin NTWWC Office may use as an emergency exit the main front entrance to the building or the external door from the kitchen
- In Darwin the external door from the kitchen must have a key in the lock at all times to ensure that staff can freely exit

## Smoke Free Workplace

COM Endorsement 17/03/13

A smoking policy aims to provide a healthy and safe workplace for employees, clients and visitors. It also promotes and supports healthy choices in the workplace.

The NTWWC shall be smoke-free in all public and individual work areas, including the Centre's vehicle.

## Vehicle Travel Safety

COM Endorsement 17/03/13

Factors that can make travel a significant issue for staff in the context of this policy include:

- The distance, remoteness and terrain that are encountered, necessitating driving skills and a reliable vehicle and equipment for survival and communication
- Travel on Aboriginal lands which demands respect and consideration
- The potential for aggressive incidents to occur in lonely situations
- Consequently, a system for monitoring movement and safety is vital – All Staff are requested to comply with adequate preparation and notification regarding travel

Before and when you travel:

- As much as possible, staff should not travel to regional or remote locations to conduct NTWWC business on their own
- Staff should plan travel well in advance in order to ensure that another NTWWC staff member is available to accompany them
- Discuss and plan your travel program and any foreseeable difficulties due to isolation, road and weather conditions etc. with the Director
- If there are any alterations to these travel arrangements they should be communicated to your Director or another relevant NTWWC staff member, as soon as possible
- Be particularly careful when driving in isolated locations. Take note of significant geographic indicators, which could help locate you if the need arises
- The Police or other relevant authorities must be contacted for road conditions and instructions in the event of adverse weather and/or road conditions
- It is a requirement that employees abide by all regulations outlined for a given locality (e.g. alcohol management plans)
- Directors have a responsibility to identify employees at risk of experiencing driver fatigue as a result of their duties and to ensure employees are undertaking reasonable (not excessive) duties
- Employees need to be aware of their ability to accept driving duties when they may not be able to safely complete that duty. Employees whose duties include frequent driving are encouraged to have regular medical examinations to determine fitness for duty
- Directors may request that a NTWWC undertakes a 4x4 driving course if it is deemed necessary for the staff member to perform their position safely

## Office Safety

COM Endorsement 17/03/13

All work performed in offices at the NTWWC will be conducted using safe work practices. The following list of safe work practices that should be observed by each staff member.

#### Safe Work Practices:

- Guard the sharp edges of furniture to prevent personal injury
- Keep floors free of items that might cause tripping
- Prevent slipping accident by cleaning up spills immediately
- Report all defects such as loose tiles, torn carpet and doors immediately to the Director
- Do not overload electrical outlets. Do not plug a —multiple powerboard into a second multiple powerboard
- Report immediately, any damaged electrical cords, broken switches, loose connections, or bare wires to the Director
- Unplug any office machine that smokes, sparks, or delivers an electrical shock. Report it to the Director
- Avoid overloading the top drawers of filing cabinets to avoid the possible tipping of the cabinet when the drawers are opened. Open one drawer of the file cabinet at a time to prevent tipping
- Be sure to use proper lifting techniques
- Use only safety step stools or ladders for climbing. Don't stand on swivel chairs or use them as step stools
- Office doors shall be free of obstructions at all times to permit exits in case of an emergency
- If it is necessary to run a cable or electrical cord across the floor, a cable cover must be used to protect the wiring and prevent tripping

#### **First Aid Officer**

COM Endorsement 17/03/13

It is a legal requirement that a First Aid Officer be delegated to ensure that in the event of any incident a worker receives immediate assistance from an appropriately trained individual. This position will be first offered to the Administration Officer.

All workers will be provided with practical instructions about the following:

- The location of the first aid kit
- Name and location of the First Aid Officer
- Procedures to be followed when first aid is required

#### **First Aid Kit**

COM Endorsement 17/03/13

A first aid kit is kept at each of the NTWWC's sites.

The first Aid Officer is responsible for ensuring it remains stocked and up to date. Kit contents must be replenished as soon as possible after use.

All first aid injuries and treatments must be recorded and reported immediately to the Director. The incident must be recorded in writing on the Accidents and Illness Register form.

#### **Rehabilitation**

COM Endorsement 17/03/13

In the event that a staff member is injured at work an incident report must be made to the Director and an Accidents and Illness Register form must be completed.

If immediately after the injury medical attention is required the Director, or if the Director is absent another staff member, will assist the injured staff member to obtain medical attention.

The Director will ensure that the injured staff member is provided with a workers compensation claim.

In the event that the injured worker requires rehabilitation after a workplace incident, the NTWWC will provide an appropriate level of contact and support to assist in the recovery and return to work.

Employees are required to actively participate in the return to work process having regard to the medical limitations as imposed by the treating medical practitioner.

Staff have the right to seek information and assistance from NT WorkSafe or their union regarding workers compensation claims and rehabilitation.

The Director shall report any workers compensation claims to the Committee of Management. The Director is also required to report to the Committee of Management any workplace injuries or illnesses that are not subject to a workers compensation claim.

### **Working Alone in the Office**

COM Endorsement 17/03/13

Staff at the NTWWC have flexible and part-time working hours, therefore there may be occasions when a staff member is alone in the office.

Staff members shall lock the front door when they are working alone.

If a client comes to the NTWWC while the door is locked they may ring the door bell for assistance or telephone the contact numbers that are listed on the front door and leave a message on the answering machine.

Staff members have the option of leaving their office door open while interviewing a client for safety reasons.

### **Scheduling Client Appointments**

COM Endorsement 17/03/13

ILO's shall not have face-to-face appointments with new clients when they are alone in the office.

All staff are responsible for ensuring that they do not go out of the office and leave an ILO alone in the office with a new client.

Particular care ought to be taken on days where there are clinic appointments as there are many new clients coming to the centre.

ILO's may make the decision to see existing clients, or schedule phone appointments when they are alone in the office. There is no expectation that they will do this.



## **Bullying, Discrimination and Sexual Harassment**

COM Endorsement 13/02/07

### **Scope of the policy**

COM Endorsement 17/03/13

This policy deals with bullying, discrimination and sexual harassment between staff and Committee of Management at all levels of the NTWWC.

Whenever this policy applies to staff it is deemed to apply to Committee of Management also.

This policy does not address issues in relation to clients, which can be dealt with through the Client Services policies in part 4.

The NTWWC recognises that everybody has the right to be treated with dignity and respect at work.

The Bullying, Discrimination and Sexual Harassment Policy is designed to foster a workplace that is respectful and safe for all staff and Committee of Management and assist with the management of any instances of bullying, discrimination or sexual harassment that may arise.

NTWWC embraces diversity and difference and is committed to ensuring that the workplace is free from workplace bullying, discrimination and sexual harassment. No such behaviours will be tolerated under any circumstances and disciplinary action such as apology, counselling, dismissal or demotion may be taken against any staff who breaches this policy.

Staff and Committee of Management are encouraged to report incidents early to prevent an escalation of the situation and to facilitate a positive resolution.

This policy includes;

- Explanation of workplace bullying, discrimination and sexual harassment.
- Informal procedures for resolving a complaint.
- Formal procedures for resolving a complaint.

### **Bullying**

COM Endorsement 17/03/13

#### **Definition**

Workplace bullying is an abuse or misuse of formal or informal power and is the unwelcome and humiliating treatment of an employee or group of staff by another or others. Bullying is not a one-off situation; it is behaviour that is repeated over time.

Examples of bullying may involve, but is not limited to, a pattern of behaviours which include;

- Over checking
- Slamming doors and other items
- Yelling and swearing
- Ignoring

- Belittling
- Inappropriate written notes
- Teasing
- Threatening and intimidating statements or action
- Pressure on and lack of acceptance of new staff
- Constant selection for menial tasks
- Unjustifiable refusal of leave, training or promotion
- Ostracising and isolating
- Withholding information and misinforming
- Hiding or changing documents
- Physical contact
- Unwelcome personal questions or comments about a person's private life
- Public and indiscreet reprimands or counselling
- Intimidation not to make a complaint
- Silent treatment

Workplace bullying has a serious impact on the careers, health, safety and wellbeing of staff and Committee of Management and will not be tolerated at the NTWWC.

#### **Workplace bullying does not include**

Workplace bullying does not include feedback or counselling to ensure duty of care is met, reasonable counselling regarding work performance issues or instructing staff to ensure safe work practices.

#### **Workplace bullying and the law**

Workplace bullying is unacceptable and may be against the law. Workplace bullying behaviour may be a breach of the Fair Work Act, NT Workplace Health and Safety Act, Criminal Code, Northern Territory Anti Discrimination Act and Federal Discrimination Acts.

When a person has experienced physical bullying, violence or the threat of violence, this can be reported to the police as the matter may be a case of assault in the criminal jurisdiction.

#### **The effects of workplace bullying**

Effects on those experiencing bullying include;

- Stress related illness, including headaches, nausea, insomnia
- Weakened immune system
- Loss of confidence, reduced self esteem, depression and suicide
- Social isolation at work and outside of work
- Reduced performance at work
- Absenteeism
- Overworking
- Loss of job resulting in financial pressure and loss of career options
- Pressure on family and social relationships

Effects on others in the workplace;

- Fear that they might be the next target
- Anger and resentment
- Guilt that they are not stopping the behaviour
- Withdrawal to avoid being next target

Effect on the organisation;

- Deterioration in the quality of the work performed
- Increased absenteeism
- Staff turnover
- Mistakes by staff or Committee of Management
- Poor care for clients
- Breakdown in communication and teamwork
- Failure to report problems for fear of retaliation by bully
- Poor public image
- Increased disputation
- Reduced commitment and respect for organisation and management
- Litigation cost

Effect on the bully;

- Guilt
- Remorse
- Stress and related ill health
- Can themselves become victims

## **Discrimination**

COM Endorsement 17/03/13

### **Definition**

Discrimination occurs when a person is treated less favourably than another person because of one of the following reasons;

- Race
- Sex
- Sexuality
- Age
- Marital status
- Pregnancy
- Parenthood
- Breastfeeding
- Impairment
- Trade union or employer association or activity
- Religious belief or activity
- Political opinion, affiliation or activity
- Irrelevant medical record
- Irrelevant criminal record
- Association with a person who has, or is believed to have, an attribute referred to above.

It is not discrimination when a person treats another person differently because one of the above attributes when the treatment involves the accommodation of a special need or workplace modification to enable equal opportunity to participate.

Discrimination is against the law. Discrimination is a breach of the Fair Work Act, Northern Territory Anti Discrimination Act and Federal Discrimination Acts.

When a person has experienced violence, or the threat of violence, as a result of discrimination this can be reported to the police as the matter may be a case of assault in the criminal jurisdiction.

## **Sexual Harassment**

COM Endorsement 17/03/13

### **Definition**

Sexual harassment is any unwanted, unwelcome or uninvited behaviour of a sexual nature, which makes a person feel humiliated, intimidated or offended. Sexual harassment can take many different forms and may include physical contact, verbal contact, verbal comments, jokes, propositions, the display of offensive material or other behaviour which creates a sexually hostile working environment.

Examples of sexual harassment may include, but is not limited to, the following;

- Uninvited touching
- Uninvited kisses or embraces
- Smutty jokes or comments
- Making promises or threats in return for sexual favours
- Displays of sexually graphic material including posters, pinups, cartoons, graffiti or messages left on notice Committee of Managements, desks or common areas
- Repeated invitations to go out after prior refusal
- 'Flashing' or sexual gestures
- Sex-based insults, taunts, teasing or name-calling
- Staring or leering at a person or at parts of their body
- Unwelcome physical contact such as massaging a person without invitation or deliberately brushing up against them
- Touching or fiddling with a person's clothing including lifting up skirts or shirts, flicking bra straps, or putting hands in a person's pocket
- Requests for sex
- Sexually explicit conversation
- Persistent questions or insinuations about a person's private life
- Offensive phone calls or letters
- Stalking
- Offensive email messages or computer screen savers

Sexual harassment is not behaviour which is based on mutual attraction, friendship and respect. If the interaction is consensual, welcome and reciprocated it is not sexual harassment.

Sexual harassment is a form of sex discrimination and is against the law. Sexual harassment is a breach of the Fair Work Act, Northern Territory Anti Discrimination Act and the Federal Sex Discrimination Act.

When a person has been subjected to an act of sexual violence, or the threat of sexual violence, this can be reported to the police as the matter may be a case of assault in the criminal jurisdiction.

## **Support and Advice**

COM Endorsement 17/03/13

The NTWWC recognises that the experiences of being bullied, discriminated against or sexually harassed or being accused of doing such are highly stressful and emotional. We are committed to ensuring that our staff has access to support and guidance by the designated Grievance Officer on the Committee of Management.

Staff are reminded that they have the right to seek advice and representation from their union at anytime.

### **Procedures to Resolve Complaints**

COM Endorsement 17/03/13

All complaints of bullying, discrimination and sexual harassment will be taken seriously.

The policy includes agreed procedures to deal with bullying, discrimination and sexual harassment in a safe, quick and fair manner. In recognition of the complexity of this issue and the continuum of behaviour that might be defined as bullying, discrimination and sexual harassment, both informal and formal resolution procedures are available at any stage.

In the informal options no disciplinary action will arise. A no blame approach is taken as the objective is for both parties to agree about acceptable behaviours in the workplace and to commit to changing behaviours that are offending the other. The focus is in on creating a working relationship between those involved in the issue.

If a formal complaint of bullying, discrimination or sexual harassment is substantiated there is the potential for disciplinary action arising from the investigation including apology, counselling, dismissal or demotion. The procedures are based on principles of natural justice and procedural fairness.

No internal procedures prevent an individual from accessing external processes at any stage. Complainants need to be aware that there are time limits for making complaints in a range of jurisdictions and should seek advice about the options from their union or legal advisor.

### **Confidentiality and Victimisation**

COM Endorsement 17/03/13

#### **Confidentiality**

The need for confidentiality and laws about defamation requires that no staff pass on unsubstantiated information about either the subject of the complaint or the complainant.

There is to be no ganging up.

#### **Victimisation and intimidation**

Any attempt to victimise someone for;

- making a complaint under the procedures
- supporting another making a complaint
- participating in an investigation
- being the subject of a complaint,

will be treated as a disciplinary matter.

#### **Vexatious complaints**

If a vexatious complaint is made (that is a complaint that is unfounded and created in ill will) the person making such a complaint may be subject to disciplinary procedures. Just because a complaint is not substantiated does not mean that the complaint is vexatious.

## **Responsibilities**

COM Endorsement 17/03/13

### **Director**

The Director as supervisor is primarily responsible for the endorsement and implementation of the policy. Should issues arise, it is expected that the Director will contact the Committee of Management within a timely manner.

The Director will take all necessary steps to ensure that any complaints are dealt with fairly and expeditiously using the agreed procedures.

The Director will ensure that all staff receive the training and/or support and/or supervision required to meet their obligations in relation to workplace bullying, discrimination and sexual harassment.

The Director will demonstrate appropriate behaviour.

### **Supervisors**

Supervisors are required to facilitate and support the implementation of this policy and procedure to create an environment free of bullying, discrimination and sexual harassment.

Supervisors are responsible for ensuring all staff are aware of the policy and procedures for raising complaints.

Supervisors are to ensure that any complaint is dealt with fairly and expeditiously.

Supervisors are to demonstrate appropriate behaviour.

### **Grievance Officer**

The Grievance Officer is a designated person on the Committee of Management. The current Grievance Officer will be displayed on a notice board in the staff kitchen .

The Grievance Officer can provide staff with information about their options for resolving a complaint.

The Grievance Officer will provide support for people with a complaint of bullying, discrimination or sexual harassment. This support can include attending meetings as a support person and discussing the problem.

The Grievance Officer is not responsible for the resolution of the complaint.

### **All staff**

All staff have a responsibility not to bully, discriminate against or sexually harass another staff or Committee of Management member or participate in behaviour that does so to another staff member.

All staff must maintain confidentiality when providing information in an investigation.

All staff are encouraged to report any incident of bullying, discrimination or sexual harassment.

