

Employee Handbook

All Company policies and procedures whether referenced in this handbook or not, have been made available and are available to all employees and apply to all What Ability Employees.

An employee is defined as an individual or group of individuals, employed as, Permanent (Part Time or Full time), Casual and / or Fixed Term (Part Time or Full Time), under an employment contract, whether oral or written, express or implied. An employee is also defined as an individual or group of individuals undertaking a traineeship and / or apprenticeship directly with What Ability.

The employee must notify their manager or direct reporting supervisor if they have not received a copy of this handbook or other Company policies and procedures or do not have access to this handbook or other Company policies and procedures.

A breach of any Company policy and procedure may result in disciplinary action being taken against the employee(s) and, in serious cases, may result in termination of employment.

What Ability may, from time to time, amend or vary its policies and procedures in its absolute discretion and will take all reasonable steps to make communication to all employees.

A stakeholder is defined as:

- An individual or group of individuals who are non-employee(s) undertaking a traineeship and / or apprenticeship with What Ability;
- Consultant(s);
- Business(s) or Company(s) providing Services to What Ability;
- Agency external stakeholders and / or temporary external stakeholder(s) provided by labour hire company(s) or business(s);
- An individual or group of individuals undertaking a traineeship and / or apprenticeship with What Ability via a provider;
- Non-for-profit agency(s), firm(s), business(s) or company(s) providing services to What Ability; and
- Contractors and Sub-contractor(s).

Contents Page

Code of Conduct and Ethics	4
Performance Standards Policy	11
Dress Code Policy	17
Employee Development, Performance and Qualification Registration	18
Annual Leave and Personal / Carers Leave Policy	21
Working from home policy	26
Payroll Policy	31
Workplace Behaviour Policy	36
Drug & Alcohol Policy	42
Electronic Communications Policy and Guidelines	45
Social Media Policy	52
Personal Relationships Policy	55
Smoke Free Policy	56
Children in the Workplace Policy	59
Privacy Policy	61
EMPLOYEE DATA PROTECTION AND PRIVACY COLLECTIONS STATEMENT POLICY	
65	
Workplace Grievance and Complaint Policy	69
PERFORMANCE MANAGEMENT POLICY	75
Security Check & Awareness Policy	78
Flexible Working Arrangement	84
Conflict of Interest Policy	86
Vehicle Policy	89
Travel Policy	93
House Keeping Policy	96
Employer Property Policy	98
Workplace Surveillance Policy	100
Anti-Discrimination and Equal Employment Opportunity Policy (EEO)	108
Sleep Overs, Camps and Excursions Policy	112

After Hours Contacts	115
Community Access Support Policy	116
Disability Workers Policy	117
Abuse, neglect and exploitation	119
NDIS Code of Conduct	122
Participant rights	123
Person-centred practice	124
Support provision	126
Working with participant support networks	129
Abuse and Neglect policy	131
Restrictive Practices Policy and Procedure	135

Code of Conduct

1. Purpose

The Code of Conduct (“**Code**”) outlines the responsibilities, general standards of work, conduct and behaviour expected of all What Ability (“**What Ability**”) employees.

The purpose of the Code is to encourage the commitment, contribution and development of each of What Ability’s employees in striving to achieve best practice and quality of service to What Ability’s customers.

The Code of Conduct and Ethics provides a framework for decisions and actions in relation to the behaviour of employees, volunteers, agency personnel and stakeholders. It underpins the commitment to a duty of care for all employees, clients, participants and stakeholders. The Code of Conduct and Ethics explains the principles covering appropriate conduct in a variety of contexts and outlines the standard of behaviour expected. Further, this document also outlines What Ability’s expectations in relation to conflicts of interest, corrupt conduct and confidentiality.

The foundation of the Code of Conduct and Ethics is that all employees, volunteers, agency personnel, stakeholders, clients/participants and their families are treated with dignity and respect at all times. Clients/participants, and their families have a right to expect that What Ability operates with efficiency, impartiality and integrity. It is for this reason that employees, volunteers, stakeholders and agency personnel are expected to perform their duties at the highest standard and that any conflicts of interest between private activities and public interest shall always be resolved in favour of public interest.

Performance selection, career advancement and education/training opportunities for employees and volunteers shall be based on individual merit and the requirements of What Ability. All employees, volunteers and agency personnel are accountable for their actions and are expected to promote and uphold this Code of Conduct and Ethics.

2. Scope

The Code applies to all What Ability employees for the duration of their employment and in certain circumstances after termination of employment. All What Ability employees are expected to abide by the principles set out in the Code at all times.

What Ability

In accordance with the What Ability Core Values all employees, are to be treated with dignity, courtesy and respect. What Ability will not condone any behaviour or actions that may offend, insult, humiliate, or result in the risk of violence to another person or group of people.

Employees are expected to behave in a professional, courteous manner and not place themselves in situations where they are exposed to potential conflicts of interest, breaches of confidentiality or conduct themselves in a way where their action could be viewed as being corrupt to a reasonable person.

3. Principles

The Code is based on the following guiding principles. What Ability expects its employees to:

- (a) provide quality service to What Ability customers at all times;
- (b) observe relevant legislation and What Ability's policies, procedures and job requirements;
- (c) be fair and equitable in their dealings with What Ability, its customers, other employees and/or contractors, and members of the public ("**What Ability Stakeholders**");
- (d) ensure that they undertake their duties in a competent and diligent manner that does not adversely affect What Ability or What Ability's goodwill, business or reputation;
- (e) maintain safe work practices and a concern for the health, safety and welfare of other What Ability employees, contractors and external stakeholders;
- (f) maintain a non-discriminatory and harassment free work environment;
- (g) be honest, respectful and courteous in all contact with other What Ability employees, contractors and external stakeholders;
- (h) take responsibility for their actions, and be accountable for the consequences of their actions;
- (i) act in the best interests of What Ability and other employees including contractors and external stakeholders at all times; and
- (j) comply with the spirit and wording of their contracts of employment and/or any agreed document which details job or position responsibilities, at all times.

4. Responsibilities

All employees of What Ability are expected to observe the highest standards of ethics, integrity and behaviour during the course of their employment with What Ability. In doing this, What Ability employees are expected:

- (a) to comply with all What Ability policies, procedures, rules, regulations and contracts of employment;
- (b) to comply with all of What Ability's reasonable and legal directions;

- (c) to be honest and fair in dealings with What Ability's customers, co-workers, company management and the general public;
- (d) to maintain punctuality;
- (e) to observe health and safety rules;
- (f) to respect What Ability's ownership of all company funds, equipment, supplies, books, records and property;
- (g) to take all reasonable steps during employment with What Ability and after the termination of employment, to ensure and protect the security and confidentiality of any confidential information, records or other materials acquired during the course of employment with What Ability;
- (h) not to use or disclose What Ability's confidential information to any person other than in the context of legitimate work purposes, nor use any information held in official files to gain any personal advantage or to take advantage of others;
- (i) to use resources provided by What Ability economically and only for work-related purposes;
- (j) while employed at What Ability, not to accept any employment with another organisation that is a supplier or competitor of What Ability, or any other employment that is in conflict with their position at What Ability, unless approved by the Director;
- (k) to dress in an appropriate manner at all times when at work, or when representing What Ability, for example, at customer functions or similar gatherings, in accordance with any specific clothing requirements, and ensuring that appearance is presentable, clean, neat, tidy and discrete;
- (l) not to make any unauthorised statements to the media about What Ability's business;
- (m) not to request or receive any benefit in connection with their work at What Ability, other than proper remuneration entitlements from What Ability, and to disclose to their Manager any gift or benefit offered or suggested to them in carrying out their duties;
- (n) not to engage in fighting in the workplace;
- (o) not to swear in the workplace;
- (p) to ensure that, at all times, work conditions and practices, including provision of services to customers, are free from conduct which is directly or indirectly discriminatory, harassing or intimidatory;
- (q) not to possess, use or consume drugs or alcohol in the workplace, nor attend for work under the influence of drugs, medication or alcohol; and
- (r) not to smoke cigarettes and other tobacco in What Ability workplaces (including What Ability vehicles or designated work areas such as home offices), unless where permissible; and
- (s) not to discuss details of their remuneration and the specifics of their terms and conditions of employment.
- (t) Not to contact, via any method, and/or visit participants and / or clients outside of working hours.
- (u) Not to disclose any company private and confidential information including participant and client private and confidential information with any individual outside of the company, unless required by law.

5. Additional responsibilities for managers and supervisors

In addition to the responsibilities set out earlier, What Ability's managers and supervisors are also expected:

What Ability

- (a) to bring the Code to the attention of new employee, and ensure their understanding of the Code;
- (b) not to condone, permit or fail to report any breaches of the Code by employees under their supervision;
- (c) to promote a team spirit amongst employees through their own behaviour;
- (d) to maintain confidentiality when conducting investigations into employees' grievances;
- (e) to avoid actual or perceived bias in decision-making;
- (f) to ensure compliance with What Ability's procedures when counselling and disciplining employee;
- (g) to exercise objectivity when administering rewards or discipline;
- (h) not to accept bribes, gifts or benefits; and
- (i) not to represent another person's ideas as their own.

6. Gifts, Bribes and Benefits

Employees must not accept any gifts or benefits where receipt might in any way tend to influence, or appear to influence, their official capacity or lead to a conflict of interest. Any advances of this nature are to be reported to the Supervisor.

If employees are dealing with, or have been given access to sensitive information, they need to ensure that they identify inappropriate attempts to influence decisions arising from the use of that information and report these incidents to the Supervisor.

It should be considered that gifts or benefits are rarely offered where the giver would not expect to receive or have received some advantage or reward. Employees need to be wary of accepting any such offer and the obligation that can result.

There may be occasion when refusing a gift would offend or upset the giver. In these circumstances, gifts of a minor nature (to a value of less than \$20) may be accepted on behalf of What Ability and the gift should be reported to the Manager/supervisor, who will determine how the gift is to be used. All cash and any gifts of more than token value are the property of What Ability and must be reported through your supervisor. Where possible, gifts should be shared throughout the facility and services.

Employees must not accept bribes or other improper inducements. Any advances of this nature should be reported to the Supervisor. Employees who accept personal benefits in return for favourable treatment may be guilty of misconduct. They will be investigated and disciplined accordingly.

7. Conflict of Interest

A conflict of interest exists when it is likely that an employee could be influenced, or it could be perceived that they are influenced, by a personal interest when carrying out a public duty. Conflicts of interest that lead to biased decision making may constitute corrupt conduct which shall not be tolerated by What Ability. Some situations that may give rise to a conflict of interest include the following:

- financial interests in a matter that What Ability deals with or where employees are aware that friends or relatives have a financial interest in the matter;

- where the employee holds a position of authority in relation to the allocation of services provided by What Ability and uses that position to preference those services to friends, families and acquaintances at the expense of the general community;
- directorships/management outside of What Ability, membership of Boards outside What Ability who may have some form of dealings with What Ability;
- personal beliefs or attitudes that influence the impartiality of advice given, personal relationships with the individuals or group of individuals What Ability is dealing with or investigating which go beyond the level of a professional working relationship;
- secondary employment, business, commercial or other activities outside of the workplace, which impact on clients and/or employees;
- recruitment of an employee, stakeholder, volunteer and/or agency personnel's relative;
- involvement in political party activities;
- involvement in personal relationships with another employee either in a supervisory or non-supervisory position where they are co-depending upon each other;
- access to information that can be used for personal gain;
- access to subsidised or free travel, accommodation, conference attendance or the like being provided by companies which do or could supply goods or services; and
- Using a supplier or making company purchases on the basis of a relationship with an employee, volunteer, agency personnel, client or What Ability stakeholder;
- Employees, volunteers and/or agency personnel may often be the only person aware of the potential for conflict. It is that person's responsibility to avoid any situation that could compromise their ability to perform duties impartially and their responsibility to report any potential or actual conflict of interest to the Supervisor;
- To resolve any conflicts of interest that occur, or should occur, a range of options are available depending on the significance of the conflict. These options include:
- declaring the conflict (or possible conflict) and continuing involvement;
- declaring the conflict (or possible conflict) and not participating in any decision making or discussion of the matter;
- giving up or ending the personal interest; or
- transferring from the area of work or particular task where the conflict arises.

Employees are not permitted to have personal relationships with participants and clients outside of their working relationship, hours and arrangements.

8. CONFIDENTIALITY

Employees are individually responsible for maintaining the privacy, integrity and security of information. Any suspected breaches of confidentiality must be reported to the Manager/supervisor. This information includes confidential and sensitive information in any form or information held in their department/area (e.g. documents, personal employee or client information, clinical information, computer files and information held electronically). In the course of their work, employees may have access to confidential information or personal information collected for the purposes of client care or for administrative, statistical or other purposes. Upon accepting employment at What Ability employees agree to:

- ensure the requirements of the Privacy Act in relation to client information are upheld;
- abide by What Ability policies and procedures relating to confidentiality and privacy of official information including personal information;

What Ability

- not knowingly access confidential or personal information unless such information is issued directly to the employee or required for the employee to perform their duties;
- ensure that confidential or personal information, whether in the form of paper documents, computerised data or in any other form, cannot be viewed by unauthorised persons and that the information is stored in a secure manner which prevents unauthorised access when the location or the information is unattended;
- not disclose any identifying, personal or health information regarding individual persons except as authorised by What Ability policy or in compliance with relevant legislation. It is understood that it is a serious offence to deliberately release confidential documents or information to unauthorised persons;
- inform the Supervisor immediately if you become aware of any breach of privacy, confidentiality or security relating to the information held by What Ability.

Information about employees, volunteers, agency personnel, stakeholders and clients/participants of What Ability should not be released to external bodies without appropriate legal authority and the authorisation of the manager or Director.

9. Clients

What Ability is committed to exceeding client expectations by providing a high level of service to any person or with whom we have contact. If unsatisfactory service results from an employee, volunteer or agency personnel's failure to provide a high level of service to any client, the employee, volunteer or agency personnel will be held accountable. What Ability Clients have a basic right to have their questions answered, be kept informed about matters involving contact with What Ability, and to lodge complaints.

Employees are not permitted to have personal relationships with participants and clients outside of their working relationship, hours and arrangements.

Employees are not permitted to make contact with clients and participants outside of working hours and must refer all client / participant communication that occurs outside of working hours to the team leader and or manager.

10. Staff Shift Conduct and overall conduct

- Staff are required to start and finish their shifts as stated on the roster for our client's.
- Staff are to maintain punctuality. If staff are running late or are required to leave early, staff must make contact with Program Managers.
- Staff should be aware of and adhere to the policies and procedures of What Ability.
- Staff are required to follow Care Plan Guidelines for each individual client while on shift.
- Staff are to stay focused in completing tasks for their shift.
- Staff must remember they are entering into the client's home and must maintain respect for their home and the contents of their home.
- Under no circumstances are staff member permitted to bring family members, friends, partners and pets into the client's home during their shift.
- What Ability Insurance does not cover any person other than staff & client while on shift.
- All staff are to work within the boundaries of their job specification.

What Ability

- Staff must not falsifying or misleading information during the performance of their duties or when providing services.
 - Staff must not use work time for private matters, e.g. phone usage, emailing or social networking sights.
 - Staff must avoid undertaking any activity that could potentially compromise their performance or their employment.
 - Not to change working and/or rostered hours without the permission of the manager or team leader
 - Any request for roster changes MUST be discussed with What Ability management for approval, prior to any new changes being put in place.
 - Do not enter any private agreement with the client regarding roster changes or with the additional holiday hours funded
 - All policies and procedures in this handbook are to be maintained and followed
 - Abiding and maintaining all What Ability's values, instructions and legal requirements
 - Always comply with the spirit of What Ability's Policies in a moral and legal manner
 - Do not enter any private agreement with the client regarding roster changes or with the additional holiday hours funded
 - Work in line of the roster provided and itinerary provided by the relevant manager.
 - Do not enter any financial transactions with the client
 - Maintain OH&S to ensure a safe workplace for both the client and Employee. Employee must report any hazards or incidents to Management as per the company guidelines
 - Employee must ensure the client's privacy & dignity is always respected
 - Employee must uphold our policy on dress code.
 - Employee is not to make any status updates regarding work or location on social media, as this is seen as breach of Client Confidentiality
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- Employee should not arrange to catch up with their family or friends within the clients funded roster or in the presence with the client
 - Under no circumstances must an Employee be under the influence of drugs or alcohol

11. Consequences of breach of the Code of Conduct

The Code is to be strictly adhered to by all employees. All employees are required to familiarise themselves with this document. Contravention of the Code may result in disciplinary action being taken against the employees and, in serious cases, may result in termination of employment.

Where an employee believes that a breach of this policy may have occurred, he or she should report the matter to a manager or supervisor. The complaint will be taken seriously and will be dealt with in accordance with the What Ability Workplace Grievance and Complaint Policy.

12. Changes to the Policy

What Ability may, from time to time, amend or vary this policy in its absolute discretion but will take all reasonable steps to inform employees of any changes it makes.

Performance Standards Policy

1. Purpose

What Ability Pty Ltd (What Ability) recognises the potential benefits of providing performance standards and expectations that will assist employees with understanding the expectations of What Ability.

This policy lists all the general expectations that What Ability expects of its employees. The purpose of this policy is to provide you with a road map to success.

The list below is by no means all inclusive, and only represents key areas that require employee focus and attention. Further areas may be identified via the employee's employment contract, job description, individual Key Performance Indicators and as required by the manager and / or the managing director(s).

What Ability

2. Scope

This policy applies to all employees of What Ability. This policy is to be read in conjunction with the policy titled “Employee Development, Performance and Qualification Registration” and all other relevant policies and Procedures

3. Principles

Employee performance and development is underpinned by the following key principles:

- Effective performance is required of all employees regardless of role, responsibility or level.
- Managers and employees are jointly responsible and accountable for working together to continually improve performance and achievement of outcomes.
- Taking initiative is essential to creating the culture of professional improvement, feedback and development necessary to support effective performance management.
- Participation in the Performance and Development process must enable every employee to understand TPS’ values and strategic priorities and the way in which their role and performance outcomes contribute to achieving these.
- Participation in the Performance and Development process must enable every employee to identify how they contribute to achieving outcomes at their level.
- Underperformance must be actively addressed and managed through a structured, fair and transparent process.
- All managers and employees are to be provided with appropriate training to enable them to participate in and fulfil their performance management responsibilities.

4. Performance Standards and Expectations

- **Confidentiality** – This is first and foremost the most important job expectation you have while working with What Ability. Your ability to be discreet and handle confidential information with the greatest of sensitivity is critical to your success. This includes all verbal and written communications. Not only do we have an ethical responsibility to protect this information, but more importantly, we are legally required to safeguard it at all times. If you have any questions or concerns about what is or isn’t confidential, please do not hesitate to obtain clarification.
- **Training** – You will receive training in all areas of your job responsibility and any new tasks that you are assigned. Please take notes, refer to the procedures, conduct research if necessary, and ask questions.
- **Time and Attendance** – You are expected to utilise What Ability’s chosen method of time and attendance to capture all time worked. What Ability may change its method of time and attendance and will notify its employees if this occurs. What Ability will utilise time and attendance data for Payroll, Safety and other reasons within its legal capacity. What Ability will adhere to the Privacy Act 1988 (Privacy Act) and other applicable legislation relating to time and attendance.
- **Working Relations** – You are to conduct yourself with professionalism and respect at all times. Display courtesy and cooperativeness at all times towards clients,

What Ability

colleagues, students, faculty, alumni, community members, and administrators, when carrying out your job duties. Your interactions with others must be collegial and help create a positive work environment. Your communications are expected to be pleasant and accurate. Do not feel obligated to guess, but rather tell the person you will get back to them, research, and then contact them right away with the answer. At all times, please avoid using incorrect, evasive or misleading statements.

- **Voicemail** - Listen to your work-related voicemails immediately and carefully. Determine whether there is follow-up action or response required and respond accordingly. You are encouraged to show initiative and be responsive to all communications. Please keep personal calls to a minimum.
- **E-mail** – You will receive both work and non-work-related e-mails. Please take extra care in determining the difference. Be mindful that spam and junk mail may carry potential viruses. These can be very dangerous to your computer and the system. Do not open attachments unless you are sure, otherwise delete them immediately. For work-related emails, please read them as soon as possible. Determine whether follow-up or a response is necessary and respond accordingly. You may need to acknowledge receipt or give status, even if you do not know the answer, but are working on it. You may send or receive electronic meeting requests. Please respond quickly since it advises the sender immediately that you are confirmed for the time and place. You are encouraged to show good written etiquette, initiative, be proactive and responsive in all of your electronic communications.
- **Communications** – You must communicate with me, your Lead, and others in a clear, honest, and timely manner. If you are unclear on any assignment, or if you have completed one task and are ready for additional work, you are strongly encouraged to show initiative and contact your Lead or supervisor. No one knows what you need or if you are ready for your next assignment unless you take the first step. Do not fall into the habit of having others seek you out to find out the status of your work. That responsibility is up to you.
- **Meeting Participation** - When you are asked to attend a meeting, please make every effort to be there on time. Respect your time commitments and those of others. Do not expect participants to locate you when you are not there. If the other participants are unavailable at the designated meeting time, or at any time in which you need to see or report to them, please make every attempt to locate them: knock on their door, call them, leave a hand written note outside their door/work area indicating the time you came by, or send an e-mail. If you will be delayed or need to reschedule, contact the participants as soon as possible to explain the delay, give estimated time of delay or reschedule.
- **Meeting Deadlines** – Please follow-through with set deadlines. If you experience a delay in meeting your commitment, consult with your Lead before the deadline to give a status update, obtain further direction, or to set a new deadline if possible. Otherwise, it is our expectation that you will make all of the necessary arrangements to meet the agreed deadline. Also, do not wait for someone to come looking for your work product, it is your responsibility to be proactive and turn it in on time.

What Ability

- **Accuracy** – When you are given a work assignment, task, or project, please review and proofread your work very carefully for format, accuracy, grammar, tone, and purpose, **prior** to turning it in. Business documents are not essays. This includes email communications. Be your own editor and always strive to turn in quality work. Therefore, you should strive to be “*Brief, Clear, and Concise.*” While some of your work may be checked and edited, please do not rely on your Lead to proof your work. If you need help with the format or structure of your work, please seek assistance right away.
- **Directives or Directions** - Employees are required to comply with their Lead and Manager’s request, instructions, or directives. In the event you are unable to meet this standard, you should consult with us immediately to discuss any problems, delays, and/or challenges. However, be advised that disregarding a request, instruction, or direction may be viewed as insubordination and take you down a negative path. We must be able to rely on you to carry out your job responsibilities and give you feedback if there are any problems. While there may be times that you do not always agree with the decisions, requests or directives, I encourage you to discuss your concerns with us, but ultimately you are responsible for complying.
- **Work Hours** – Your working hours must be consistent with your established schedule in order to run a reliable and functional operation. Any deviation from your set schedule must be approved in advance by your manager or supervisor, who will in turn obtain manager approval.
 - o Scheduled absences - Submit all scheduled absence requests to your manager or supervisor (such as vacation, pre-scheduled doctors’ appointments, etc) with as much notice as possible to obtain approval.
 - o Unscheduled absences - Please contact your manager or supervisor via phone call only before your start time for any same day unscheduled absences, late arrivals, or contact her immediately for any early departures.
- **Absences or leaving the area** - If you need to leave the area of work for any reason for a prolonged period during the workday, please notify your manager or supervisor, or another manager. This is critical for daily operations, in the event of an emergency, and for proper supervision purposes.
- **Conflict Management** – It is normal for differences of opinion or conflicts to occur in the workplace. When this happens, it is my expectation that you will work towards an amicable solution. Explore why there are differences, respect the individuals’ right to their opinion, and try to understand that varying life and work experience levels may be different from yours. Therefore, you may not share the same approach to the problem, or conflict resolution. Wherever possible, be flexible about the outcome. In the event your efforts are not successful, you can agree to disagree. During your interactions, remember to be respectful and strive to keep your composure, even if it appears that the other person is not open to resolution. If necessary, remove yourself *temporarily* from the immediate area to cool off. Please keep the channels of communication open with your Lead and supervisor who may assist you in this process, as needed. Please always strive to establish good working relations.

- **Workplace Health and Safety** – Employee responsibilities include, however not limited to
 - o Adhere to What Ability's WHS policies, procedures, instructions and rules including safe work practices;
 - o Look after their own health and safety and the health and safety of others in the workplace;
 - o Ensure they do not attend or remain at work if they are not fit to do so, including if they are intoxicated or under the influence of drugs;
 - o Cooperate with each other and with What Ability to promote workplace health and safety awareness;
 - o Report any incident, injury, illness, unsafe equipment or hazards immediately to the relevant Manager or Supervisor;
 - o Only operate equipment where if competent, qualified and authorised and if they have the appropriate Licence if applicable;
 - o Follow all instructions relating to the correct use of plant, machinery, chemicals or equipment and, if unsure of the correct procedures, ask for instructions from a Supervisor before using them;
 - o Use any personal protective equipment or clothing provided by What Ability as instructed;
 - o Ensure that work areas are kept clean and tidy;
 - o Comply with all security systems and protocols in the workplace;
 - o Notify the relevant Manager of any matter that may affect What Ability' ability to comply with its workplace health and safety obligations; and
 - o As required by What Ability, attend WHS training and actively participate in WHS activities such as inspections, investigations and meetings.

5. Training

It is important that all staff understand the Performance Standards policy and application of the performance and development process. Human Resources can conduct training programs for staff managers/supervisors as necessary. Training will be managed as required to ensure continuous improvement is achieved and poor performance is managed accordingly.

6. Quality Assurance

Performance and Development documentation is subject to review to ensure quality assurance. Senior Manager's or their delegates are responsible for auditing employee performance and the performance management system(s) and appraisal(s).

The purpose of audits is the assurance of quality by ensuring that employees and managers are undertaking the Performance and Development process and completing performance appraisals correctly.

In preparing to conduct audits, senior managers or their delegates should be familiar with the Employee Development, Performance and Qualification Registration policy.

When reviewing documentation, ensure that all sections of the performance appraisal have been completed (where applicable), dated and signed by both the employee and manager. Where planning,

feedback or evaluation comments are to be provided, review whether sufficient information has been provided against the criteria contained within the performance appraisal, applicable policies and procedures, job description, individual Key Performance Indicators and overall requirements.

Any areas of non-conformance or where improvement opportunities have been identified should be addressed with the manager responsible for completing the performance appraisal.

7. Consequences of breach of the Code of Conduct

The Code is to be strictly adhered to by all employees. All employees are required to familiarise themselves with this document. Contravention of this document may result in disciplinary action being taken against the employees and, in serious cases, may result in termination of employment.

8. Changes to the Policy

What Ability may, from time to time, amend or vary this policy in its absolute discretion but will take all reasonable steps to inform employees of any changes it makes.

