

CONTENTS

7.5 Staff Performance Management and Grievances	2
7.5.1 Staff Performance Management Procedure.....	2
7.5.2 Staff Grievance Procedure.....	3
7.5.3 Misconduct.....	4
7.5.4 Employee Assistance Program (EAP)	4
Version Control	5

7.5 STAFF PERFORMANCE MANAGEMENT AND GRIEVANCES

7.5.1 STAFF PERFORMANCE MANAGEMENT PROCEDURE

Note: Staff identifying perceived unacceptable behaviour or misconduct within the organisation can follow the whistle blower policy (see 8.3.2 Governance Processes).

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

1. Seek Advice

Supervisors should seek advice from the Manager if unsure whether the issue with the staff person is a performance issue or are unsure of how to deal with it. If necessary, obtain advice from Aged Care Services Australia.

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

Unless advised to the contrary the following steps apply.

2. Verbal Warning

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

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

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

3. First Written Warning

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

The complaint or issue regarding the employee's performance and plans for improvement are put in writing and a copy given to the employee clearly stating that a lack of improvement by a given date will result in a final written warning.

4. Final Written Warning

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

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

5. Termination of Employment

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

Detailed notes of performance management are recorded on a Record of Staff Interview form.

7.5.2 STAFF GRIEVANCE PROCEDURE

Note: Staff identifying perceived unacceptable behaviour or misconduct within the organisation can follow the whistle blower policy (see 8.3.2 Governance Processes).

If an employee or volunteer has a grievance related to their employment or concerning another staff person the following process applies:

1. Seek Advice

Supervisors should seek advice from the Manager if unsure about how to deal with a staff grievance.

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

Unless advised to the contrary the following steps apply.

2. Discussion

The employee may approach the supervisor for discussion and advice on the issue. The discussion is confidential.

3. Management

If the employee considers that the discussion has not addressed their concerns adequately they may put the issue in writing to the supervisor and request that the issue be raised with the Manager.

The Manager decides the issue and advise the employee within 7 days.

4. Management Committee

If the employee considers the problem is not resolved in Step 3 they may request consideration of the issue by the Management Committee.

The Management Committee decides the issue and advises the employee of their decision within 7 days. The decision of the Management Committee is final.

7.5.3 MISCONDUCT

Note: Staff identifying perceived unacceptable behaviour or misconduct within the organisation can follow the whistle blower policy (see 8.3.2 Governance Processes).

Misconduct includes very serious breaches of our policies and procedures or unacceptable behaviour that warrants the dismissal of an employee.

Examples of misconduct include:

- Elder abuse
- Theft of property or funds from Waratah respite services
- Willful damage of property belonging to Waratah respite services
- Intoxication through alcohol or other substances during working hours
- Verbal or physical harassment or discrimination of any other employee or client
- The disclosure of confidential information regarding the organisation to any other party without prior permission
- The disclosure of client information other than information that is necessary to assist clients and to ensure their safety
- Carrying on a private business from Waratah Respite Services premises or using Waratah Respite Services resources for private business without the permission of the Management Committee
- Falsification of any records belonging to Waratah Respite Services
- Failure to comply with the Code of Behaviour for Staff and Volunteers.

The Manager deals with all issues relating to misconduct and ensures that there are at least one representative from Waratah Respite Services, or from an outside organisation present at the meeting to discuss the misconduct.

The staff person involved is encouraged to bring another person with them for the interview. A Record of Staff Interview is completed and signed by all parties and a copy provided to the staff person and a copy filed in their personnel file. The Manager seeks external advice (if deemed necessary) and consults with the Management Committee prior to terminating any staff person.

7.5.4 EMPLOYEE ASSISTANCE PROGRAM (EAP)

Waratah Respite Services contract an employee assistance program to provide staff with fee-free access to a confidential counselling service to support their well-being in the workplace and in their personal lives. Staff can access the service confidentially and receive up to three free counselling sessions for support. Waratah Respite Services also uses the independent employee assistance program organisation to support staff if they initiate a whistle blower action.

VERSION CONTROL

Version Number	Reviewed By	Review Date	Modifications Made	New Review Date
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