## **Union representation**

All staff have the right to seek advice, support and representation for their union.

## **Informal Procedures for Resolving a Complaint of Bullying, Discrimination or Sexual Harassment**

COM Endorsement 17/03/13

The following procedures have been designed to ensure that any incident of bullying, discrimination or sexual harassment can be dealt with quickly and safely.

Any person wishing to make a complaint can choose to use either informal options or a formal process at any stage.

The informal options are particularly designed to enable the resolution of matters before either party become entrenched.

In the informal stage no disciplinary action will arise out of the process. A no blame approach is taken as the objective is for both parties to agree about acceptable behaviours in the workplace and to commit to changing behaviours that are offending the other. The focus is on creating a working relationship between those involved in the issue.

### **Support and advice**

Support and advice on these options and your rights can be gained from;

- Union representatives
- Grievance Officer
- Supervisors and the Director

### **Available options**

There is a range of options or menu from which people could select rather than progressive steps.

- **Gaining information and clarification and support**

Advice on options can be sought from a supervisor, the Director, the Grievance Officer, or union representative.

If the complainant chooses not to take action it is strongly advised that they keep a written record of any incidents clearly identifying the date, the nature of the behaviour and any witnesses.

- **Talking to the person themselves**

This is an option that might be encouraged to resolve a matter **early on in the experience**. It provides an opportunity to 'nip it in the bud'.

*Talking to the person themselves when the inappropriate behaviour is entrenched can result in an escalation of the inappropriate behaviour and is therefore often not advisable.*

When raising the issue with the person the behaviour that is unacceptable needs to be clearly identified and what is required in the future also needs to be stated.

In deciding to take this step an individual will need to consider the likely effect it will have on the other person and how they might respond.

Where the complainant is intending to be accompanied by a support person the complainant should inform the person whose behaviour has upset them at the time of making a meeting time with the person.

A safe environment and an appropriate time would need to be chosen to raise the issues.

A note of this conversation should be kept by the complainant.

- **Someone else intervenes**

In this option someone who is in a safe position and who has a high level of communication skills can assist in the resolution.

In this situation the person intervening is telling the person that the other person is upset by certain behaviour and asking that this behaviour stop. They are not asking for an admission of fault or an apology but recognition that the behaviour is upsetting the other person and that the behaviour will cease.

It is important to point out that the person has not commenced formal procedures but that if the matter is not resolved at this stage the person has the right to do so.

A diary note of this conversation could be kept.

- **Conciliation**

This involves a third party attempting to conciliate the problem between the two parties involved.

This step might evolve from the previous step.

In the conciliation process the parties remain separate and the conciliator controls the process. The conciliator needs to stress that the complainant has not initiated formal procedures and that this is an informal process trying to resolve an issue between them. It might be useful to note that if it is not resolved the complainant could choose to make a formal complaint or take action outside of the organisation.

- **Mediation**

Mediation is an option that might be considered **early on in the experience**.

Where the inappropriate behaviours have become entrenched and a significant power imbalance exists mediation is not advisable.

Mediation that involves bringing both parties together to resolve the issue should only occur once the process has been explained and where **both parties have agreed there is a problem** (i.e. not when the person is denying their behaviour has caused a problem) and when **both have agreed to participate** in mediation.

Only a skilled and professionally trained mediator external to the organisation will conduct mediation.

*Where management are involved in an informal resolution of a bullying incident they will closely monitor the situation and provide staff with the support they require to ensure the success of the resolution.*



## **Formal Procedures for Resolving a Complaint of Bullying, Discrimination or Sexual Harassment**

COM Endorsement 17/03/13

It should be noted that an employee has the right at any time to gain external advice.

If a formal complaint is substantiated there is the potential for disciplinary action (consistent with the disciplinary procedures outlined in the policy document and the award) arising from the investigation including apology, counselling, warning, dismissal or demotion.

The formal process proceeds in the following steps:

- 1.** Written complaint must be lodged with the Director detailing the nature of the allegations in specific not general terms and including details such as times, dates, potential witnesses.
- 2.** Where the complaint concerns a Director the complaint should be addressed to the Chair of the Committee of Management. Advice and support might also be sought from the union. (When following the steps outlined below, the role of the Director should be changed to be that of the Chair in this instance.)

An experienced independent investigator will be allocated to the case. Consideration will be given to using an external professional for this role.

(The complainant has the right to challenge the independence and impartiality of the proposed investigator twice. Reasonable grounds for such a challenge must be given.)

- 3.** Interview with complainant to clarify the complaint.

If an external investigator is employed the Director and complainant will meet with the investigator to explain their role in the process.

At this interview the investigator will;

- Determine whether there is a (prima facie) case to investigate.
- Ensure the complainant understands the options available.
- Outline the formal process and possible outcomes.

Outline the complainant's right to representation and advice from a union representative.

Ensure the complainant understands that they have the right to seek advice on action available externally to the organisation. In particular they need to seek advice in relation to time limits which might prevent action under the external jurisdictions.

Ensure they understand that the person whose behaviour they have complained about will be notified that victimisation will not be tolerated and that the matter is to be treated with confidentiality.

Note the meeting.

*If following the interview the investigator determines that the issues raised do not constitute bullying, discrimination or sexual harassment the Director will be notified and this person will advise the complainant that the matter is not a matter that can be addressed under this policy.*

*The Director will work with the complainant to identify the nature of the problem and to assist them to work out a resolution to the issue.*

**4.** The investigator will provide the subject of the complaint with written details of the complaint including the name of the complainant, the behaviour involved including dates and locations.

The letter will;

- Request them to attend an interview at a set date.
- Outline the process and their rights to gain advice and representation.
- Ensure they understand that victimisation will not be tolerated and that the process will remain confidential.

(A person complained against has the right to challenge the independence and impartiality of the proposed investigator twice. Reasonable grounds for such a challenge must be given.)

**5.** Interview subject of the complaint.

If an external investigator is employed the Director and person against whom the complaint has been made will meet with the investigator to explain their role in the process.

Ensure that the process, rights, and potential outcomes are again clarified. Need to indicate that the person in being treated as innocent until otherwise proven.

Go through the accusations and seek their response.

Note the meeting.

*If the subject of the complaint at this stage acknowledges their behaviour constitutes workplace bullying, discrimination or sexual harassment the matter will then be referred to the Director for resolution, which may involve disciplinary procedures.*

*In circumstances not warranting dismissal the person will be provided with appropriate assistance to address the behaviour that has been identified as bullying, discrimination or sexual harassment.*

*The organisation will formally note and address any organisational issues raised in the process, which may have contributed to the inappropriate behaviour.*

**6.** Investigate

If not resolved through the interview process, check facts and conduct an investigation including interviewing witnesses (ensure they are aware of their rights and that the matter is to be kept confidential and that victimisation won't be tolerated.)

The investigator is to write a report indicating whether the complaint has or has not been substantiated and provide this to the Director.

7. If the allegations are substantiated;

*The Director should meet with the person complained about and outline the findings of the investigation. The person should be given an opportunity to respond and their response should be taken into account in any determination made by the Director.*

*Determine action to be taken and notify both the subject of the complaint and the complainant.*

*The organisation will formally note and address any organisational issues raised in the process, which may have contributed to the inappropriate behaviour.*

If the allegations are not substantiated;

*Notify the outcome of the investigation in writing to both the subject of the complaint and the complainant.*

*The Director will meet with the complainant and clarify why the matter has not been substantiated and work with the complainant to assist them to return to a working relationship with the other person.*

*The Director will meet with the subject of the complaint to discuss any concerns they might have arising from the investigation and to assist them to work out how they will continue to work with the other party.*

8. The incident and its resolution is to be minuted by the Director in a form which does not identify individuals involved, it will note clearly whether the matter has been substantiated or not and the resolution process to be used.

Where the complaint has been 'common knowledge' within the workplace the Director should seek the consent of the parties to inform people in general terms the outcome of the process. Seek the assistance of all in the workplace to return to productive working relationships.

Set up a process to support both parties to return to a normal working relationship. This might include ongoing counselling, changing working arrangements and addressing organisational issues raised by the incident.

9. Review the situation with the complainant and the subject of the complaint after the first week, in a month's time and three months later.

### **Rights during a formal complaint**

If the subject of a complaint you have the following rights;

- To representation by your union or person of your choice
- To external advice from your union or person of your choice
- To have the matter heard by an independent investigator
- To receive the written details of a complaint before attending a meeting
- To have a right to reply
- To be presumed innocent until otherwise proven
- Not to be victimised
- If found to have bullied, discriminated or sexually harassed – to have appropriate and reasonable action taken
- Where organisational factors have contributed that these be addressed
- That the matter be treated confidentially

If making a complaint you have the following rights;

- To representation by your union or person of your choice
- To external advice from your union or person of your choice
- To have the matter heard by an independent investigator
- To respond to what has been said by the person against whom the complaint was made
- Not to be victimised
- That the matter be treated confidentially
- That your safety is ensured during the process

## **Performance Management**

COM Endorsement 13/02/07

The aim of performance management is to encourage good performance and improve under performance.

The NTWWC encourages staff development, and supports staff to overcome any skills deficiencies or performance difficulties. The NTWWC is keen to participate in and reward staff for improved work practices and skills enhancement.

Performance management is a confidential matter between the Director and the staff member. Performance management includes the appraisal of staff. This will be performed in an objective, clear and relevant manner that encourages information exchange and honest constructive feedback. Performance and results will be evaluated, not personalities. Performance will be evaluated against specific work objectives and the objectives of the Centre.

Performance management processes will not be used to determine remuneration levels as in performance-based pay or regression systems, but may be linked to the timing of annual incremental advancement.

### **Annual Feedback Meeting**

COM Endorsement 13/02/07

All staff will have an annual feedback meeting three months after they commence employment and then each year on or around the date they began their employment. This annual feedback meeting will be with the Director. Staff will be provided with the annual feedback proforma prior to the meeting. A record of the meeting will be signed by both parties and kept on the staff file.

### **Managing Under Performance**

COM Endorsement 13/02/07

#### **Introduction**

The NTWWC undertakes to assist staff maintain and if necessary improve their performance through counselling and support systems. These systems are aimed at ensuring staff are treated fairly and that they are provided every opportunity to meet the standards required in their work areas.

#### **Purpose**

The purpose of this policy is to ensure that a consistent approach is followed for managing performance issues for all staff.

## **Policy**

The NTWWC is committed to providing all staff with prompt counselling aimed at addressing poor staff performance and conduct.

NTWWC Directors undertake to assess each individual case on its merits and to provide adequate opportunity for staff to respond to allegations. Any proposed disciplinary action will be fair and reasonable, taking into consideration the severity and nature of the offence and the staff members work record.

The NTWWC will also maintain its integrity and service to its clients by ensuring operational requirements are met. Consistent with this, staff who fail to respond to counselling after due process has been followed, may have their employment terminated.

Staff whose performance is unsatisfactory will be given clear instruction as to the reasonable expectations of them in their job.

## **Responsibility**

It is the responsibility of Directors to ensure that;

- They are aware and understand the principles of fair counselling and due process and that they are applied in the workplace.
- All decisions relating to counselling are made taking into consideration the facts of the matter and ensuring the staff member is provided with due process.

It is the responsibility of staff to ensure that;

- They respond positively to counselling and attempt to improve behaviour and performance to acceptable levels at all times.

## **Procedure**

This procedure is designed to ensure all staff are treated fairly and equitably, while at the same time protecting the interests of the NTWWC from claims of unfair treatment or unfair dismissal. It should be remembered that the primary purpose of counselling is to help staff achieve the desired performance or to improve their conduct to an acceptable standard.

Within the workplace there are a range of ways staff will signal that they have a problem. Some examples may include, but are not limited to;

- Increased absenteeism
- Isolation from co-workers
- Stopping to provide work-based information to supervisors
- Decreased hours of attendance
- Poor physical appearance and/or poor presentation
- Accidents
- Insubordination
- Verbal and/or physical abuse
- Inability to perform required tasks

It is the responsibility of the Director to recognise negative behavioural change in their staff in early stages and to intervene so that the problem may be prevented from escalating. The level of intervention will depend upon the seriousness of the problem.

Where a performance problem or conduct exists Directors must follow the process outlined below before consideration is given to terminate employment. The process should be approached from the perspective that the optimum outcome is one in which there is a change in behaviour, not the administration of some form of punishment.

### **Investigation**

Upon finding out about a specific incident, or at the recognition of a pattern of unacceptable performance or conduct, the Director must undertake a full and prompt investigation to ascertain all of the relevant facts. This must be done with sensitivity. The investigation may involve and include, but not be limited to;

- Witness interviews and statements
- Documentary evidence
- Staff background and history
- Previous staff members appraisals
- Staff members attendance (if relevant)
- Staff members personal circumstances (if relevant)
- Any other information considered relevant to the issue

It is important that all relevant facts are uncovered during the investigation. Ultimately the staff member may be in a position where their continued employment is under review and decisions must be based on the full facts. Rumour and innuendo will not be relied upon.

The Director should compile all available evidence as soon as practicable after the initial identification of an issue and use the material gathered to determine the next step in the process.

### **Informal Counselling**

COM Endorsement 13/02/07

The Director should arrange to speak to the staff member privately to discuss the concerns and explain any changes in performance or conduct. This should be done as soon as possible after the investigation.

The Director should outline the expected standards of performance or conduct, inform the staff member that they should amend their performance or conduct to comply with these standards, as well as outline what the possible ramifications of not complying might be. This discussion should have a relaxed atmosphere and must convey to the staff member that the Director is concerned about the staff members welfare. It should be an exploratory discussion between a Director and staff member to rectify a situation before it becomes a serious problem.

If the staff member indicates that they have a personal welfare problem the Director may offer the staff member to take some leave.

If the staff member does not wish to discuss any problem, states that there is no problem, or says that he or she is unaware of any change in performance or conduct, the Director should simply re-affirm the concern and invite the staff member back should there be a need to talk at a later time. The Director is then responsible for reviewing the situation to ensure that the problem is resolved.

This meeting should not result in a formal document placed on a staff member's file, but should be documented in the manager's diary as a future reference should it be needed.

## **Formal Counselling**

COM Endorsement 13/02/07

### **First Warning**

If the performance or conduct continues the Director may deem formal counselling appropriate. The purpose of formal counselling is to notify the staff member that there is a serious concern, and that they should endeavour to amend their behaviour to comply with expected standards or risk disciplinary action.

The Director should arrange a private interview with the staff member, providing the staff member with the opportunity to nominate a third party, such as union representation, to be present to support them and to act as a witness, ensuring a fair hearing is given.

The Director must clarify reasons for poor performance or unacceptable conduct, outline to the staff member the allegations or concerns, the expected standards of performance or conduct, and include the possible ramifications of not complying with these standards. This must also be provided in writing to the staff member concerned.

The Director should remind the staff member of any commitments made in the informal counselling, and set a review date, which will be determined by the critical work cycle, by which time the performance problem must be remedied or employment will be seriously questioned.

This meeting must be documented in a formal performance improvement notice, which will be signed by all parties and placed on the staff members file. The performance improvement notice, written by the Director, should be concise and directly relate to the text of the conversation with the staff member.

The Employment sub-committee or Executive, if Employment sub-committee is unable to be constituted, must be advised of the plan of action.

### **Formal counselling – second warning**

A second formal warning is to be performed by the Director when unacceptable performance or conduct continues and a current first warning exists. The details of the interview are to be recorded as with a first warning.

The Employment sub-committee or Executive, if Employment sub-committee is unable to be constituted, must be advised of the plan of action.

### **Final warning**

If, after first and second warnings have been given, the performance or conduct does not improve to an acceptable standard, a final warning will be appropriate. The purpose of a final warning is to notify the staff member that the behaviour is now of such concern that if behaviour is not amended to comply with expected standards, employment will be terminated.

Prior to proceeding with a final warning, the Director must consult with the Employment sub-committee or Executive, if Employment sub-committee is unable to be constituted, who will ensure that the necessary investigations have occurred and that due process is being followed.

A final counselling will follow this process, however the staff member must understand that if performance or conduct is not amended to comply with expected standards, employment will be terminated.