Money handling

1. Purpose

What Ability will implement the measures outlined below, in accordance with its requirements and the requirements of its clients, to safeguard and protect the staff and clients involved in receipting and collection of monies and to minimise the risks associated with money handling.

2. Scope

The policy applies to all What Ability engaged in handling money on behalf of clients.

Carer's are responsible for handling cash and credit cards on clients behalf. Family and friends are not permitted to use Client's cash or credit card. Carer's are not permitted to use the cash or credit card facilities for personal use.

3. Procedure:

- a) When making purchases requiring the use of money, ensure the original receipt/tax invoice is obtained.
- b) Place the receipt/tax invoice in the plastic sleeve within the Cash Book.
- c) If the receipt is not clear, write the purchase details on the back of the receipt.
- d) Return any change from the purchase to Client's wallet.
- e) Document and sign the purchase in the Cash exercise book
- f) At the end of the shift, handover the Cash book to the relieving Care
- g) Carers starting and carers finishing shifts together must check the float balances, reconciles and both carers sign off.
- h) Discrepancies that cannot be accounted for must be reported to the Manager.

Call the Manager for approval of the following:

- In the event of incidental purchases exceeding the limit, please
- In the event family/friends ask for cash, ask them to call CM.

4. Consequences of breach of this policy

A breach of this policy may result in disciplinary action up to and including warnings, reassignment of employment and / or termination of employment

5. Changes to the Policy

What Ability may, from time to time, amend or vary this policy in its absolute discretion but will take all reasonable steps to inform employees of any changes it makes.

Dress Code Policy

1. Purpose

The Dress Code Policy outlines the professionalism and high delivery of staff. In line with these expectations, we enforce our staff to be clean, neat and presentable at all times when representing our organisation.

Staff are reminded that even though support is being provided in an individual's home, it is also the staff member's workplace and therefore Occupational Health and Safety requirements are to be met.

2. To whom does this policy apply?

This policy applies to all employees of What Ability.

3. Guidelines

- All members of staff are required to avoid provocative clothing and extremes of fashion. Neat, clean and tidy clothing e.g. jeans, slacks, skirts, tee shirts, jumpers, jackets are suitable.
- Footwear must be appropriate for a professional work place and must meet Occupational Health and Safety requirements. Closed foot wear must be worn at all times and low heels are recommended e.g. sneakers, walking shoes, and boots.
- Long hair should be tied up to avoid any obstruction. This applies when providing personal care needs, preparing and serving meals and operating equipment.
- Minimum jewellery to be worn, minimising the risk of injury to clients and other staff.
- Protective clothing to be used at all times when required e.g. gloves.
- Nails should be kept short.
- When support is being provided outside, during days of strong UV rays, sunscreen should be applied and a hat should be worn.

4. Consequences of breach of the Code of Conduct

Contravention of this policy may result in disciplinary action being taken against the employees and, in serious cases, may result in termination of employment.

5. Changes to the Policy

What Ability may, from time to time, amend or vary this policy in its absolute discretion but will take all reasonable steps to inform employees of any changes it makes.

Employee Development, Performance and Qualification Registration

1. Policy statement

This document sets out the policy of What Ability (“**What Ability**”) in relation to the training, development and registration of its employees. Employees are required to comply with this policy as part of their contractual obligations to What Ability and also have obligations under State and Commonwealth legislation.

At What Ability, each member of management and staff will contribute to the development of staff where the value of having a diverse workforce is recognised.

2. To whom does this policy apply?

This policy applies to all employees of What Ability.

3. Definition of Development

Development refers to the policies, procedures and activities which assist all employees to meet their personal, academic or professional needs in ways that are consistent with the objectives and anticipated needs of What Ability.

Development is determined through the planning, clarification and review of the career aspirations of an individual employee. This review process will provide for an implementation plan to fulfil the individual’s career goals and the contribution that they may potentially make to What Ability.

Professional development matters will be addressed within each department through a continuous review-planning process. The aspirations of both the individual and Company are taken into account and attention is focused on the individual and on the context in which the individual works.

4. Performance Management

What Ability is committed to supporting staff to improve their efficiency and effectiveness. Staff are expected to perform their duties to the best of their ability and to show a high level of personal commitment to providing a quality, professional service at all times.

Performance development reviews are conducted on an ongoing basis in consultation with the individual and their direct reporting line, supervisor, manager or individual / group of individuals appointed by the Company. The aims of the review are:

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- To allow free and confidential discussions about work between the employee and supervisor;
- To discuss the employee's job performance in the context of their position;
- To discuss any work problems and search for solutions; and
- To discuss means of improving work performance including identification of training and development needs or changes to work practices.

Poor performance may be raised in performance reviews as part of the overall assessment of the employee's performance.

The staff member and their direct reporting line, supervisor, manager or individual / group of individuals appointed by the Company, are responsible for implementing any agreed actions (respectively) and recording these on the appraisal form.

On completion of the performance development review both the employee and supervisor will sign the appraisal form. The Performance Appraisal review will be deemed closed when all agreed actions are implemented.

5. Poor Performance

Poor performance will be dealt with as it arises. Poor performance is defined as, however not limited to, the following:

- The employee not meeting the requirements of their role and meeting objectives
- Not following managerial and / or senior staff direction
- Not meeting the position description requirements
- Negative performance appraisal feedback and results
- Negative feedback from clients and stakeholder
- Not being a team player

What Ability, within its capabilities, will provide all employees with the support needed to improve poor performance.

A Performance Improvement Plan (PIP) may be utilised to manage poor performance. Disciplinary action up to and including termination may occur for continuous poor performance.

6. Staff Education and Training

What Ability provides appropriate training and development opportunities for all employees and volunteers. This includes:

- The identification of training needs through ongoing staff input, management input and annual performance development reviews
- The provision of training to meet identified needs
- Opportunities for all staff and volunteers to attend training
- Ongoing evaluation of training to ensure it meets staff and volunteer needs and improves the operations and services.

7. **Mandatory Training and Competency Assessment**

All staff and volunteers must complete mandatory training and competency assessments which will be made available to the employee by their manager.

Staff, if required by law, must hold and maintain relevant documentation, as required by law, if they are operating machinery, equipment(s), vehicle(s), tools and other practices that require such documentation. Documentation may include, however not limited to:

- Licence
- Certificates

- Qualifications; and / or
- Other pre-requisites as required by law and the Company

Failure to hold and maintain such documentation may lead to disciplinary action up to and including dismissal.

8. **Staff Development Opportunities**

The training needs of staff are discussed with each individual during the annual staff performance reviews and where / when the company deems necessary. What Ability encourages staff to notify their direct reporting line, supervisor, manager or individual / group of individuals appointed by the Company, of any development requirements. Staffs are asked to provide feedback on training activities. At times staffs are asked to provide a report on training sessions. This information is reviewed by management and any continuous improvement activities identified and implemented where required.

A request to attend learning activities, where a staff member requires replacement on the roster, must be made at least one month prior to the activity.

9. **Consequences of breach of this policy**

This policy is to be strictly adhered to by employees. All employees are required to familiarise themselves with this document.

Contravention of this policy may result in disciplinary action being taken against the employees and, in serious cases, may result in termination of employment.

10. **Changes to the Policy**

What Ability may, from time to time, amend or vary this policy in its absolute discretion but will take all reasonable steps to inform employees of any changes it makes.

Annual Leave and Personal / Carers Leave Policy

This document sets out the policy of What Ability (“**What Ability**”) in relation to Annual Leave and Personal / Carers Leave.

Refer to your employment contract or relevant legislation if a specific leave entitlement has not been included.

1. Policy statement

What Ability is committed to providing employees with leave entitlements that cater to personal needs, both planned and unplanned, while meeting business and customer needs. To maintain an equitable system, all leave requests must be approved by the relevant manager.

What Ability also supports its employees’ need for time away from work due to personal illness, or in the event the employee is required to care for their loved ones when they are ill. While all employees are expected to be at work on time as scheduled, occasionally an illness or injury may mean we are unable to attend work. A period of paid personal leave, covering sick and family/Employee’s leave, subject to certain conditions, is provided for permanent employees during these times.

2. Definitions

“**Immediate family or household member**” means a spouse, father, mother, child, brother, sister, or grandparents, (including relationships created by de-facto, in-law, adopted, foster, guardian and step situations) or a member of the employee’s household for whom the employees is the primary Employee.

“**Primary Employee**” means a person responsible for the care of a sick relative or dependant(s) who would normally be cared for by the sick relative.

3. Annual leave

The purpose of annual leave provisions is to ensure employees take rest breaks after the completion of fixed periods of work and to facilitate work-life balance. What Ability will also encourage employees to plan annual leave in order to reap the maximum benefits of leisure time.

All permanent full-time employees are entitled to four weeks of paid annual leave per year of service. All part-time employees annual leave entitlements will be pro-rated. Leave entitlements are calculated from date of commencement. It is preferred that untaken annual leave does not accrue from year to year.

Where the employee(s) works in a department that is subject to business close down or annual business downturn, these employees are to utilise their annual leave entitlement at

the time of the closure, particularly between Christmas Eve and the New Year holiday period. Employees are expected to co-operate in taking annual leave as requested.

Where an employee(s) has accrued at least four weeks' annual leave, What Ability and the employees may agree to cash out a particular amount of the employee's annual leave as per the applicable Modern Award.

Annual leave and public holidays

If a public holiday falls during a period of annual leave, the public holiday does not count as an annual leave day. As such, the period of leave may be extended by the public holiday period. However, the employee will be expected to return to work on the date specified on the leave application.

Illness whilst on annual leave

Where an employee has suffered a serious illness or serious injury while on annual leave and the illness or injury is supported by a medical certificate from a registered medical practitioner, it may be possible to convert some or all of the annual leave to sick leave and have the annual leave re-credited. This is subject to the approval of the Manager and / or supervisor who must be notified immediately during the leave period.

Annual leave management

All What Ability employees are expected to use their annual leave entitlements within 12 months from the date such leave has accrued unless prior approval is gained in writing from their manager. When an employee has accumulated more than 4 weeks annual leave, What Ability may direct the employee to take annual leave and reduce their annual leave balance within policy (maximum of 4 weeks per annum).

Where an employee is considered by What Ability to have excessive annual leave accrued, the following process will apply to manage the employee's annual leave balance in accordance with this policy:

- (a) the manager is to meet individually with the employee to discuss and agree to reduce the leave in a timely manner taking What Ability's needs into consideration. The plan should provide for the leave to be taken at a mutually convenient time for the employee and What Ability over the course of the next twelve months;
- (b) in the event that agreement cannot be reached, a plan must be drawn up on how the leave will be reduced in the next twelve months. Once the plan is completed it must be forwarded to the Manager for approval and monitoring;
- (c) where an employee is directed by What Ability to take any part of their excess leave entitlement, it is the employee's responsibility to subsequently apply for the leave in accordance with this policy; and
- (d) once dates for leave have been agreed upon, the employee(s) is to complete a leave application form and forward this form to their manager and / or supervisor for authorisation.

Payment in lieu of annual leave is not ordinarily permitted. Generally, annual leave will only be paid to employees when leave is actually taken or when an employee with an entitlement ceases employment with What Ability. However, if an employee has accrued in

excess of 4 weeks annual leave, What Ability and the employee may agree to the cashing out of annual leave which is in excess of 4 weeks as per the applicable Modern Award. Such agreement is to be confirmed by What Ability and the employees in writing.

4. Personal leave

Under Australian legislation, permanent employees are entitled to ten days paid personal leave to be used as sick or family/Employee's leave, and two days' unpaid leave once paid entitlements have been exhausted.

There is no qualifying period of employment for the payment of personal leave. All permanent employees are eligible and begin to accrue personal leave from the date of commencement. Part-time employees accrue personal leave on a pro-rata basis. Personal leave is also provided for employees in circumstances where an immediate family or household member (see clause 13 (Definitions)) is sick, and the employee needs to be the primary Employee for them.

For casual employees, an allowance for personal leave has been included in the hourly base rate and therefore personal leave is not paid for separately.

Requirement for medical certificate

Any absence of two days or more, paid or unpaid, absence on a Monday or Friday, or the day before or after a public holiday, must be verified by a medical certificate (which must be from a registered health practitioner), verifying the employee's illness or the family member's illness. This should be provided to the employee's manager and / or supervisor.

An employee's manager and / or supervisor may also ask for a medical certificate upon their discretion.

There may be instances where, to assist the business to manage the illness and time away from work, an employee will be asked to provide a medical certificate for single day absences (such as where an employee has a pattern of single day absences or absences following or preceding weekends and/or public holidays).

Alternatives to taking personal leave

Where an employee is not required to be the primary Employee (see clause 13 (Definitions)), the employee is able to take annual leave. What Ability will endeavour to provide access to annual leave during these periods.

Notification of personal leave

Any time an employee is unable to attend work at their scheduled time due to illness, injury or family/Employee responsibilities, the employee **must** notify their absence to their manager and / or supervisor. This should occur before the start of the employee's normal shift or general start time.

If an employee is unable to contact their manager and / or supervisor via phone call, the employee may utilise voicemail, text messages or emails and / or must advise another manager and / or supervisor.

The employees will need to provide a valid reason for absence and give an indication of how long they are likely to be absent. If the employee(s) fails to notify of their absence within a reasonable time, the employees may not be paid for the absence and disciplinary action may result.

5. Applying for leave

All leave must be documented by using the Leave Request form. Employees must confirm that the leave they have requested is approved before any travel or holiday plans are made. To assist with scheduling and operational requirements, all foreseeable leave must be requested at least four weeks prior to the commencement of the requested leave. If the leave is unforeseeable, the leave form should be completed and submitted as soon as possible, and a follow up discussion must be made with the Manager. Staff can request for a blank leave application form from the manager

The following procedure must be followed by What Ability employees when requesting annual leave:

- (a) requests for annual leave should be lodged, where possible, at least four weeks in advance. All leave must be properly authorised by the employee's manager;
- (b) the manager will either approve or deny the leave in line with the business needs and other leave requests. Approvals will be granted where suitable arrangements are in place to carry on essential work within the areas of responsibility;
- (c) priority will be given to employees who have excessive leave or who have submitted their leave request in a timely manner or who may have missed out on the leave the previous year during a popular request period;
- (d) where an employee is requesting leave in excess of their leave entitlement, they must first seek approval from their manager prior to making any arrangements;
- (e) if the leave is not granted, the manager is to provide the employees with a suitable explanation;
- (f) an employee wishing to take annual leave must take all relevant steps to hand over their work or make suitable arrangements to ensure continuity of business during the planned leave. Handover notes must be provided for any incomplete work or any necessary follow-up by a manager or co-worker; and
- (g) all efforts must be made by the employee or manager for appropriate delegation and decision making to be put into place during the absence.
- (h) The shifts that need to be replaced for each client – dates, day if any days of leave fall on a public holiday.
- (i) The employee must complete the Leave Request form via the HR and Payroll system
- (j) The directors will independently verify whether the employee can take leave at that time, once approved a copy of the approved Leave Request form will be returned to the employee for their records
- (k) If the leave is not approved, a copy of the form is returned to the employee stating the reason the leave was not approved.

6. Attendance management & absenteeism

Employees and managers are expected to monitor the length and regularity of personal leave absences. In cases of regular and/or prolonged absences, the manager and employees will be required to develop a program to determine the underlying causes of the leave requirements and develop strategies to reduce, manage or accommodate them. In the event of an employee's absenteeism level becoming unsatisfactory, the employees may be counselled to discuss the cause of the absenteeism problem. unsatisfactory absenteeism may result in disciplinary action, up to and including termination of employment.

7. Changes to the Policy

What Ability may, from time to time, amend or vary this policy in its absolute discretion but will take all reasonable steps to inform employees of any changes it makes.

8. Consequences of breach of this policy

This policy is to be strictly adhered to by employee. All employees are required to familiarise themselves with this document.

Contravention of this policy may result in disciplinary action being taken against the employees and, in serious cases, may result in termination of employment.

Working from home policy

1. Purpose

What Ability Pty Ltd (What Ability) recognises the potential benefits of providing flexible working arrangements that will assist employees with balancing the demands of work with their family and/or personal responsibilities.

Approval may be given for an employee to work from home where it has been clearly identified that one or more of the following apply:

- the arrangement would enhance or maintain productivity;
- there is a benefit to What Ability;
- there would be no significant additional expenses incurred;
- working from home is an approved condition of employment; and/or
- there are valid personal, safety or family reasons.

Approval for working from home is at the discretion of the Manager and Director.

Approval to work from home on a regular or ad hoc basis is subject to operational requirements and approval by the Manager and Director.

The provision of information technology equipment and services for employees working from home is subject to availability and approval by the Manager and Director.

If an employee works from home on an ad hoc, regular or long term basis, a Working from Home Agreement approved by the Manager and Director is required. A specific workspace must be designated at the employee's home and that workspace must be assessed in accordance with Safety requirements.

Work from home arrangements can only occur by agreement between the employee and their Manager and Director. The Manager or the employee can terminate a working from home agreement by providing four weeks' notice.

2. **Scope**

This policy applies to all employees of What Ability.

3. **Working from home arrangements**

Ad-hoc arrangement

The Manager and Director may permit an employee to work on projects, tasks or reports at home on an ad hoc basis where it is considered by the Manager and Director that it would be appropriate or more productive to do so.

The Manager must forward a completed, signed copy of the Working from Home Agreement and a Work Health and Safety Checklist, to the employee and Human Resources, to be placed on the employee's record.

Regular or longer-term arrangements for working from home

Where an employee wishes to work from home on a regular or longer-term basis a Working from Home Agreement must be signed and approved beforehand. In such cases, the following process is to be followed:

Step 1

The employee and Manager discuss the reasons for working from home and the feasibility of doing so

Step 2

If agreed, the employee and Manager must discuss the standards, terms and conditions for working from home, as prescribed in this policy, and complete the Working from Home Agreement.

Step 3

The employee or appropriate What Ability representative conducts a home-based site inspection using the Work Health and Safety Checklist.

Step 4

If applicable, the Manager and employee discuss requirements for information technology (IT) equipment and services. Provision of IT resources by the employee's Manager is subject to availability and will depend on variables including the employee's existing IT and connectivity at home.

Step 5

The employee must ensure they provide a complete list of furniture and equipment required and that all costs of the proposal are specified.

Step 6

The Manager must ensure that all associated forms and documents have been signed by the appropriate parties.

Step 7

The Manager must forward all completed related forms and documents to the employee and Human Resources, to be placed on the employee's record. The Agreement must be reviewed at least every 12 months or sooner if changes occurs.

The Agreement must be reviewed at least every 12 months or sooner if change occurs.

4. Standards, terms and conditions for working from home

Working from home arrangements are not suited for work that requires a high level of face-to-face interaction with clients and colleagues or where the employee needs to regularly access particular documents (i.e. files) that are physically located in a What Ability office.

All working from home agreements must be approved before the arrangement commences.

Requests for working from home will be considered by the employee's Manager after assessing the following aspects:

- suitability of the position for working from home
- the reasons for the application to work at home
- the result of the WHS-assessment
- the suitability of the residence (security, confidentiality); and
- the past performance of the employee.

The underlying circumstances for the request by the employee need to be considered. For example, it is important to understand that working from home is not a substitute for regular childcare or other carer's responsibilities. Employees who work from home must ensure that they have suitable childcare/carer arrangements in place.

What Ability will not authorise an employee to work from home without the approval under this Policy.

Other factors to consider include:

- whether the duties are suitable for work at home including the types of work and the amount of work that can be performed
- whether the employee has demonstrated the ability to work independently and without supervision to achieve required outcomes

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- the maintenance of quality customer service and the need for employees to take action to maintain services, e.g. diverting telephones to home
- if the employee should be required to attend the workplace for duty at agreed intervals
- the provision of career development opportunities, such as training, with appropriate consideration as to location, duration and timing
- the establishment of communication processes to ensure that employees are aware of developments during the time when they are not at the workplace
- the opportunity to participate in activities such as employee meetings and other employee networking activities

Conditions of employment

The conditions of employment for employees who work from home are the same as the conditions at the What Ability office except where there is an agreed variation. All Work from Home Agreements and any variations to these Agreements must be approved by the Manager prior to implementation.

Employees are required to meet all performance requirements, the minimum conditions of employment and comply with their Employee's employment contract and job description and What Ability policies, procedures, operational requirements and overall requirements.

Furniture, equipment and other items

All approved costs associated with the approved Working from Home Agreement will be met by What Ability.

5. Roles and Responsibilities

It is up to the manager and employee to ensure that the working from home arrangement is both safe and operationally effective.

Managers are responsible for:

- Considering each employee application and applying this policy in deciding if a request is agreed
- Ensuring Home Working Arrangements are in line with this policy and are within the context of the range of flexibility options available and how to manage them
- Having the practical skills and confidence to lead a team with different working arrangements
- Tracking the career progression of employees who are home working to ensure they have access to all training and other benefits and to ensure that they suffer no disadvantage in opportunities for promotion or career development
- Providing the necessary resources and equipment to facilitate Home Working Arrangements within the context of this policy
- Evaluating the outcomes of the Home Working Arrangements and looking for improvements.

Employees are responsible for:

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- Identifying personal needs and possible solutions, and being realistic about what is possible
- Taking responsibility for delivering their own workload as agreed with their manager
- Reporting any workplace incidents, injuries or illnesses that occur whilst undertaking Home Working Arrangements
- The employee agrees to cooperate with What Ability to ensure that the home based work site conforms with What Ability's work health and safety standards.
- Reporting any potential hazards that may exist in the Home Working Arrangements environment as it changes from time to time
- Ensuring that any Home Working Arrangements comply with all What Ability policies, procedures, safety requirements including the Drug and Alcohol Policy, Security Check & Awareness Policy and electronic communications guidelines.
- Being willing to review and modify arrangements as their personal circumstances or operational requirements change from time to time
- Meeting all performance requirements and minimum conditions of employment as prescribed in the Employee's employment contract, What Ability policies, procedures and as agreed with the manager and Director.
- Actively participating in review and continuous improvement of Home Working Arrangements

6. Consequences of breach of the Code of Conduct

The Code is to be strictly adhered to by all employees. All employees are required to familiarise themselves with this document. Contravention of this document may result in disciplinary action being taken against the employees and, in serious cases, may result in termination of employment.

7. Changes to the Policy

What Ability may, from time to time, amend or vary this policy in its absolute discretion but will take all reasonable steps to inform employees of any changes it makes.

Payroll Policy

This document sets out the policy of What Ability (“**What Ability**”) in relation to the manner in which payroll is managed and processed.

1. Policy statement

Payroll is the payment of salaries and wages for employees and includes the management of related functions such as however not limited to, employee and statutory deductions from pays, remunerated benefits, leave management, reporting, applicable legislation interpretation and payslips.

What Ability may complete its payroll processes internally via a dedicated payroll officer(s) or externally via a third-party company(s). All information accessible, shared, managed and processed by the payroll officer(s) or third-party company(s) will be dealt with in accordance with The Privacy Act 1988 (**Privacy Act**), Fair Work Act 2009, the Australian Taxation Office

(ATO), What Ability policies and procedures, and all applicable legislation and industrial instruments.

This document should be read in conjunction with all other Policies and Procedures.

2. To whom does this policy apply?

This policy applies to all employees of What Ability and / or external third-party company(s).

3. Payroll Processing

Payroll will be processed, managed, accessed and communicated via the What Ability' chosen method and processes, which may include however not limited to:

- Internal Payroll Officer(s);
- Third party Company(s);
- Third party Payroll Software(s);
- Third party Accounting Software(s); and
- Other authorised systems, processes, third party(s) and companies.

4. Responsibilities

Payroll Officer(s) and / or third-party Company(s) may, however not limited to:

- Create new employees on the system utilised;
- Process payroll payments to all employees;
- Process of employee salary packaging arrangements, if applicable;
- Manage and process Leave applications;
- Preparation and issue of payslips and end of year payment summaries;
- Manage and process deductions to authorised and approved external bodies, such as, however not limited to the ATO, superannuation, union, garnishee orders, Child Support etc
- Responding to payroll related enquiries;
- Arrangements for approved payroll changes arising from pay increments, industrial instrument changes, and other required changes;
- Managing overpayment procedures; and / or
- Processing of short term and long-term incentives, where applicable;

The employee is responsible for:

- Providing What Ability with their time and attendance via the Company's chosen method;
- Providing What Ability with any variations that may have an effect on payroll processing and disbursement, such as changes in address and personal circumstances which may affect deductions etc;
- Casual and fixed term employees are also responsible for submitting payment claim forms, each pay cycle, for approval by their supervisor authorised to approve payroll claims.

5. Procedures

Data will only be entered by the payroll officer(s) or Third-Party Company(s) into the applicable system utilised for payroll, per the following:

- receipt of all required information for the relevant appointment or change, accompanied by evidence of required approvals;
- an employee ID or Payroll ID will be created for new staff members;
- the Manager, Payroll System, Payroll Services and / or third-party Company(s) will ensure that appropriate payroll validation processes are documented and maintained; and / or
- bank details are to be entered by the employee upon onboarding or via the Payroll System. The Company is able to accommodate multiple bank account details, for salary payments. Full details must be supplied for all accounts as well as the nominated dollar amounts for the successive accounts. Where existing employees are nominating new account details there is a requirement to provide the previous account details for security reasons. Employees are responsible for ensuring that the bank details they supply are correct.

6. Confidentiality

Payroll related information may be access and shared to relevant bodies and entities by the authorised business managers, the principle, authorised delegates, the Payroll Officer(s) and / or the Third-party Company(s) in accordance with the relevant legislation(s) and the What Ability Policies.

Employees must keep their payroll information confidential at all times and must not discuss any payroll related information with another staff member unless provided written approval by a business manager, the principle, authorised delegates and an authorised individual who possesses the authority to provide such approvals.

7. Rostering and Time and Attendance

The Company may in its discretion utilise multiple methods for managing rosters, time and attendance. This may include, however not limited to:

- The application support mate;
- Biometric Scanning which may include voiceprints, retina or iris scan, scan of hand or face;
- Fingerprint scanning;
- Global Positioning System (GPS) tracking / tagging and employee movement tracking;
- Manual and paper-based time sheets submission;
- Clock In / Out swipe cards;
- Employee ID clock in / out;
- Photo Capturing; and / or
- Other adopted methods the Company may choose from time to time.

All data collected will only be utilised for emergencies, the management of workplace health and safety, rostering, time and attendance, travel and payroll purposes. When collecting data, What Ability will adhere to the Privacy Act and all applicable legislation.

All employees employed with What Ability consent and agree to use the different roster, time and attendance options and methods. What Ability may, from time to time, vary its time and attendance methods and options and will take all reasonable steps to inform its employees.

8. Applications and Software

What Ability utilises software via company owned and / or third-party providers.

Employees are required to utilise these softwares via company owned and / or personal owned telephones (both fixed line and mobile), computers, laptops, tablets, and other devices for the purpose of payroll, HR, roster, time and attendance and as required.