A final warning notice should be issued following this meeting. A warning note is a final directive and should not be used unless you are prepared to terminate the staff member if they do not follow that directive.

### **Termination**

If, after all of the above steps have been taken, the performance or conduct does not improve to an acceptable standard, termination of employment may be the final step.

Termination will not be effected without prior consultation with Employment sub-committee.

Terminations will be carried out with compassion and with due consideration to the staff member, their colleagues and any other affected parties.

## **Staff Grievance Procedure**

COM Endorsement 13/02/07

### **Introduction**

This policy is designed to deal with general grievances between staff members. For a grievance in relation to;

- Bullying, discrimination or sexual harassment - refer to the Bullying, Discrimination or Sexual Harassment policy in part 2, People Management, in this document
- Client complaints – refer to part 4, Grievance Procedure, in this document
- Members of the organisation – refer to the Grievance and Disputes Procedure in the NTWWC constitution
- A dispute in relation to the NT Working Women’s Centre Inc. Enterprise Agreement – refer to the Dispute Resolution clause in the EA

The NTWWC encourages staff to resolve any issues or concerns that they may have at the earliest opportunity with the Director.

### **Purpose**

The purpose of this document is to provide an avenue through which all staff can resolve work-related complaints as they arise.

### **Policy**

The NTWWC will establish mechanisms to promote fast and efficient resolution of workplace issues.

Open communication and feedback are regarded as essential elements of a satisfying and productive work environment. Staff should feel comfortable with discussing issues with the Director in accordance with the procedures outlined below.

All formal avenues for handling of grievances will be fully documented and the staff member’s wishes will be taken into account in the determination of appropriate steps and actions.

No staff will be intimidated or unfairly treated in any respect if they utilise this policy to resolve an issue.

This policy applies to all staff and is consistent with the Social and Community Services Award.

### **Responsibilities**

It is the responsibility of the Director to ensure that;

- They identify, prevent and address potential problems before they become formal grievances



- They are aware of, and are committed to the principles of communicating and information sharing with all staff
- All decisions relating to employment practices are made with consideration given to the ramifications for the individual, as well as the NTWWC in general
- Any grievance is handled in the most appropriate manner at the earliest opportunity
- All staff are treated fairly and without fear of intimidation

It is the responsibility of all staff to ensure that;

- They attempt to resolve any issues through the Director and through internal processes at the earliest opportunity

### **Procedure**

Directors should be aware of the possible ramifications of their actions when dealing with staff issues. They must ensure that all staff are treated with fairness, equality and respect.

### **Grievances and Dispute Resolution**

A staff member who considers that they have a dispute or grievance should raise the matter with the Director as a first step towards resolution. The two parties should discuss the matter openly and work together to achieve a desired outcome.

The Director should check for clarification of the issue to ensure they fully understand the complainant's concern. Directors should follow the standard procedure of offering the staff member the opportunity to have their union representative, an independent witness or support person at the discussion, ensuring they follow the steps outlined below;

- If more than one person is present, establish the role of each person
- Outline the process that is to be followed
- Inform the parties that any information obtained in the conduct of the review is confidential
- Listen to the complainant and assess the problem
- Take accurate and detailed notes of all conversations (including dates, people involved) and attach any supporting documentation
- If deemed necessary, provide the staff member with a written summary of the meeting and clarification of the next steps to be taken

The Director must ensure that the manner in which the meeting is conducted will be conducive to maintaining positive working relationships, and will provide a fair, objective and independent analysis of the situation.

All parties are to maintain complete confidentiality at all times.

If the matter is not resolved and the staff member wishes to pursue it, the issue should be discussed with the Grievance Officer who is a Committee of Management member.

If the grievance/dispute is one of a confidential or serious nature involving the Director the complainant may discuss the issue directly with the Grievance Officer at any time. A complainant may also choose to discuss the issue with any other Committee of Management member if the complainant feels uncomfortable or that it is inappropriate to discuss the issue with the current Grievance Officer.

If the matter is still not resolved a discussion may be held between representative of the NTWWC and a representative of the complainant as the NTWWC continues to be guided by the Award.

If the matter is still not resolved it may be referred to the Australian Industrial Relations Commission for resolution as the NTWWC continues to be guided by the Award.

## **Policies that Support Work Life Balance**

### **Introduction**

COM Endorsement 09/02/10

The NTWWC operates within a flexible workplace culture that highly values work life balance and family friendly policies and practises.

Under the NT Working Women's Centre Inc. Enterprise Agreement, staff entitlements that value work life balance include: Flexible Work Arrangements, Flexible Working Hours, Study leave, Leave Without Pay, Paid Parental Leave, the right to up to 24 months Parental Leave (see Parental Leave), the right to an appropriate space for breastfeeding at work (see Supporting Breastfeeding), Antenatal Leave, Job Share Arrangements (see Flexible Work Arrangements), additional Annual Leave and Grace Leave, additional Bereavement Leave, Long Service Leave, International Women's Day Leave (see Public Holidays and International Women's Day), special arrangements in relation to staff increments whilst on unpaid leave (see Staff Increments Whilst on Leave), additional Cultural Leave and special leave for employees experiencing or caring for someone experiencing family violence.

The following policies should be read in conjunction with these entitlements, the Fair Work Act, the National Employment Standards and the SCHADS Award.

The policies are organised into flexible working arrangements and flexible leave arrangements.

### **Requests for Flexible Working Arrangements**

COM Endorsement 17/06/13

This policy must be read in conjunction with the National Employment Standard entitled 'Requests for flexible working arrangements' and the NTWWC Enterprise Agreement clause 9.

An employee has the right to flexible work arrangements, to assist them to meet their personal needs and/or family responsibilities. Such arrangements may include one or a combination of part-time work, non-standard start and finish times, job-sharing, and working from home. The Centre will make all efforts to accommodate such requests.

The NTWWC can only refuse such requests on reasonable business grounds.

A request for flexible working arrangements must be made in writing to the Director and set out details of the change sought and reasons for the change.

The Director must give the employee a written response to the request within 21 days stating whether they grant or refuse the request. If the request is refused, the written response must include the reasons for the refusal.

If an employee wishes to challenge a refusal of a request for flexible working arrangements they should follow clause 7, Dispute Resolution, of the NTWWC Enterprise Agreement.

If the employee is requesting a change in hours from their permanent position, and this request is accepted, they maintain their claim on their permanent position for 2 years from the date of change. This means that a change to hours may be a temporary measure for up to 2 years after it is requested and accepted. If the employee wishes to reclaim her full permanent hours at any time within this period she is entitled to. After 2 years, if the employee does not wish to reclaim her full permanently contracted hours, her claim on these hours lapses, and the employer and employee will agree on a permanent variation to her contract.

### **Flexible Hours**

COM Endorsement 17/06/13

Further requirements in relation to flexible working hours can be found in;

- The NT Working Women's Centre Inc. Enterprise Agreement at clause 11, Flexible Working Hours.

Flexible working hours is a system that allows staff to set a pattern of attendance at work subject to the conditions outlined in this policy.

Flexible working hours is not the same as Time Off in Lieu Policy, as it is about varying start and finish times whilst maintaining the staff member's usual weekly hours overall.

Flexible working hours allows staff to start and finish work at times of their own choosing between 7am-7pm Monday – Friday, subject to the availability of work and the approval (which may be general or specific) of the Director.

Staff is expected to be working between the core hours of 10-12am and 2-4pm Monday - Friday unless prior arrangements have been approved by the Director.

Staff is required to record their actual start and finish times, and the times of their meal breaks in the format approved by the Director.

Flexible working hours apply to all staff. However flexible working hours shall not be used to vary a permanent part-time staff member's hours without the mutual agreement of the Director and the staff member.

The Director is responsible for ensuring that operating efficiency and cost neutrality are maintained when staff work flexible working hours.

The Director may also determine staff attendance outside the hours of a standard day, but between 7am –7pm Monday to Friday, subject to the availability of work. This means that staff shall not build up credit hours when there is insufficient work to perform outside the standard hours, whether that happens on a daily or weekly basis.

The Director, when necessary, may direct staff to revert to standard hours for a period or temporarily vary an existing flexible working hours arrangement.

Where it has become necessary for such measures to be implemented, management and staff should attempt to reach agreement on both hours to be worked by staff and the length of time the arrangement should continue.

The Director may, where it is reasonable to do so because a staff member has failed to comply with the flexible working hours provisions, remove that staff member from working flexible working hours for a specified period and that staff member will revert to the nominated standard hours.

Where reversion is being considered, staff will be informed and given the opportunity to contact a support person in sufficient time to enable the representative to assess the proposal prior to its implementation.

## **Work From Home**

COM Endorsement March 2012

### **Purpose**

The purpose of this policy is to outline the NTWWC's Working from Home policy and the assessment process required by the Director to determine whether a staff member may work from home.

### **Policy Statement**

The NTWWC supports family friendly workplaces and flexible work practices to assist staff to balance their work and family lives. Working from home is one initiative that provides flexible working arrangements.

### **Principles**

- The opportunity to work from home is not an entitlement or a right
- Approval is considered on a case-by-case basis
- The terms and conditions of employment between the NTWWC and employee that apply at the employee's place of work also apply at the home based work site
- The opportunity to work from home can only occur by formal agreement between the Director(s) and the staff member. This agreement can be for a short period of time or be on a more formal ongoing basis depending on the need and duration
- One off or occasional work from home for a few hours does not require a formal application, although approval must still be obtained from the Director prior to any work being performed from a home based site
- An employee cannot be directed to work from home unless they agree to do so
- The NTWWC is under no obligation to approve a request from an employee to enter into a working from home arrangement
- Working from home arrangements will be applied equally and fairly for all eligible staff
- An employee who has a home-based work arrangement must have the same career development opportunities as all other employees and they must attend nominated training

### **Application Process**

The employee will submit a written expression of interest a Home-Based Work arrangement, outlining the change sought and the reasons why. The Director will assess the request considering issues as stated in section **Assessment**. The Director will respond to the request in writing within 21 days of the request being made, stating whether the request is granted or refused. A simple refusal will not be a sufficient response. A refusal must be based on reasonable business grounds and the assessment criteria detailed below.

### **Assessment**

The Director, when asked to approve a working from home request will consider issues such as:

- Reasonable business grounds, including the effect on the NTWWC of approving the request, the financial impact of doing so and the impact on efficiency, productivity and client service

- The practicality or otherwise of the arrangements that may need to be put in place to accommodate the request
- The type of work and the amount of work
- Can the work be completed efficiently?
- Can the work be completed without direct supervision?
- Will there be an adverse effect on the provision of customer service?
- Is the arrangement a substitute for dependent care or sick leave?
- Is the proposed work area and equipment adequate in relation to the office's OH&S obligation and standards?
- Are there adequate processes and arrangements to ensure that work is accessed and saved appropriately (paper, electronic etc.)? What arrangements are required to access the network? Is there a security risk?
- Are proposed communication mechanisms for maintaining regular contact adequate?
- Arrangements will not be approved if there are any significant occupational health and safety risks, security risks, or costs to NTWWC

The following type of work may be considered inappropriate for home-based work:

- Being part of a team and require regular face to face contact on a daily basis with other team members
- Direct client face to face contact on a frequent basis without the option of rescheduling
- Work that requires a high degree of supervision
- Other characteristics which the Director considers unsuitable for Home-Based Work

### **Approval**

If approved, a home based work site agreement will be negotiated, agreed upon and drafted outlining:

- The amount of time spent weekly working from home (rarely should it be a full time working from home arrangement)
- The duties to be performed while working from home should be clearly detailed and formalised in the Agreement prior to commencing the work arrangement. (Whether this be an email to Director stating the tasks to be achieved on that particular day, or tasks over a number of months)
- Measurement of output and supervision shall be agreed upon
- Good communication is an essential part of any successful Home-Based Work arrangement. It is important for an employee and the supervisor to meet at regular intervals (fortnightly unless alternative arrangements are agreed between both parties)
- An agreement will generally be for a maximum of 6 months in the first place, after which time it will be reviewed. The review date is to be determined at the outset and indicated in the agreement

### **Termination of Agreement**

The Agreement may be terminated by either party prior to expiry, provided that the party wishing to terminate gives reasonable notice.

The Home-Based Work arrangement may be altered or discontinued at the request of the NTWWC or an employee.

It is agreed that reasonable notice shall be two weeks, except where particular circumstances require a shorter or longer period

The Agreement may be terminated by the NTWWC due to:

- Operational requirements with reasonable notice
- Grounds of inefficiency of the arrangements
- Failure to comply with Occupational Safety and Health or security arrangements

- Any other grounds deemed appropriate by the Director

Where an Agreement is terminated the employee will be provided with written reasons at the time the notice is given.

### **Grievances**

Any grievances arising under this policy should be resolved through the NTWWC Grievance Procedures.

### **Occupational Health and Safety**

The NTWWC must ensure that the work site conforms to acceptable Occupational Health and Safety standards, and the staff member working from home is aware of the need to maintain a safe working environment.

Having signed the Agreement a staff member will be covered by the OH&S policy of the NTWWC if they are injured while performing NTWWC work in the designated work area of the Home-Based Site. An employer working from home is eligible for workers compensation and rehabilitation just like any other employee.

It is the responsibility of the employee to report pre-existing injuries at the time of submitting a home-based work application. Any incidents/hazards such as onset of symptoms should be reported to the supervisor immediately.

The employee must undertake a risk assessment of the area to be used for working from home using the 'Home-Based Work Occupational Health & Safety Checklist'. The employee must also ensure that any personal equipment used meets the relevant minimum workplace health and safety requirements (eg. the workstation used should be ergonomically correct, electrical equipment inspected, tested and tagged as required, etc.)

### **Equipment**

The NTWWC must ensure:

- Agreement of ownership of furniture and equipment
- Agreement of maintenance of furniture and equipment

Prior to an employee being granted approval to commence Home-Based Work, the NTWWC and the employee should identify the equipment required by the employee in order to undertake their work duties at the Home-Based site. The list should include items such as telephone, mobile telephone, computing equipment and stationery. This list must specify who owns each item. Whoever owns an item is responsible for its maintenance and insurance. The final agreed list that is negotiated between the Director and employee must be attached to the Agreement (SCHEDULE – Agreed Arrangements). If the NTWWC agrees to pay for the cost of supplying a utility the staff member must agree to use that utility solely for NTWWC purposes. The staff member is required to acknowledge receipt of equipment and resources supplied by the NTWWC.

### **Insurance**

The NTWWC shall maintain an insurance policy in respect of NTWWC owned equipment used to carry out work for the NTWWC at the Home-Based Site with the staff member taking all reasonable steps to ensure security of the equipment.

The staff member must have current household insurance and agree to inform their household insurer of the Home-Based Work arrangement and provide the name of their insurer to the NTWWC. The NTWWC is not responsible for any liability claim by a third party except to the extent caused by the negligent act error or omission of the NTWWC.

### **Hours of Work**

A record of hours at the home-based work site must be maintained by the staff member in an agreed format and will be monitored at the Director's discretion.

### **Security**

Appropriate security must be obtained for all NTWWC information stored on a computer (including back up information) and secure storage provided for any confidential documentation (for example a lockable filing cabinet).

It is the employee's responsibility to assess the personal implications of commencing Home-Based Work with respect to taxation, insurance, leasing or mortgage arrangements.

### **Work from Home Agreement**

A copy of the Work from Home Agreement can be found at Appendix D of this policy manual.

### **Children in the Workplace**

COM Endorsement 10/02/09

#### **Introduction**

The NT Working Women's Centre seeks to model a family friendly workplace, in both policy and practice. The Working Women's Centre is committed to promoting a culture which is supportive of the needs and career aspirations of staff with family responsibilities, and to ensure that staff are not disadvantaged by these responsibilities.

This policy supports this commitment and also recognises the Centre's duty of care as a responsible employer. The policy seeks to strike a balance between the needs of parents/guardians, the needs of other staff, the needs of the organization and the safety of children in the workplace.

#### **Process**

Parents/guardians may need to bring their children in to the workplace for several reasons; when their child is sick, for breastfeeding, when alternative care is not available, for social visits, or for other logistical reasons.