To manage payroll, time and attendance, What Ability may store, manage, view and access information, data and records of GPS tracking information via its third-party providers.

These include:

- employee movement with respect to work-related duties and travel;
- employee kilometers travelled;
- clients visited;
- locations visited; and / or
- and other work-related means

What Ability also conducts, monitoring, tracking, GPS tracking and employee movement tracking via third-party software(s) and application(s) that are available, installed and accessed on company owned or employee-owned personal telephones (both fixed line and mobile), computers, laptops, tablets, and other devices.

The management of such surveillance includes the collection or storage of information, or the creation of records, in a routine and passive manner. It also includes routine review of that information or those records to ensure the integrity, security and service delivery of What Ability's systems, including payroll, time, attendance, IT Resources and Networks. Such processes will be managed in Line with the following:

- Australian Workplace Surveillance Act 2005;
- Privacy and Personal Information Protection Act 1998 (PPIP Act);
- Spam Act 2003;
- Other applicable legislation;
- This policy;
- What Ability's Payroll policy;
- What Ability's Code of Conduct and Ethics Policy;
- What Ability's Privacy Policy;
- What Ability's EMPLOYEE DATA PROTECTION AND PRIVACY COLLECTIONS STATEMENT POLICY;
- What Ability's Workplace Surveillance Policy; and
- Other applicable What Ability policies and procedures

9. Timelines & Pay Cycles

What Ability operates a fortnightly payroll cycle. The cycle begins on Monday and ends on Sunday.

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The deadline for timesheet submission, leave applications and other payroll related information, applications and changes must be made daily, as required and by latest 10am.

Pay Day is every Wednesday however payment may take up to 3 business days to be cleared in an employee's bank account.

It should be noted that there are some exceptions where payroll deadlines are changed due to public holidays and other contributing factors. In such circumstances, employees will be notified of such changes.

10. **Payments**

All What Ability employees and / or the Third-party Company(s) responsible for processing payroll related actions (for example payroll, new contracts, contract extensions, employment variations, terminations) must ensure that:

- these actions are undertaken in a timely manner and in accordance with the Payroll Calendar;
- All information must be provided by the designated deadlines, as mentioned in this policy'
- superannuation payments will be made as per the applicable legislation and industrial instrument;
- termination payments will be made as per the applicable legislation and industrial instruments; and
- all payroll related processes and payments are made in accordance with the applicable legislation and industrial instruments.

11. **Overpayments**

If an overpayment has occurred for any reason, the Company will take steps to recover the overpayment.

A reasonable attempt will be made to reach an agreement with the staff member on a suitable method and timeline for repayment as per the applicable legislation and industrial instrument.

12. **Off-Cycle Payroll and Underpayments**

Off-cycle payroll payments may occur, however not limited to, the following reasons:

- Late submissions of timesheets;
- Bonus payments;
- Back pays; and / or
- Other factors.

Such payments will only be made in exceptional circumstances, as determined by the Manager, Payroll officer(s) and / or Third-Party Company(s)

An underpayment to a staff member will be corrected with full payment after verification of the underpayment. Payment for such occurrences will be made via an off-cycle payroll payment.

13. Pay Slips

Pay slip information is available to all employees via electronic means and communication.

Payslips will be provided on or after the actual pay day.

Care should be taken by all parties processing the payroll and by all employees, to ensure pay slip information is handled in a confidential manner.

14. Adjustments to remuneration

Where a staff member's remuneration changes, the date of effect of the change will be considered the date of appointment for the purpose of determining the date of effect.

Remuneration related adjustments will be made no later than the first payday on or after the date of the effect of the increase.

In the case of an adjustment in remuneration due to promotion and / or change in payment due to higher duties (classification, allowances etc), payment of wages and salary at the adjusted rate will be made no later than the next payday provided related paperwork is received by the Payroll officer(s) and or the Third-Party Company(s).

15. Consequences of breach of this policy

This policy is to be strictly adhered to by employees. All employees are required to familiarise themselves with this document.

Contravention of this policy may result in disciplinary action being taken against the employees and, in serious cases, may result in termination of employment.

16. Changes to the Policy

What Ability may, from time to time, amend or vary this policy in its absolute discretion but will take all reasonable steps to inform employees of any changes it makes

Workplace Behaviour Policy

This document sets out the policy of What Ability (“**What Ability**”) in relation to dealing with grievances in any What Ability workplace. Employees are required to comply with this policy as part of their contractual obligations to What Ability.

1. Policy statement

What Ability acknowledges that problems may arise in the workplace which may cause employees to feel aggrieved.

This policy provides guidance on how to deal with or raise a complaint and grievance relating to issues at the workplace that may include, however not limited to:

- Breaches in the code of conduct and the workplace behaviour policy;
- Breaches in workplace health and safety and all related documents, principles and processes;
- Breaches in company policies and procedures;
- Punctuality, time and attendance;
- High absenteeism;
- Misconduct;
- Perceptions, expectations and understanding over work matters;
- Remuneration;
- Leave;
- Working hours;
- Promotion or demotion;
- The working environment;
- Breaches health and safety;
- Performance of work;
- Equal opportunity; and
- Harassment, bullying and discrimination

The objectives of this policy are to resolve an incident, grievance and/or complaint through discussion, consultation and co-operation to:

- (a) prevent workplace confrontation and disputes;
- (b) avoid interruption to the performance of work; and
- (c) address any issues raised by any employee(s) and internal or external stakeholders.

The policy attempts to set out an optimal process for complaint and grievance resolution. However, it is impossible to anticipate all grievance scenarios and there may be particular circumstances when What Ability deems it appropriate to deviate from these procedures.

2. Interaction with other policies

This policy operates in conjunction with all What Ability policies, procedures and processes.

3. Practice

Both management and employees are to follow the Workplace Grievance and Complaint Policy in a fair and conciliatory manner.

4. Definition

A “Complaint” and / or “Grievance” is any kind of problem, concern or complaint an employee or stakeholder (internal / external) may have relating to work, another employee(s), contractor(s) and / or external stakeholder(s) or the work environment. A complaint and/or grievance may include, however not limited to, any act, behaviour, omission, situation or decision an individual or group of individuals may think is unreasonable, unfair, discriminatory or unjust.

“Misconduct”, includes however not limited to, theft, physical assault, gross negligence, serious breach of policies and/or procedures, wilful or malicious damage, serious breach of safety procedures, illegal or fraudulent acts while representing the organisation and/or dealing with another employee(s), contractor(s) and / or external stakeholder(s) or the work environment.

An “Incident” is, however not limited to, an event or occurrence that exposes or may expose an individual or group of individuals to a risk to their health or safety.

5. Confidentiality

All incidents, grievances and/or complaints will be treated in a confidential manner. Generally, only the people directly involved in making, investigating and resolving an issue will have access to information about the incident, grievance and/or complaint. Depending on the nature of the incident, grievance and/or complaint, it may be necessary for information about the incident, grievance and/or complaint to be disclosed to other employees (for example, as part of the investigation process) and to management to ensure appropriate action is taken.

In the event an individual or group of individuals wishes to raise an incident, grievance and/or complaint, they must keep the incident, grievance and/or complaint confidential and not discuss the matter with any What Ability employees other than those set out in this policy and with the approval of a manager.

6. Impartiality

All parties involved in the resolution of an incident, grievance and/or complaint will remain impartial and follow guidelines that allow fairness and balance in the resolution process. All parties involved will have the opportunity to have their say. All information considered relevant will be collected, noted and considered in the resolution of the matter, and discussions between all parties will be fully documented.

7. Professionalism

In raising an incident, grievance and/or complaint or participating in any investigation and/or resolution, individual or group of individuals should always engage in a courteous and professional behaviour.

What Ability

An individual or group of individuals should deal with incidents, grievances and/or complaints as set out in this policy. If an individual or group of individuals do not intend to raise an incident, grievance and/or complaint under this policy, the incident, grievance and/or complaint should not be conveyed to another individual or group of individuals. If an individual or group of individuals becomes aware of another individual or group of individuals incident, grievance and/or complaint, the first individual or group of individuals should encourage the other individual or group of individuals to address the incident, grievance and/or complaint under this policy.

8. No unfair repercussions

individual or group of individuals who raise a legitimate incident, grievance and/or complaint will be treated fairly and will not be victimised as a result of raising the grievance and / or complaint. Of course, individual or group of individuals are obliged to use this policy appropriately and not raise an incident, grievance or complaint unnecessarily or inaccurately. Before raising an incident, grievance and/or complaint, individual or group of individuals should consider the serious consequences and potential damage to reputation that such an incident, grievance and/or complaint could have upon the person who is the subject of the complaint. If it is found that an employee(s) raised a grievance frivolously or vexatiously, the employee(s) may be subject to disciplinary action that may include the termination of their employment.

9. Timing

All grievances will be dealt with as quickly as possible.

10. Procedure

While fundamental principles remain the same, the approach to resolving an incident, grievance and/or complaint may vary depending on the circumstances and the seriousness of the situation. individual or group of individuals with genuine work-related grievances and / or complaints are encouraged to raise it promptly.

If the subject matter of any incident, grievance and/or complaint involves a claim of discrimination, harassment, or a breach of occupational health and safety legislation, What Ability may have certain obligations to act on these matters.

In some circumstances, management or other individuals may raise an incident, grievance and/or complaint if he or she witnesses an issue that can give rise to grievances and / or complaints, as mentioned in this policy.

Direct resolution

Where possible, the parties to an incident, grievance and/or complaint are encouraged to try to sort it out directly between themselves.

As a first step, individual or group of individuals should raise the incident, grievance and/or complaint directly with the person involved in a professional and courteous manner.

If an individual or group of individuals is the subject of an incident, grievance and/or complaint that is raised directly with the individual or group of individuals, the individual or

group of individuals should take the opportunity to resolve the issue in a manner that preserves the ongoing working relationship. This may include:

- (a) listening to, considering and not immediately dismissing the incident, grievance and / or complaint;
- (b) considering how best to address and resolve the incident, grievance and / or complaint;
- (c) discussing this with the person making the incident, grievance and / or complaint;
- (d) dealing with the issue promptly; and
- (e) addressing any underlying issues.

Discussion with an Internal Contact Officer

If the matter cannot be resolved directly between the parties, or if it is not reasonable for the complainant to approach the other person directly, the individual or group of individuals should raise the issue via the form titled: "Complaint and Grievance Form" and discuss the matter with their manager, supervisor and / or internal contact officer.

If an individual or group of individuals employee reports or raises an incident, grievance and / or complaint to their manager, supervisor and / or internal contact officer, the manager, supervisor and / or internal contact officer will do one or more of the following:

- discuss with the complainant the issues of concern and any outcomes they are seeking;
- inform and explain what options are available to the complainant and what might help to resolve the issue (including the advantages and disadvantages of each option);
- facilitate formal and informal options and assist with the option that is most suitable to the situation;
- recommend actions to What Ability management to assist in the prevention or the termination of discrimination and harassment in the workplace; or
- if required, escalate the matter to a formal investigation.

All parties associated with an incident, complaint and / or grievance, are entitled to a support person and / or personal representative and the right of response and explanation.

The following, however, not limited to, processes and approaches may be utilised when investigating or dealing with a grievance or complaint:

- Written correspondence;
- Telephone interviews;
- Individual meetings/interviews;
- Group meetings/interviews;
- Utilising HR and Payroll third party software;
- Camera surveillance;
- Computer surveillance and monitoring;
- Global Positioning System (GPS) Tracking; and / or
- Other legally compliant means as required.

What Ability

The collecting, reviewing and management of the aforementioned will be as per the applicable legislation and What Ability's policies, procedures and processes and will occur with all parties involved, which may include, however not limited to the Complainant, Respondent, the managers, and any witnesses identified.

When dealing with or investigating an incident, complaint and/or grievance, the company might deem it necessary to provide one or more of the parties involved with the following, however not limited to:

- Suspension with pay until matter resolved;
- Temporary transfer to another position;
- Temporary change of role; and
- Temporary change to department.

The outcomes of any investigation will be provided to relevant individuals within What Ability management who will consider what steps (if any) to take. In certain circumstances, this may include disciplinary action being taken. The type and level of disciplinary action will depend on such things as:

- the seriousness of the misconduct/breach;
- whether the person knew what they were doing and intended to do it;
- whether the person had been previously counselled or warned about this type of misconduct/breach; or
- whether there are any mitigating circumstances.

At the conclusion of dealing with an incident, complaint or grievance, a determination will be made as to the appropriate action to be taken. In some circumstances What Ability may offer to mediate between the parties. If the complaint and / or grievance is found to be substantiated, the appropriate action may include any of the following, however not limited to:

- No Action;
- An apology;
- An undertaking that the behaviour will cease;
- Counselling and/or training;
- Transfer to another position;
- a verbal or written warning;
- termination of employment with notice; and
- termination of employment without notice

If What Ability management decides that an incident, complaint and / or grievance was vexatious, disciplinary action may be taken against the complainant. Disciplinary action could involve one or more of the following, however not limited to:

- No action
- counselling;
- a verbal or written warning;
- a requirement to provide a written apology;
- termination of employment with notice; or
- termination of employment without notice.

11. External remedies

In addition to any rights an employee has to raise matters internally, individual, group of individuals or the Company may also raise matters with the relevant Government body.

12. Consequences of breach of this policy

This policy is to be strictly adhered to. All employees are required to familiarise themselves with this document.

Contravention of this policy may result in disciplinary action being taken against the offending employees and, in serious cases, may result in termination of employment.

Where an employee believes that a breach of this policy may have occurred, he or she should report the matter to their manager.

13. Changes to the policy

What Ability may, from time to time, amend or vary this policy in its absolute discretion but will take all reasonable steps to inform employees of any changes it makes.

Drug & Alcohol Policy

1. Policy Statement

What Ability (“**What Ability**”) is committed to providing and maintaining a safe and healthy working environment for its employees and any parties entering the premises or connected to What Ability’s business operations.

2. Statement of purpose

This policy includes standard provisions relating to drug and alcohol abuse by employees in the workplace.

What Ability provides a work environment that aims to ensure the health, safety, respect and productivity of all employees. The use of drugs and alcohol may impair an individual's capacity to perform their job safely, efficiently and with respect for work colleagues and visitors. The use of such substances may result in the risk of injury or a threat to the wellbeing of the impaired employee, other employee, contractors or visitors on site.

The purpose of this policy is to maintain a work environment that is free from the effects of drug and alcohol use. No employees is to commence work, return to work while under the influence of alcohol or drugs or consume alcohol or other drugs while at work.

3. Scope and Definition

This policy applies to all What Ability employees.

4. Objectives

What Ability

The objective of this policy is to provide a work environment in which the safety and optimum performance of staff is not adversely affected by the use of drugs or alcohol.

5. Responsibilities

Managers' and supervisors' responsibilities

Managers and supervisors are responsible for ensuring a safe and productive workplace by:

- (a) ensuring that any issues or concerns are addressed proactively and quickly to ensure the health and safety of employee;
- (b) identifying and managing staff members suffering from substance abuse;
- (c) ensuring that no employee(s) commences or continues duty if the employee(s) appears to be affected by alcohol, illegal drugs, medication or other substances which may reasonably be considered to lead to a safety risk or an inability to fulfil requirements of their position;
- (d) managing any changes in an employee's work performance that may be due to issues related to alcohol or other drug use;
- (e) making all employees, contractors and external stakeholders aware of this policy; and
- (f) seeking advice and assistance from higher management as required.

Employees Responsibilities

What Ability expects employees to carry out their duties safely and to refrain from any conduct, including alcohol or other substance abuse or misuse, which would adversely affect their performance and/or put at risk the health and safety of themselves or others in the workplace. Employees are expected:

- (a) to recognise that alcohol and other drugs could affect the performance of their duties;
- (b) not to attend for duty if affected by alcohol or other drugs, particularly if required to drive a vehicle or operate machinery;
- (c) to report concerns to their supervisor or manager immediately where an employee is suspected of alcohol or other drug use that may affect the safety of that employees or others; and
- (d) to behave appropriately and professionally when representing What Ability at functions sponsored by another organisation, company or institution, where alcohol is available.

As functions, conferences, and business trips are a part of company practice(s), the following points relating to behaviour are expected to be met by all employees:

- (a) excessive consumption of alcohol is to be avoided as this is both a safety and social responsibility;
- (b) any use of illegal drugs during the course of these events is strictly prohibited;
- (c) contractor(s), external stakeholder(s) and business relationships can be adversely affected if staff forget that there is a business aspect to these functions; and

- (d) reasonable care of facilities and equipment provided is to be taken by employee(s).

6. Prescription Drugs

Employees should consult with their treating doctor or pharmacist before medication is prescribed and/or dispensed. If employees have been informed by their treating doctor of a possible effect on their performance or ability to work safely (particularly their ability to operate machinery) created by the prescribed medication, What Ability asks that employees discuss this with their manager or supervisor and provide them with written advice from the treating doctor. This information will be treated confidentially.

7. Operating Machinery and Vehicles

Employees who are required to perform tasks involving the driving of motor vehicles or the operation of machinery and who are taking prescription drugs that are not recommended to be taken whilst undertaking such activities should notify their supervisor or manager. To ensure a safe environment, no machinery is to be operated or used by anyone who is under the influence of alcohol or drugs.

8. Vehicles

A Vehicle(s) is not to be driven by anyone who is under the influence of alcohol or drugs, during working hours, and What Ability will not accept liability if a breach(s) occurs.

9. Consequences of breach of this policy

This policy is to be strictly adhered to by all employees. All employees are required to familiarise themselves with this document.

To ensure employee(s) safety, What Ability may conduct testing if it believes an employee(s) is under the influence of drugs and alcohol. A positive result may result in disciplinary action being taken against the employee(s) and, in serious cases, may result in termination of employment. Investigation of such matters will be in accordance with the What Ability Workplace Grievance and Complaint Policy.

Contravention of this policy may result in disciplinary action being taken against the employee(s) and, in serious cases, may result in termination of employment.

Where an employee(s) believes that a breach of this policy may have occurred, he or she should report the matter to a manager or supervisor. The complaint will be taken seriously and will be dealt with in accordance with the What Ability Workplace Grievance and Complaint Policy.

10. Changes to the Policy

What Ability may, from time to time, amend or vary this policy in its absolute discretion, but will take all reasonable steps to inform employees of any changes it makes.

Electronic Communications Policy and Guidelines

This document sets out the policy of What Ability (“**What Ability**”) in relation to employee(s) use of What Ability’s electronic communications systems. This includes, but is not limited to, desktop computers and workstations, file servers, e-mail, internet and intranet access and usage, voice mail, faxes and all data, files, and programs that reside on, or are transmitted through, such systems. The policy will also apply to usage by employees of any mobile phones, PDAs, tablets, iPads or similar devices that are provided to employees by What Ability and may be utilised by an employee(s) electronically for the purpose of work-related tasks, work related communication and / or personal reasons if permitted by the company. Any of the devices referred to in this paragraph are referred to in this policy as “**electronic communications facilities**”.

1. Policy statement

What Ability

What Ability provides its employees with electronic communications facilities for business purposes, so that they may communicate effectively with each other, contractors, external stakeholders and other outside parties and carry out their duties in an efficient manner.

Access to these facilities is a privilege, not a right. Use of electronic communications facilities in a manner contrary to this policy may result in access being withdrawn and/or other disciplinary measures being instituted. Serious breaches may result in termination of employment.

All use of What Ability electronic communications facilities, whether for business or personal purposes, must conform with the principles contained within this and any other relevant What Ability policies, as well as the employee's obligations under their contract of employment.

2. Personal use of electronic communications

What Ability recognises that employees will, on occasion, require computer resources, particularly email and internet facilities for personal purposes. Limited personal use of electronic communications facilities is acceptable to the extent that it does not interfere in any way with the proper discharge of the employee's duties and does not negatively impact upon the use of the facilities by any other employee. Any personal use must be in accordance with this and other relevant What Ability policies.

Each employee is responsible for the electronic communications facilities, content of all text, audio or images that they store or send using any of What Ability's electronic communications facilities. Employees must not use What Ability's electronic communications facilities for purposes that breach any company policy and / or for illegal purposes.

Employees must only utilise company owned telephones (both fixed line and mobile), hand-held radios, GPS devices, computers, laptops, tablets, and other devices for the purpose of work-related tasks and requirements, unless approved to do so. Third-party applications are to be utilised by employees for the purpose of work-related requirements.

3. Surveillance

What Ability recognises that employees generally have some expectation of privacy in their personal communications at work. What Ability conducts the following types of surveillance, monitoring, tracking, GPS tracking and employee movement tracking:

- Camera surveillance and monitoring;
- Global Positioning System (GPS) tracking and employee movement tracking;
- Application / software surveillance and monitoring;
- Computer surveillance and monitoring; and / or
- Telephone (both fixed line and mobile) surveillance

What Ability

These may be conducted, managed and executed via company owned or employee-owned telephones (both fixed line and mobile), hand-held radios, GPS devices, computers, laptops, tablets, and other devices. The management of such surveillance includes the collection or storage of information, or the creation of records, in a routine and passive manner. It also includes routine review of that information or those records to ensure the integrity, security, and service delivery of What Ability's systems, including IT Resources and Networks, payroll, time, attendance and safety.

Such processes will be managed in Line with the following:

- Australian Workplace Surveillance Act 2005;
- Privacy and Personal Information Protection Act 1998 (PPIP Act);
- Spam Act 2003;
- Other applicable legislation;
- This policy;
- What Ability's Payroll policy;
- What Ability's Code of Conduct and Ethics Policy;
- What Ability's Privacy Policy;
- What Ability's EMPLOYEE DATA PROTECTION AND PRIVACY COLLECTIONS STATEMENT POLICY;
- What Ability's Workplace Surveillance Policy; and / or
- Other applicable What Ability policies and procedures

What Ability may conduct non-work-related surveillance for the purpose of workplace health, safety and security. This may be conducted via camera surveillance, building access surveillance, IT surveillance, computer surveillance and other related means and requirements.

What Ability will endeavour to respect the privacy of employee' communications at all times. However, employees should be aware of the following:

- internet, email, and computer use (including business and personal communications) will be monitored on an ongoing, intermittent basis. Without limiting the purpose for which What Ability may undertake such monitoring, monitoring may be undertaken to assess compliance with this policy or to ascertain whether the employees is performing their duties or complying with their obligations to What Ability.

- What Ability may undertake the surveillance in a range of ways, including:
 - (a) accessing and reviewing employee(s) email accounts;
 - (b) accessing and reviewing employee(s) work computers, or files created by them; and
 - (c) creating and reviewing logs recording employee(s) email, internet access Company phone & and computer usage;
 - (d) camera surveillance and monitoring;
 - (e) accessing global Positioning System (GPS) tracking and employee movement tracking via third-party softwares and applications;

What Ability

- (f) application / software surveillance and monitoring;
 - (g) computer surveillance and monitoring; and / or
 - (h) telephone (both fixed line and mobile) surveillance.
- Any data, information and communications sent, received, and managed or stored by employees using What Ability network facilities, third-party softwares or company owned software including hardware and devices, are the property of the What Ability, not of the employee(s).
 - Copies of all email communications may be stored in back-up files, irrespective of whether an employee has personally deleted them from his or her account.
 - Electronic communications are an instant paperless form of correspondence – official, permanent, and admissible in a court of law. Before writing and sending an email message, employees should ensure the subject matter is appropriate for email communication.
 - Email communications and logs of internet activity may be viewed by What Ability where necessary.

To manage payroll, and ensure / maintain a safe and secure workplace, What Ability may store, manage, view and access information, data and records of GPS tracking information via its third-party providers. These include:

- employee movement with respect to work-related duties and travel;
- employee kilometers travelled;
- clients visited;
- locations visited; and / or
- and other work-related means

4. Guide to proper use of electronic communications

Employees are authorised to access information and records made available to them only for the purpose of carrying out their duties and are bound by this policy, other What Ability policies and procedures and applicable legislation. The sharing of information, data and records with individuals and groups outside of What Ability is not permitted, unless authorised to do so.

Email is often used informally. Communications of this type can reflect badly on What Ability if sent to contractor(s) and / or external stakeholders. Employees should compose any work-related emails in the same style as a business letter.

Employees must not send emails or other communications to a person who does not wish to receive them. Electronic communication that breaches company policy, is illegal, deemed profane and / or otherwise inappropriate must not be used.

Employees should not download material from the internet or send or receive emails that require a large amount of bandwidth, such as streaming video or audio, or large picture files. This can cause What Ability's entire system to slow down and adversely impact upon other employee' use of the facilities. Please speak with your manager or supervisor if this required.

The sending and forwarding of jokes is discouraged. Employees must not send any jokes that may be in bad taste, or that may harass, bully, discriminate against or vilify any person.

What Ability

Employees should be aware that sending or forwarding such material may not only breach this policy, but also constitute unlawful discrimination or harassment by the employee(s) in breach of Commonwealth and State legislation.

Employees must not distribute or partake in any electronic chain messages. Employees must not attempt to or impersonate another employee in email communications or log on as another employee.

Under no circumstances should any employee(s) possess, access, display, store, archive, edit, record, use, view, send, store or download any type of material, through use of the company resources, technology, hardware, storage facilities, computer, internet or email that:

- is fraudulent;
- is harassing, abusive, threatening or intimidating;
- contains material that could be considered to negatively reflect upon a particular race, gender, religion, colour, national origin, disability, sexual preference or marital status;
- is sexually explicit, profane or obscene, including pornographic images;
- is destructive or potentially destructive to What Ability's computing facilities or reputation;
- is defamatory;
- infringes copyright;
- is pirated;
- any reasonable person might consider to be offensive;
- is in breach of company policies and procedures; and / or
- is unlawful / illegal.

5. Receipt of offensive material

Where an employee receives an email that he or she considers to be inappropriate or offensive from any person(s), whether internal or external to What Ability, the employee must notify management and request the sender not to send such material again.

6. Copyright

Employees must be mindful of not infringing copyright when they use email facilities and the internet. The Copyright Act 1968 (Cth) provides authors of literary, dramatic or musical works or the creators of artistic works with such exclusive rights as reproducing, publishing and communicating their works. It is an infringement of that copyright if someone exercises those rights without the permission of the owner.

Copyright can be infringed by using email or the internet in many ways. For example, by:

- downloading a copyrighted work without permission;
- posting a copyrighted work on a web site or bulletin board without permission; or
- emailing copyrighted works to others without permission.

Generally, research is permitted, but if copyrighted material is to be distributed to others or used for business purposes, employees should ensure that they have the permission of the copyright owner.

7. Defamation

A person defames another person when they make a public statement injuring that person's reputation. Publication occurs as soon as someone other than the author of the statement reads it. Thus, as soon as a defamatory statement is emailed to another person, or posted to a web site or bulletin board, a cause of action for defamation arises.

The informality with which people often use email, increases the likelihood of someone saying something inappropriate about another person. It is also very easy for emails to be read out of context, again increasing the likelihood of defamatory statements being made.

What Ability will not tolerate the sending of communications via its electronic communications facilities that are derogatory or defamatory of other employees or of any other person(s). Employees should remain polite and respect the feelings and beliefs of others in all communications.

8. Transfer or Termination of Employment

On termination or resignation of employment (including transfers to other What Ability offices), the employees must return all electronic communications facilities to their Manager and / or supervisor, complete with any chargers or accessories supplied by What Ability for use with the electronic communications facilities.

9. Loss or theft

Where an electronic communications facility(s) is lost or stolen, the employee(s) must immediately inform their manager and / or supervisor and request for the service to be suspended or disconnected. Outside normal business hours, they should endeavor to contact their supervisor and/or manager and / or call the Service Provider directly. Where there is an unreasonable or significant delay in informing What Ability of an electronic communications facility(s), the employee(s) may be held responsible for costs incurred during the time of reporting loss and subsequent suspension/disconnection.

Depending on the circumstances in which the electronic communications facility(s) was lost, What Ability will replace the electronic communications facility(s) unless carelessness or negligence on the part of the employees can be shown as the cause of the loss. In circumstances where it has been shown that the employee 's carelessness or negligence contributed to the loss of the electronic communications facility(s), then the employees may be required to pay the whole, or contribute to, the replacement cost.

10. Faults

What Ability expects all employees who have been allocated electronic communications facility(s) to take the utmost care and responsibility for them.

If a electronic communications facility(s) is faulty and still under warranty, it should be returned (with full fault and contact details) to the manager and / or supervisor who will then arrange for the device to be repaired or replaced.

11. Use of electronic communications facility(s) in the office

If there is a customer expectation that they are able to make contact with an employee on their company mobile phone, rather than on a fixed office telephone, then the employee's mobile phone should remain switched on at all times.

In circumstances where a fixed office telephone is available to make outgoing calls then use of the mobile phones is discouraged.

Private mobile phones of employees are not to be switched on or used in the workplace during working hours except in an emergency, where mutually agreed between an employee and their supervisor and / or manager, or as authorised by this policy. Private mobile phones of employees must be kept on silent unless authorised by their supervisor.

12. Mobile phones in meetings

It is common courtesy to switch mobile phones off before entering a meeting. What Ability understands that extenuating circumstances may exist that require employees to leave their mobile phones on during meetings. If this is the case, employees are requested to inform the other attendees prior to the commencement of the meeting that they may be expecting a call and will be leaving their mobile phone on during the meeting. The mobile phone should be kept on silent mode to avoid disruption to the meeting.

13. Occupational health and safety

The use of electronic communications facility(s) in certain parts of the workplace and in vehicles can create unsafe, or potentially unsafe, situations. It is illegal in all Australian States and Territories to use a mobile phone whilst driving a vehicle.

Supervisors and / or managers are authorised to issue general notices or particular notices to staff regarding the use of electronic communications facility(s) if they perceive a real or potential occupational health and safety risk. Employees are required to comply with such orders, directions or notices issued by supervisors or managers.

14. Private electronic communications facility(s) used for company business

With the agreement of an employee's manager, an employee may use their personal electronic communications facility(s) for company business reasons according to the terms agreed with the relevant manager.

When this occurs, What Ability will pay the cost of those calls.

15. Consequences of breach of this policy

All What Ability employees using What Ability's electronic communications facilities must adhere to this policy. All employees are required to familiarise themselves with this document. Contravention of this policy may result in disciplinary or legal action. Such disciplinary action may include the limitation of access to computer, email and/or the internet, receiving a written warning and, in serious cases, may result in termination of employment.

What Ability

Where an employee believes that a breach of this policy may have occurred, they should report the matter to their manager. The complaint will be taken seriously and will be dealt with in accordance with the What Ability Workplace Grievance and Complaint Policy.

16. Changes to the Policy

What Ability may, from time to time, amend or vary this policy in its absolute discretion but will take all reasonable steps to inform employees of any changes it makes.

Social Media Policy

1. Policy statement

These guidelines are intended to provide clarity to employees on how to conduct themselves in the emerging world of social media.

What Ability (“**What Ability**”) embraces the use of social media as a corporate communications and community-building tool. What Ability encourages every employee to express themselves and communicate online in many ways, such as through social media, professional networking sites, blogs and personal web sites. However, as in all communications, all employees need to use good judgment about what material appears online, and in what context.

2. Scope

This policy applies to all employees. If an employee is officially accredited to represent What Ability in social media, or if an employee is discussing What Ability or business-related issues in their personal use of social media platforms, the employee is required to follow this policy.

This policy does not apply to an employee’s personal use of social media platforms where the employees makes no reference to What Ability or related issues and there is no connection with the employee’s employment.

3. Definition of social media

Social media tools are defined in this policy as all online media which allow user participation and interaction.

Some common examples, however, not limited to, include:

- (a) social networking sites, such as Facebook, MySpace, Bebo, Friendster;
- (b) video and photo sharing web sites, such as Flickr, YouTube, Blip.tv;
- (c) micro-blogging and activity stream sites, such as Twitter, Jaiku, Yammer; LinkedIn
- (d) blogs and blogging platforms, such as WordPress, Blogger, Tumblr;
- (e) forums and discussion boards, such as Trove Forum, Yahoo! Groups, Google Groups;
- (f) online encyclopedias, such as Wikipedia; and
- (g) any other web sites that allow individual users or companies to use simple publishing tools.

4. Guidelines - professional use of social media

Employees who are officially accredited to represent What Ability in social media as a What Ability representative:

- (a) must read, understand, and comply with What Ability's Internet and Email Usage Policy and Guidelines;
- (b) must understand that the Internet and Email Usage Policy and Guidelines also apply to social media. Users must not access inappropriate material on the internet via a web browser or other software tool;
- (c) must declare their purpose and their position as a representative of What Ability, using an official staff account (relevant for professional use of social media only);
- (d) should not comment in on the activities of What Ability unless they have express written authority to do so;
- (e) must avoid any statement that might bring What Ability into disrepute;
- (f) must not commit What Ability to any action or initiative without appropriate authority;
- (g) must not disclose sensitive, official or confidential information unless authorised to do so;
- (h) should be aware of laws covering libel, defamation, privacy and the protection of intellectual property;
- (i) must ensure all activities are in line with What Ability policies;
- (j) must protect confidential information entrusted to What Ability from distribution into the public domain;
- (k) must have approval from the relevant person to use social media in an official capacity; and
- (l) must be aware of any copyright attached to content they wish to use or reproduce. Employees should also cite or otherwise acknowledge content sources when they are known.

5. Personal use of social media

It is important to note that these guidelines do not apply to employee' personal use of social media platforms. The employee(s) is not permitted to make reference to What Ability's when using social media for personal use.

An employee's use of social media will be connected to their employment where they, for example:

- (a) communicate information or comment about What Ability or another employee, stakeholder, customer, supplier or director of What Ability;
- (b) communicate information or comment about a topic that is related to What Ability's business or its employees and stakeholders;
- (c) communicate information or comment about their employment with What Ability; or
- (d) are connected with any employee, contractor, external stakeholder on a social media site.

If an employee is using social media in a personal capacity but in connection with their employment, they must follow the guidelines as prescribed within the relevant Company Policy and Procedure.

In addition, if an employee is using social media in a personal capacity and in connection with their employment, they must provide a disclaimer making it explicit that their views do not represent those of What Ability.

6. Inappropriate use of social media

Inappropriate use of social media includes, but is not limited to:

- (a) conducting private business;
- (b) using discriminatory, defamatory, abusive or otherwise objectionable language in content;
- (c) accessing, downloading or transmitting any kind of sexually explicit material or violent/ graphic images (without medical purpose);
- (d) accessing, downloading or transmitting information on the use and construction of weapons, explosives and other tools of violence or terrorism;
- (e) accessing, downloading or transmitting any material deemed to be illegal under legislation;
- (f) accessing, downloading or transmitting hate speech, racist material, material extolling the inherent or moral superiority or inferiority of a particular race/ethnic group/sexual orientation, racial epithets or religious bigotry;
- (g) compromising the privacy of any person;
- (h) using services for personal political purposes;
- (i) attempting to gain unauthorised access to the computing resources of other organisations; and
- (j) disrupting of the integrity of the What Ability data or information services.

7. Consequences of breach of this policy

If an employee(s) does not comply with this policy, the employee(s) may face disciplinary action. This disciplinary action may involve a verbal or written warning or, in serious cases, termination of employment or engagement with What Ability.

What Ability will remove, or request the employee(s) to remove, any material where there is a breach of this policy or any other What Ability policy. If the employee(s) does not remove the material when requested to do so this may result in further disciplinary action. What Ability may seek to recover from the employee(s) any costs incurred as a result of a breach of this policy.

Employee(s) should be aware that they are responsible for their own actions. If the employee(s) breaks the law, the employee(s) may also be personally liable.

Where an employee believes that a breach of this policy may have occurred, he or she should report the matter to their manager. The complaint will be taken seriously and will be dealt with in accordance with the What Ability Workplace Grievance and Complaint Policy.

8. Changes to the policy

What Ability

What Ability may, from time to time, amend or vary this policy in its absolute discretion but will take all reasonable steps to inform employees of any changes it makes.

Personal Relationships Policy

1. Policy statement

This policy applies to all employees of What Ability (“What Ability”).

2. Relationships in the workplace – existing or new

As an Equal Opportunity Employer, What Ability emphasises the value of fairness in the workplace. What Ability has a responsibility where such a relationship shows an actual or potential conflict of interest between the parties and What Ability.

Where such a relationship exists, What Ability relies on employees disclosing to Management that a potential or perceived conflict of interest may occur. What Ability acknowledges that there is the possibility that a decision may be biased or prejudiced, either in favour of or against a person with whom an employee has a personal relationship, and employees are required to disclose the circumstances where this may occur.

What Ability reserves the right to determine that where a person(s) is in a position of authority or influence, that they may be removed from any decision-making process where a perceived or potential conflict of interest may arise.

What Ability also reserves the right to determine actual or perceived conflicts of interest and manage that risk accordingly, up to and including termination of employment of either party, depending upon the assessed risk to the business.

3. Changes to the Policy

What Ability may, from time to time, amend or vary this policy in its absolute discretion but will take all reasonable steps to keep employees informed of any changes it makes.

4. Consequences of breach of this policy

If an employee(s) does not comply with this policy, the employee(s) may face disciplinary action. This disciplinary action may involve a verbal or written warning or, in serious cases, termination of employment or engagement with What Ability.

Smoke Free Policy

1. Introduction

What Ability (“**What Ability**”) recognises its responsibility to provide and maintain a healthy, safe and clean work environment for all employees, contractors and external stakeholders.

What Ability’s duty of care under current health and safety legislation imposes a responsibility to protect the health of employees and others at the workplace from the hazards of smoking.

2. Policy objective

The purpose of this policy is to document What Ability’s approach towards smoking in the workplace and to preserve the health of employees, contractors and external stakeholders. Throughout this policy, the term smoke or smoking refers, however not limited to:

- Tobacco smoke;
- Electronic smoke (e-cigarettes) and / or similar products; and
- Other substance smoke

This policy supersedes all previous policies in relation to smoking in the workplace. What Ability will implement this policy to ensure the health, safety and welfare of all employees

3. Scope of policy

This policy is applicable to all What Ability employee, buildings, enclosures and vehicles in all What Ability operations and functions. This policy also applies to all visitors, contractors and volunteers.

4. Policy statement

What Ability stipulates that smoking is prohibited in all workplaces, including all buildings, enclosures and vehicles in all its operations and functions, whether or not the people working at that workplace are paid or are volunteers, visitors or contractors.

There is no legal requirement for an employer to provide smoke breaks. While an employer may be prepared to recognise the needs of a smoker, they also need to avoid the problem caused by an employee disappearing on a regular basis for a 'smoke break'.

An enclosed area can be defined as an area, room or premises that is, or are, substantially enclosed by a roof and walls - regardless of whether the roof or walls or any part of them are:

What Ability

- (a) permanent or temporary; and
- (b) open or closed.

That is, even if the roof or walls are temporary or open, they are taken to be closed when considering whether the area is substantially enclosed.

Smoking is permitted only in a designated smoking area. A designated smoking area is defined as an area that:

- (a) is clearly identified by visible signage;
- (b) is free of foreseeable hazards;
- (c) is outdoors and located not less than 3 metres (or as far as practical) from entrances, open windows and ventilation/air conditioning air intakes or residential premises;
- (d) will not interfere with public thoroughfares; and
- (e) is clean and free of cigarette butt and other litter so as not invite vermin or create environmental damage.

5. Responsibilities

Management responsibility

Each manager is accountable for implementing this policy in their area of responsibility. Management is responsible for:

- (a) complying with this policy;
- (b) ensuring all future employees are advised that the premises of What Ability are smoke free working environments.

Supervisors Responsibility

Each supervisor is accountable for implementing this policy in their area of responsibility. Supervisors are responsible for:

- (a) complying with this Policy;
- (b) offering support to employees wishing to give up smoking, e.g. Employees Assistance Program; and
- (c) ensuring all future employees are advised that the premises of What Ability are smoke free working environments.

Employees Responsibility

All What Ability employees must:

- (a) comply with this policy;
- (b) be aware of and be sensitive of the need to maintain a healthy smoke free work environment;
- (c) not place work colleagues, customers, visitors or contractors in the position of inhaling smoke; and

- (d) ensure that their work performance is not adversely affected due to frequent or prolonged smoke breaks, otherwise they may be subject to disciplinary action.

6. General Responsibilities

Customers, volunteers, visitors and contractors to What Ability premises should be requested not to smoke. It is the responsibility of staff to ensure that these people are treated with courtesy.

Designated smoking areas must be outdoors and away from the workplace.

7. Consequences of breach of this policy

This policy is to be strictly adhered to by employee. All employees are required to familiarise themselves with this document.

If smoking in the workplace is abused, clients and staff have the right to make a complaint.

Contravention of this policy may result in disciplinary action being taken against the employees and, in serious cases, may result in termination of employment.

Where an employee believes that a breach of this policy may have occurred, he or she should report the matter to a manager or supervisor. The complaint will be taken seriously and will be dealt with in accordance with the What Ability Workplace Grievance and Complaint Policy.

8. Changes to the Policy

What Ability may, from time to time, amend or vary this policy in its absolute discretion but will take all reasonable steps to inform employees of any changes it makes.

Children in the Workplace Policy

1. Statement of commitment

What Ability (“**What Ability**”) understands that most employees are part of a family and may be required to care for family members at times of emergency or when those family members are ill or injured. What Ability is committed to ensuring that all of its employees have access to a legitimate form of leave when they need to look after family members and are not disadvantaged due to their family responsibilities.

2. Principles

This policy is based on the following guiding principles. What Ability expects its employees to:

- provide quality service to What Ability customers, contractors and / or external stakeholders at all times;
- ensure that they undertake their duties in a competent and diligent manner; and
- maintain safe work practices and a concern for the health, safety and welfare of What Ability’s other employees, stakeholders, contractors and members of the public

3. Requirements

As a general rule, What Ability’s employees must not bring their children or other family members onto What Ability’s premises, either during or outside work hours. This requirement is due to the need to:

- minimise disruption to the work of the employee, and to the work of What Ability’s other employees;
- remove the risk of injury to the health, safety and welfare of an employee’s child or other family member, What Ability’s other employees contractors and / or external stakeholders, due to the absence of adequate facilities to care for the child or other family member at What Ability’s workplace.

4. Personal leave

What Ability’s employees have access to a Employee’s leave entitlement through the applicable legislation. What Ability’s employees are expected to access their Employee’s leave and care for their children and other family members at home when those children or family members are ill or injured, or in times of emergency.

5. Compliance and contact details

Any What Ability employees who feels that they are unable to comply with the requirements under this policy or have any questions about the operation of this policy, should contact their manager and / or supervisor.



6. Changes to the policy

What Ability may, from time to time, amend or vary this policy in its absolute discretion but will take all reasonable steps to inform employees of any changes it makes.

Privacy Policy

This document sets out the policy of What Ability (“**What Ability**”) in relation to all personal information collected and/or used by What Ability.

What Ability is committed to protecting the privacy of personal information it collects. Each What Ability employee(s) who accesses personal information has a duty to maintain the privacy of that information.

1. Policy statement

What Ability respects the privacy of its employee’ personal information and is committed to ensuring that it complies with the National Privacy Principles (“**NPPs**”) as set out in the Privacy Act 1988 (Cth) (“**Privacy Act**”).

This policy outlines the steps What Ability takes to ensure compliance with its obligations and the protection of employees’ rights under the Privacy Act. The policy interacts with What Ability’s other policies. In particular, employees should also refer to the What Ability’s Electronic Communications Policy and Guidelines.

2. Definitions

- “**Disclosure**”: generally, means the release of information to an outside body.
- “**Employee records**”: a record of personal information relating to the employment of the employee. This may include health information, the engagement, training, disciplining or resignation of the employee, the termination of employment of the employee, the terms and conditions of employment of the employee, the employee ’s personal and emergency contact details, leave records, taxation, superannuation or banking details and the employee ’s salary or wages.
- “**Primary purpose**”: the dominant reason for information being collected.
- “**Personal information**”: information or an opinion (including information or an opinion forming part of a database) whether true or not, and whether recorded in a material form or not, about an individual (not a corporate body) whose identity is apparent, or can reasonably be ascertained, from the information or opinion. It includes all personal information regardless of its source.
- “**Sensitive information**”: a subset of personal information. It means information or opinion about an individual’s racial or ethnic origin, political opinions, membership of a political association, religious beliefs or affiliations, philosophical beliefs, membership of a professional or trade association, membership of a trade union, sexual preferences or practices, criminal record or health information about an individual.

3. Application of the National Privacy Principles (NPPs)

The NPPs apply to the collection, use and disclosure of personal or sensitive information. What Ability may use personal information for the primary purpose for which it was collected, or for a reasonably expected related purpose.

There are certain specified exceptions to the application of the NPPs. For example, What Ability is exempt from complying with the NPPs in the following situations:

- **Employees records:** What Ability can use or disclose information contained in employee(s) records where it is directly related to the employment relationship. This applies to current and former employee. If What Ability discloses personal information regarding employee(s), the third party to whom it has disclosed the information, such as a superannuation fund, will be bound by the NPPs. This exemption does not apply to candidates for future employment or the agency representing such candidates. In this case, authorisation is required to use personal information to undertake activities related to candidature, such as checking employment history and contacting referees.
- **Use in legal proceedings:** where What Ability has collected information for a purpose other than the primary purpose of collection, it can use or disclose personal information where it reasonably believes that the use or disclosure is reasonably necessary for the preparation for, or conduct of, proceedings before any court or tribunal, or implementation of the orders of a court or tribunal.

4. What is personal information?

Personal information refers to information or an opinion about employees from which an employee's identity could reasonably be ascertained. What Ability only collects personal information that it needs for a specific purpose such as security, payroll, employment, counselling, training, consulting, selection or development.

Sensitive information is a special category of personal information and includes information about health, race or ethnic origin, political or religious beliefs, membership of a trade union or association, sexual preferences or criminal record. What Ability will not disclose sensitive information without the employee's consent unless there is a need to disclose such information in accordance with the Privacy Act.

5. Collection of information

What Ability may collect different types of information depending on the purpose of collection. It may collect information such as:

- name, address, occupation, biometric information, professional memberships and contact information;
- interest in areas of What Ability's business; and
- opinions about employee, for example, as a worker or service provider.

What Ability may collect more specific information from employee, contractors and other persons who work in the What Ability's workplace such as:

- date of birth;
- bank account details;
- tax file number and taxation information such as HECS information;
- work history;
- health history in some circumstances, such as for insurance purposes;
- emergency contact details;
- references; and
- superannuation information.

6. Collection of personal information

What Ability will generally only collect personal information directly from employees. This may be collected by written or electronic correspondence, via telephone or in meetings with the employee(s).

At or before the time (or, if that is not practicable, as soon as practicable after) What Ability collects personal information it will generally take steps to ensure that the relevant person is aware of:

- the fact that he or she may be able to gain access to the information;
- the purposes for which the information is collected;
- to whom What Ability usually discloses information of the type collected;
- any law that requires the particular information to be collected; and
- the main consequences (if any) if all or part of the information is not provided.

If it is reasonable and practicable to do so, What Ability will collect personal information about an employee only from that employee.

In some circumstances it may be necessary for one or more of What Ability's functions or activities for it to collect personal information about employees from a third party. Where personal information is collected from a third party, What Ability will take reasonable steps to ensure the employees is aware of the matters listed above.

7. Employee 's responsibilities

If an employee provides personal information to What Ability about someone else, the employees must ensure that they are entitled to disclose that information to What Ability and that, without What Ability taking any further steps required by privacy laws, it may collect, use and disclose such information for the purposes described above.

8. Use of personal information

What Ability will tell employees the purposes for which it intends to use their personal information. It will use personal information obtained about an employee for the primary purpose for which it was collected or a reasonably related purpose.

What Ability will only use the information for other purposes as entitled to do so under the Privacy Act.

9. Accuracy of information

What Ability will take reasonable steps to ensure that the data collected, used or disclosed is complete and up-to-date and has been obtained directly from individuals or reputable sources.

What Ability requests that if any employee's personal information changes, they must notify What Ability as soon as possible.

10. Securing personal information

What Ability makes every effort to ensure that the personal information it holds is protected from misuse or unauthorised access, modification or disclosure. Security measures include, but are not limited to:

- restricting access to computer systems to authorised persons through the use of usernames and passwords. These restrictions also allow What Ability to track which authorised persons have accessed records;
- the use of firewalls, intrusion detection devices and virus scanning tools to prevent unauthorised persons and viruses entering What Ability's systems; and
- controlling access to physical records and providing secure and storage through the use of physical barriers.

11. Employee access to information

If an employee wishes to access personal information What Ability holds about him or her, that employees should contact their manager and / or supervisor.

What Ability is entitled to refuse a request to access personal information in particular circumstances (such as where providing access would be unlawful or would have an unreasonable impact on the privacy of other individuals).

Where the request is accepted, What Ability may charge the employee a reasonable fee for providing access to the personal information.

12. Consequences of breach of this policy

This policy is to be strictly adhered to. All employees are required to familiarise themselves with this document.

Contravention of this policy may result in disciplinary action being taken against the offending employees and, in serious cases, may result in termination of employment.

Where an employee believes that a breach of this policy may have occurred, he or she should report the matter to their manager.

13. Changes to the policy

What Ability may, from time to time, amend or vary this policy in its absolute discretion but will take all reasonable steps to inform employees of any changes it makes.

EMPLOYEE DATA PROTECTION AND PRIVACY COLLECTIONS STATEMENT POLICY

1. Policy Statement

This Employee Data Protection and Privacy Collection Statement applies to anyone who is, or has applied to become, an employee of What Ability ('Employee Collection Statement').

This Employee Statement is to be read in conjunction with all What Ability Policies and Procedures.

2. Types of personal data that will be processed by the Company and third parties

What Ability utilises systems, software(s) and biometric systems and software(s) that may obtain personal information from employees. What Ability may also employ the services of a third parties to manage its work-related requirements.

The personal data collected, managed, stored and processed by What Ability and its third parties will include the details you provide directly to What Ability during any expressions of interest, application, commencement of employment, throughout your employment and for the purpose of Payroll. This includes any supporting documentation that is requested or that you provide, any additional details provided by referees and anything recorded during or after any interview processes.

If you apply to What Ability through online recruitment services, this may be managed by third-party providers and your personal data may be stored on their database.

In addition, we may also process personal data that we receive or request from any third party in connection with recruiting activities.

What Ability

In submitting your application or expression of interest, where you provide What Ability with the personal data of others (e.g. the names and contact details of your referees) you are encouraged to inform them that:

- you are disclosing that information to What Ability;
- if your application is successful, the information will be retained; and
- they can access that information by contacting What Ability.

Your personal data is created, stored and transmitted securely in a variety of paper and electronic formats. This includes databases that are shared across What Ability in order to assess your application and eligibility to commence employment with What Ability. Access to your personal data is limited to What Ability Management and approved third parties who have a legitimate interest in it for the purpose of carrying out their duties.

3. Workplace Surveillance

What Ability conducts the following types of surveillance, monitoring, tracking, GPS tracking and employee movement tracking:

- Camera surveillance and monitoring;
- Global Positioning System (GPS) tracking and employee movement tracking;
- Application / software surveillance and monitoring;
- Computer surveillance and monitoring;
- Telephone (both fixed line and mobile) surveillance and monitoring; and / or
- Tablets surveillance and monitoring

These may be conducted, managed and executed via company owned or employee-owned telephones (both fixed line and mobile), hand-held radios, GPS devices, computers, laptops, tablets, and other devices. The management of such surveillance includes the collection or storage of information, or the creation of records, in a routine and passive manner. It also includes routine review of that information or those records to ensure the integrity, security and service delivery of What Ability's systems, including IT Resources and Networks.

Such processes will be managed in Line with the following:

- Australian Workplace Surveillance Act 2005;
- Privacy and Personal Information Protection Act 1998 (PPIP Act);
- Spam Act 2003;
- Other applicable legislation;
- This policy;
- What Ability's Payroll policy;
- What Ability's Electronic Communications Policy and Guidelines;
- What Ability's Code of Conduct and Ethics Policy;
- What Ability's Privacy Policy;
- What Ability's Workplace Surveillance Policy; and / or
- Other applicable What Ability policies and procedures.

What Ability may conduct non-work-related surveillance for the purpose of workplace health, safety and security. This may be conducted via camera surveillance, building access, IT surveillance, computer surveillance and other related means and requirements.

4. Data use

The personal data processed by us, or processed on our behalf, during any expressions of interest, application, commencement and throughout any employment with What Ability is collected for the purpose of assessing your application and if successful, administering your employment, time and attendance and payroll purposes. If you choose not to provide your personal data, it may not be possible for What Ability to not consider you for employment or it may lead to the termination of your employment with What Ability.

We consider that the lawful basis for the processing of your personal data as an employee or applicant is that it is necessary for the pursuit of the legitimate interests of What Ability to consider your application for employment, and as an employee, that it is necessary in order for us to fulfil our obligations to you.

In addition, our specific purposes of processing of your personal data as an employee or applicant of What Ability and how we use it includes:

- to determine and process your pay and other entitlements;
- to correspond with you;
- managing Time and Attendance;
- managing Payroll;
- managing workplace grievances and investigations;
- GPS tracking and employee movement;
- tracking and monitoring employee movement with respect to work-related duties and travel;
- tracking and monitoring employee kilometers travelled;
- tracking and monitoring clients visited by employees;
- tracking and monitoring locations visited by employees;
- managing Workplace Health and Safety;
- to inform you about the range of facilities and services available to staff;
- to fulfil and monitor our responsibilities to comply with legislative reporting requirements;
- to attend to day-to-day administrative matters;
- for the provision of associated services such as security, parking and information technology;
- for benchmarking, analyses, quality assurance and planning purposes;
- Client management;
- to prevent or detect fraudulent activity; and
- to use the information as otherwise permitted by the law.