Requests to bring children to the workplace on a one off basis should be directed verbally to the Director. Requests for more regular visits should be made formally to the Director.

All requests shall be treated with flexibility and sensitivity, and no reasonable request refused. In making a decision, the Director should consider the following factors:

- the age of the child
- the length of time involved
- the frequency of attendance
- the needs of the staff member
- any environment, health and safety issues
- office availability
- and the degree of impact on other staff and clients

It must be ensured that the presence of children in the Centre does not disrupt the normal business of the Centre. Parents/guardians should be aware of any other activities that may be occurring at the time and be sensitive to the needs of colleagues and clients, and should not expect others to care for their children.

Staff who wish to bring their children to work on a regular basis will only be able to do so when an office that is not shared by other staff is available, unless otherwise agreed to by the Director.

If a staff member wishes to appeal a decision of the Director on this matter, they should follow the Centre's grievance procedures.

### **Safety**

Parents/guardians must be aware that the ultimate responsibility for the safety of their children rests with them. Children brought into the workplace must be under the direct supervision of an accompanying parent/guardian at all times, and should not expect other staff to look after their children. Responsibility for all aspects of the child's behaviour rests solely with the parent/guardian.

Parents/guardians should avoid exposing other staff and clients to infectious diseases at all times. Where a child is sick with an infectious disease, parents/guardians should utilise the various forms of leave available, or the provision of flexible working hours, or time in lieu, in order to avoid bring their children to work.

### **Keeping in Touch with Family Whilst at Work**

COM Endorsement 13/11/07

The NTWWC appreciates that in order to assist staff balance their personal and working lives it is sometimes necessary for staff to make personal calls from work.

Whilst staff are encouraged to keep such calls to a minimum they will not be prevented from making calls where necessary.

Staff are required to reimburse the NTWWC for any personal STD and mobile calls made that are in excess of \$2.00.

## **Flexible Leave Arrangements**

### **Pregnancy at Work and Parental/Adoption Leave Policy**

COM Endorsement 17/06/15

#### **Introduction**

The NTWWC aims to provide its employees with a range of flexible options that enable them to better balance their work and family commitments. The NTWWC Parental Leave policy aims to ensure that there are clear expectations for both employees and the Centre before, during, and after a staff member wishes to take parental leave. The policy aims to respect, balance and accommodate both the needs of the workplace and the needs of women on parental leave.

This policy should be read in conjunction with the Fair Work Act provisions, the NTWWC EA and the SCHADS Award.

- The NTWWC EA currently provides for: 24 months unpaid parental leave (including adoption leave);
- including 14 weeks paid parental leave (including adoption leave) (which may be taken at half pay for 28 weeks). These conditions apply pro rata to part-time staff.
- 2 weeks paid partner leave
- there shall be no minimum period of parental leave.
- 4 days paid Antenatal leave



- Employer funded Superannuation on government paid parental leave

## **Definitions**

**EDD** – Expected date of delivery of the child or expected adoption date

**Eligible Employee** - Any full time or part time permanent staff member, or eligible casual, who has completed 12 months of continuous service at the Working Women's Centre NT before the expected date of her birth / adoption.

**Eligible casual** – has the meaning given by the WRA

**Partner** - means a spouse, or de facto spouse, including a former spouse or defacto spouse, of the same or opposite sex who the person lives with on a domestic basis

**Service** - Absence due to unpaid parental leave will not break continuity of service; however annual leave, sick leave and long service leave will not accrue over this time.

**FWA** – Fair Work Act

## **Entitlements**

### **Paid Parental Leave**

All eligible NTWWC employees are entitled to 14 weeks paid parental leave, or 28 weeks at half pay, pro rata for part-time staff (EA Clause 24).

If at the time of the pregnancy ending through miscarriage or stillbirth, the employee had commenced her parental leave, her entitlement to parental leave, including paid parental leave is not affected by the end of the pregnancy.

The NTWWC shall continue to pay superannuation to the superannuation fund of the employee whilst she is on paid parental leave.

Employees on NTWWC paid parental leave are also entitled to paid public holidays and Grace Leave.

### **Unpaid Parental leave**

All eligible NTWWC employees are entitled to a single unbroken period not exceeding 24 months of unpaid leave at the time of the birth of or adoption of a child. Any authorized annual leave, long service leave or paid maternity/adoption leave taken within this time, shall be subtracted from the available 24 months. (EA Clause 24)

Employees on unpaid parental leave are not entitled to paid public holidays and Grace Leave.

### **Partner's Parental Leave**

Employees who are eligible for Parental Leave under the Award, but who are not the primary caregiver of the child, may take 2 weeks paid partner leave on the occasion of their partner giving birth to a child, or upon their adoption of a child. This leave is to be commenced within the week of the birth or adoption. (EA Clause 24.3). The FWA entitles an employee whose partner gives birth to a child to 3 weeks unpaid leave at the time of the birth or adoption of their child.

### **Adoption leave pre placement**

Two days unpaid pre placement leave is available to staff to attend interviews or appointments directly related to the approved adoption.

### **Antenatal Leave**

COM Endorsement 13/11/07

Employees, other than casual employees, are entitled to up to 4 days paid leave for the purposes of attending to antenatal needs such as ultrasounds, medical appointments and prenatal care. This leave may be taken in periods of 1 hour or greater. (EA Clause 21a). In addition, sick leave may be taken to attend antenatal and related appointments.

### **Special Maternity Leave**

COM Endorsement 13/11/07

An eligible employee can take unpaid leave due to a pregnancy-related illness. The period of leave will be that recommended in the employee's medical certificate. An employee suffering a pregnancy related illness may also take paid sick leave to which she is entitled.

An eligible employee may also take special maternity leave if she has been pregnant, and the pregnancy has ended within 28 weeks before the EDD otherwise than by the birth of a living child. The period of leave will be that recommended in the employee's medical certificate.

### **Working During Pregnancy**

COM Endorsement 13/11/07

#### **Transfer to a Safe Job**

Where an employee cannot continue in her present position due to risks from the position or illness or risks from her pregnancy and has a medical certificate verifying this, the NTWWC will transfer her to a safe job at the same rate and conditions for the period in the medical certificate. If a transfer is not practicable the NTWWC must provide paid leave for the period stated in the medical certificate. This leave is in addition to any other leave entitlement the employee has.

Alternatively, the employee and employer may negotiate reduced hours or varied duties if risks or hazards are arising due to the pregnancy.

### **Returning to Work After Parental Leave**

COM Endorsement 17/06/15

This policy should be read in conjunction with the National Employment Standard entitled 'Requests for flexible working arrangements'.

A woman on parental leave is entitled to return to the position held immediately prior to commencing leave. If she was working part-time due to her pregnancy, she is entitled to return to the position she held immediately before working part-time. If she was promoted or voluntarily transferred to a new position during the parental leave, she is entitled to return to this position. Where the position no longer exists, a position of comparable status and with similar remuneration is to be made available. Redundancy will be offered if there is no position available upon the employee's return due to funding changes or restructure.

The NTWWC supports the right of a woman to return to work in a part-time capacity and/or other flexible working arrangement after the completion of parental leave, and will make all efforts to accommodate such requests. These arrangements might include one or a combination of:

- part time work
- non standard start or finish times
- working from home
- job sharing
- a phased in return to work whereby the employee undertakes shorter days / weeks than their position previously dictated for an agreed period of time.

The employer will only be allowed to refuse the request on reasonable business grounds.

These requests are to be negotiated with the Director at least 6 weeks before their return date, and finalised by 4 weeks before their return date (NTWWC prefers this to be as early as possible). Any arrangements made must have a start and finish date and a review period.

If the employee is requesting a change in hours from their permanent position, and this request is accepted, they maintain their claim on their permanent position for 2 years from the date the employee commenced working in their changed hours after maternity leave. This means that a change to hours may be a temporary measure for up to 2 years after the employee returns from parental leave. If the employee wishes to reclaim her full permanent hours at any time within this period she is entitled to.

If the employee is working in changed hours for a period of less than 2 years before commencing a second period of maternity leave, then the employee has the right to claim back their permanent position for a period of 2 years from the date the employee commenced working in their changed hours *after the most recent period* of maternity leave.

After 2 years, if the employee does not wish to reclaim her full permanently contracted hours, her claim on these hours lapses, and the employer and employee will agree on a permanent variation to her contract.

### **Supporting Breast Feeding**

COM Endorsement 19/12/16

NTWWC as an accredited Breastfeeding Friendly Workplace supports the guidelines recommended by Breastfeeding Australia in relation to supporting breastfeeding, which are to provide space, time and support to breastfeed.

The Centre is committed to promoting a positive attitude towards breastfeeding in the workplace and acknowledges that the workplace should be sufficiently flexible to permit mothers to attend to the needs of their children.

Employees who are nursing mothers will be granted reasonable breaks for breastfeeding or expressing without the loss of pay. This may include but are not limited to; flexible working hours, flexibility of breaks and/or lactation breaks as required for expressing or breastfeeding.

An employee will be provided with access to an appropriate space for the purposes of breastfeeding or expressing.

Moreover, as a breastfeeding friendly workplace, NTWWC will extend their positive attitude to clients

and we will positively support clients who are breastfeeding when they come to use our services.

### Keeping in Touch Provisions

COM Endorsement 09/02/2010

While there is no obligation on an employee to 'keep in touch', an employee is entitled to continue participation with the workplace while on parental leave, to the level she desires. This may include:

- included in emailed out staff meeting minutes
- invitations to all work related social functions
- invitations to work events
- regular updates on work issues
- etc

Before the commencement of parental leave there will be a clear understanding of the level of participation that the employee wishes to maintain with the organisation whilst on leave.

Under the Fair Work Act, the Centre is obliged to consult with an employee on parental leave about any decision that will have a significant effect on the status, pay or location of the employee's pre-parental leave position; and must take all reasonable steps to give the employee information about, and an opportunity to discuss, the effect of the decision on that position.

### Grievances

COM Endorsement 13/11/07

Any grievances arising under this policy should be resolved through the NTWWC Grievance Procedures.

### Timeline for Parental Leave

COM Endorsement 16/07/15

This timeline aims to provide clear information for the employer and employee about obligations and rights. The NTWWC acknowledges that an effective parental leave policy must allow for the diversity of experience and individual preference of its employees, and so it is the responsibility of both the employee and Directors to ensure that specific conditions outlined below are negotiated and clearly documented at relevant times. A proforma will be filled out for each employee and a copy will be kept by both Director and employee.

<b>Before leave commences</b>	At any time during the pregnancy	An employee can request a transfer to part-time work, or reduced or varied duties if there are OH&S issues resulting from the pregnancy (see Working During Pregnancy section)
	At least 10 weeks before starting leave	Employee submits written request for parental leave to COM via Director, and specifies start and end dates of leave.. Director provides employee with copy of Work Life Balance policy including copy of Timeline Proforma.

	Anytime within 6 weeks of EDD*	Pregnant employee can commence parental leave (unless otherwise agreed by employer and employee). An employee is entitled to work up until their EDD, however employer can request a medical certificate to state employee is fit to work.
	4 weeks before starting leave	Employee confirms start and end dates of leave It is helpful to also indicate whether the employee wishes to return to work in a full-time, part-time or other flexible capacity.
	4 weeks before leave commences, weekly	The employee and Director will check in with each other weekly, by email, phone or face to face, in an informal way, to discuss any issues re leave arrangements, safety at work, and general well-being of employee.
	1 week before leave	The employee and Director will meet to discuss what level of “keep in touch” contact the employee desires.
<b>During leave</b>		There is no minimum period of parental leave (EBA Clause 24)
	Anytime during leave	Employee entitled to resign, giving relevant amount of notice
	Any time during leave, at least 4 weeks before return date*	May extend leave (up to a total of 24 months) by giving at least 4 weeks written notice* (however NTWWC prefers a greater period of notice)
	During leave	May apply to shorten period of leave (NTWWC may approve if the needs of the organization and employee coincide)
	At least 6 weeks before return date	In order to accommodate requests for flexible return to work, employee and Director check in to discuss return to work plans and requests for flexible work arrangements.
<b>Return to work</b>	Week of return to work	Employee meets with Director for welcome back, re-orientation to any changes whilst on leave to workplace/job etc. Employee given access to all relevant policies (e.g. work life balance, breastfeeding)

\* these timelines are all proscribed by the Fair Work Act

A copy of the Proforma timeline for Parental Leave can be found at Appendix B.

### Leave Without Pay

COM Endorsement

### Purpose

The purpose of this policy is to direct employees, Directors and COM in the assessment or submission of applications for Leave without Pay (LWOP).

### **Policy Statement**

The Northern Territory Working Women's Centre (NTWWC) supports the appropriate use of LWOP as a flexible workplace arrangement for employees who require a period of leave that allows for their return to work at the same level.

### **Process**

1. LWOP may be provided for up to 12 months
2. LWOP of 1 month or less shall count towards the period of employment required for long service leave, and long service leave shall also accrue during this month. LWOP of 1 month or less shall count towards the employee's annual increment and the employee's qualification period for entitlement to parental leave
3. The employee must make the request in writing to the Director. The request must outline the dates sought and reason for LWOP, as well as details of any potential leave credits and any proposed utilisation prior to LWOP
4. Unless exceptional circumstances exist, the application is to be made no less than 1 month prior to the intended commencement of such leave
5. The Director will respond to this request in writing within 7 days
6. If the leave is not approved an appeal can be made in writing to the COM. An extraordinary meeting of the COM will be called to consider the appeal if an ordinary meeting of the COM is not scheduled to occur within 14 days of the application being rejected by the Director. The COM will provide a decision in writing on the date of this meeting. The decision of the Committee of Management is final
7. Employees must provide 4 weeks notice of intention not to return (i.e.: resignation from position) or to request an extension
8. If an extension is not sought employees will resume employment with NTWWC on the next workday after their final day of approved leave
9. The Director of NTWWC must address their own application for Leave Without Pay to the Chairperson of the COM and it will be considered as above
10. Any annual leave credits must be exhausted before LWOP can be granted. When submitting a LWOP request details of any potential leave credits and any proposed utilisation prior to LWOP should be provided when the application is submitted

### **Criteria for the Assessment of Applications**

The following should be considered when assessing LWOP applications:

- The merit of the request. Some, but not all, instances of sufficient merit may include:
  - The temporary posting or interstate transfer of an employee's partner
  - To provide care for a family member
  - An employee's inability to return to duty for a specified period because of natural disaster, industrial, civil or military unrest
  - Voluntary or paid work with a recognised Aid Agency
  - Secondment arrangements with other employer
- The employee's length of service
- The duration of the leave
- Any previous periods of LWOP which have been utilised by the applicant
- Due regard to requests on compassionate grounds, such as a family illness should be given
- The impact on the work unit i.e. colleagues, clients, resources and the work unit budget
- The operational requirements of the Centre.

- The family friendly policies of the Centre.
- The need to rearrange work or make recruitment arrangements in the absence of the employee taking leave

### **Staff Increments Whilst on Leave**

COM Endorsement 19/12/16

This policy is a clause of the NTWWC EA copied and pasted directly into this policy document.

If an increment falls due while a staff member is on paid leave (such as paid parental leave, annual leave, long service leave etc), the increment will be paid as normal.

If an increment falls due while a staff member is on approved unpaid leave for a period of 1 month or less (such as leave without pay, unpaid parental leave etc), the increment will be paid as normal.

If an increment falls due while a staff member is on approved unpaid leave (such as leave without pay, unpaid parental leave etc), for a period of more than 1 month, the increment will be delayed by the period of leave. For example, if the staff member is on 12 months unpaid leave from 1<sup>st</sup> January to 31<sup>st</sup> Dec 2008, and their increment falls due on 1<sup>st</sup> April 2008, their increment will be delayed by 12 months and will be due on 1<sup>st</sup> April 2009.

However, if the staff member does some paid work during the period of unpaid leave, the policy will be reviewed in relation to that staff member. A decision will be made by the Director, on a case by case basis, as to when the increment will fall due. This will depend upon the amount of, frequency of and regularity of work the staff member is doing whilst on leave.

In addition to the above Enterprise Agreement entitlement, and for the purposes of clarification, the government provided paid parental leave scheme does not count as service towards an incremental advance.

### **Higher Duties Policy**

COM Endorsement 19/12/16

All employees who are called upon to perform the duties of another employee in a higher classification under the NTWWC Enterprise Agreement shall be paid for the period for which duties are assumed at a rate not less than the lowest increment level of the classification of the employee who is being relieved.

### **Study Leave**

COM Endorsement 17/06/13

Further requirements in relation to study leave can be found in;

- The NT Working Women's Centre Inc. Enterprise Agreement at clause 26, Study Leave

Staff wishing to apply for Study Leave shall make a written application to the Director or, if the applicant is the Director, to the Committee of Management. The written application shall provide the following information;

- The scope, content and level of the course
- How the course will enhance the skills of the applicant

- How enhanced skills of the applicant will contribute to the achievement of the objectives of the NTWWC

The staff member will be informed of the acceptance or rejection of the application for Study Leave in writing within 10 working days of the application being received.

## Time in Lieu

COM Endorsement 20/05/13

Further requirements in relation to time in lieu can be found in;

- The NT Working Women's Centre Inc. Enterprise Agreement at clause 10, Hours of Work
- The SCHADS Award at clause 27, Overtime

### Background

From time to time employees may be required to work additional hours to their normal contractually agreed weekly hours, in order to meet the needs of the Centre. Time off in lieu of paid overtime (TIL) will be available to employees in this situation. This arrangement is designed to ensure that an employee is not working excessive hours and to ensure work/life balance.

Time off in lieu is not the same as flexible working hours, which is about varying start and finish times whilst maintaining the staff member's usual weekly hours overall. Policy on this is found at 2.10.3 and in the Enterprise Agreement at Clause 11.

### Process

- Staff do not need to seek permission to work additional hours, as long as the work is essential
- This means that staff shall not build up credit hours where there is insufficient work to perform outside the standard hours
- The staff member will record additional hours worked on their timesheet
- TIL is accrued at 1 hour worked to 1 hour TIL
- At the end of each pay period (i.e. each fortnight) each staff member will submit a completed 'Timesheet' to the Director who will check and endorse the record of hours worked and credit time owed
- The Director will be responsible for monitoring the accrual and taking of TIL on a fortnightly basis through timesheets. The maximum amount of accumulated TIL owing at the end of a pay period is not to exceed 38 hours. This cap may be negotiated with the Director in exceptional circumstances. Relevant issues include whether the staff member has a plan for taking the TIL
- Time in lieu may be used for a full day absence or part day absence during a pay period
- Staff who wish to take time in lieu for a number of hours that is less than a full normal working day are required to inform the Director as soon as practicable
- Staff who wish to take a full day (or more) of TIL may apply for and receive approval to take time in lieu in the same way as other leave by filling out a written leave form
- Staff may go into debit of up to 8 hours for TIL with the express permission of the Director, as long as there is a plan to accrue these hours in the near future
- With the exception below, overtime will not be paid out, and can only be taken as TIL
- Where an employee is unable to take the TIL in the near future, application can be made to the Director to have the overtime paid out on an hour for hour basis based on the rates of pay applying at



the time payment is made. A Director would make an application for their own TIL balance to be paid out to the Committee of Management

- A staff member's TIL balance will be paid out upon termination

## **Applying for Leave**

COM Endorsement 17/06/13

Staff wishing to apply for leave should do so by completing the form, 'Application for Leave' located on the K drive.

The Director is authorised to approve a staff member going into up to 8 hours debit in personal or annual leave, if all other paid leave is exhausted.

## **Taking Leave During School Holidays**

COM endorsement 16/03/15

The NTWWC is a flexible workplace that employs many part time staff and staff with various caring responsibilities. The NTWWC is aware that there is very high demand on leave during school holiday periods. The NTWWC also acknowledges that many workers have a need to spend time with their family at times that coincide with school holidays, not just staff who are the primary carers of school aged children.

This policy is intended to ensure that the application and approval process for leave during school holiday periods is equitable.

### **Process of Application**

The standard leave application process is required for leave during school holidays. This process is outlined in the Staff Handbook.

### **The Approval of Leave**

The Director will consider the following factors upon receipt of a written application for leave:

- The operational requirements of the Centre
- How much leave has the staff member accrued and taken? How much leave taken has been during school holidays?
- The timeliness of the leave application. Leave will not be approved on the basis of first in first served however applications for leave submitted at short notice may not be approved due to the operational needs of the Centre
- Staff will be informed in writing if their leave application has been approved or not

### **General considerations**

The Director will keep an accurate of record of leave taken during school holidays to ensure that it is shared equitably.

Staff who book flights prior to their leave being approved do so with the knowledge that their leave request may not be approved.

## **Community/Jury Service Leave**

COM Endorsement 09/02/10

This policy must be read in conjunction with the National Employment Standard entitled 'Community service leave' and the NTWWC Enterprise Agreement clause 29, Jury Service.

NTWWC employees are entitled to certain forms of Community Service Leave. This enables employees to engage in prescribed community service activities such as an emergency management activity and jury service.

An emergency management activity may include engaging in an activity that involves dealing with an emergency or natural disaster. The activity must be engaged in on a voluntary basis. The employee must be a member of, or have a member like association with a recognised emergency management body.

There is no set limit on the amount of Community Service Leave.

Community Service Leave taken for the specific purposes of Jury Service is paid as per the NTWWC Enterprise Agreement clause 29, Jury Service.

All other forms of Community Service Leave are unpaid.

An employee who wants an absence from employment to be covered by Community Service Leave must give the NTWWC notice of the absence as soon as practicable and the period or expected period of absence.

The NTWWC may require an employee, who has given notice of taking Community Service Leave, to provide evidence that would satisfy a reasonable person that the employee is entitled to take the leave.

## **Travel Allowance Rates**

COM Endorsement 17/06/13

This policy should be read in conjunction with clause 16, Travel Allowance, of the NTWWC Enterprise Agreement.

An allowance in respect of meals and incidental expenses will be payable to a staff member who undertakes travel on official NTWWC business and is required to be absent overnight.

Accommodation will be paid for directly by the Centre.

Receipts are not required for travel allowance.

A staff member who is required to be absent overnight from the employee's usual place of work on official NTWWC business, will be paid;

- The appropriate rate of allowance as specified in the Australian Public Service rates prior to undertaking the travel, where practicable; or
- Where the NTWWC is satisfied that the allowance is insufficient for or in excess of expenses, an alternative amount equal to reasonable expenses incurred.

A staff member who is required to be absent from the staff members usual place of work on official NTWWC business for a period of not less than 10 hours but is not absent overnight, may be paid the part day travelling allowance as specified in Australian Public Service rates.

A copy of the Australian Public Service Award Travel Allowance clause, which includes the allowance rates, will be kept in the EA / Award folder.

When staff are required to perform duties at a location other than their normal workplace travelling time counts towards normal weekly hours.

## **Salary Sacrifice**

COM Endorsement 10/06/15

The objectives of salary sacrificing are to enable the NTWWC to attract and retain well-motivated staff of a high calibre who will be of significant value to the NTWWC in the most cost effective manner.

The NTWWC offers salary sacrificing by utilising its fringe benefit tax exemption status as the Centre is considered to be a Public Benevolent Institution by the Australian Taxation Office.

Salary sacrificing will be available to all staff other than those who are casual or employed on a contract of 3 months or less.

The maximum proportion of salary to be sacrificed will be equivalent to \$16,049 or a grossed up amount of \$30,000 or the current amount as provided in the applicable commonwealth legislation.

Superannuation is to be paid on the salary sacrificed component of an employee's wages as well as the taxable component of the wages.

Staff may choose up to 3 benefits from the Schedule of Benefit Items, to which the proportion of salary to be sacrificed will be paid, up to an amount not exceeding their entitlement. This choice may be altered once a quarter or in special circumstances. Periodic payment details must be provided at the commencement of the salary sacrificing operation.

An employee may package that portion of their termination pay that relates to unused annual leave and unused long service leave.

### **Procedure**

The following is the Schedule of Benefit Items from which staff may choose up to 3 items;

Credit card debt, periodical payments, mortgage payments (owner occupied residence), rent, health insurance, private school fees, HECS and Post graduate study fees, holiday travel (fares, meals and accommodation), computer hardware and software, committee of management rates, insurance, utilities (electricity, gas, water, sewerage), motor vehicle costs (registration, insurance, service, vehicle loan or lease, repayments), childcare fees or expenses, school fees, telephone, professional organisation magazine subscriptions, sporting equipment and sporting club membership fees.

The Schedule of Benefit Items may be amended from time to time, subject to advice from the Australian Taxation Office.

The salary sacrifice component will be paid on behalf of the staff member each fortnight to the amount of the accrued benefit entitlement. A computerised accounting printout may be obtained at any time itemising the benefits paid.

In addition to the \$30,000 grossed up limit, staff may salary package up to 1 portable electronic device (such as a laptop, mobile phone, ipad, portable GPS or portable printer) in each FBT year. The item must be primarily for work-related use. These items are exempt from Fringe Benefits Tax (FBT). This means you can salary package one of each of these items per FBT year (1 April - 31 March) and pay for it with your pre-tax salary.

The NTWWC must purchase the device and then the staff member purchases it from the NTWWC via salary sacrifice payments.

The Director will advise a staff member of their right to choose a salary sacrifice arrangement.

A staff member who chooses a salary sacrifice arrangement must provide to the Administrative Officer written evidence of a debt owing. The staff member agrees and undertakes to indemnify the NTWWC from any fringe benefits taxation or other liabilities incurred as a result of payments made where a debt is not owed by the staff member.

Leave loading is a taxable component of wages paid to a staff member that will be paid at the applicable rate.

If the law governing the tax treatment of salary and benefit paid by NTWWC is altered by legislation or otherwise, the NTWWC will review the operation of the salary sacrifice arrangement in conjunction with staff. In the event that salary sacrificing is no longer available, the NTWWC will enter into negotiation with staff and the union to minimise any financial impact upon staff.

Any staff who wishes to access CBB to manage their salary sacrifice is entitled to do so. Any fees levied by CBB for this will be paid by the individual staff member.

## **Policy to Provide Support and Protection to Staff Experiencing Domestic or Family Violence**

COM Endorsement 17/06/13

### **General Principle**

The NTWWC believes that domestic violence is unacceptable. The NTWWC recognizes that employees sometimes face situations of violence or abuse in their personal life that may affect them at work. As a workplace the NTWWC is committed to supporting our staff to disclose their situation, help them stay safe at work and maintain them in their jobs. NTWWC is committed to providing a workplace in which domestic and family violence is not tolerated or excused. This policy outlines how this will occur.

### **Definition of domestic and family violence**

NTWWC accepts the definition as stipulated in the Northern Territory *Domestic and Family Violence Act 2009*.

### **Domestic and Family Violence Entitlements**

COM Endorsement 17/06/13

The full range of entitlements is outlined in the NTWWC Enterprise Agreement 2012. This policy should be read in conjunction with Part 5 Family Violence of the Enterprise Agreement.

### **Leave**

- The Enterprise Agreement Part 5 allows up to 20 days paid leave per year of special leave for medical appointments, legal proceedings and other activities related to family violence. This leave is in addition to existing leave entitlements and may be taken as consecutive or single days or as a fraction of a day.
- Applications should be made to the Director and an Application for Leave Form (tick the Special Leave box) should be filled out. The Form will not indicate that the leave is for family violence.
- The Director may request proof of family violence to accompany the application. This could be in the form of an agreed document issued by the police, a court, a doctor, district nurse, Aboriginal Health Worker, maternal and child health care nurse, a family violence support service, counseling service or lawyer.
- If a staff member requires urgent family violence leave and the Director is not in the office the staff member should contact a Director on their mobile phone as per the Contacting Directors when they are not in the office procedure which is in part 2 of the Staff Handbook.
- Directors will maintain the utmost privacy and confidentiality in relation to any applications for family violence leave. Directors shall reassure any staff requesting family violence leave that their privacy and confidentiality will be respected and this procedure shall be explained to them. Any proof of violence documentation will be destroyed after the leave has been approved. Directors shall keep a private record of the number of days of paid family violence leave taken in the Directors office only. No Committee of Management members or staff other than the Directors and the worker who has requested the leave, will have access to this information.
- An employee who supports a person experiencing family violence may take carer's leave to accompany them to things such as court, to hospital, or to mind children.

### **Safety Planning**

COM Endorsement 17/06/13

- The Director will work with the staff member to implement an effective safety plan to assist the employee at work or travelling to and from work.
- Under the Enterprise Agreement Part 5 the Director may approve reasonable requests from the employee experiencing domestic or family violence in order to ensure their safety. These changes may include changes to an employee's hours of work, job re-design or changes to duties, changing the work telephone number or email address or any other appropriate measure.
- The principles and suggestions outlined in the Domestic Violence Workplace Rights and Entitlements Project website [www.dvandwork.unsw.edu.au/](http://www.dvandwork.unsw.edu.au/) and associated booklet will be used as a basis for the safety plan. These measures may include screening email and telephone calls, changing the employee's working hours to ensure they are not working alone, providing front office staff with details of the abuser, and keeping the office door locked.
- Where threats are made to other staff, the Director is bound to act in the interest of OHS and may report the matter to police.

### **Individual support**

COM Endorsement 17/06/13

NTWWC will provide appropriate support and assistance to employees who are targets of domestic and family violence. The Director will discuss with the employee their needs and wishes for referral to specialist services outside of the NTWWC i.e. Dawn House, Alice Springs Women's Shelter, counseling service etc.

### **No adverse action**

COM Endorsement 17/06/13

No staff member will suffer adverse action solely for being a victim of domestic or family violence. NTWWC will not discriminate against a victim of domestic or family violence in hiring, staffing or other terms, conditions or privileges of employment.

### **Mandatory Reporting of Domestic and Family Violence**

COM Endorsement 17/06/13

In some cases, staff of the NTWWC are required by law to mandatorily report serious incidences or threats of family violence to the NT police as per the procedure in part 5 of the Staff Handbook. Any NTWWC staff member (Directors or others), must explain this obligation to a colleague who they believe is likely to make an imminent disclosure of serious family violence. Should this not be explained to a colleague before a disclosure is made, it must be explained after the disclosure is made. Staff should refer to the staff handbook for further details regarding the mandatory reporting of domestic and family violence.

### **Training**

COM Endorsement 17/06/13

It is the responsibility of the Director to ensure that they are equipped with the appropriate knowledge and skills to deal sensitively and effectively with this policy, including at the point of disclosure of a staff member. Directors shall ensure that if they do not have the required skills, that they undertake relevant training.

### 3. Financial Management

#### Financial Management

COM endorsement 13/02/07

The NTWWC is committed to managing all finances in a manner that is efficient, transparent, accountable and professional.

#### Reference to the Constitution

COM endorsement 13/02/07

Rules in relation to the following matters are found in the NTWWC Constitution;

- Financial powers of the Association
- Duties of the Treasurer (including cheque signatories)
- Funds and Accounts
- Distribution of surplus assets on winding up
- Gift fund dissolution

#### Budget Planning and Reporting

COM endorsement 09/02/10

##### Purpose

This policy is designed to set out the process for compiling, monitoring and reviewing the NTWWC's annual budget.

##### Policy

The Committee of Management of NTWWC conducts a budget planning process each year as part of its annual business planning.

NTWWC receives most of its operating funds through the Fair Work Ombudsman and the NT Department of Business.

NTWWC operates under a budget that must be flexible in responding to unforeseen events, including possible reductions in cash flow. The annual operating budget must therefore be regularly monitored and reviewed.

##### Responsibility

The Committee of Management of NTWWC has ultimate responsibility for overseeing the budget of the organisation and for ensuring that the organisation operates within a responsible, sustainable financial framework.

It is the responsibility of the Treasurer to prepare all budgets and review budgets in consultation with the Finance sub-committee.