Employees must only utilise company owned telephones (both fixed line and mobile), hand-held radios, GPS devices, computers, laptops, tablets, and other devices for the purpose of work-related tasks and requirements, unless authorised to do so. Third-party applications are to be utilised by employees for the purpose of work-related requirements.

Employees are authorised to access information and records made available to them only for the purpose of carrying out their duties and are bound by this policy, other What Ability policies and procedures and applicable legislation. The sharing of information, data and records with individuals and groups outside of What Ability is not permitted, unless authorised to do so.

5. Sharing personal data

We may share your personal data with Third Parties, and these include, however not limited to:

- your nominated financial institution for payment of salary;
- your superannuation Account;
- government departments such as the Australian taxation Office, Centrelink, etc;
- organisations that provide salary packaging benefits to eligible and participating staff members;
- providers of service, software, application and hardware;
- organisations that provide staff benefits including automated payments for services;
- contracted service providers which What Ability uses to perform services on its behalf (such as recruitment and course administration, payroll, human resources, banks, mailing houses and IT service providers);
- What Ability owned entities where you are or will be engaging with this entity and subsidiary companies; and
- in the event of an emergency, police, medical or hospital personnel, civil emergency services, your legal representative or nominated emergency contact person, or other persons assessed as necessary to respond to the emergency.

Where personal data is disclosed to third parties, it will be done so only to the extent necessary to fulfil the purpose of such disclosure and in line with applicable legislation and work-related operations.

6. Rights

In addition to your rights to access and correct your personal data and lodge a complaint relating to how we handle your personal data, you may, under certain conditions, have the following rights available:

- to object to any processing of your personal data that we process on the lawful basis of legitimate interests, unless our reasons for the underlying processing outweighs your interests, rights, and freedoms;
- to withdraw your consent where we have processed any of your personal data based on consent;
- to object to direct marketing (including any profiling) at any time;
- to ask us to delete personal data that we no longer have lawful grounds to process; and
- to object to the use of automated decision making.

Who can I contact if I have any questions about how my personal data is being use or how can I exercise my rights?

If you have any questions about how your personal data is being used, or you wish to exercise any of your individual rights that are available to you, please contact your manager..

Workplace Grievance and Complaint Policy

This document sets out the policy of What Ability (“**What Ability**”) in relation to dealing with grievances in any What Ability workplace. Employees are required to comply with this policy as part of their contractual obligations to What Ability.

1. Policy statement

What Ability acknowledges that problems may arise in the workplace which may cause employees to feel aggrieved.

This policy provides guidance on how to deal with or raise a complaint and grievance relating to issues at the workplace that may include, however not limited to:

- Breaches in the code of conduct and the workplace behaviour policy;
- Breaches in workplace health and safety and all related documents, principles and processes;
- Breaches in company policies and procedures;
- Punctuality, time and attendance;
- High absenteeism;
- Misconduct;
- Perceptions, expectations and understanding over work matters;

What Ability

- Remuneration;
- Leave;
- Working hours;
- Promotion or demotion;
- The working environment;
- Breaches health and safety;
- Performance of work;
- Equal opportunity; and
- Harassment, bullying and discrimination

The objectives of this policy are to resolve an incident, grievance and/or complaint through discussion, consultation and co-operation to:

- (d) prevent workplace confrontation and disputes;
- (e) avoid interruption to the performance of work; and
- (f) address any issues raised by any employee(s) and internal or external stakeholders.

The policy attempts to set out an optimal process for complaint and grievance resolution. However, it is impossible to anticipate all grievance scenarios and there may be particular circumstances when What Ability deems it appropriate to deviate from these procedures.

2. Interaction with other policies

This policy operates in conjunction with all What Ability policies, procedures and processes.

3. Practice

Both management and employees are to follow the Workplace Grievance and Complaint Policy in a fair and conciliatory manner.

4. Definition

A “Complaint” and / or “Grievance” is any kind of problem, concern or complaint an employee or stakeholder (internal / external) may have relating to work, another employee(s), contractor(s) and / or external stakeholder(s) or the work environment. A complaint and/or grievance may include, however not limited to, any act, behaviour, omission, situation or decision an individual or group of individuals may think is unreasonable, unfair, discriminatory or unjust.

“Misconduct”, includes however not limited to, theft, physical assault, gross negligence, serious breach of policies and/or procedures, wilful or malicious damage, serious breach of safety procedures, illegal or fraudulent acts while representing the organisation and/or dealing with another employee(s), contractor(s) and / or external stakeholder(s) or the work environment.

An “Incident” is, however not limited to, an event or occurrence that exposes or may expose an individual or group of individuals to a risk to their health or safety.

5. Confidentiality

All incidents, grievances and/or complaints will be treated in a confidential manner. Generally, only the people directly involved in making, investigating and resolving an issue will have access to information about the incident, grievance and/or complaint. Depending on the nature of the incident, grievance and/or complaint, it may be necessary for information about the incident, grievance and/or complaint to be disclosed to other employees (for example, as part of the investigation process) and to management to ensure appropriate action is taken.

In the event an individual or group of individuals wishes to raise an incident, grievance and/or complaint, they must keep the incident, grievance and/or complaint confidential and not discuss the matter with any What Ability employees other than those set out in this policy and with the approval of a manager.

6. Impartiality

All parties involved in the resolution of an incident, grievance and/or complaint will remain impartial and follow guidelines that allow fairness and balance in the resolution process. All parties involved will have the opportunity to have their say. All information considered relevant will be collected, noted and considered in the resolution of the matter, and discussions between all parties will be fully documented.

7. Professionalism

In raising an incident, grievance and/or complaint or participating in any investigation and/or resolution, individual or group of individuals should always engage in a courteous and professional behaviour.

An individual or group of individuals should deal with incidents, grievances and/or complaints as set out in this policy. If an individual or group of individuals do not intend to raise an incident, grievance and/or complaint under this policy, the incident, grievance and/or complaint should not be conveyed to another individual or group of individuals. If an individual or group of individuals becomes aware of another individual or group of individuals incident, grievance and/or complaint, the first individual or group of individuals should encourage the other individual or group of individuals to address the incident, grievance and/or complaint under this policy.

8. No unfair repercussions

individual or group of individuals who raise a legitimate incident, grievance and/or complaint will be treated fairly and will not be victimised as a result of raising the grievance and / or complaint. Of course, individual or group of individuals are obliged to use this policy appropriately and not raise an incident, grievance or complaint unnecessarily or inaccurately. Before raising an incident, grievance and/or complaint, individual or group of individuals should consider the serious consequences and potential damage to reputation that such an incident, grievance and/or complaint could have upon the person who is the subject of the complaint. If it is found that an employee(s) raised a grievance frivolously or vexatiously, the employee(s) may be subject to disciplinary action that may include the termination of their employment.

9. Timing

All grievances will be dealt with as quickly as possible.

10. Procedure

While fundamental principles remain the same, the approach to resolving an incident, grievance and/or complaint may vary depending on the circumstances and the seriousness of the situation. Individual or group of individuals with genuine work-related grievances and / or complaints are encouraged to raise it promptly.

If the subject matter of any incident, grievance and/or complaint involves a claim of discrimination, harassment, or a breach of occupational health and safety legislation, What Ability may have certain obligations to act on these matters.

In some circumstances, management or other individuals may raise an incident, grievance and/or complaint if he or she witnesses an issue that can give rise to grievances and / or complaints, as mentioned in this policy.

Direct resolution

Where possible, the parties to an incident, grievance and/or complaint are encouraged to try to sort it out directly between themselves.

As a first step, individual or group of individuals should raise the incident, grievance and/or complaint directly with the person involved in a professional and courteous manner.

If an individual or group of individuals is the subject of an incident, grievance and/or complaint that is raised directly with the individual or group of individuals, the individual or group of individuals should take the opportunity to resolve the issue in a manner that preserves the ongoing working relationship. This may include:

- (a) listening to, considering and not immediately dismissing the incident, grievance and / or complaint;
- (b) considering how best to address and resolve the incident, grievance and / or complaint;
- (c) discussing this with the person making the incident, grievance and / or complaint;
- (d) dealing with the issue promptly; and
- (e) addressing any underlying issues.

Discussion with an Internal Contact Officer

If the matter cannot be resolved directly between the parties, or if it is not reasonable for the complainant to approach the other person directly, the individual or group of individuals should raise the issue via the form titled: "Complaint and Grievance Form" and discuss the matter with their manager, supervisor and / or internal contact officer.

If an individual or group of individuals employee reports or raises an incident, grievance and / or complaint to their manager, supervisor and / or internal contact officer, the manager, supervisor and / or internal contact officer will do one or more of the following:

What Ability

- discuss with the complainant the issues of concern and any outcomes they are seeking;
- inform and explain what options are available to the complainant and what might help to resolve the issue (including the advantages and disadvantages of each option);
- facilitate formal and informal options and assist with the option that is most suitable to the situation;
- recommend actions to What Ability management to assist in the prevention or the termination of discrimination and harassment in the workplace; or
- if required, escalate the matter to a formal investigation.

All parties associated with an incident, complaint and / or grievance, are entitled to a support person and / or personal representative and the right of response and explanation.

The following, however, not limited to, processes and approaches may be utilised when investigating or dealing with a grievance or complaint:

- Written correspondence;
- Telephone interviews;
- Individual meetings/interviews; and / or
- Group meetings/interviews.

The aforementioned may occur with all parties involved, which may include the Respondent, the Respondent's manager, and any witnesses identified.

When dealing with or investigating an incident, complaint and/or grievance, the company might deem it necessary to provide one or more of the parties involved with the following, however not limited to:

- Suspension with pay until matter resolved;
- Temporary transfer to another position;
- Temporary change of role; and
- Temporary change to department

The outcomes of any investigation will be provided to relevant individuals within What Ability management who will consider what steps (if any) to take. In certain circumstances, this may include disciplinary action being taken. The type and level of disciplinary action will depend on such things as:

- the seriousness of the misconduct/breach;
- whether the person knew what they were doing and intended to do it;
- whether the person had been previously counselled or warned about this type of misconduct/breach; or
- whether there are any mitigating circumstances.

At the conclusion of dealing with an incident, complaint or grievance, a determination will be made as to the appropriate action to be taken. In some circumstances What Ability may offer to mediate between the parties. If the complaint and / or grievance is found to be substantiated, the appropriate action may include any of the following, however not limited to:

What Ability

- No Action
- An apology;
- An undertaking that the behaviour will cease;
- Counselling and/or training;
- Transfer to another position; or
- a verbal or written warning;
- termination of employment with notice
- termination of employment without notice

If What Ability management decides that an incident, complaint and / or grievance was vexatious, disciplinary action may be taken against the complainant. Disciplinary action could involve one or more of the following, however not limited to:

- No action
- counselling;
- a verbal or written warning;
- a requirement to provide a written apology;
- termination of employment with notice; or
- termination of employment without notice.

11. External remedies

In addition to any rights an employee has to raise matters internally, individual, group of individuals or the Company may also raise matters with the relevant Government body.

12. Consequences of breach of this policy

This policy is to be strictly adhered to. All employees are required to familiarise themselves with this document.

Contravention of this policy may result in disciplinary action being taken against the offending employees and, in serious cases, may result in termination of employment.

Where an employee believes that a breach of this policy may have occurred, he or she should report the matter to their manager.

13. Changes to the policy

What Ability may, from time to time, amend or vary this policy in its absolute discretion but will take all reasonable steps to inform employees of any changes it makes.

PERFORMANCE MANAGEMENT POLICY

This document sets out the policy of What Ability (“**What Ability**”) in relation to dealing with performance management, performance of tasks and requirements of role in any What Ability workplace. Employees are required to comply with this policy as part of their contractual obligations to What Ability.

1. Policy statement

What Ability

The objectives of this policy are to ensure all employees understand their requirements relating to performance as set out in this policy.

All employees must perform their duties to their best of their abilities.

Employee performance requirements are not limited to this policy and will also be as per management direction / requirement and job description.

This policy attempts to set general requirements to support development through individual performance and development processes that benefit both the employee and the company.

The purpose of this policy is to provide guidance with implementing performance review processes so that the employee's performance is planned, reviewed and developed. This policy also provides guidance to management with responding and dealing with poor performance.

The procedures set out in this policy will determine the process to deal with employee(s) performance however there may be circumstances when What Ability deems it appropriate to deviate from these procedures.

2. Interaction with other policies

This policy operates in conjunction with other What Ability policies, procedures and processes

3. Practice

Both management and employees are to follow this Policy in a fair and consistent manner.

4. Principles

What Ability's employees are supported to undertake professional development activities, constrained by relevancy and resources only.

Employees whose work performance is poor will be treated to a fair, transparent and prompt process as set out in this policy and the workplace grievance policy.

5. Performance Expectations

What Ability is committed to the professional development of its employees through regular and planned performance development processes.

What Ability expects its employees to meet the requirements of their role and employment as set out, however not limited, the following:

- As prescribed by their manager, supervisor and / or appointed manager or supervisor;
- The job description;

- The minimum requirements of the role; and
- Workplace behaviour policy and code of conduct

6. During the Probationary Period

All employees are under a probationary period at the commencement of employment.

During this probationary period, a review of the position and the employee' performance is carried out. T. Elements to review in the probationary period may include, however not limited to:

- Ability to perform duties as outlined in the job description and instructed by management, supervisor and / or appointed manager or supervisor;
- Ability to meet Workplace Health and safety requirements and obligations;
- Attendance and punctuality; and
- Participation in team and organisation professional activities.

7. After the Probationary Period

This section relates to employees who have successfully completed their probationary period. Employee performance that may be assessed may include, however not limited to, the following:

- Ability to perform duties as outlined in the job description and instructed by management;
- Performance measured against tasks in job description;
- Ability to meet Workplace Health and safety requirements and obligations;
- Ability to complete tasks as specified by manager or supervisor;
- Assisting the team with other tasks as needs; and
- Participation in team and organisation professional activities.

Employee performance is reviewed via a performance appraisal that is conducted Annually. Performance appraisals are completed via the performance appraisal form that may be delivered electronically, soft copy and / or hard copy.

All employees must participate in the activities as stated by their manager and / or supervisor and as per the performance appraisal(s).

8. Attendance and absenteeism

What Ability expects its employees to adhere to their employment start and end times and attendance requirements however What Ability understands that from time to time, an employee is required to take time off and / or may run late or require to leave work early. In such circumstances, an employee must:

- Follow the applicable policies and procedures relating to leave;
- Inform their supervisor and/or manager via phone and / or mobile if they require time off for reasons including personal / Employees leave and follow the applicable policies and procedures.

What Ability

- Inform their supervisor and/or manager of the reasons for running late to work prior to their start time. This must occur via phone and/or mobile call by the employee or a designated person on behalf of the employee (such as a relative, partner, child, etc);
- Inform their supervisor and/or manager if they require to leave early on that day or another day. This must be communicated to the supervisor and/or manager at the beginning of their work day, unless required urgently due to emergency purposes and other valid reasons.

Not following the processes within this policy and / or other applicable policies may lead to disciplinary action up to and including warnings and / or dismissal. Continuous lateness to work and high absenteeism without valid reasons may lead to disciplinary action up to and including warnings and / or dismissal.

Continuous absenteeism without notification and communication may be deemed abandonment of employment.

9. Managing low performance

If, as the result of the performance appraisal and/or the performance requirements are not met, the manager may implement a Performance Improvement Plan (PIP).

Failure to adhere to and achieve the goals and requirements of the PIP and / or continuous low performance may result, however not limited, in the following:

- Mentoring, supervision & coaching;
- Changing employee goals and objectives
- Restricting work role and tasks; and
- Disciplinary action up to and including warnings and / or dismissal.

The company may also elect to utilise other approaches and processes other than the PIP.

10. Consequences of breach of this policy

This policy is to be strictly adhered to. All employees are required to familiarise themselves with this document.

Contravention of this policy may result in disciplinary action being taken against the offending employees and, in serious cases, may result in termination of employment.

Where an employee believes that a breach of this policy may have occurred, he or she should report the matter to their manager.

11. Changes to the policy

What Ability may, from time to time, amend or vary this policy in its absolute discretion but will take all reasonable steps to inform employees of any changes it makes.

Security Check & Awareness Policy

This policy applies to the induction of new employees at all What Ability (“**What Ability**”) locations. It also applies to all current full time, part time and casual employees throughout the duration of their employment with What Ability.

1. Objectives

Security awareness is understanding the security risks that employees may encounter on a day to day basis and knowing what to do. The involvement and commitment of employees and management is vital for successful security.

In today’s environment, security is a necessity - not a burden, and is of utmost importance to the organisation as we are constantly under risks of security breaches and thefts, both internal and external.

This policy is designed to ensure security standards of the business are met and maintained by new and existing employee.

What Ability will comply with current legislation, which governs all aspects of Privacy of Personnel Information in Australia.

2. Background screening purpose

To ensure that What Ability meets industry security requirements, security checks will be completed for all new upon commencement of employment and arranged by the applicant at their own cost.

What Ability follows the Police Certificate Guidelines for Disability Care Providers underpinned by the Accountability and Record Principles, the National Disability Insurance Scheme (NDIS) and other relevant legislation, for all workers. The following principles apply:

- NDIS Workers Screening Checks must be completed and cleared as per the applicable legislation and as required by the NDIS
- Police certificates and working with children checks:
 - o all staff members who are reasonably likely to have access to Clients, whether supervised or unsupervised; and
 - o volunteers who have unsupervised access to Clients.
- What Ability must not allow a person to become a staff member or a volunteer unless satisfied that:
 - o They have passed and provided a clearance with respect to their NDIS Workers Screening check
 - o They have passed and provided a clearance with respect to their working with children checks

- o the police certificate does not record that the person has been:
 - (i) Convicted of murder or sexual assault; or
 - (ii) Convicted of, and sentenced to imprisonment for, any other form of assault; and
- o if the person has been, at any time after turning 16, a citizen or permanent resident of a country other than Australia—the person has made a statutory declaration stating that the person has never been:
 - (i) convicted of murder or sexual assault; or
 - (ii) convicted of, and sentenced to imprisonment for, any other form of assault.

3. Process

Police Checks

New staff members are required to have a current police certificate (less than 6 months old) but may commence work before receiving a police certificate if:

- Approval from the Company;
- A copy of the Police Check must be provided to What Ability prior to the employee's commencement date and every 3 years from the original National Police Check.
- The fee applicable for the National Police Check will be at the cost of the employee.
- In the event during the 3-year period if the employee's outcome on the National Police Check provided has changed the employee must notify What Ability immediately.
- Where What Ability has reason to suspect that an employee may have been convicted of a criminal offence, What Ability may direct the employee to obtain a National Police Check. The cost of the National Police Check will be at the employee's cost.
- the care or other service to be provided by the person is essential
- an application for a police certificate has been made before the date on which the person first becomes a staff member or volunteer
- Until the police certificate is obtained, the person will be subject to appropriate supervision during periods when the person has access to Clients
- The person makes a Statutory Declaration stating that they have never been:
 - o Convicted of murder or sexual assault or
 - o Convicted of, and sentenced to imprisonment for, any other form of assault.

Working with children check

A Working with Children Check may be required during the course of employment and are arranged by the applicant.

- Staff and volunteers are responsible for ensuring that their check is current.
- Three months prior to the expiry the (or delegate) will advise the staff person/volunteer that their check is due to expire, and the staff person/volunteer must then renew the card and provide details to the Team Leader Administration.
- If an applicant receives a Negative Notice they will not be employed
- If they receive an Interim Negative Notice, they will not be employed until they produce a current Working with Children clearance.
- A copy of the Working with Children Check is kept in the staff file and details entered in the Employment Checks Register.

What Ability also reserves the right to conduct a security check on any current employees at any given time during their employment with the Company, in order for the company to continue to meet its industry security requirements.

If any disclosable court outcomes for offences in Australia or overseas are deemed to pose a threat to What Ability, its reputation, its clients, its stakeholders and / or inhibit the employee's ability to perform the requirements of the position, the Company reserves the right to terminate employment in order to protect itself, its employees and future business operations.

Factors which are considered in determining any such impact include:

- the seriousness and frequency of the offence;
- the amount of time that has elapsed since the offence occurred;
- whether the offence is still a crime;
- the relationship between the offence and the duties which the employee's position entails;
- whether the appointment or continued employment of a person with such a criminal history is likely to conflict substantially with What Ability values and its client service requirement by the position; and
- whether the appointment or continued employment of a person with such a criminal history could seriously erode public or client confidence.

Once notification regarding the check has been received, Management will contact the employee's manager to inform them of the outcome. Management will then proceed with an appropriate course of action or termination if required.

If an employee is directed to obtain a National Police Check and he or she refuses to without a reasonable justification, this may be a refusal of a lawful and reasonable direction which may result in disciplinary action up to and including termination of employment or services.

What Ability is an equal opportunity employer. We are committed to ensuring that employees are not discriminated against on any of the grounds of discrimination contained in the equal opportunity employment laws. Our employment processes are also designed to comply with the federal Privacy Act 1998 and the National Privacy Principles.

NDIS Worker screening check

What Ability is a NDIS registered organisation and is required to only employ and/or engage staff members, contractors and volunteers who have a valid clearance from the applicable state or territory to deliver NDIS supports and services in a risk assessed role as defined by the NDIS commission. Due to this, staff members, contractors and volunteers may be required to have a valid and cleared NDIS Worker Screening Check.

What Ability is responsible for assessing whether or not the role that the staff member, contractor and volunteer is employed and/or engaged in, is a risk assessed role. A risk assessed role is:

- a key personnel role of a person or entity, as defined in s11A of the *National Disability Insurance Scheme Act 2013* (for example, a CEO or a Board Member);
- a role for which the normal duties include the direct delivery of specified supports or specified services to a person with disability; and
- a role for which the normal duties are likely to require more than incidental contact with people with disability, which includes:
 - o physically touching a person with disability; or
 - o building a rapport with a person with disability as an integral and ordinary part of the performance of normal duties; or
 - o having contact with multiple people with disability as part of the direct delivery of a specialist disability support or service, or in a specialist disability accommodation setting.

What Ability will only engage and/or employ a staff member, contractor and volunteer in a risk assessed role if they are cleared via the NDIS Worker Screening Check.

All new and existing staff members, contractors and volunteers who are placed in a risk assessed role must be cleared via the NDIS Worker Screening Check. New and existing staff members, contractors and volunteers who are not cleared by the NDIS Worker Screening Check will not be placed in the risk assessed role until cleared and their employment and/or engagement with What Ability may be suspended and/or terminated if clearance is not provided. In its discretion, What Ability may also place new and existing staff members, contractors and volunteers in an alternative role that does not require such checks.

If a staff member, contractor, and volunteer is directed to obtain a NDIS Worker Screening Check clearance and refuses without a reasonable justification, this may be considered to be a refusal of a lawful and reasonable direction which may result in disciplinary action up to and including termination of employment and/or engagement with What Ability.

4. **Responsibilities**

Managers/Supervisors

It is the responsibility of Managers and Supervisors to:

What Ability

- ensure that Management is provided with all relevant employee(s) details as per the security checks so that security checks can be arranged, and obtain any additional information that may be required to complete the check; and
- ensure employees complete any paperwork which may be required by Management pursuant to this policy.

Employee

It is the responsibility of employees to:

- complete all relevant documentation required for security checks; and
- acknowledge and understand that their employment with What Ability is subject to the outcomes of all security checks conducted by What Ability.

5. Security awareness

What Ability employees are expected to be aware of the security risks around them.

IT resources

Information is vital to any organisation and crucial information is housed and processed via computers, servers and network. Staff must not misuse IT resources as this can lead to loss of contractor and / or external stakeholder confidence and the company's reputation, therefore all employees must play a part in ensuring a secure environment.

Physical security

Staff should watch their workspace and escort contractors and / or external stakeholders while they are inside What Ability facilities – such as the office. If an employee has an identification card, this should be worn by employees **inside the facility and not outside the facility.**

Do not provide any information or specific information about any employees to any contractor, external stakeholder and / or suspicious person.

If a suspicious person, contractor, external stakeholder is uncooperative and tries to create disruptions, please alert your manager and / or supervisor, onsite security guards (if available) and, where necessary, call the Police on 000.

Receiving a bomb treat

If a bomb threat is received, try to ascertain the identity of the caller, their phone number and alert your manager, supervisor or a colleague to notify the Police on 000.

Evacuation procedures must be followed. Employees should familiarise themselves with the evacuation procedure policy.

Dealing with suspicious letters /packages

If an employee comes across any suspicious package or letter, they must not attempt to open it. They should place the device in a secure place away from staff and notify their manager, supervisor and the Police immediately on 000.

Evacuation procedures will be implemented. Employees should familiarise themselves with the evacuation procedure policy.

Legal, statutory and other security regulatory requirements

What Ability has a statutory obligation to comply with all applicable requirements related to security threats and risks and will communicate relevant information to all employees, contractors and external stakeholders. Employees should direct any queries to their manager and / or supervisor.

Internal and external thefts

If employees become aware of any theft whatsoever, they should report the incident to their manager and / or supervisor in the first instance. If necessary, the incident should also be reported to the Police on 000.

6. Further information

Security is every individual's responsibility – whether it is at work or in their personal's life. If an employee identifies or comes across **anything** suspicious, they should advise their manager and / or supervisor.

7. Consequences of breach of this policy

This policy is to be strictly adhered to by employee. All employees are required to familiarise themselves with this document.

Contravention of this policy may result in disciplinary action being taken against the employees and, in serious cases, may result in termination of employment.

Where an employee believes that a breach of this policy may have occurred, he or she should report the matter to a manager or supervisor. The complaint will be taken seriously and will be dealt with in accordance with the What Ability Workplace Grievance and Complaint Policy.

8. Changes to the Policy

What Ability may, from time to time, amend or vary this policy in its absolute discretion but will take all reasonable steps to keep employees informed of any changes it makes.

Flexible Working Arrangement

1 Purpose

This policy was developed to ensure that employees and managers are aware of the range of Flexible Working Arrangements available at What Ability and understand the roles and responsibilities of each person involved in the application and approval process

The availability of these arrangements is subject to individual situations, the applicable legislation and What Ability's operational requirements.

2 Scope

The policy applies to all What Ability employees for the duration of their employment.

3 Flexible Working Arrangements

Flexible Work Arrangements can assist employees to balance personal needs, while taking into account business needs. Flexible Working Arrangements may not always be possible due to operational or other limitations. Managers and employees need to be open to discussing and considering a range of flexible work options.

Managers are responsible for making a decision about Flexible Working Arrangements following a request by an employee.

What Ability

The types of flexible working arrangements include, however not limited to:

- Excursions (Camps)
- Part-time work
- Job share
- Compressed fortnight
- Flexible start and finish times
- Working from home/telecommuting.