### **Finance Sub-Committee**

COM Endorsement 13/02/07

The finance sub-committee consists of

- The Treasurer
- At least 1 other Committee of Management member
- The Director

### **Preparation of the Budget**

COM Endorsement 09/02/10

In May each year, the Treasurer in conjunction with the Finance sub-committee starts preparing the budget. The process includes;

- Considering operational costs
- Setting payroll costs
- Estimating income

The initial budget estimates are based on the current expenditure projections to end of year plus EA wage increases and a 10 per cent increase on operating expenses such as power, telephones, etc. Details of how cost increases will be absorbed or lead to increases in service charges (e.g. membership fees) will be provided.

The Treasurer in conjunction with the Finance sub-committee will draft a budget. A detailed report denoting reasons for decisions in relation to the budget should be attached to the draft budget.

The Treasurer will then present the draft budget at the next available Committee of Management meeting, usually in June. Once adopted by the Committee of Management, this becomes the official operating budget for NTWWC for the following financial year, and all Committee of Management members and staff must work within the financial limits stated or implied by this document.

### **Monitoring, Reporting and Reviewing the Budget**

COM Endorsement 13/02/07

The Treasurer is responsible for monitoring the NTWWC's expenditure, reviewing the actual and budgeted expenditures, and reporting on the progress of such expenditure.

The Treasurer is responsible for providing a financial report to each Committee of Management meeting and Executive meeting. The financial reports prepared each month will show the year-to-date expenditure and its variation from the budget estimates, and indicate any increases or decreases in funding. A detailed commentary should be provided to the Committee of Management or Executive meeting detailing reasons for variations and recommendations for corrective action should that be required. The Treasurer will indicate what effect any variations will have on the budget projections and provide this information to the Director and Committee of Management. The Treasurer will also report on any other financial matters that may be related to the financial situation of the NTWWC.

Once adopted by the Committee of Management the amended budget will become the new operating budget for the remainder of that financial year.



To ensure transparent and accountable financial management of the NTWWC the Treasurer is required to meet with staff monthly to discuss financial reports and any other outstanding financial matters.

## **Authority to Sign Cheques**

COM Endorsement 13/02/07

All cheques must contain 2 eligible signatures.

Eligible signatories are;

1. Committee of Management members, or
2. A Director who has been previously nominated and endorsed by the Committee of Management.

When 1 of the signatories is a Director the other shall be a Committee of Management member.

Any two of the above have the authority to sign cheques.

Signatories cannot sign a cheque made payable to themselves.

The Bank requires that these cheque signatories are approved by the Committee of Management and Committee of Management meeting minutes are required by the bank to change cheque signatories.

## **Directors' Authority to Expend Funds**

COM Endorsement 17/06/13

The Director is the only staff member who has been given the authority to expend funds by the Committee of Management.

Staff who wish to make a purchase must first obtain the authority of the Director by completing the Purchase Approval Form. The form must be forwarded to the Director(s) for approval and signature. The Director(s) will then forward the form to the Finance Officer for purchase; or, the Director(s) may proceed and make the purchase themselves.

Staff who seek a decision or action that requires the expenditure of funds such as a request for unscheduled computer assistance from the NTWWC IT support provider must first obtain the authority of the Director.

## **Debit Card Policy**

COM Endorsement 14/02/12

### **Purpose**

The purpose of this policy is to direct employees, Directors and COM regarding the provision and use of a Corporate Debit Card.

### **Policy Statement**

A Corporate Debit Card is a debit card issued to an employee to purchase goods and services for official, approved use. Debit cards are issued to individual employees of the NT Working Women's Centre. Debit cards are not transferable and may not be used by persons other than those named on the card.

As per the Directors' Authority to Expend Funds Policy, authorisation from a Director for any purchase must be obtained prior to purchase and subsequent payment, except in the instance of the Alice Springs staff or Finance Officer purchasing up to \$50 on stationary, postal items, and staff amenities or all staff spending up to \$20 on car parking.

Any staff wishing to make a purchase with the debit card must fill in the Purchase Approval Form first. The form must be forwarded to the Director for approval and signature. The Director will then forward the form to the Finance Officer for purchase; or, the Director may proceed and make the purchase themselves.

Although liability for charges debited to the card attaches to the NTWWC Committee of Management, the cardholder is responsible to abide by the terms and conditions of the provider of the debit card (financial institution). Misuse of the debit card will be the liability of the person who made the inappropriate purchase.

### **Debit Card Usage Guidelines**

Corporate Debit Card purchases can be made via the internet, providing the supplier has a secure site and there is on-line indication that security protection is provided - indicated by the padlock icon at the bottom of the browser.

Payments in person, by internet, email or facsimile are preferable methods as they provide an auditable paper trail.

Payment via telephone is not encouraged unless a receipt can be emailed or faxed through immediately.

The issue and use of a Corporate Debit Card is subject to appropriate management, accountability and control arrangement.

Lost or stolen cards must be reported to the debit card provider (financial institution) immediately and to the Directors and COM as soon as practical.

The major risks related to the use of Corporate Debit Cards include:

- Security of issue and use of Corporate Debit Cards
- Unauthorised or inappropriate use of Corporate Debit Card
- Usage and storage of PIN
- A failure to report lost or stolen Corporate Debit Cards promptly

The Director is authorised by the Committee of Management to approve budgeted purchases up to the amount of \$4,000 (current limit). Purchases above this amount, or purchases that fall outside of the scope of the budget, must be approved by the Committee of Management.

### **Required Documentation**

Staff seeking to make a debit card purchase should attach the Purchase Approval Form to the supporting documentation. Supporting documentation may include:

- Print out from an airline website detailing the name of the airline, dates, times and costs of flights
- Print out from a hotel or motel detailing the name of the hotel or motel, dates, times and costs

A tax invoice is not required for purchases up to and including \$82.50 (including GST).

For purchases greater than \$82.50 but less than \$1,000 (including GST), the Finance Officer or Director completing the transaction must obtain a tax invoice at the time of purchase and include:

- The words 'Tax Invoice' stated prominently

- The GST Inclusive price for the items
- Date of Issue of the Tax Invoice
- Name of Supplier
- ABN of Supplier
- A brief description of each item supplied

Tax invoices for amounts of \$1,000 or more must also (in addition to the above) include:

- Name of the recipient
- Address or ABN of the recipient
- For each description – the quantity of the goods or the extent of the services supplied

### **Debit Card Surcharge**

Suppliers may charge debit card surcharge on goods and services being purchased. Prior to purchasing goods & services the staff member conducting the purchase will need to confirm with the supplier whether or not a surcharge will apply if payment is made by debit card and how much it will be.

It is the responsibility of the staff member to determine value for money and consider the total cost of the purchase. If it is determined that the merchant/supplier is charging a surcharge that is deemed unreasonable, alternative payment or supplier options need to be considered.

### **Assets**

COM Endorsement 13/02/07

In order to facilitate efficient accounting of the NTWWC an asset shall be determined as an item that has a value of \$5,000 or above.

### **List of Valuables**

COM Endorsement 13/02/07

To ensure that all NTWWC's valuable items are appropriately recorded any items that are greater than \$100 but less than \$5,000 in value shall be recorded on a list of valuables.

### **Membership Refund Policy**

COM Endorsement 19/12/16

Membership fees will be refunded in full if members are not satisfied with their NT Working Women's Centre membership.

Members who wish to gain a refund must contact the NT Working Women's Centre within 30 days.

Membership applications that are not approved by the Committee of Management in accordance with the NTWWC constitution will be refunded in full.

### **Fundraising, Sponsor and Partnership Policy**

COM Endorsement 24/4/17

## Purpose

The purpose of this policy is to ensure consistency and transparency in all aspects of fundraising, sponsorship and partnerships in line with the NT Working Womens Centre (NTWWC) mission, purpose, values and strategic direction.

## Rationale

NTWWC needs to conduct fundraising activities in order to generate additional funds to maintain operations of the Centre.

Sponsorship and Partnership relationships are essential to minimising costs and maximising outcomes for the NTWWC and the clients we serve.

## **Sponsorships and partnerships**

Sponsorships and partnerships will be entered into with third party providers to provide the NTWWC with a range of services, cash or goods where a definite need has been identified.

NTWWC may approach a particular organisation(s) to enter into a potential sponsorship or partnership if:

- a. The need or benefit has been identified
- b. The target organisation(s) has a demonstrated alignment with NTWWC's vision and purpose,
- c. The organisation(s) meet the partnership criteria, and
- d. The particular service or benefit provides direct budget relief to the NTWWC

## **Application**

NTWWC will seek support in the form in-kind donations to support fundraising activities, sponsorships and/or partnerships with organisations/businesses that have a genuine interest in the work of the NTWWC and who are aligned with our vision of 'offering FREE information, advocacy and support to NT working women when they have nowhere else to turn'.

Our Sponsorship strategy is to develop a suite of corporate sponsors who will support our events and projects either via cash or in-kind contributions.

Our Partnership strategy is to partner with organisations with whom we can share physical or intellectual resources to achieve either an individual or shared goal.

NTWWC aims to create value propositions that deliver one or more of the following:

- A brand positioning opportunity
- A cost saving to either the NTWWC or the clients that we serve
- An income stream for NTWWC to support our vision

## **Criteria**

NTWWC will only enter into relationships with organisations through sponsorships and/or partnerships that display the following characteristics:

- The organisation has a demonstrated interest and alignment with NTWWC's purpose and vision
- The organisation has a reputable brand and is well established in Australia or internationally (not applicable to start-ups);
- The partnership opportunity offers significant value to NTWWC and/or its stakeholders;
- A need for the product or service being offered to our stakeholders by the organisation has been identified through research/survey data or other validated means;

The organisation can deliver to NTWWC one or more of the following:

- An income stream
- A brand positioning opportunity
- A cost saving to clients and members of NTWWC

Acceptance of sponsorship does not imply an endorsement of the product by the NTWWC

Terms and conditions of sponsorship must be clearly contained in a formal agreement

### **Compliance**

It is the responsibility of the NTWWC Committee of Management to regularly refer to and ensure compliance with this policy in all activities.

### **Reporting and Review**

The Chairperson of the Fundraising committee will provide reports to the Committee of Management, and ensure, in conjunction with Co-Directors, that funds are appropriately managed and acquitted.

This policy will be reviewed annually.

## 4. Client Services

### General Duty of Care

COM Endorsement 10/02/09

Staff of the NTWWC has a responsibility to ensure that principles of social justice (access, equity, participation and rights) underpin the practice of the provision of service to all clients (as per the Objects of the NTWWC). Specifically, staff will seek to ensure that women from the Northern Territory, regardless of disability, age, culture, religion or geographic location are informed about, and have access to its services.

NTWWC staff shall respect the right of individuals to self determination. This principal provides for clients to be the decision maker in relation to their own situation, with the benefit of information from the NTWWC.

### Client Privacy

COM Endorsement 19/12/16

The NTWWC is proud to offer a confidential service to all clients.

Our privacy policy provides the necessary guidelines to collect, store, use and disclose personal information, including sensitive information in an open and transparent way.

The Commonwealth Privacy Act 1998 and the NT Information Act do not require the NTWWC to comply with their legislation. However, services agreements with the Commonwealth and NT Governments do require that the NTWWC privacy policy is compliant with NT and Commonwealth legislation. Therefore, this privacy policy complies with the Australian Privacy Principles of the Commonwealth Privacy Act 1998 and the Information Privacy Principles of the Northern Territory Information Act.

### The kind and purpose of information collected and held

When a client contacts the NTWWC for anything other than a quick query (a straight forward request for information or referral requiring less than 5 minutes) the NTWWC will collect a name, residential address, telephone number, email address, referral source, age category, employment status, union membership status, occupational category, industry category, cultural/linguistic background or heritage, whether the client has a disability, works in the private, community or public sector and what the issue/s for which assistance is sought (please note that some of this information is classified as 'sensitive information'). Sometimes the information can not be obtained, in which case the statistic will be recorded as unknown.

Statistical information without client identification details is collated and statistical reports are provided as required by the funding body.

If a client requires specialised assistance or advice, some case notes of the circumstances, instructions given by the client and the advice that has been given is recorded. The NTWWC collects this information in order to respond to subsequent client requests for assistance and to ensure a high quality of service in complex industrial relations matters. Information that is not relevant or necessary to the provision of high quality support and advice will not be recorded.

The NWWC may also keep copies of documents or correspondence provided to us in relation to a client's problem or need for assistance, for example unfair dismissal or discrimination complaint forms. When a client provides us with this information, we use it only in order to support, advise, represent and assist and to track progress as issues are resolved.

### **How personal information is collected and held**

Personal information about clients is requested directly from clients using designated intake procedures. Clients will usually provide sufficient identifying information to allow the NWWC to comply with its professional obligations, including minimising conflicts of interest.

When clients indicate that they do not wish to provide any identifying information, NWWC will provide assistance to the extent that they are able without identifying information.

When collecting personal information reasonable steps will be taken to ensure that the person is aware of:

- who is collecting the information
- why it is being collected
- that the information will remain confidential.

Where possible, all personal information will be collected directly from an individual.

If information about an individual has been collected from someone else, reasonable steps will be taken, where practicable, to inform the individual of the above.

### **Sharing Client Information**

COM Endorsement 19/12/16

The NWWC will not disclose, trade, sell or share clients' personal information within Australia or internationally. Where contact with or referral to another organisation is required, the NWWC will not disclose identifying details to anyone without a client's consent.

Where a client consents, we will take all reasonable steps to ensure that clients' personal information is disclosed only for the purposes for which it was provided by our client.

This policy is overridden by staff obligations to mandatorily report and/or seek specialist assistance where:

- A client is at risk of harming themselves or another person
- A child is deemed to be at risk of child abuse
- A client is at risk of serious harm due to domestic or family violence

In this instance personal information shall only be given to the extent that is necessary to ensure that relevant people are safe. Personal information may be given to police, the Department of Families or the Crisis Assessment and Treatment Team. Staff should refer to the staff handbook for specific instructions on the above situations.

### **Client Access to Information**

COM Endorsement 19/12/16

If the NWWC holds clients' personal information then the client may request to access or change the information. Once a request is made, NWWC will provide a response and organise to give the client access to or change personal information.

When a client makes a request to access personal information the client can request the format in which they would prefer to receive the information. However, access to some types of information may require the client to receive the information in person in the presence of a NTWWC staff member. The Director must view the file and approve any copies of material to be given to the client prior to allowing the client access or copies.

In some circumstances, the NTWWC may deny client access to information. Reasons clients may be denied access include, that the information would be harmful to the client or others or it would be unlawful to provide the information.

Similarly, not all requests to change information will be granted. The NTWWC will only agree to change personal information that is inaccurate, out of date, irrelevant or misleading.

Requests to access or change clients' personal information can be made by contacting the NTWWC. A response will be provided as soon as possible.

### **Complaints**

COM Endorsement 19/12/16

Clients who feel that the Australian or NT Privacy Principles have been breached by the NTWWC may make a complaint to the Director or Chair.

### **Further information**

COM Endorsement 19/12/16

Further information about the; Australian Privacy Principles of the Commonwealth Privacy Act 1998 can be found at <https://www.oaic.gov.au/agencies-and-organisations/guides/australian-privacy-principles-and-national-privacy-principles-comparison-guide>

Information Privacy Principles of the Northern Territory Information Act can be found at [https://infocomm.nt.gov.au/\\_data/assets/pdf\\_file/0006/184641/Privacy\\_IPPs\\_as\\_at\\_29\\_April\\_2013.pdf](https://infocomm.nt.gov.au/_data/assets/pdf_file/0006/184641/Privacy_IPPs_as_at_29_April_2013.pdf)

### **Conflict of Client Interests**

COM Endorsement 21/08/15

This policy is designed to ensure that the NTWWC is not in a conflict of interest in terms of providing support and advice to women who access our service.

The nature of working in the Northern Territory is such that the NTWWC sometimes receives calls from more than one employee within a particular organisation. Sometimes staff concerns are shared; sometimes staff concerns are in conflict with one another.

The NTWWC will not provide advice to more than one client from a particular organisation where their concerns and needs are in conflict with one another. The NTWWC may provide some initial support, general information and/or referral in line with the procedure outlined below.