Flexible work options available to individual staff may differ depending on the terms and conditions of their employment and job requirements. A manager/supervisor and staff member may agree on one or a combination of these options as a part of a flexible work arrangement. These flexible work options may be considered in combination with other provisions available to staff to achieve greater flexibility.

4 Employee Requests

Depending on individual circumstances, flexible work can be requested on a short-term (e.g. less than six months) or longer-term basis (e.g. over six months).

Requests for flexible start and finish times and working from home on an ad hoc or short-term basis should be discussed with the staff member's manager/supervisor. An informal arrangement at a local level would be sufficient in most instances. If the request is for a longer-term period (e.g. over six months), then a formal arrangement is recommended. When assessing requests for Flexible Work Arrangements, factors that may be relevant could include:

- That the new working arrangements requested by the employee would be too costly for the Employer
- That there is no capacity to change the working arrangements of other employees to accommodate the new working arrangements requested by the employee
- That it would be impractical to change the working arrangements of other employees, or recruit new employees, to accommodate the new working arrangements requested by the employee
- That the new working arrangements requested by the employee would be likely to result in a significant loss in efficiency or productivity
- That the new working arrangements requested by the employee would be likely to have a significant negative impact on customer service.

5 Changes to the Policy

What Ability may, from time to time, amend or vary this policy in its absolute discretion but will take all reasonable steps to inform employees of any changes it makes.

Conflict of Interest Policy

1. Purpose

It is the What Ability's initiative to provide a framework which enables employees to disclose, and take reasonable steps to avoid, any conflicts of interest in connection with their employment.

2. Scope

The Policy applies to all What Ability employees for the duration of their employment and in certain circumstances after termination of employment. All What Ability employees are expected to abide by the principles set out in this policy.

3. Principles

An apparent or allegation of conflict of interest can be damaging to employees and adversely affect the reputation of the What Ability.

Fostering an awareness of the circumstances leading to conflict of interest is an important mechanism for avoiding such situations.

Transparency through a continuous disclosure reporting framework is the most appropriate approach to handling these issues.

What Ability

The procedures should not unreasonably interfere with the privacy of employees or their families.

If a conflict of interest becomes apparent, the What Ability will seek to resolve this in a way which removes the conflict with minimal impact on the employee.

In some circumstances it may be necessary to institute arrangements to protect both the employee and the What Ability. As a last resort, it may be necessary to reassign the employee.

4. Background

During their duties, many of our employees have access to commercial and other sensitive information which may either pose a conflict with their private interests or create a perception that such a conflict exists.

What Ability requires its employees to disclose, and take reasonable steps to avoid, any conflict of interest (real or apparent) in connection with their employment. It is also in the interests of all employees that contractors and external stakeholders are confident that we act in accordance with our policies and do not make improper use of information.

There is also a more general obligation under the Public Service Regulations 1999 on employees not to disclose any information about public business or anything of which the employee has official knowledge, and, under the Crimes Act 1914, it is an offence for an employee to publish or communicate such information.

The What Ability also has obligations under the applicable Privacy legislation. These include having a reasonable basis for requiring information and securing information to ensure privacy.

5. Conflict of Interest

A conflict of interest is a circumstance which places an employee in a position where their personal interests could compromise their independence. Apparent (or perceived) conflicts of interest may be as important as actual conflicts.

Recognising potential conflicts of interest

Employees should consider whether any of their private interests, such as personal relationships and financial interests, could be affected by the decisions of the What Ability over which the employee has influence.

An employee who is unclear whether circumstances constitute (or may in the future constitute) an apparent conflict of interest should discuss the matter with their Manager or supervisor in a timely manner, to clarify matters and ensure appropriate procedures are followed. This is an important protection, both for the What Ability and the employee, and would help to provide a response to any subsequent allegations of misconduct.

Personal Relationships

Employees may have personal relationships with people who are engaged in activities that could have an interest in issues with which the employee deals or over which the employee

has influence. What Ability employees are, of course, entitled to have such relationships. However, in the interests of transparency, employees should disclose the names and activities of any persons who could be seen to impact upon the employee's responsibilities to adhere to this policy.

Acceptance of gifts

Employees are expected to apply high standards of probity and ethical behaviour when accepting gifts or benefits. Gifts or benefits should not be accepted by an employee if acceptance could, in any way, be construed as an attempt to influence an administrative, regulatory or contractual decision, or create a conflict of interest.

If an employee has any doubts about the propriety of accepting a gift or benefit, then the gift or benefit should not be accepted, or the matter raised with their Manager and / or Supervisor.

6. Responsibilities

All employees are required to follow What Ability procedures for the continuous disclosure of private interests by completing declarations when required.

The Manager or Supervisor is responsible for assessing and determining whether a real or apparent conflict of interest exists and whether any such conflict is material or immaterial.

In the event that a real or potential conflict of interest is identified, the employee will be advised of any actions required to manage the conflict.

Employees should inform their manager, supervisor and / or raise a complaint, as per the Workplace Grievance and Complaint Policy, if they believe that this policy has been breached.

7. Departure from employment

This procedure survives the date of employee termination. Upon departure from What Ability, all employees are reminded of their obligation to not disclose, or act upon, information gained as a result of their employment with What Ability.

8. Consequences of breach of this policy

What Ability takes these matters extremely seriously and a breach of this policy may result in disciplinary action up to and including warnings, reassignment of employment and / or termination of employment.

9. Changes to the Policy

What Ability may, from time to time, amend or vary this policy in its absolute discretion but will take all reasonable steps to inform employees of any changes it makes.

Vehicle Policy

1. Purpose

safety and welfare of all employees and others that may be affected by its work activities. What Ability requires employees to uphold the highest standards of driving and safety, in any vehicle they use to make a work-related journey.

2. To whom does this policy apply?

This policy applies to all employees of What Ability that drive a vehicle, owned by the business or privately by the employee, for work related purposes.

Please note that this policy does not cover loss or theft of personal affects.

What Ability

3. Types of Vehicles and allowances

Tool of trade vehicle

Tool of Trade Vehicles are purchased by the Company, it is the company's sole decision when deciding the make and model of the vehicle. Each individual vehicle may or may not be branded with a company or brand logo, again this is a company decision. The company can choose to change the make and model of the vehicle at any time.

The placement of Tool of Trade vehicles will require approval from the Manager.

When employees leave What Ability, they must leave the Tool of Trade vehicle at an agreed What Ability location. The Company may re-issue the vehicle to other or new employees.

What Ability reserves the right to withdraw use of the vehicle where there is a substantial change in the nature of the employee's job (i.e., where a car is no longer a "tool" of the role) which materially affects their requirement for a vehicle, or where the vehicle has been misused. It may be withdrawn in the case of long-term sickness and withdrawn at the time the driver actively ceases to be an employee of the Company.

Employees assigned "Tools of Trade" vehicles do so on the understanding that the vehicle is available for company business as and when required, including re-assigning the vehicle during periods of personal, parental, annual, and long service leave. This may include making the vehicle available to another What Ability employee or used in any way the Company deems necessary, at its absolute discretion.

The full costs of running "tools of trade" vehicles will be reimbursed by the company. Expense claims need to be completed if required.

Employees to whom a Tool of Trade vehicle has been allocated must use the petrol card that they have been issued for the Tool of Trade vehicle only. Only on exceedingly rare occasions when a suitable filling station cannot be found, should an employee seek to claim petrol as an expense. Disciplinary measures may be taken where in the opinion of What Ability management this has not happened.

In addition, it is company policy that the odometer reading must be given to the Manager each time the company vehicle is refuelled.

All cars provided under this option are covered by the company's motor fleet insurance policy.

An excess is payable by What Ability where an accident is judged to be clearly caused by a What Ability authorised driver, defined as:

- Any employee of What Ability with a full driver's license is authorised to drive a company car, with management's permission.
- A member of the employee's immediate family may also drive the vehicle with the consent of the employee to whom the vehicle is allocated.

The insurance company does not approve claims which are obviously for damage

What Ability

accumulated over time.

All new cars are delivered registered in the name of What Ability.

Private Car

For use of a personal car for company related travel, a per kilometer rate will be paid. The rate will be that set by the Modern Award and the ATO from time to time and is designed to recompense for costs incurred.

Employees must possess and provide a copy of the relevant legislative vehicle registrations, relevant car insurance(s) and other requirements if and when utilising their personal car during their employment with What Ability.

Car allowances

Some employees may be provided with a car allowance either on a fixed basis i.e., fixed amount per week or on a kilometer travelled basis.

Car allowances are designed to provide compensation for use of a personal car on company business. The employee will be responsible for all the running costs of the vehicle.

Where an employee receives this option, they are required to maintain an appropriate private vehicle for use to fulfil relevant business travel requirements.

What Ability reserves the right to withdraw the car allowance where there is a substantial change in the nature of the employee's job (i.e., where a car is no longer a "tool" of the role) and it may be withdrawn in the case of long-term sickness and withdrawn at the time the driver actively ceases to be an employee of the Company.

4. Vehicle Use

Any driver of a vehicle must:

- hold a valid full Australian driver's licence
- submit their driving licence for a copy to be taken which will then be checked on an annual basis
- declare any driving convictions, as well as any serious illnesses or factors which may impair their ability to drive. These must be notified to the manager. Failure to do so could render the employee liable to disciplinary action and invalidate the insurance cover; and
- notify What Ability immediately if their licence is suspended or cancelled. If it is a requirement of an employee's employment to drive a motor vehicle, the suspension or cancellation of their licence may end the employee's employment with What Ability.
- Drive safely and in accordance with state and federal legislation

No other person is to drive without the prior written approval of a director, which will only be given in exceptional circumstances.

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If an employee is entitled to receive a company car, this will be set out in their contract of employment.

5. Vehicle Replacement

Tools of Trade vehicles will be replaced at a time deemed suitable by What Ability's management to minimise the destruction of value.

6. Driving offences and fines

The driver of a company car is personally responsible for any fines or other penalties incurred for parking, traffic infringements or any similar action. Such costs must be paid by the individual concerned and the company does not accept liability.

The commitment of any traffic infringements, parking fines or other driving related matters (criminal or civil) may result in disciplinary action being taken and the car being removed from the employee.

7. Driving under the influence of drugs and alcohol

Driving under influence of drugs and alcohol is taken particularly seriously, and may, in certain circumstances, invalidate the employment contract.

In the event of any of the following, the company may require that the vehicle be returned to the company for the following reasons:

- employee licence suspended or revoked
- failure to properly maintain vehicle
- failure to pay fines/infringement notices
- frequent accident rate
- driving under the influence.

8. Tools of Trade Vehicle Maintenance

Servicing, maintenance, and repairs

The employee is responsible for ensuring that all servicing (initial, warranty and regular) is carried out as per the manufacturer's guidelines and overall vehicle requirements.

What Ability will make the applicable re-imbursments as required and as per the applicable GST invoices and receipts.

Garaging, cleaning, and upkeep

The employee is responsible for maintaining the Tools of Trade Vehicle in good order and condition ensuring the vehicle is kept clean and tyre pressure, battery levels, oil and water are checked regularly.

Incidental expenditure incurred by the employee such as car washing, or detailing costs are not reimbursed by the company.

Smoking

Tools of Trade Vehicles are regarded as your place of work and as such our non-smoking policy applies. Smoking is not allowed in tools of trade vehicles.

10. Consequences of breach of the Code of Conduct

Contravention of this policy may result in disciplinary action being taken against the employees and, in serious cases, may result in termination of employment.

11. Changes to the Policy

What Ability may, from time to time, amend or vary this policy in its absolute discretion but will take all reasonable steps to inform employees of any changes it makes.

Travel Policy

1. Purpose

What Ability

From time to time the activities of the business will require employees to travel on behalf of the company. The Company recognises that, because of such requirements, there is an expected quality of comfort that an employee should enjoy, and that travel should not be seen as a hardship or provide disadvantage to the employee.

This policy explains What Ability's policy on business travel and accommodation as well as providing general information regarding claiming business related expenses. The aim of this policy is to ensure that employees are neither advantaged nor disadvantaged because of incurring expenses in the course of carrying out the responsibilities of their role.

Employees should, where possible, be economical in their expenditure, considering practical considerations such as travel time and flexibility.

2. To whom does this policy apply?

This policy applies to all employees of What Ability.

3. Overview

All travel and associated / related tasks must be approved by the manager.

All flight, accommodation and hire car expenses are to be booked via the manager. When possible, travel booking requests should be made at least two to four weeks prior to travel to ensure the best fare available is secured.

Accommodation

Employees who require accommodation while travelling for business purposes are entitled to a standard corporate room in one of What Ability's preferred hotels.

The standard room rate per night is:

Australia \$80

Exceptions will be permitted only with prior manager's approval.

Meals:

Whilst staying away from home on business, employees may claim meal costs to the daily value shown below. All expenditure must be supported by appropriate tax invoices.

Australia: \$60

Class of Travel

Economy class will be used for all flights.

Preferred Airlines

What Ability

What Ability does not have a preferred airline. Flexible domestic return flights can be booked if there is uncertainty about meeting / commitments finishing time but should not be booked as the norm.

Rental Cars

Rental cars may be used where the employee does not have access to their own vehicle or where renting a car would be more economical than the cost of a taxi. Where daily travel is less than 100km a compact or intermediate car is to be hired. Where daily travel exceeds 100km a Standard car may be hired.

Rail

Rail tickets must be retained and submitted with any expense claim where appropriate.

Taxis

Receipts must be retained for all business travel via taxi and submitted with any expense claim where appropriate.

Private Vehicles

What Ability will reimburse on a per KM basis at the current rate applicable to the vehicle as published by the ATO and Modern Award. This allowance is designed to reimburse all costs incurred by the car owner.

4. Procedure

Step 1 (Employee)

To allow sufficient time for management, employees are required to discuss their plans for travel with their Manager as far in advance as possible.

Step 2 (Manager)

Manager to confirm and approve Travel.

Step 4 (Manager)

Manager to organise and manage the travel requirements and associated tasks.

5. Excursions

All travel related to excursions with clients will be paid and governed by the applicable Modern Award and What Ability's policies.

6. Expenses

All travel undertaken for business related purposes can be claimed back as an expense to Company.

This includes expenses for training, conferences, meetings, or other official functions. Any business travel which requires overnight accommodation must be pre-approved by the Manager.

Employees must retain GST invoices for all expenses as expenses will not be approved without receipts that include the GST component of purchases. The company will reimburse employees for all expenses incurred within 7-14 days. Reimbursement will be direct to the employee's nominated bank account.

If managed correctly by employees, this ensures that reimbursements are made ahead of any credit card related payments required of employees.

Reasonable parking expenses will be reimbursed when the employee is travelling on company business in either their own vehicle or a rental vehicle.

Legitimate toll costs incurred during business journeys (excluding normal home to work travel) maybe claimed where an e-toll tag is not provided.

7. Telephone / internet usage

When away from home on business, employees should use their mobile phones as a first preference. If for any reason this is not possible, then reasonable costs of public/hotel telephone usage will be reimbursed.

8. Credit Card

Company Credit Cards should be used for all expenses where possible with approval from management. All purchases will require GST invoices.

Management will provide limits and usage parameters surrounding credit cards.

9. Insurance

All Employees are covered by the Company's Insurance policy for authorised business travel. Completed claim forms must be substantiated either by a receipt or a police/airline statement.

10. Law

Employees must be aware and adhere to the specific legislation(s), rules, regulations, and requirements of the travel destination throughout their time of travel.

11. Consequences of breach of the Code of Conduct

Contravention of this policy may result in disciplinary action being taken against the employees and, in serious cases, may result in termination of employment.

12. Changes to the Policy

What Ability may, from time to time, amend or vary this policy in its absolute discretion but will take all reasonable steps to inform employees of any changes it makes.

House Keeping Policy

1. Purpose

What Ability is committed to ensuring, so far as is reasonably practicable, the health, safety and welfare of all individuals while at work. An important component of protecting the health, safety and welfare of all individuals while at work includes actively encouraging good housekeeping practices.

2. Scope

The Policy applies to all What Ability employees for the duration of their employment and in certain circumstances after termination of employment. All What Ability employees are expected to abide by the principles set out in this policy.

3. Framework

What Ability will ensure so far as is reasonably practicable that good housekeeping practices are followed by all employees to reduce the likelihood of any incidents and injuries in the workplace.

- Manager and Supervisors are responsible for ensuring good housekeeping practices are maintained.
- Good housekeeping practices include, however not limited to, the following practices:
- Work areas, storage areas and amenities will be kept and maintained in a clean and hygienic manner;
- Fire escapes, other doors, stairwells, aisles, walkways, corridors and other means of access and egress are always to be kept clear and unobstructed;
- Safety signs, fire extinguishers/hoses and emergency exits must never be obstructed;
- Portable equipment is to be returned to appropriate storage facilities after use. Material stored in open areas shall be stored in a tidy manner and in appropriate containers. Material or tools removed from their storage should be returned upon completion of the task for which they were removed;
- All spills must be cleaned up immediately and cleaning material disposed of correctly;
- Kitchens should be kept tidy and clean. Spills should be cleaned immediately. Microwave ovens and other cooking facilities should be cleaned after use as appropriate;
- Bathrooms should be kept tidy and monitored to ensure they are so. When cleaning is required this should be reported to the appropriate person, and all cleaning should be undertaken by persons utilising appropriate PPE;
- Electrical cords, hoses and pipes are not to be placed in areas or used in such a way where they may be subjected to damage or cause a trip hazard;

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- Personal protective equipment shall be maintained in good working order. When not in use, personal protective equipment is to be stored in a clean and hygienic manner;
- Work shall be carried out in an area suitable configured and of a suitable size for the activity, so as not to cause accident or injury;
- All rubbish should be disposed of as soon as possible and placed in correct bins
- Fire hoses must not be used for any housekeeping activity or for dusting down clothing.

4. Responsibilities

All employees are required to follow What Ability procedures for the continuous disclosure of private interests by completing declarations when required.

Employees should inform their manager or raise a complaint, as per the Workplace Grievance and Complaint Policy, if they believe that this policy has been breached.

5. Consequences of breach of this policy

This policy is to be strictly adhered to. All employees are required to familiarise themselves with this document.

Contravention of this policy may result in disciplinary action being taken against the offending employees and, in serious cases, may result in termination of employment.

Where an employee believes that a breach of this policy may have occurred, he or she should report the matter to their manager.

6. Changes to the Policy

What Ability may, from time to time, amend or vary this policy in its absolute discretion but will take all reasonable steps to inform employees of any changes it makes.

Employer Property Policy

1. Purpose

The purpose of this Policy is to outline the conditions under which property owned by What Ability is provided to employees. The Policy outlines the responsibilities of employees in possession of What Ability property and the expectations of What Ability with respect to the use of its property by employees.

2. Scope

The Policy applies to all What Ability employees for the duration of their employment and in certain circumstances after termination of employment. All What Ability employees are expected to abide by this policy.

3. Definitions

What Ability property includes all forms of property as prescribed by legislation. This also includes tangible property (such as tools and equipment), uniform and intangible property (such as intellectual property).

4. Responsibilities

To the extent that the obligation is relevant to the type of property being used, each employee must:

- use property only for the purpose for which it was designed;
- take good care of all the property and ensure it is properly maintained and serviced;
- ensure that any property is used in accordance with any relevant operating legislation, instructions, procedures;
- refrain from modifying any property without prior written approval from management;
- obtain prior written permission from the manager or supervisor if the employee wishes to use any property for non-work purposes (e.g. personal use);
- not remove employer property from the premises or designated storage places without the prior permission of the relevant manager or supervisor;
- not deliberately damage any property; and
- not place any property in circumstances where it could be stolen or damaged.

What Ability

5. Return of property

On termination of employment, or as otherwise directed at any time, an employee must return all property immediately.

Such property must be returned in good working order and with all company information contained on such property intact.

6. Damage to property

What Ability may require the employee to reimburse the value of any loss or damage caused by the employee if any damage occurs to any property owned by What Ability as a result of:

- an employee's serious and wilful misconduct;
- criminal activity;
- a breach of the obligations outlined in this Policy;
- the employee using the property for a non-work-related purpose without the consent of What Ability; or
- circumstances not arising in the course of, or in connection with, the employee's employment,

7. Consequences of breach of this policy

A breach of this policy may result in disciplinary action up to and including reassignment of employment, warnings, and / or termination of employment.

8. Changes to the Policy

What Ability may, from time to time, amend or vary this policy in its absolute discretion but will take all reasonable steps to inform employees of any changes it makes.

Workplace Surveillance Policy

1. Purpose

The purpose of this policy is to ensure that a transparent environment exists within What Ability regarding workplace surveillance and that What Ability complies with the requirements of any relevant legislation.

2. Scope

The Policy applies to all What Ability employees for the duration of their employment and in certain circumstances after termination of employment. All What Ability employees are expected to abide by the principles set out in this policy and other What Ability related policies and procedures.

What Ability carries out work-related surveillance, monitoring, tracking, GPS tracking and employee movement tracking for the following reasons:

- the health, safety and welfare of Employees, clients, and visitors;
- time and attendance;
- payroll;
- to manage workplace investigations and grievances;
- the integrity, security and service delivery of its systems and networks; and
- compliance with its legal obligations, including reporting obligations.

What Ability may conduct non-work-related surveillance for the purpose of workplace health, safety and security. This may be conducted via camera surveillance, building access surveillance, IT surveillance, computer surveillance and other related means and requirements.

All Surveillance, monitoring, tracking, GPS tracking and employee movement tracking will be carried out in accordance with the following:

- Australian Workplace Surveillance Act 2005;
- Privacy and Personal Information Protection Act 1998 (PPIP Act);
- Spam Act 2003;
- Other applicable legislation;
- This policy;
- What Ability's Payroll policy;
- What Ability's Electronic Communications Policy and Guidelines;
- What Ability's Code of Conduct and Ethics Policy;
- What Ability's Privacy Policy;
- What Ability's EMPLOYEE DATA PROTECTION AND PRIVACY COLLECTIONS STATEMENT POLICY; and
- Other applicable What Ability policies and procedures.

3. Definitions and types of surveillance

Third-party applications: are applications and software utilised by What Ability for the carrying out of work-related tasks, payroll, human resources, time, attendance and other work-related means. These applications include:

- HRPAY Solutions;
- Support Mate;
- Xero; and / or
- Other third-party softwares and applications that What Ability may utilise from time to time.

Camera Surveillance: is surveillance by means of a camera that monitors and / or records visual images of activities on any workplace, premises, property or at any other place while performing work or representing the company.

Application, software and / or computer surveillance and monitoring is a form of surveillance, and means the collection or storage of information, or the creation of records, in a routine and passive manner. It also includes routine review of that information or those records to ensure the integrity, security and service delivery of What Ability's systems, including IT Resources and Networks.

Application, software and computer surveillance / monitoring also entails monitoring and surveillance by means of computer, devices, software, applications, or related means, that monitors and / or records the following:

- information input or output including but not limited to:
 - o the sending and receipt of emails;
 - o the accessing of internet websites;
 - o hard or soft copy data, records and information; and / or
 - o records and data including employee data and records; and / or

What Ability

- the usage of third-party applications, software and devices;
- Employee Global Positioning System (GPS) tracing;

Global Positioning System (GPS) Tracking and Employee Tracking surveillance is surveillance and tracking by means of an electronic device or application, software and / or related means, that monitors or records geographical location or movement (such as Global Positioning System tracing device (GPS)). GPS Tracking also entails tracking by means of computer, devices, software, applications, or related means, that monitors and / or records Employee movement.

Workplace: This means any What Ability premises or property, client location / home or any other place, where employees work, or any part of such premises or place.

Surveillance Information: This means information obtained, recorded, monitored or observed as a consequence of surveillance of an employee.

Surveillance Record: means a record or report of surveillance information.

Legislation: means the Workplace Surveillance Act 2005 (NSW)

At work includes where the employee is at their place of work, client location / home and other related locations. Workplace whether he or she is performing work at the time, or at any other place while performing work for What Ability or utilising What Ability's resources or services.

Company or Company refers to What Ability.

4. Surveillance Usage

In the course of carrying out surveillance, monitoring, tracking, GPS tracking and employee movement tracking, What Ability will collect, create and store records and information (including logs, images, backups, and archives) using any one or more of the following methods:

Telephone and Device

What Ability monitors the input and output of telephone (both fixed line and mobile), tablets, and other devices provided by What Ability for use by Employees. These are continually monitored and may be accessed and provided to What Ability for administrative purposes. What Ability also monitors the input and output of third-party software(s) and application(s) that are available, installed and accessed on employee personal telephone (both fixed line and mobile), tablets, and other devices for the purpose of work-related tasks.

Camera Monitoring

What Ability may install security cameras throughout all company buildings, offices and locations, both inside and outside of buildings and other facilities. These cameras (including any casings) are not covered or hidden and monitor activities on an ongoing and continuous basis.

What Ability

Computer Monitoring

What Ability conducts ongoing computer monitoring of the following:

- Company email accounts, and emails sent or received using a Company email account or a Company server;
- Internet usage, including browsing history, content downloads and uploads, video and audio file access, and any data input using the IT resources; and / or
- Access (including logons) to, and all activity on, the IT resources including computer hard drives and servers, and any files stored on IT resources.

What Ability also monitors work related input and output of third-party software(s) and application(s) that are available, installed and accessed on employee personal computers and laptops for the purpose of work-related tasks.

GPS Tracking

What Ability may monitor or track the location or movement of Employees within working hours for the purpose of work-related requirements and employee tracking.

What Ability does provide and make available for use by employees; equipment, devices, and applications, whether owned by What Ability or its third-party providers, that have functionality to monitor and record employee geographical location and / or movement.

These include, however not limited to:

- telephones (both fixed line and mobile), hand-held radios, GPS devices, computers, laptops, tablets, and other devices;
- access into Company buildings, offices, client homes or locations;
- company-owned vehicles with global positioning systems installed;
- fuel cards issued for Company-owned vehicles;
- wired and wireless data point connections installed in Company buildings, offices, or client locations; and / or
- software / applications (including mobile phone applications).

What Ability also conducts work-related GPS tracking and monitoring via third-party software(s) and application(s) that are available, installed and accessed on company owned and / or employee personal telephones (both fixed line and mobile), hand-held radios, GPS devices, computers, laptops, tablets, hardware and other devices and means.

What Ability will utilise work-related GPS tracking during working hours only, for the purpose of:

- tracking employees' movements within the workplace;
- tracking employee travel for the purpose of work;
- the management of time and attendance, payroll and human resources;
- the managing and providing of a safe workplace for its employees and clients;
- tracking employee travel to and from Company locations and offices;
- tracking employee travel to and from client homes and locations;
- tracking employee travel with clients and / or group(s) of clients; and / or
- tracking other forms of approved employee travel.