Where more than one client from a particular organisation requests support and advice from the NTWWC, but their concerns and needs are not in conflict with one another, the NTWWC will provide the assistance requested.



In order to manage an actual or perceived conflict of interest, the following process should be followed:

**1. Initial stage**

The caller will be asked the name of their employer and the person with whom they are in conflict. This will be recorded in the database.

**2. Intake stage**

- a. The intake worker will investigate if there is a conflict by searching the database for the caller's name.
- b. If the names of the employees that the intake client is in conflict with and the name of the employer have not already been obtained, be sure to obtain them at intake.
- c. If a conflict is not detected at intake stage, the ILO should go ahead and offer a clinic appointment in the normal way.
- d. If a conflict is detected at intake stage;
  - i. The SILO and Directors should be consulted at this point to discuss the most appropriate action. This may include offering a clinic with a different worker (preferably from a different office), not offering a clinic and referring the caller elsewhere, or offering initial information (not advice) over the phone to the caller.
  - ii. If we are unable to offer a clinic, the caller will not be told that we cannot offer a clinic because we have provided service to the person with whom the caller is in conflict. This would constitute a breach of the client's confidentiality. Instead, the caller will be told that clinics are not available and will be referred elsewhere.

**3. Clinic stage**

- a. If the names of the employees our client is in conflict with and the name of the employer have not already been obtained, be sure to obtain them in the clinic. Put the name and client number of the person the client is in conflict with in 'important information'.
- b. The ILO conducting the clinic ought to understand the nature of the conflict between our client and the person(s) with whom they are in conflict.

**4. Presentation for case work at the ILO meeting**

- a. The ILO should conduct a conflict check before taking the client file to the ILO meeting for case work allocation. The conflict check must be done on the name of the employee and the employer.
- b. If a conflict is detected and the conflict was more than 12 months ago then the case should be presented to the ILO meeting, the ILO should disclose the old conflict and double check with the team if there's a new conflict. If there is no new conflict that has occurred in the past 12 months, the case can be allocated to an ILO in the normal way.
- c. If it is found via the conflict check in the data base that there is a current conflict, the ILO should double check this information verbally with the ILO team in case the issues are separate.
- d. If it established that there is a conflict between clients based on a data base search and double checking in the ILO meeting, the ILO should inform that client that we do not have capacity to assist them and refer if possible.

**5. Conflicts that develop after case work acceptance**

- a. In the event that clients are accepted for case work where there is no conflict, but a conflict develops during the process of case work assistance;
  - i. this should be managed on a case by case basis
  - ii. Directors should be consulted
  - iii. preference is given to the client who came first

## **Client Grievance Procedure**

COM Endorsement 13/02/07

The aim of this policy is to resolve any complaint with minimum disruption to the service.

Complaints have a better chance of being resolved quickly if they are kept confidential.

Staff who receive a complaint from a client about any aspect of their case or service are asked to notify the Director as soon as possible.

Any staff member who has a complaint made about them will be notified of that complaint within 3 days of the complaint being received by the Director.

### **Informal complaints**

COM Endorsement 13/02/07

In dealing with complaints the Director has an obligation to both the complainant and the staff member who has been complained about. The Director will explain to the complainant that the issue will be discussed with the staff member as well as informing them that they have the option of formalising the complaint if they wish. If the complainant is comfortable for the Director to deal with the complaint, no further feedback will be given to the complainant unless it is requested.

All complaints are to be dealt with informally in the first instance unless the complaint is in writing and clearly marked as formal.

Dealing with informal complaints involves a discussion between the Director and the staff member of the issues raised by the complainant. The aim is to reach an outcome that the complainant (if they are a party to the discussion), Director and staff member can live with.

The staff member and the Director have the option of having the staff union representative, and/or Grievance Officer, and/or another support person present at an informal discussion. The role of these people is to act as a support to individuals, to ensure the process of discussion is fair but not to advocate.

Any agreement and course of action reached informally should be reviewed at a time agreed to and be suitable to both the staff member and the Director and noted in the staff member's personnel file.

No record of informal complaints will be kept on the personnel file once the matter is reviewed and resolved to the satisfaction of all parties.

### **Formal complaints**

COM Endorsement 13/02/07

If any party is not able to live with the outcome of an informal discussion, the option of lodging a formal complaint or grievance is advised.

Formal complaints must be received in writing.

The complaint is to be kept confidential.

The Director and COM Chair will deal with the complaint unless the complaint is about the Director. In the event that the complaint is about the Director, the Chair will deal with the complaint.

The staff member must be informed of the complaint and that it is formal within 3 days.

The staff member has the option of responding to the complaint in writing.

The Director and Chair have the power to investigate the complaint and may call on parties and witnesses for further information.

The aim is to have all parties agree to a resolution and decide on a course of action.

The outcome is to be reviewed at a time decided by the Director and Chair, or Chair in the event that the complaint is about the Director.

A record of the formal complaint, the agreed course of action and the review is to be kept on the staff member's personnel file.

## **Gender, Intersex and Sexuality Diversity**

COM Endorsement 17/08/15

### **Introduction**

All types of women, trans-people, intersex people, gender queer people, Brotherboys and Sistergirls are welcome to access the services of the NT Working Women's Centre.

While maintaining our status as a women's organisation and recognising the importance of women's services, we recognise that feminist services understand gender-based violence, discrimination and disadvantage and are therefore the most appropriate to provide advice and support to all types of women, trans-people, intersex people, gender queer people, Brotherboys and Sistergirls.

Lisa Mottet and John M. Ohle state in their research paper, *Transitioning Our Shelters* (The National Gay and Lesbian Force Policy Institute, Washington DC, 2003, p.4)

Many times, transgender people lose their job when their employers learn of their transgender status. Moreover, it is often very difficult to find employment as an openly transgender person.

They further report that the Washington Transgender Needs Assessment Study found in Washington DC that one third of trans people were earning \$10 000 or less per year and 15 per cent reported losing a job due to workplace discrimination. The Transgender Law Centre and National Centre for Lesbian Rights found that 64 per cent of trans people in San Francisco earned less than \$25 000 a year. This is consistent with the NTWWC mandate to assist where there is a relationship between gender and disadvantaged bargaining positions, insecure and low paid work.

Our organisation will not tolerate discriminatory behaviour on the basis of a person's trans status or intersex variation from staff, service users or members of the organisation.

### **Definitions**

With permission, these definitions have been taken from the Alice Springs Women's Shelter's policy *Working with People of Diverse Genders, Sex and Sexuality*.

**Gender** –refers to a person’s internalised sense and outward expression of being either ‘feminine’ or ‘masculine’; both; neither or moving fluidly around a diversity of genders. Gender is usually assigned to a person at birth; is associated with their determined biological sex; and based on the socially constructed roles, behaviours, activities, and attributes that a given society considers appropriate for females or males. Many people do not agree or identify with the gender they were assigned at birth. They may live as the opposite gender to the one they were assigned or they may be gender non-conforming. This means that their sense of self does not fit within the cultural assumptions about the male/female binary and they may choose to express their gender outside of this.

**Sex**- refers to a person’s biological characteristics which include sex chromosomes, hormones, reproductive anatomy and other physical attributes Sex is described as ‘Female’, ‘Male’ and ‘Intersex’. A Trans person who has undergone hormonal and/or surgical procedures to change their sex, may possess a combination of female and male sex characteristics. This does not make that person Intersex. (see Intersex)

**Intersex** – is an umbrella term used to describe a diversity of biological variations in which a person is born with sex chromosomes and/or reproductive anatomy that is not considered to be exclusively female or male.

**Trans**- (can refer to transgender; trans-identified; transsexual, and gender-diverse) is an inclusive umbrella term for persons whose gender identity, gender expression, or behaviour does not conform to that typically associated with their perceived, or actual, biological sex. Gender identity refers to a person’s internal sense of being female, male, or something else; gender expression refers to the way a person communicates gender identity to others through behaviour, clothing, hairstyles, voice, or body characteristics.

Some people who have transitioned from female to male or from male to female no longer consider themselves to be Trans. They may consider being Trans as one stage of their life and identify only as men or women.

Not all Trans people wish to undertake a surgical or hormonal transition. Additionally, not all trans people will be able to financially afford, or otherwise engage with medical transition.

**Brotherboy**- Can refer to Indigenous transgender female to male person. A distinct cultural identity with unique protocols. Some Indigenous gay men may refer to themselves as Brotherboy. Some masculine lesbians are referred to as Brotherboys.

**Sistergirl**- Indigenous transgender male to female person. A distinct cultural identity with unique protocols.

### **Service Promotion**

All types of women, trans people, intersex people, Brotherboys and Sistergirls will be offered the services of the NT Working Women’s Centre.

### **Confidentiality**

The trans or intersex variation of clients of the NTWWC is considered private and confidential. This information can be highly sensitive and impact directly on the safety of that individual. As such the organisation’s confidentiality policy applies to this information and such details shall not be recorded or disclosed without the express permission of the individual involved.

### **Procedure**

Referrals to the NT Working Women’s Centre are through the usual channels.

The NT Working Women's Centre will not disclose a client's trans or intersex status without express permission from the client.

The NT Working Women's Centre will not refer a trans or intersex client without confirmation that the referred service has inclusive policies and practices in place. Referrals to an unsafe service make us an unsafe service.

All NT Working Women's Centre forms are inclusive and reflect diversity.

Service users are to be addressed and referred to by their preferred gender pronoun (They, She, He, etc.) verbally and in all documents.

If an NTWWC staff member is unsure of the gender identity of any person who seeks our support the staff member should explain to the person, in a confidential space, that the NTWWC is a service for all women and trans and intersex people and ask if this is an appropriate service for them.

### Resources

ACON, see here <http://www.acon.org.au/>

Darke, Julie and Cope, Allison (2002) *Trans Inclusion Policy Manual For Women's Organizations*, Trans Alliance Society, Vancouver.

Mottet, Lisa and Ohle, John M. (2003) *Transitioning Our Shelters*, The National Gay and Lesbian Force Policy Institute, Washington DC.

OII- Intersex Australia, see here <http://oii.org.au/>

The Gender Centre <http://www.gendercentre.org.au/>

Sisters and Brothers NT, see here <https://www.facebook.com/SistersBrothersNTCelebratingDiversity>

Zoe Belle Gender Centre, see here <http://gendercentre.com/>

### Client Surveys

COM Endorsement 09/02/10

The NTWWC values client feedback on the service we provide.

The NTWWC Services Contract with the Fair Work Ombudsman and Department of Trade, Business and Innovation requires that the NTWWC regularly surveys clients for feedback.

Surveys will be conducted regularly to monitor service provision and client satisfaction. Feedback and results from collated surveys will be used to improve service provision.

Complete client confidentiality will be maintained.

### Lending Money to Clients

COM Endorsement 10/02/09

Staff are not permitted to lend money to clients or any other visitor to the NTWWC.

Any client or other visitor to the NTWWC who requests money shall be politely told that it is against the policy of the NTWWC to lend money.

Clients who are experiencing financial hardship can be referred to emergency relief and/or financial counselling.

## 5. History of the NTWWC

### General History of the Centre

COM Endorsement 17/07/05

The Department of Industrial Relations through the Equal Pay Unit; the Northern Territory Trades and Labor Council, the Northern Territory Office of Ethnic Affairs and Larrakia woman were involved in supporting the concept of a Northern Territory Working Women's Centre prior to its beginnings.

The Northern Territory Trades and Labor Council was the sponsoring agency prior to the Centre being incorporated.

In 1993-94 the Federal Government, under the then, New National Agenda for Women 1993-2000 announced \$500,000 for the establishment of Working Women's Centres and one million dollars for each of the following three years.

The NTWWC was incorporated in November of 1994. Larrakia Woman sang and celebrated the opening.

The NTWWC's Committee of Management is made up of representatives from a broad range of women's groups and or organisations as well as individual women who have an interest in issues that relate to women, and in particular, women's employment issues.

In 1996 The Workplace Relations Act came into being in Australia and funding was guaranteed by the new Liberal Federal Government with a reduction in grant allocations.

In 2005 the NSW WWC made the decision to close. The decision to close was due to the fact that the Centre could not continue to survive on funds from the Commonwealth Government. There had been no increase in funding (including CPI increase) since 1997.

The inaugural Our Work Our Lives: Women and Industrial Relations Conference was hosted by the Queensland Working Women's Service.

In 2006 the Tasmanian WWC also made the decision to close. They too could no longer survive on such a small allocation of funds from the Commonwealth Government.

In July 2006 the NTWWC entered into a funding agreement with the NT Government for the first time. This alleviated intense funding pressure on the NT Centre which was considering whether it might need to close.

In mid 2007 the second Our Work Our Lives: Women and Industrial Relations Conference was hosted in Adelaide by the Working Women's Centre SA.

In November 2007 the Howard Government lost power and was replaced by a Federal Labor Government. The WWC's looked forward to a more secure and stable funding base under a federal Labor Government.

In April 2008 WWC's were informed that the new Labor Government would not provide funding beyond June 2008. A public national campaign was launched that was widely supported by community organisations,

individuals and politicians across Australia. As a result of that campaign WWC's were informed in May 2008 that a further 12 months of funding would be provided and that there would be a review of the value of WWC's services that would result in a longer term decision about ongoing funding.

In late 2008 WWC's were reviewed across Australia.

In 2009 the Federal Government introduced the Fair Work Act. This replaced the Workplace Relations Act which was commonly referred to as Work Choices.

In July 2009 the NTWWC was visited by Her Excellency, Ms Quentin Bryce, Governor General of the Commonwealth of Australia.

In late 2009 WWC's were reviewed across Australia again.

In 2010 the Governor General of Australia agreed to be the Patron-in Chief of National Working Women's Centres.

In May 2010 WWC's (now only in SA, QLD and NT) received a letter from the then Minister for Workplace Relations, Julia Gillard as a result of the 2008 review. The letter said that WWC's provided an important and valuable service for vulnerable workers across Australia and that she wished to move immediately to a more secure and stable funding base. Julia Gillard stated that she would facilitate a process of discussion between all states and territories with the intention of negotiating joint, triennial funding agreements. This news was widely celebrated by WWC's.

In July 2010 the WWC's received their first CPI increase in funds from the Commonwealth Government in 13 years. This was an enormous milestone for the Centres.

The NTWWC hosted the 3<sup>rd</sup> Our Work Our Lives: Women and Industrial at the Darwin Convention Centre in August 2010.

At the conclusion of the 2010-2011 financial year there had been no progress on the commitment from Julia Gillard though there was some hope that discussions between states and territories and the Federal Government would commence soon.

In September 2011 the newest Working Women's Centre was officially opened in Dili Timor-Leste. The official launch of the Centre was timed to coincide with the 4<sup>th</sup> Our Work Our Lives: Women and Industrial Relations Conference in Dili and was an enormous celebration.

In February 2012 the Governor General of Australia, Her Excellency, Ms Quentin Bryce visited the NTWWC in Darwin for the second time.

In February 2012 the NTWWC recruited a fixed term Aboriginal Liaison Officer position, with one off funding from FAHCSIA's Indigenous Women's Program and Aboriginal Benefit Account.

In May 2012 the Federal Minister for Workplace Relations announced that the NTWWC, along with the QWWS and the SAWWC, would be receiving a 4 year contract with increased funding of around 80%. The NT Department of Business also agreed to a four year contract period.

In July 2012 the NT Government agreed to an additional one off grant to contribute towards the costs of establishing an office in Alice Springs. This, along with the increased ongoing funding from the Commonwealth



Government, meant that the NTWWC was able to open an office in Alice Springs with two part-time staff in early 2013.

In March 2013, on the eve of International Women's Day, the Alice Springs office was officially opened by Senator Trish Crossin and NT Minister for Women Alison Anderson.

The Office of Governor General of Australia contacted the NTWWC to inform staff that she would be in Alice Springs and would like to visit the Alice Springs office. She visited the office on the 10<sup>th</sup> March, 2013.

On the 30<sup>th</sup> of October 2014, the Honorable Madam Speaker, Kezia Purick hosted a formal and official event to celebrate the 20<sup>th</sup> anniversary of the NTWWC at parliament house. The event was very well attended by members of parliament from the CLP and Labor party. A short film to celebrate the 20<sup>th</sup> anniversary of the NTWWC was shown.

In November 2014 the NTWWC reflects upon a deliberate decision of the Centre to change the internal culture of the organisation to one that exemplifies work life balance. The average length of service of permanent workers has increased from approximately 2 years in 2004 to 7.3 years in 2014 (NB this is based on permanent workers of the Darwin office as the Alice Springs office had only been open since 2013).

On the 10<sup>th</sup> of December 2014, the NTWWC won the category of Social Change at the inaugural NT Human Rights Award.

On the 6<sup>th</sup> of March, 2015 the NTWWC held a second community based 20<sup>th</sup> anniversary celebration and film night at the Museum and Art Gallery in Darwin. The Centres 20<sup>th</sup> anniversary short film was shown again.

On 26<sup>th</sup> of March 2015 the Member for Nightcliff, Hon Natasha Fyles made a speech in the NT Parliament to commemorate the 20<sup>th</sup> anniversary of the NTWWC.

## **A History of Staff Entitlements**

COM Endorsement 19/12/16

### **1994 – General Clerks Award**

The NTWWC opened in 1994. At this time, the most relevant Award and the Award chosen to underpin NTWWC staff entitlements, was the General Clerks NT Award.

### **1995 – NTWWC EBA**

In 1995 the NT Working Women's Centre Enterprise Bargaining Agreement (EBA) was certified. This EBA provided NTWWC staff with pay and conditions above the General Clerks Award standard. Such above Award conditions included improved annual leave, ceremonial/cultural leave, public holidays, travel allowance and salary adjustments.

In May 1996, the Social and Community Services (SACS) Award was certified, with the NT Working Women's Centre being named as a respondent to this Award.

### **1997 – SACS Award and the preservation of above Award entitlements**

In late 1997 the NTWWC decided that the terms and conditions, classifications and salary rates within the SACS Award were more relevant and suitable to the nature of work and type of service it provided than those in the General Clerks Award.

An exchange of letters between the NTWWC Committee of Management and the Australian Services Union in late 1997 and early 1998 confirms that an agreement was made to set aside the NTWWC EBA. This agreement was made on the basis that the SACS Award would be adopted and any above award entitlements would be preserved.

Those above Award entitlements that were preserved via an exchange of letters tabled in the Australian Industrial Relations Commission for future NTWWC staff include;

- Annual Leave – A total of 5 weeks annual recreation leave, plus paid ‘grace’ leave for normal working days during the period between Christmas and New Year, when the Centre closes.
- Additional Public Holiday or time in lieu for International Women’s Day.
- NAIDOC day may be substituted for Queen’s Birthday or another negotiated alternative.
- District Allowance.
- Bereavement Leave – 3 days per year can also be accessed as ‘emergency leave’.
- Travel Allowance – To be paid in accordance with current Australian Public Service Rates.
- Ceremonial/Cultural Leave – up to 5 days paid each year for Indigenous staff, non accruable.
- Over Award payment of salary and wages not be reduced to the minimum levels of the SACS NT Award and future national wage increases to be flowed on and not absorbed by over Award payments of salary and wages.

- Redundancy and Notice Period -

Notice Period for Termination

<i>Period of Service</i>	<i>Period of Notice</i>
1 year or less	1 week
1 to 3 years	2 weeks
3 to 5 years	3 weeks
5 years and over	4 weeks

Redundancy Payment

<i>Period of Continuous Service</i>	<i>Severance pay</i>
1 year or less	4 weeks pay
1 to 2 years	6 weeks pay
2 years and over	8 weeks pay

On February 20<sup>th</sup>, 1998 the NT Working Women's Centre made an application to the Australian Industrial Relations Commission to set aside the 1995 EBA. This application was granted on the basis that the SACS Award would be adopted and the above entitlements, as outlined above, would be preserved.

During the following years new staff were provided with a letter of offer of employment that stipulated employment was covered by the SACS award. The letter also listed the above award entitlements.

### **2006 – NTWWC EBA**

On March 10<sup>th</sup> 2006 a new EBA was certified in the Australian Industrial Relations Commission. Negotiations for this EBA between the committee and staff were completed in an amazing 3 weeks and 1 day. The Centre wanted to ensure the EBA would be certified under the existing Workplace Relations Act 1996 and not under the new Work Choices legislation which was due to become effective some time in March. This EBA enshrines the above award entitlements as well as the following new entitlements;

- 6 weeks paid maternity leave
- Up to 2 years unpaid maternity leave
- Commitment to breastfeeding room
- 5 days cultural leave for all staff

- Study leave
- 3% of annual salary budget to be allocated to employee development
- Leave without pay

### **2009 – NTWWC EA**

In October 2009, after 7 months of negotiations, the NTWWC's new Enterprise Agreement was approved by Fair Work Australia under the new Fair Work Act.

Significantly, the Centre's staff received a 10% payrise upon approval of the Enterprise Agreement by Fair Work Australia. This pay increase was designed to lessen the gap in pay between the community and government sector.

Staff also won the right to;

- 14 weeks paid parental leave
- 14 weeks paid grandparents leave
- Improved redundancy entitlements
- Long Service Leave after 6 years

Staff lost the right to 5 days paid cultural leave. Instead, this leave reverted to unpaid leave.

### **2012 – NTWWC EA**

In July 2012, after 10 months of negotiations, the NTWWC's new Enterprise Agreement was approved by Fair Work Australia. The entitlement to paid grandparents' leave was lost (by agreement) and the following additional or extended entitlements formed part of the agreement:

- Long Service Leave after 5 years
- 4% annual payrise (or CPI whichever is the greater)
- 10% superannuation
- Superannuation to be paid to employees on the government's paid parental leave scheme
- Personal leave increased to 12 days
- 4 days paid antenatal leave
- 2 weeks paid partner leave
- New clause supporting employees experiencing family violence, including 20 days paid leave for medical appointments, legal proceedings and other activities relating to family violence

### **2015 – NTWWC EA**

In November 2015, after 14 months of negotiations, a new Enterprise Agreement was approved by Fair Work Australia. The new EA includes:

- 4% annual payrise (or CPI, which ever is the greater)
- The ability to cash out annual leave so long as a balance of 5 weeks annual leave is retained
- That the annual leave loading of 17.5% is paid out upon termination of employment
- The new classifications of level 4.4 and trainee wages be included
- A new clause that recognises the relationship between the NTWWC and the ASU be inserted: *The NTWWC recognises the fundamental work unions do to represent and protect the interest of workers and is supportive of staff being active members of their union. The NTWWC respects all employees' rights to choose whether they wish to join or not to join a union. The NTWWC commits to allowing each staff member choice over their union membership and recognises its obligations, as an employer, to take no action to pressure or deal with a staff member differently because of their membership status.*

- The entitlement to take 5 days cultural leave with pay was won back. Cultural leave had been deemed to be without pay since the 2009 EBA.
- Staff with more than 10 years of service receive the same redundancy payment as staff with 9-10 years service of 16 weeks. Formerly, staff with more than 10 years service received a lesser amount of redundancy pay of 12 weeks
- Superannuation will increase incrementally from 10% to 12% by July 2018

## 6. Appendixes

### Appendix A – Code of Ethics



#### NT Working Women's Centre

##### CODE OF ETHICS

**Confidentiality:**

In all aspects of my work with the NT Working Women's Centre I agree not to disclose confidential information to any person or group or to make use of any confidential information acquired from the Centre for personal or professional gain.

All written and verbal communications are confidential unless otherwise stated.

I undertake to respect the privacy of clients, staff and members of the organisation and hold information obtained in the dealings of the Centre in confidence.

**Conflict of Interest:**

I understand that I must be able to act in the interests of the organisation as a whole, at all times, and that the interests of stakeholders and my personal interests must not take precedence over those of the organisation and its constituents.

I understand that I have a duty to avoid conflicts of interest and that I must not make improper use of my position to gain, directly or indirectly, an advantage for myself or another person or to cause disadvantage to this organisation or any other organisation.

If a potential conflict arises, I agree that it is best that I disclose the matter to the Chairperson or Director as soon as possible, so that the matter can be documented.

I agree with, and will abide by the NT Working Women's Centre code of ethics on confidentiality and conflict of interest.

Signed:

Name:

Position:

Date:

Witnessed by:

Name:

Position (Chair/Director):

Date:

## Appendix B – Proforma Timeline for Parental Leave

**PROFORMA TIMELINE FOR PARENTAL LEAVE**

Both employee and Director should both have a copy of this timeline to be filled in together at each appropriate point.

Employee Name: \_\_\_\_\_

		<b>DATE REQUI RED</b>		<b>DATE DONE</b>	<b>OUTCOME/NOTES</b>
<b>Before leave commences</b>	At any time during the pregnancy		An employee can request a transfer to part-time work, or reduced or varied duties if there are OH&S issues resulting from the pregnancy (see Working During Pregnancy section).		
	At least 10 weeks before starting leave		Employee submits written request for parental leave to COM via Director and specifies start and end dates of leave. Director provides employee with copy of Work Life Balance policy including copy of this Timeline Proforma.		
	Anytime within 6 weeks of EDD*		Employee can commence parental leave (unless otherwise agreed by employer and employee). An employee is entitled to work up until their EDD, however employer can request a medical certificate to state employee is fit to work.		

	4 weeks before starting leave		Employee confirms start and end dates of leave. It is helpful if the request also includes an indication of whether the employee wishes to return to work in a full-time, part-time or other flexible capacity.		
	4 weeks before leave commences, weekly		The employee and Director will check in with each other weekly, by email, phone or face to face, in an informal way, to discuss any issues re leave arrangements, safety at work, and general well-being of employee.		
	1 week before leave		The employee and Director will meet to discuss what level of “keep in touch” contact the employee desires.		
<b>During leave</b>			There is no minimum period of parental leave (EA Clause 24), however employer can request a medical certificate to state employee is fit to work if she returns within 6 weeks of birth.*		
	Anytime during leave		Employee entitled to resign, giving relevant amount of notice.		
	Any time during leave, up to 4 weeks before return date*		May extend leave (up to a total of 24 months) by giving at least 4 weeks written notice* (however NTWWC appreciates a greater period of notice if possible).		

	During leave		May apply to shorten period of leave (NTWWC may approve if the needs of the organization and employee coincide).		
	At least 6 weeks before return date		In order to accommodation requests for flexible return to work, employee and Director check in to discuss return to work plans and requests for flexible work arrangements.		
<b>Return to work</b>	Week of return to work		Employee meets with Director for welcome back, re-orientation to any changes whilst on leave to workplace/job etc. Employee given access to all relevant policies (eg Work Life balance).		

*\* these timelines are all proscribed by the FWA*



## Appendix C – COM Charter



### NTWWC Committee of Management Charter

#### 1. PURPOSE OF CHARTER

The Charter sets out the role, composition and responsibilities of the NT Working Women’s Centre Committee of Management (“COM”). The operations of the COM are also governed by the NTWWC Constitution, policies, and Strategic Plan.

#### 2. PURPOSE OF THE COM

The COM purpose is to ensure compliance, performance and risk management processes. The COM ensures that the NTWWC complies with all legal requirements, including the NTWWC constitution, the Associations Act, employment laws, occupational health and safety laws. The COM assists the NTWWC to perform to its best potential, by developing and implementing a vision and ensuring it is embedded into the organization’s operations, and by approving a strategic plan and policies and monitoring them regularly. The COM will identify risks and their causes and manage them appropriately.

#### 2. ROLES AND RESPONSIBILITIES

The COM has no operational involvement in the conduct of organization’s business activities and delivery of services. Whilst maintaining ultimate responsibility, the COM has delegated authority for the day to day activities of the organization to the Director.

The roles and responsibilities of the COM are to:

- Provide effective leadership by articulating the organization’s values, vision, and strategies
- develop strategic (direction) plans and ordering strategic priorities
- develop and maintain an organization structure to support the achievement of agreed strategic objectives
- Monitor the performance of the Director
- Review and agree on the annual budget proposed by the Treasurer
- Monitor the achievement of the strategic plan and annual budget outcomes
- Establish such sub-committees, policies and procedures as will facilitate the more effective discharge of the organisation
- Ensure that all significant systems and procedures are in place for the organization to run effectively, efficiently, and meet all legal and contractual requirements
- Ensure that all significant risks are adequately considered and accounted for
- Ensure that the NTWWC has appropriate corporate governance structures in place including standards of ethical behaviour and promoting a culture of corporate and social responsibility.

#### 4. MEETINGS, MEMBERSHIP AND TERM

The Constitution provides for a maximum of 9 COM members.

Members must be free from any interest and any business or other relationship which could, or could reasonably be perceived to, materially interfere with the member's ability to act in the best interests of the organization.

Tenure: COM members hold office for a term of two years, and may serve a maximum of three consecutive terms, after which they must not serve another term for a period of 12 months. Where a COM member is serving a term or consecutive term, their position does not become vacant at the annual general meeting.

The COM meets bi-monthly.

**5. COM CULTURE AND STANDARDS**

COM members are asked to meet the following standards:

1. I will be actively engaged – this means I will ask questions, be willing to challenge, be honest in my opinions, and participate in discussion and debate.
2. I will aim for consensus decision making, but am happy to vote on decisions when necessary.
3. I will actively seek out other members' views and contributions.
4. I will be responsible and prepared - this means I will read the papers before each meeting, I will actively seek out adequate knowledge about the NTWWC, I will insist on sufficient information to enable informed debate and decision making.
5. I will take responsibility – this means I will volunteer my time and follow through on all tasks, I will respond to emails and will RSVP for meetings.
6. I will work in the interests of the NTWWC as per the NTWWC Code of Ethics - this means I will not give thought to personal gain and I will maintain confidentiality.
7. I will respect and work collaboratively with all COM members.
8. I will devote sufficient time to the duties of a COM member
9. I will attend all COM meetings and provide a timely RSVP if I am unable to attend.
10. I will uphold high ethical standards at the COM level.
11. If I can't carry my load, or uphold these standards or if I can't agree with what's going on, I should resign.

**8. REVIEW OF CHARTER**

The COM will review this charter annually to ensure it remains consistent with the COM's objectives and responsibilities.

I, ....., agree to the terms of this Charter and agree to uphold it as a member of the NTWWC COM.
Signed.....
Witnessed by COM Chairperson.....
Dated.....

## Appendix D – Work From Home Agreement

Work From Home Agreement	
<b>Applicant Details</b>	
Name of Applicant:	
Position:	
Home office address:	
Home office phone:	Facsimile:
E-mail:	
<b>Home Based Work Arrangement Details</b>	
Number of days/hours at home-based work site:	
Number of days/hours at office base work site:	
Commencement date of arrangement:	___ / ___ / _____ (DD/MM/YYYY)
Review date of arrangement:	___ / ___ / _____ (DD/MM/YYYY)
End date of arrangement:	___ / ___ / _____ (DD/MM/YYYY)
Hours of work per week at home-based worksite:	
<b>Checklist</b>	
Details of work to be performed at home-based work site (attached):	Yes <input type="checkbox"/>
Asset/equipment list attached:	Yes <input type="checkbox"/> No <input type="checkbox"/>
OH&S Compliant	Yes <input type="checkbox"/> No <input type="checkbox"/>
<b>Declaration &amp; Authorisations</b>	
I have read and understood the conditions set out in this Working from Home Agreement. I indicate my acceptance of the terms of this agreement by signing below.	
<b>Staff member's signature:</b>	.....
<b>Date</b>	___ / ___ / _____ (DD/MM/YYYY)
<b>Director's signature:</b>	.....
<b>Date</b>	___ / ___ / _____ (DD/MM/YYYY)

**SCHEDULE 2 – Agreed Arrangements**

(To be signed and attached to the Home-based Work Agreement)

**1. Duties**

--

**2. Equipment List**

NTWWC:	
Employee:	

**3. Supply of Consumables**

--

**4. Dial in Access**

**5. Utilities**