In carrying out surveillance, monitoring, tracking, GPS tracking and employee movement tracking, What Ability records and stores information and creates records (including reports) in relation to the following that are Surveillance Information and Surveillance Records:

- employee movements within a workplace;
- client visitations;
- travel;
- access to secure Company facilities (buildings and locations within buildings);
- connection of devices (whether or not owned by What Ability) to IT Resources and the network. This includes logging access at specified wired and wireless data points;
- emails sent or received using Company email accounts or through Company servers, storage volumes, download volumes, browsing or downloading history on IT resources; and / or
- any information or data created or managed on, downloaded to and stored on IT resources, servers and other devices and applications that What Ability supplies or otherwise makes available for use, including Company email.

In carrying out surveillance, monitoring, tracking, GPS tracking and employee movement tracking via third party providers, What Ability and the third-party providers will manage the data and information as per the Australian Workplace Surveillance Act 2005, Privacy and Personal Information Protection Act 1998 (PPIP Act), other applicable legislation and What Ability's policies and procedures.

5. What Ability and Employee Requirements

What Ability

What Ability will only conduct work-related surveillance, monitoring, tracking, GPS tracking and employee movement tracking within working hours for the purpose of work-related means and will be carried out in accordance with this policy, the applicable legislation and other What Ability policies and procedures.

What Ability may conduct non-work-related surveillance for the purpose of workplace health, safety and security. This may be conducted via camera surveillance, building access, IT surveillance, computer surveillance and other related means and requirements.

Employees

Employees are required to follow this policy, the applicable legislation and What Ability's policies and procedures.

Employees are required to utilise the third-party applications, as required by What Ability during the course of their employment for the purpose of work-related requirements, via their personal and / or company owned telephones (both fixed line and mobile), hand-held radios, GPS devices, computers, laptops, tablets, and other devices. When utilising the third-party applications for the purpose of work-related requirements, employees are required to ensure the GPS location settings are turned "on".

What Ability

What Ability will only track, monitor, access, and store any information and data via the third-party applications for the purpose of work-related requirements.

6. Prohibited Surveillance

What Ability will not carry out and does not condone any of the following which are prohibited under the applicable legislation and company conduct:

- surveillance and monitoring of Employees in a change room, toilet facility or shower or other bathing facility in the workplace;
- surveillance or monitoring of Employees using work surveillance, monitoring, tracking and GPS tracking devices and applications when Employees are not at work, except as permitted under legislation, this Policy and other company policies and procedures; and / or
- blocking emails or internet access of an employee except as permitted under legislation, this Policy and other company policies and procedures.

What Ability and its third-party providers will not conduct surveillance, monitoring, tracking, GPS tracking and employee movement tracking that is deemed non-work related. The collection, management and storing of non-work-related data, records, surveillance, monitoring, tracking, GPS tracking and employee movement tracking will not take place by What Ability and its third-party providers unless required for the purpose of workplace health, safety, security and other related means within the scope of the applicable legislation and What Ability's policies and procedures.

Employees are prohibited from conducting, accessing and / or viewing any form of surveillance, monitoring, tracking, GPS tracking and employee movement tracking data, information and records, unless authorised by the Director(s).

Employees must only utilise company owned telephones (both fixed line and mobile), hand-held radios, GPS devices, computers, laptops, tablets, and other devices for the purpose of work-related tasks and requirements, unless approved to do so. Third-party applications are to be utilised by employees for the purpose of work-related requirements.

Employees are authorised to access information and records made available to them only for the purpose of carrying out their duties and are bound by this policy, other What Ability policies and procedures and applicable legislation. The sharing of information, data and records with individuals and groups outside of What Ability is not permitted, unless authorised to do so.

The following are only authorised for the purposes of performing their designated duties and providing services to What Ability:

- employees (including those within Information Technology) whose normal duties include routine back up or restoration of data, conduct of audits, review of web filtering, email filtering, document retrieval or logs, or other activities relating to What Ability's systems, including IT resources and networks;
- employees whose normal duties include review of camera footage and of building access (including use of building access devices);
- employees who are specifically authorised under this Part A to conduct Surveillance or to access Surveillance Information or Surveillance Records; and / or

- third-party application, software, hardware and device providers.

These authorised Employees will adhere to the applicable legislation, this policy and all other What Ability Policies and Procedures when accessing any sensitive and personal information including Biometric, surveillance, monitoring, tracking, GPS tracking and employee movement tracking information and records.

Requests to authorise surveillance, monitoring, tracking, GPS tracking and employee movement tracking that is beyond work-related surveillance, monitoring, tracking, GPS tracking and employee movement tracking, or to authorise access to work-related surveillance, monitoring, tracking, GPS tracking and employee movement tracking information or records by persons other than those listed, may only be made by the Director(s) as permitted by the law.

7. Blocking of Email or Internet Use

Relevant Legislation prohibits What Ability from blocking an employee from accessing the internet or sending or receiving emails unless:

- What Ability acts in accordance with its policies relating to email or internet access that have been notified to the employee in advance in such a way that it is reasonable to assume the employee is aware of and understands the relevant policy; and / or
- if What Ability intends to prevent delivery of an email, What Ability may give the employee notice (which can be by email) that delivery of the email will be blocked.

What Ability is not required to give notice for or to block employees from accessing the internet or sending or receiving emails if:

- What Ability regards the content of the website or email, including any attachment, as menacing, harassing or offensive, for example, pornographic, gambling or terrorist websites;
- the email is or contains a commercial electronic message, as defined in the Spam Act 2003;
- the content or attachments of the email would or might result in unauthorised interference with, damage to or operations of an IT Resource (including any program run or data stored on any IT Resource); and / or
- the sender of the email has been identified as having previously sent malicious content to the organisation;

8. Record Keeping

All surveillance, monitoring, tracking, GPS tracking and employee movement tracking information and records will be managed, used, accessed and reviewed for the purpose of work-related means, security, workplace health and safety management, and other related means, as per the applicable legislation and company policy and will not be used for personal gain or use.

To manage payroll, and ensure / maintain a safe and secure workplace, What Ability may store, manage, view and access information, data and records of GPS tracking information via its third-party providers. These include:

What Ability

- employee movement with respect to work-related duties and travel;
- employee kilometers travelled;
- clients visited;
- locations visited; and / or
- and other work-related means

Any surveillance, monitoring, tracking, GPS tracking and employee movement tracking information and records made because of the work-related requirements will not be used or disclosed unless:

- they are for a legitimate purpose related to employment or business activities and / or functions;
- they are for the management and maintenance of workplace safety and security;
- required for workplace grievances and / or complaints (if applicable and required);
- required for the purpose of work-related time, attendance and payroll;
- they are required to be presented to:
 - o Government; and / or
 - o law enforcement bodies and / or agencies;
- they relate to civil or criminal proceedings; and / or
- it is necessary in order to avert an imminent threat, serious violence to employees, clients, persons and / or substantial damage to company property (both tangible and intangible).

9. Notice Requirements

What Ability does the following in accordance with this Policy:

- it conducts surveillance, monitoring, tracking and GPS tracking in the form of Monitoring in the Workplace; and / or
- it creates, accesses, uses and discloses information or records in relation to surveillance, monitoring, tracking and GPS tracking in accordance with the applicable legislation.

What Ability also provides notice to Employees about surveillance, monitoring, tracking, GPS tracking and employee movement tracking in other formats as follows:

- In the case of monitoring by cameras, physical signage will be available and presented at the entrances to or within company buildings, offices and locations:
 - o by obtaining a signed acknowledgement when an employee commences employment; and / or
 - o for new methods of Monitoring, specific written notice to all Employees (which may be given by email).
- In the case of vehicle tracking, physical signage will be available and presented within the vehicle
- In the case of GPS tracking and employee movement tracking, What Ability will send a written notice to an individual employee before that Surveillance commences and will specify:
 - o the type of Surveillance or new form of Monitoring to be carried out;
 - o how it will be carried out;
 - o when it will start;

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- o whether it will be continuous or intermittent; and / or
 - o whether it will be for a specified limited period or ongoing.
- Written notice to an employee will not be provided:
 - o where there is a risk of disclosure of the identity, or exposure to reprisals, of a person who has made a public interest disclosure under What Ability's policy relating to public interest disclosures; and / or
 - o where surveillance, monitoring, tracking, GPS tracking and employee movement tracking information or records are aggregated in a format that does not identify specific individuals, including Employees.

10. Consequences of breach of this policy

Employees must only utilise company owned telephones (both fixed line and mobile), hand-held radios, GPS devices, computers, laptops, tablets, and other devices for the purpose of work-related tasks and requirements, unless authorised to do so. Misuse of such items for non-work-related means may result in disciplinary action up to and including warnings, reassignment of employment and / or termination of employment.

Third-party applications are to be utilised by employees for the purpose of work-related requirements. Misuse and illegal use of such applications may result in a breach of this policy, other Company policies and procedures, and legislation, and may lead to disciplinary action up to and including warnings, reassignment of employment and / or termination of employment.

A breach of this policy, or the misuse of surveillance and surveillance hardware, software, information, records and data may result in disciplinary action up to and including warnings, reassignment of employment and / or termination of employment.

11. Changes to the Policy

What Ability may, from time to time, amend or vary this policy in its absolute discretion but will take all reasonable steps to inform employees of any changes it makes

Anti-Discrimination and Equal Employment Opportunity Policy (EEO)

1. Purpose

What Ability is determined to ensure that its workplace(s) is free from discrimination and harassment, unacceptable conduct and inappropriate behaviour. What Ability provides a pleasant and safe working environment and encouraging good working relationships between all employees.

What Ability will endeavour to ensure that in the application of all What Ability policies, practices and procedures, no discrimination takes place, diversity is encouraged, and that all employees enjoy equal access to opportunities within the What Ability. All recruitment, selection and employment decisions will be based on the individual merit of applicants and employees

2. Scope

The Policy applies to all What Ability employees for the duration of their employment.

3. Definition

Equal Employment Opportunity (EEO)

EEO means freedom from discrimination based on protected classes such as race, colour, sex, national origin, religion, age, disability or genetic information. EEO also means the absence of harassment in the workplace.

This means that employment decisions, including recruitment, selection, opportunities and employment conditions, will not be made on the basis of irrelevant characteristics such as a person's age, sex, marital status, race, colour, pregnancy, sexuality, religion, political belief, impairment or disability or association with a person(s) having such characteristics. Basing decisions on these characteristics is both unfair and unlawful.

In order to ensure anti-Discrimination and EEO is followed, What Ability will make employment decisions on the basis of individual merit of the employee or applicant on such attributes as skills, knowledge and experience and recognising that having a diverse workforce can enhance the performance of the What Ability.

Harassment

Under Federal and State legislation, harassment occurs when someone is made to feel intimidated, insulted or humiliated because of their race, colour, national or ethnic origin, sex, disability, or sexual preference. It can also happen if someone is working in a „hostile“ or intimidating environment. This is often described as workplace bullying.

Discrimination

Discrimination is treating people less favorably because of their:

- (a) Sex;
- (b) Pregnancy;
- (c) Race (including colour, nationality, descent, ethnic or ethno-religious background);
- (d) Religion;
- (e) Marital status;
- (f) Disability (actual or presumed; current past or future; physical intellectual or psychiatric disability or long-term illness);
- (g) Age;
- (h) Homosexuality (actual or presumed); and
- (i) Transgender status (actual or presumed).

Direct Discrimination

Direct Discrimination is when a person or group is specifically excluded from or have significantly reduced chances of gaining a benefit or opportunity.

Indirect Discrimination

Indirect Discrimination is a requirement (a rule, policy, practice or procedure) that is the same for everyone but has an effect or result that has an unequal or disproportionate effect or result on particular groups. Unless this type of requirement is “reasonable having regard to all of the circumstances”.

Harassment

Harassment is behaviour that is unwanted, unwelcome, intrusive, offends, embarrasses or frightens someone, that is either sexual or targets them because of their race, ethno-religion, sex, pregnancy, marital status, disability, age, homosexuality or transgender. It may range from unpleasant comments to physical violence. Harassment could be directed towards an individual or a group of people.

Workplace Bullying

Workplace Bullying is repeated, unreasonable behaviour directed toward a person or a group of people that creates a risk to health and safety. Bullying may be psychological violence and/or physical violence, and can include:

- (a) Persistent and repeatedly aggressive behaviour that makes someone feel victimised, intimidated or humiliated;
- (b) Any physical abuse;
- (c) Repeated verbal abuse, including yelling, screaming, personal comments, offensive language, sarcasm;
- (d) Vindictive, offensive, cruel or malicious behaviour;
- (e) Removal of status and authority if it's being done in an underhand or devious manner;
- (f) Repeatedly having impossible deadlines, workload or pressure; being given meaningless tasks;
- (g) being set up to fail;
- (h) Persistent unjustified criticism, constantly being „singled out“ or targeted for practical jokes or gossip;
- (i) Gender or racial discrimination, sexual harassment;
- (j) Deliberately being ostracized, isolated or ignored;
- (k) Frequently withholding important information or resources or supplying the wrong information and resources;

- (l) Having personal belongings, tools or equipment hidden or tampered with; and
- (m) Initiation practices.

Unreasonable Behaviour

Unreasonable Behaviour is Behaviour that goes beyond a one-off disagreement, if it increases in intensity and becomes offensive or harmful to someone.

Repeated

Repeated refers to the persistent nature of the Behaviour, not the specific form the Behaviour takes. Behaviour is considered „repeated“ if an established pattern can be

What Ability

identified. It may involve a series of diverse incidents – for example verbal abuse, deliberate damage to personal property and intimidation and frequently withholding important information or resources.

4. Responsibilities

Company Responsibilities

What Ability will ensure that all Managers are sufficiently trained in effectively managing workplace discrimination and harassment and are conversant and up to date with Equal Employment Opportunity law and legislation.

What Ability will ensure that this Policy is available and communicated to and understood by all existing employees.

As part of New Employees Induction Program, What Ability will ensure that all new employees are advised of the Equal Employment Opportunity Policy, the standards expected of them, and the procedures for making a complaint.

Manager's and Supervisor's Responsibilities

All Managers, Supervisors and Team Leaders are responsible for:

- (a) Recruiting, training and developing employees on the basis of merit and performance, and free from any discriminatory assumptions;
- (b) Ensuring that all practices are applied fairly, consistently and without bias;
- (c) Role-modelling non-discriminatory behaviour and practices within the workplace at all times;
- (d) Regularly monitoring the working environment to ensure that it is free from sexually explicit or offensive material;
- (e) Responsibly acting upon any behaviour within the working environment that may be construed as discriminatory or sexual harassment;
- (f) Confidentially dealing with any grievances or complaints that an employee may come to them about; and
- (g) Appropriately recording all matters according to the EEO procedure.

Employee's Responsibilities

All What Ability employees are responsible for:

- (a) Conducting themselves in non-discriminatory manner at all times in the workplace;
- (b) Not tolerating any form of harassment or discrimination and for notifying the relevant manager or director should such circumstances arise;

What Ability

- (c) Attempting, (wherever practical) to amicably resolve any personal harassment or discrimination matter with the individual or group of people involved, prior to notifying their manager or supervisor; and
- (d) Understanding, respecting and applying this policy and all company policies to ensure EEO is upheld and no discrimination, harassment or bullying occurs.

5. Reporting

Any employee, who believes that they have been subject to actions that may be discriminatory or that constitute any form of harassment and / or bullying, should act upon and report this as soon as possible as per the workplace Grievance and Complaint policy and / or their manager.

6. Consequences of breach of this policy

What Ability takes these matters extremely seriously and any inappropriate behaviour, discrimination, bullying, harassment and / or misconduct as outlined in this document or as outlined in the applicable legislation, is likely to result in serious disciplinary action against the alleged perpetrator (or employees who permit or somehow assist) up to and including termination of employment.

Employees should be aware that they are responsible for their own actions and that claims of discrimination, harassment, bullying, victimisation and vilification may be brought against them directly (for example, if they are the alleged perpetrator or if they permit or somehow assist) and against What Ability (if it is alleged that What Ability somehow authorised the behaviour). Tribunals and Courts may also impose personal fines on an individual found guilty of discrimination, bullying, harassment, victimisation or vilification.

7. Changes to the Policy

What Ability may, from time to time, amend or vary this policy in its absolute discretion but will take all reasonable steps to inform employees of any changes it makes.

Sleep Overs, Camps and Excursions Policy

1. Purpose

Employees conducting sleep overs and accompanying clients on Camps and Excursions holds a high level of duty and responsibility. All staff must adhere to the following guidelines when supporting clients on holidays.

What Ability will endeavour to ensure that in the application of all What Ability policies, practices and procedures, no discrimination takes place, diversity is encouraged, and that all employees enjoy equal access to opportunities within the What Ability.

2. Scope

The Policy applies to all What Ability employees for the duration of their employment.

3. Requirements

The following must be adhered to when an employee accompanies a client(s) on Camps and Excursions:

- All policies and procedures in this handbook are to be maintained and followed
- Abiding and maintaining all What Ability's values, instructions and legal requirements
- Always comply with the spirit of What Ability's Policies in a moral and legal manner
- Do not enter any private agreement with the client regarding roster changes or with the additional holiday hours funded
- Work in line of the holiday roster provided and itinerary provided by the relevant OT.
- Any request for roster changes MUST be discussed with What Ability management for approval, prior to any new changes being put in place.
- Do not enter any financial transactions with the client
- Maintain OH&S to ensure a safe workplace for both the client and Employee. Employee must report any hazards or incidents to Management as per the company guidelines
- Employee must ensure the client's privacy & dignity is always respected
- Employee must uphold our policy on dress code.
- Employee is not to make any status updates regarding work or location on social media, as this is seen as breach of Client Confidentiality
- Employee should not arrange to catch up with their family or friends within the clients funded roster or in the presence with the client
- Under no circumstances must an Employee be under the influence of drugs or alcohol

4. Funds

Clients are limited to the amount of funds accessible to them while on Camps and Excursions. Where required, Employee must support Client to manage these funds. All receipts are to be retained and left at the client's home upon return from the holiday – if required, Management will review the receipts – Employee must prompt client to keep each receipt in a safe area during the Camps and Excursions. Clients are required to pay for their own meals. Employee is not permitted to accept client invitation to pay for food and drinks

5. Managing Time

The Employee must manage their time, so that activities for that day can be achieved

6. Accidents and Incidents

In the event of an accident or injury, Employee must immediately report the incident to What Ability Management. If the client requires emergency treatment, an ambulance must be called followed by a call to management.

7. Sleep Overs

A sleep over shift may occur at the client premises, during camps and excursions and during other circumstances and instances.

If the Employee is required to conduct a sleep over, the Employee must provide the sleep over details detailing the time taken to complete the sleep over and any applicable tasks undertaken.

If Employee is awake during the night for more than 1 hour in total, the Employee must notify their manager the following morning, to provide details and to go through the next day's itinerary, in case changes need to be made.

The following must be adhered to when an employee conducts a sleep over. The following applies both before, during and after a sleep over:

- All policies and procedures in this handbook and other relevant policies and procedures are to be maintained and followed
- Abiding and maintaining all What Ability's values, instructions and legal requirements
- Do not enter any private agreement with the client regarding roster and changes to hours of work
- Work in line with roster and itinerary provided by the Company.
- Any request for roster changes MUST be discussed with What Ability management for approval, prior to any new changes being put in place.
- Maintain OH&S to ensure a safe workplace for both the client and Employee. Employee must report any hazards or incidents to Management as per the company guidelines
- Employee must ensure the client's privacy & dignity is always respected
- Employee must uphold our policy on dress code.
- Employee is not to make any status updates regarding work or location on social media, as this is seen as breach of Client Confidentiality
- Employee should not arrange to catch up with their family or friends within the clients funded roster or in the presence with the client
- Under no circumstances must an Employee be under the influence of drugs or alcohol

8. Consequences of breach of this policy

What Ability

A breach of this policy may result in disciplinary action up to and including warnings, reassignment of employment and / or termination of employment

9. Changes to the Policy

What Ability may, from time to time, amend or vary this policy in its absolute discretion but will take all reasonable steps to inform employees of any changes it makes.

After Hours Contacts

1. Purpose

The Care staff team are available 7 days a week, 24 hours a day for the reporting of incidents or injuries, emergency shift replacements and for professional support and advice when dealing with an emergency only.

2. Scope

This applies to staff undertaking care duties.

3. Process

The directors of What Ability respectfully ask that you call the ON-CALL number after hours if it is an emergency. Carers are encouraged to call the clinical nurse (on call) for any support.

All non-urgent matters or queries are to be phoned or emailed during business hours 9.00am to 5.00pm Monday to Friday.

After hours support from What Ability **is not a replacement** for emergency services. In the case of any emergency situation where police, ambulance or fire brigades are needed please ensure a call is made first to **000** and then Management.

4. Consequences of breach of this policy

A breach of this policy may result in disciplinary action up to and including warnings, reassignment of employment and / or termination of employment

5. Changes to the Policy

What Ability may, from time to time, amend or vary this policy in its absolute discretion but will take all reasonable steps to inform employees of any changes it makes.

Community Access Support Policy

1. Purpose

This policy aims to provide a workplace which supports and encourages a high level of ethical practice and moral behaviour. Employees must participate in providing a high quality of service to clients and their needs in a professional and skilful manner, best to their ability, this includes in home and community-based care.

2. Requirements

When providing services and dealing with clients, all staff are to ensure the following is adhered to:

- Clients are treated with dignity, respect, honesty and courtesy. Maintaining privacy and confidentiality of all personal information.
- Employees have a responsibility of duty of care, all relevant guidelines must always be implemented.
- Employees must work within the specified guidelines on all community outings. It is the Employee's responsibility to provide all aspects of care support to the client - Personal Care, Manual Handling, Meal choices and Meal Support.
- The Employees maintains the role and responsibility of the client's needs. Our duty is to respect the family in a professional manner. The family must also respect the directions given to them by the carer, to ensure the client is always safe and which enables us to ensure our duty of care is applied.
- All family and friends are to respect the guidelines that the Employees works within. It is the Employee's duty to ensure the client is always safe.
- All family and friends are to work within the structured shift times and activities. The Employee will make them aware of at the commencement of their visit.
- The Employee has the responsibility to report all issues to the program manager during the shift, if it is an emergency or immediately after their shift. All matters of concern must be reported.
- Family and Friends are to report any issue to their relevant communication contacts.

3. Consequences of breach of this policy

What Ability

A breach of this policy may result in disciplinary action up to and including warnings, reassignment of employment and / or termination of employment

4. Changes to the Policy

What Ability may, from time to time, amend or vary this policy in its absolute discretion but will take all reasonable steps to inform employees of any changes it makes.

Disability Workers Policy

1. Purpose

The Disability Workers Policy outlines the responsibilities, general standards of work, conduct and behaviour expected of all What Ability (“What Ability”) Disability Workers.

This policy operates in conjunction with:

- All applicable legislation
- The Disability Service Safeguards Code of Conduct (the “Code”) as set out in the Disability Service Safeguards Regulations 2020, which are rules made under the Disability Service Safeguards Act 2018 (the “Act”)
- The Disability Service Safeguards Act 2018 (the “Act”)

2. To whom does this policy apply?

This policy applies to all employees of What Ability providing disability services and / or are employed as a Disability Worker.

3. Disability Worker Definition

A Disability Worker is a person who either:

- directly provides a disability service to a person with disability or
- supervises or manages another person who directly provides a disability service to a person with disability.
- However, a Disability Worker does not include a family member who provides disability services and does not receive a fee or reward for those services or a person who voluntarily provides disability services, unless the person provides the disability services on behalf of an organisation or agency.

A ‘disability service’ involves more than incidental contact with a person with disability and is provided for the purpose of caring for, or treating the person or supporting the person to manage the person’s limitations in undertaking communication, social or economic participation, social interaction, learning, mobility, self-care, self-management or a prescribed service.

Disability services are defined broadly in the Act and must involve more than incidental contact with a person with disability. The service must be specifically provided to a

person with disability for the principal purpose of caring for, treating, or supporting that person to manage the person's limitations to undertake:

- communication
- social or economic participation
- social interaction
- learning
- mobility
- self-care or
- self-management activities.

4. **Disability Service Safeguards Code of Conduct**

All members of staff are required to comply with:

- All What Ability policies and policies
- The Disability Service Safeguards Code of Conduct as set out in the Disability Service Safeguards Regulations 2020, which are rules made under the Disability Service Safeguards Act 2018
- the Disability Service Safeguards Act 2018

The Code is designed to complement the NDIS Quality and Safeguarding Framework to promote a safe and skilled disability workforce. The Code adopts the NDIS Code of Conduct, promoting consistency in the requirements for worker conduct, regardless of whether they are funded through the NDIS or other providers.

5. **Disability Service Safeguards Code of Conduct Guidelines**

All disability employees providing disability duties and services must comply with the Act and the Code. In summary, the Code requires that Disability Workers, in providing supports or services to people with a disability, must:

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

6. **Consequences of breach of the Code of Conduct**

Contravention of this policy may result in disciplinary action being taken against the employees and, in serious cases, may result in termination of employment.

7. **Changes to the Policy**

What Ability may, from time to time, amend or vary this policy in its absolute discretion but will take all reasonable steps to inform employees of any changes it makes.

Abuse, neglect and exploitation

1. Introduction

Every person has a right to live a life free from the fear of violence, abuse, harm, neglect and exploitation regardless of their gender, age, disability, background or any other characteristic. We are committed to ensuring the safety and wellbeing of all participants we provide supports and services to.

2. Definitions

Abuse

Single acts or patterns of abuse, such as:

- physical abuse - physical or chemical restraints or coercion, hitting, slapping, burning, choking, pinching, pushing or restraining
- sexual abuse - any sexual contact between an adult and child 16 years of age and younger; or any sexual activity with a young person or adult who is unable to understand, has not given consent, is threatened, coerced or forced to engage in sexual behaviours
- emotional or psychological abuse - verbal assaults, threats of maltreatment, harassment, humiliation or intimidation, or failure to interact with a person or to acknowledge that person's existence including denying cultural or religious needs and preferences
- financial abuse - illegal or improper use and/or mismanagement of a person's money, property or resources including forgery, stealing, forced changes to a will, unusual transfer of money or property to another person or withholding of funds accidents or near accidents caused by unsafe equipment or practices
- unregulated restrictive practices such as those unapproved and/or unauthorised.

Exploitation

Any case where:

What Ability

- someone in a position of trust and confidence knowingly, by deception or intimidation, obtains or uses, or tries to obtain or use, a participant's funds, assets or property with the intent to temporarily or permanently deprive that person of the use, benefit or possession of those funds, assets or property for the benefit of someone other than the participant
- a person who knows or should know that the participant lacks the capacity to consent, and obtains or tries to obtain or use, the participant's funds, assets or property with the intent to temporarily or permanently deprive the participant of the use, benefit or possession of the funds, assets or property for the benefit of someone other than the participant.

Examples of exploitation: taking or using the assets, funds or other possessions of a participant without their consent tricking or threatening the participant to purchase an item or service that they do not want or that will not be used for their benefit.

Neglect

Any case where a person's basic needs are not met. This includes:

- physical neglect - failure to provide adequate food, shelter, clothing, protection, supervision, medical and/or dental care or exposing someone to undue risks through unsafe environments or practices
- emotional neglect – failure to support and encourage, protect and provide stimulation needed for the social, intellectual and emotional growth or wellbeing of a person
- passive neglect - failure to provide or wilful withholding of the necessities of life, including food, clothing, shelter or medical care
- supervisory neglect - intentional or reckless failure to adequately supervise or support a participant that also involves a gross breach of professional standards has the potential to result in the death of, or significant harm to, a participant.

3. Documents relevant to this policy

-  [NDIS \(Quality Indicators\) Guidelines 2018 \(Cth\)](#)
-  [National Disability Insurance Scheme Act 2013 \(Cth\)](#)
- [NDIS \(Quality Indicators\) Guidelines 2018 \(Cth\)](#)

4. Preventing abuse and neglect

we will provide supports and services in an environment free of abuse and neglect
we will ensure people with high support needs and/or communication difficulty are well supported to enable detection and prevention of abuse and neglect
we will ensure staff are trained to recognise, prevent or minimise the occurrence or recurrence of abuse and neglect of participants.

5. Responding to abuse and neglect

We will respond to any case of abuse, neglect or exploitation by:

- promoting a culture of no retribution for reporting of suspected cases of abuse or neglect
- escalating all alleged or suspected incidents of abuse or neglect to key management personnel immediately ensuring any victim of suspected or alleged abuse or neglect is adequately supported by an independent person such as a relative, friend, advocate or legal practitioner responding promptly and sensitively where an alleged case of abuse or neglect has occurred, to protect the person from further harm, and coordinating appropriate responses in line with duty of care obligations where relevant (especially for criminal acts), preserving and recording the evidence, maintain the scene of the incident, by taking photos and protecting any person articles involved
- recording what is known about the incident including the services and people involved and any witnesses informing participants about what is going to happen before taking action and throughout any response to abuse and neglect
- ensuring appropriate physical, emotional and psychological support is available to and easily accessible by a person following a report or allegation of abuse or neglect
- ensuring the victim, family, guardian or other support person has the choice of pursuing the matter through the legal system and be supported to access advice and services required.

6. Abuse and neglect responsibilities

- All staff are responsible for providing supports and services in a manner consistent with the Code of Conduct and treating participants with respect and dignity at all times
- All staff are responsible for responding promptly and sensitively to protect the victim from further harm key management personnel are responsible for ensuring all staff and volunteers are aware of, trained in, compliant with, and implement the policies and processes to prevent and respond to abuse, neglect and exploitation of participants
- key management personnel are responsible for informing the appropriate authorities (e.g. police), and the victim's family, guardian or substitute decision maker of alleged or suspected incidents of abuse or neglect, unless the guardian or decision maker is the alleged or suspected perpetrator
- All staff and witnesses will cooperate with the investigations of police or other external agency.

7. What is not abuse and neglect

- to restrain a participant in accordance with an approved behaviour support plan authorised by a restricted practices authorisation mechanism

What Ability

- to take reasonable steps to disarm a participant seeking to harm themselves or others to separate participants who are fighting
- to move a participant out of harm's way
- to restrain a participant from causing intentional damage to property, in self-defence, or in the defence of others.

8. Consequences of breach of the Code of Conduct

Contravention of this policy may result in disciplinary action being taken against the employees and, in serious cases, may result in termination of employment.

9. Changes to the Policy

What Ability may, from time to time, amend or vary this policy in its absolute discretion but will take all reasonable steps to inform employees of any changes it makes.

NDIS Code of Conduct

1. Introduction

The NDIS Code of Conduct sets the standards for how the organisation carries out provision of NDIS supports and services.

2. Documents relevant to this policy



3. Code of Conduct

- act with respect for individual rights to freedom of expression, self-determination and decision-making in accordance with applicable laws and conventions respect the privacy of people with disability
- provide supports and services in a safe and competent manner, with care and skill act with integrity, honesty and transparency

What Ability

- promptly take steps to raise and act on concerns about matters that may impact the quality and safety of supports and services provided to people with disability
- take all reasonable steps to prevent and respond to all forms of violence against, and exploitation, neglect and abuse of, people with disability
- take all reasonable steps to prevent and respond to sexual misconduct.

4. **Consequences of breach of the Code of Conduct**

Contravention of this policy may result in disciplinary action being taken against the employees and, in serious cases, may result in termination of employment.

5. **Changes to the Policy**

What Ability may, from time to time, amend or vary this policy in its absolute discretion but will take all reasonable steps to inform employees of any changes it makes.

Participant rights



1. **Introduction**

Participant rights set a clear context for how our supports and services are provided. All participants have the right to:

- receive person-centred supports
- have individual values and beliefs respected privacy and dignity
- independence and informed choice
- be free from violence, abuse, neglect, exploitation or discrimination.

Each participant can access supports that promote, uphold and respect their legal and human rights each participant is enabled to exercise informed choice and control supports provided promote, uphold and respect individual rights to freedom of expression, self-determination and decision-making

2. **Documents relevant to this policy**

 Employee Handbook	NDIS (Provider Registration and Practice Standards) Rules 2018 (Cth) NDIS (Quality Indicators) Guidelines 2018 (Cth)	130	
			

3. Individual values and beliefs

Each participant can access supports that respect their culture, diversity, values and beliefs

Each participant's autonomy is respected, including their right to intimacy and sexual expression.

4. Privacy and dignity

Each participant can access supports that respect and protect their dignity and right to privacy.

5. Independence and informed choice

Each participant is supported to make informed choices, exercise control and maximise their independence in relation to the supports provided.

6. Freedom from violence, abuse, neglect, exploitation or discrimination

Each participant can access supports free from violence, abuse, neglect, exploitation or discrimination.

Person-centred practice

1. Introduction

This policy supports and promotes a person-centred approach in the way we provide our supports and services. When providing person-centred supports, the participant is at the centre of those supports, not the service provider. This means the focus is on what matters most to the participant and their family and/or carer, and how we can support our workers with this.

The key principles that underpin a person-centred practice:

- the participant is at the centre
- the participant's wider social network is involved as full partners
- there is a partnership between us, the participant, and their family/carer the participant's whole of life is considered.

The benefits of a person-centred approach is that:

- the wishes of each participant are respected
- each participant is encouraged to make informed choices
- it provides flexibility to meet the diverse needs of each participant
- it improves personal development of participants by broadening their experiences it improves customer experience and overall satisfaction of participants.

2. Documents relevant to this policy



NDIS (Quality Indicators) Guidelines 2018 (Cth)



3. What Ability's commitment

Ensure our supports and services are in line with the needs, goals and desires of each participant listen to each participant and those who know them best to understand what they want for their lives support each participant to develop individual outcomes so that we know what success looks like

Support each participant to identify and prioritise obstacles in the way of achieving their outcomes support each participant to set steps or goals to address challenges to achieving their outcomes ensure our workers are trained, supported and motivated to follow the principles of this policy.

4. Consequences of breach of the Code of Conduct

Contravention of this policy may result in disciplinary action being taken against the employees and, in serious cases, may result in termination of employment.

5. Changes to the Policy

What Ability may, from time to time, amend or vary this policy in its absolute discretion but will take all reasonable steps to inform employees of any changes it makes.





Support provision

1. Introduction

This policy provides guidelines for how our services and supports provided. All participants have the right to services and supports that:

- are person-centred
- respect individual values and beliefs respect privacy and dignity
- promote independence and informed choice
- are free from violence, abuse, neglect, exploitation or discrimination.

2. Documents relevant to this policy\

	NDIS (Quality Indicators) Guidelines 2018 (CCH)	
	NDIS Terms of Business	

3. What Ability's Commitment

We are committed to:

- providing each participant the most appropriate supports that meet their needs, goals and preferences providing supports in a safe environment, free from hazards
- ensuring participants' own money and property is secure and that they can use storing, monitoring and administering prescribed medication in a confident manner preventing medication errors or incidents.

4. Responsive support planning

- supports provided are monitored and regularly reviewed to ensure fit-for-purpose
- support plans are reviewed annually, quarterly or more regularly depending on the participant's needs where possible, adjustments are made to account for changes in participant needs
- each participant's health, privacy, dignity, quality of life and independence is supported
- where progress is different from expected outcomes and goals, work is done with the participant to change and update the support plan
- where agreed by the participant, links are developed and maintained through collaboration with other providers in order to fully support the participant and work toward participant goals.

5. Safe environment

Participants can easily identify our workers who provide the agreed supports where supports are provided in the participant's home, we will work with the participant to ensure a safe support delivery environment where relevant, work is undertaken with other providers and services to identify and treat risks, ensure safe environments, and prevent and manage injuries.

6. Participant money and property

If an employee has access to a participant's money or other property, the employee is required to ensure they manage the participant's money or other property as per the applicable NDIS requirements, legislative requirements and company policies, procedures and processes.

Participants' money or other property is only used with the consent of the participant and for the purposes intended by the participant.

If required, each participant is supported to access and spend their own money as the participant determines. Employees and the Company will not provide participants financial advice or information other than that which would reasonably be required under a participant's support plan.

7. Medication management

We will record prescribed medication and ensure it is clearly identified and the medication and dosage required by each participant, including all information required to correctly identify the participant and to safely administer the medication.

All workers responsible for administering medication understand the effects and side-effects of the medication and the steps to take in the event of an incident involving medication.

All medications are stored safely and securely, can be easily identified and differentiated, and are only accessed by appropriately trained workers.

8. Waste management

We have policies, procedures and practices in place for the safe and appropriate storage and disposal of waste, infectious or hazardous substances that comply with current legislation and local health district requirements all incidents involving infectious material, body substances or hazardous substances are reported, recorded, investigated and reviewed we have an emergency plan in place to respond to clinical waste or hazardous substance management issues and/or accidents where the emergency plan is implemented, its effectiveness is evaluated and revisions are made.

If required, workers involved in the management of waste and hazardous substances receive training to ensure safe and appropriate handling including training on any protective equipment and clothing required when handling waste or hazardous substances.

9. Consequences of breach of the Code of Conduct

Contravention of this policy may result in disciplinary action being taken against the employees and, in serious cases, may result in termination of employment.

10. Changes to the Policy

What Ability may, from time to time, amend or vary this policy in its absolute discretion but will take all reasonable steps to inform employees of any changes it makes.

Working with participant support networks

1. Introduction

This policy aims to ensure each participant receives coordinated support from a collaborative team which includes the service provider, the participant, the participant's support network and other relevant providers.

A coordinated collaborative approach helps to facilitate the participant's development and address their needs and priorities.

Effective collaboration means being able to provide safe, coordinated supports and services whilst involving the participant and their support network as much as possible.

2. Participant support networks

A participant's support network are the people in the participant's life that help the participant informally to achieve their goals and aspirations. A support network can include the participant's family, guardians, carers, friends, advocates or other members of the community. A support network includes people with important relationships, people who can help the participant learn new skills, give advice on decisions, provide opportunities to be involved in the community and develop dreams and ideas how to achieve them.

3. Collaborative links

We are committed to genuine collaborative relationships between support networks and other service providers where we can value each other's knowledge of participants, communicating freely and respectfully and sharing insights and engaging shared decision-making.

We encourage the participant's support network to be as involved and provide input into support plans, spend time with the workers and contribute their skills and resources to enhance well-being, learning and development.

4. Communication

It's important that all involved remain confident that their personal information is kept safe and secure and that the privacy of the participant is upheld while sharing information to deliver better services.

Keep in mind the following rules for information sharing:

- information security should not be a barrier to sharing information
- record decisions and reasons for it—record what was shared, with whom and for what purpose
- be open and honest with the participant (and their family, where appropriate) at the outset about why, what, how and with whom information will or could be shared, and seek their agreement, unless it is unsafe or inappropriate to do so
- seek advice if you are in any doubt, without disclosing the identity of the participant, where possible share with consent where appropriate and, where possible, respect the wishes of those who do not consent to share confidential information
- information can still be shared without consent in certain situations e.g. if the participant is at serious risk of harm

What Ability

- consider safety and well-being of the participant and others who may be affected by their actions the information sharing should be necessary, proportionate, relevant, accurate, timely and secure.

5. Working with participant support networks

We will work with each participant and their support network to achieve the best possible outcomes for the participant. The following principles guide the services we provide. We will:

- promote open communication about major concerns, issues or opportunities to the collaborative areas adopt a positive outlook coupled with in a positive, proactive manner
- adhere to statutory requirements and best practice including compliance with Australian privacy law ensure collaborative links with participant support networks and other providers are established manage stakeholders effectively and support decisions collaboratively made by the support network act in a manner that reflects and respects the importance of the collaborative arrangement
- ensure qualified resources are available and authorised to fulfil their responsibilities act in good faith to support achievement of agreed objective

6. Consequences of breach of the Code of Conduct

Contravention of this policy may result in disciplinary action being taken against the employees and, in serious cases, may result in termination of employment.

7. Changes to the Policy

What Ability may, from time to time, amend or vary this policy in its absolute discretion but will take all reasonable steps to inform employees of any changes it makes.

Abuse and Neglect policy

1 Purpose

The most fundamental aspect of What Ability duty of care to clients is to ensure that they feel safe and that they are free from any form of abuse and neglect while in care or in receipt of What Ability services.

If What Ability fails to fulfil this basic moral and legal obligation, it has not only breached its duties to clients but it has equally failed to positively contribute in any way towards clients' overall quality of life.

What Ability does not condone any form of abuse or neglect by or against clients while in What Ability's care or in receipt of What Ability services either by its staff or by other clients. What Ability will ensure that wrongdoers are held to account for their actions.

What Ability strives for environments that are free from all forms of abuse and neglect. Abuse and neglect have serious consequences for the well-being of clients, other clients and those close to them. Abuse and neglect by What Ability staff or a failure by WHAT ABILITY to respond appropriately to suspicions or allegations of abuse and neglect can also do significant and irreparable harm to the organisation.

What Ability's approach in this area is underpinned by the following principles:

Promoting a person-centred culture of services delivery that minimises the risk of abuse and neglect:

- Providing appropriate support for clients (and alleged perpetrators)
- Putting in place immediate actions to stop abuse and neglect
- Alerting appropriate authorities where What Ability becomes aware of, or has reasonable grounds to suspect that a client is a victim of abuse or neglect outside of What Ability's service delivery;
- Mandatory reporting of all incidents, allegations or reasonable suspicions of abuse and neglect or unexplained injuries, wherever they may have occurred; and
- Implementing rigorous investigative practices in response to any allegations.

2 Scope

The policy applies to all What Ability employees for the duration of their employment.

3 Minimising Risk

Accordingly, as a matter of priority What Ability must work actively towards minimising the risk of abuse or neglect of people with a disability in all circumstances. This means that What Ability will:

- Follow the Zero Tolerance framework
- Adopt a person-centred approach to service delivery
- Focus on changes to the culture and practices of services and building a protective culture

What Ability

- Embrace a positive complaints culture where people are supported and encouraged to speak up about what is working and not working for them, and staff and management recognise complaints as an integral part of providing a quality service
- Recognise the importance of both services and clients being connected to the community to prevent isolation and reduce the risk of abuse and neglect occurring
- Provide accessible information about people's rights, how to recognise abuse and neglect and what to do about it
- Provide training and education for clients on their rights and protection in relation to abuse and neglect
- Focus on the values and attitude of staff in recruitment processes
- Participate in public awareness campaigns
- Identify and treat risk factors for individual clients and service settings, that have been found to be associated with occurrences of abuse, such as:
 - o People with cognitive, communication and/or sensory impairments, particularly people who are non-verbal
 - o People with high physical support needs and dependence
 - o People who display behaviours of concern
 - o People without family, advocacy and community connections
 - o Neglected physical environments
 - o Staff turnover, stress and high use of agency or casual staff
 - o Isolated or 'closed' services, where unacceptable staff attitudes and practices can become normalised
 - o Lack of policy awareness and skills of staff.
- Analyse data from incident reporting and notifications of abuse
- Ensure staff providing services are trained regularly in this policy, and in particular to identify:
 - o the nature of abuse in institutional and family settings
 - o the possible explanations of abusive practice
 - o recognised signs/indicators that abuse might be occurring
 - o the barriers to recognizing & confronting abusive situations
 - o Ways in which abuse might be prevented/addressed and a good lifestyle for people promoted.

4 Incident Management

While WHAT ABILITY strives for an environment where no incidents of abuse and neglect occur, What Ability recognises that such incidents may occur. Allegations of abuse and neglect, or unexplained injuries to clients must be taken seriously. What Ability has a Zero Tolerance policy for abuse and neglect of clients.

What Ability staff who become aware of possible abuse and neglect must take immediate steps to ensure that it cannot reoccur or continue. This means:

- Urgent responses that ensure the safety of the client
- Taking every measure within What Ability's service delivery to prevent reoccurrence; and

- Where the abuse or neglect occurs outside of What Ability's service delivery, supporting clients to report abuse and neglect to the appropriate authority, and in serious cases, reporting instances of abuse and neglect to external agencies.

Mandatory reporting of incidences of assault:

What Ability has established in the Incident Reporting Policy which includes making reporting of incidents of abuse and neglect a mandatory requirement of all staff who are aware of or who believe an incident of abuse or neglect has occurred, or where there are unexplained injuries to clients.

Incidents of abuse and neglect outside of What Ability's service delivery:

What Ability also recognises that in some circumstances it has a responsibility to alert appropriate authorities where What Ability has reasonable grounds to suspect that a client has been subject to abuse or neglect by others outside of What Ability's service delivery.

5 Mandatory reporting to the Police

What Ability has a legal duty to report to police instances of assault (physical or sexual) where the client:

- Receives direct service and supports by What Ability; or
- Is receiving in-home or community-based services and the allegation is against a What Ability staff member.

And the incident is reportable as a Category One or Category Two incident to DHHS and involves an allegation or reasonable suspicion (e.g. because of unexplained injuries) of:

- Assault of a client by a staff member or volunteer carer
- Assault of a client by a client
- Assault of a client by a visitor, family member, other non-staff member or member of the community
- Assault of a staff member, visitor, other non-staff member or member of the community by a client

The allegation of assault must be reported to the police, whether or not the participant has consented to the matter being reported. The client may choose not to participate in the police investigation.

6 Investigations

Allegations of abuse and neglect reported will be investigated in accordance with What Ability's Investigations Policy.

While investigations are ongoing, What Ability will take appropriate steps to safeguard the interests of client while also complying with its obligations to any employees who may be subject to the investigation. Where there is conflict between these two duties, the interests of the client will prevail.

7 Confidentiality

What Ability

It is expected that all allegations of abuse and neglect will be treated with absolute confidentiality by everyone associated with What Ability.

The Directors of What Ability in which the allegation has arisen are responsible for determining who needs to be informed of the allegation (taking into account the need for support staff to be able to adequately support the alleged victim as well as their responsibility to facilitate a full investigation of the matter).

Everyone aware of the allegations should be particularly mindful of when and where they discuss the incident (particularly in relation to the alleged victim and anyone else supported by What Ability). Incidents should only be discussed with the relevant people and in a confidential setting.

8. Changes to the Policy

What Ability may, from time to time, amend or vary this policy in its absolute discretion but will take all reasonable steps to inform employees of any changes it makes.

Restrictive Practices Policy and Procedure

1. Overview

Restrictive practice means any practice or intervention that has the effect of restricting the rights or freedom of movement of a person with a disability.

Under the National Disability Insurance Scheme (Restrictive Practices and Behaviour Support) Rules 2018 certain restrictive practices are subject to regulation. These are covered in this Policy.

What Ability is a NDIS service provider that uses a regulated restrictive practice(s) in the course of delivering NDIS supports to its participants.

This has been created and operated in conjunction with What Ability's Employee Handbook, Workplace Health and Safety Policies and other related policies and procedures

2. Purpose

This policy and procedure has been created to outline What Ability's obligations with relation to managing Restrictive Practices.

This policy and procedure does not replace current workplace policies and should be read in conjunction with other relevant safety policies and procedures.

This policy and procedure will continue to be informed and updated in line with any applicable laws, enforceable government directions and advice issued by Commonwealth, state / territory governments and any other applicable legislation.

3. Scope

This policy and procedure applies to What Ability including its staff and any visitors, contractors and other individuals affiliated with What Ability.

What Ability

It is important that all staff, visitors, contractors, and other individuals affiliated with What Ability comply with this policy, and procedure, and accept responsibility for their individual actions and responsibilities in helping What Ability minimise risk.

4. What are the regulated restrictive practices?

‘Restrictive practice’ means any practice or intervention that has the effect of restricting the rights or freedom of movement of a person with disability, with the primary purpose of protecting the person or others from harm.

There are five categories of regulated restrictive practices that are monitored by the NDIS Commission. These are the following:

- Seclusion - the sole confinement of a person with disability in a room or a physical space at any hour of the day or night where voluntary exit is prevented, or not facilitated, or it is implied that voluntary exit is not permitted.
- Chemical restraint - the use of medication or chemical substance for the primary purpose of influencing a person’s behaviour. It does not include the use of medication prescribed by a medical practitioner for the treatment of, or to enable treatment of, a diagnosed mental disorder, a physical illness or a physical condition.
- Mechanical restraint - the use of a device to prevent, restrict, or subdue a person’s movement for the primary purpose of influencing a person’s behaviour but does not include the use of devices for therapeutic or non-behavioural purposes.
- Physical restraint - the use or action of physical force to prevent, restrict or subdue movement of a person’s body, or part of their body, for the primary purpose of influencing their behaviour. Physical restraint does not include the use of a hands-on technique in a reflexive way to guide or redirect a person away from potential harm/injury, consistent with what could reasonably be considered the exercise of care towards a person.
- Environmental restraint - which restrict a person’s free access to all parts of their environment, including items or activities.

The Regulated Restrictive Practices Guide, as per the NDIS requirements reference in clause nine (9) of this policy and procedure, outlines NDIS providers’ obligations when implementing regulated restrictive practices.

5. What is a behaviour support plan?

What Ability

A behaviour support plan is a document prepared in consultation with the person with disability, their family, carers, and other support people that addresses the needs of the person identified as having complex behaviours of concern. The behaviour support plan contains evidence-informed strategies and seeks to improve the person's quality of life.

NDIS service providers using a regulated restrictive practice in their service with participants must comply with the relevant reporting requirements.

The aim of positive behaviour support is to reduce and eliminate restrictive practices. There is a primary emphasis on upholding the rights of the person with disability by looking to support the person through evidence-informed, person-centred strategies reflected in a behaviour support plan. There may be limited circumstances in which a regulated restrictive practice is used. The NDIS (Restrictive Practices and Behaviour Support) Rules 2018, as per the NDIS requirements reference in clause nine (9) of this policy and procedure, specify that any use of restrictive practices must be:

- Used only in response to a risk of harm to the person with disability or others, as a last resort.
- Authorised in accordance with any state or territory legislation and/or policy and procedure requirements
- In proportion to the risk of harm and used only for the shortest possible time.
- Use of a regulated restrictive practice must be reported to the NDIS Commission.

6. What is specialist behaviour support?

Specialist behaviour support is:

- Undertaking a functional behaviour assessment and;
- Developing a behaviour support plan for the participant.

Specialist behaviour support providers are required to:

- Be registered for behaviour support (registration group 110) with the NDIS Commission
- Engage behaviour support practitioners, as per the NDIS requirements referenced in clause nine (9) of this policy and procedure, considered suitable by the NDIS Commission
- Work with the implementing provider to ensure that regulated restrictive practices in the final behaviour support plan are authorised where required

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- Specify in the behaviour support plan that person-centred strategies must be applied first, with restrictive practices used as a last resort in response to a risk of harm to the person or others
- Develop behaviour support plans containing regulated restrictive practices in accordance with any state or territory authorisation and consent requirements
- Lodge behaviour support plans containing regulated restrictive practices with the NDIS Commission
- Help NDIS participants, their families, and other decision-makers to understand the NDIS Commission's behaviour support function

7. Operation

A behaviour support plan can only be developed by practitioners who are considered suitable by the Commissioner to undertake functional behaviour assessments and develop behaviour support plans. They will be considered suitable pending assessment against the Positive Behaviour Capability Framework, as per the NDIS requirements referenced in clause nine (9) of this policy and procedure.

Behaviour support practitioners must be registered with the NDIS to provide specialist behaviour support (Registration group 110), as per the NDIS requirements referenced in clause nine (9) of this policy and procedure.

At a minimum, any behaviour support plan that contains a regulated restrictive practice needs to be reviewed every 12 months or earlier if the participant's circumstances change.

Behaviour support plans that do not contain a regulated restrictive practice do not need to be lodged with the NDIS Commission.

Use of restrictive practices that are not detailed in a behaviour support plan or do not have the required authorisation and consent may constitute a reportable incident under the NDIS (Incident Management and Reportable Incidents) Rules 2018, as per the NDIS requirements referenced in clause nine (9) of this policy and procedure.

Any behaviour support plan containing a regulated restrictive practice must be lodged with the NDIS Commission, as per the NDIS requirements referenced in clause nine (9) of this policy and procedure. NDIS service providers must regularly report the use of a regulated restrictive practice with a NDIS participant to the NDIS Commission.

A NDIS service provider who uses regulated restrictive practices needs to provide monthly reports to the NDIS Commission.

What Ability

The Rules, as per the NDIS requirements referenced in clause nine (9) of this policy and procedure, outline the requirements for developing behaviour support plans containing regulated restrictive practices.

The Regulated Restrictive Practices Guide, as per the NDIS requirements referenced in clause nine (9) of this policy and procedure, outlines NDIS providers' obligations when implementing regulated restrictive practices.

If a restrictive practice is not included in a participant's behaviour support plan the implementing provider needs to report this as a reportable incident to the NDIS Commission within 5 days of the provider being made aware of this occurrence, as per the NDIS requirements referenced in clause nine (9) of this policy and procedure.

What Ability will implement all restrictive practice support plans including any behavioural support plans required, in line with the NDIS framework and other related legislative requirements.

8. Further Information

Please contact your team leader and/or manager for any queries about this policy and procedure, or any safety concern or issue. Alternatively, you may contact the Human Resources team

9. Legislation, Governing Authorities and Links

- [Regulated Restrictive Practices Guide](#)
- [Behaviour Support](#)
- [The Positive Behaviour Support Capability Framework](#)
- [Incident Management](#)
- [National Disability Insurance Scheme \(Restrictive Practices and Behaviour Support\) Rules 2018](#)

10. Consequences of breach of this policy and procedure

Staff who do not follow the requirements of this policy and procedure, including any related support plans may be subject to disciplinary action up to and including warnings and / or termination of employment.

11. Changes to the policy and procedure

What Ability may, from time to time, amend or vary this policy and procedure in its absolute discretion but will take all reasonable steps to inform employees of any changes it makes.