

# Staffing & Workplace Culture

V2.1 | Last Reviewed: 24/06/2024

## Purpose and Scope

It is important to ensure that for each employee of EnableOT is equipped and confident in providing quality services to our clients.

We also need to ensure that we meet all legal requirements of employers within Queensland, Australia, legal requirements as private health service, and our obligations under our funding agreements to various agencies such as Medicare, DVA, Private Health Insurers, NDIS etc.

Clear policies and procedures covering recruitment assist us to manage the process in the best interests of our organisation as employer, the people who work for our organisation, and ultimately benefits participants receiving our service. In every case, employees need to be introduced to their new role and their new working environment, and sometimes introductory training in new skills is required. Induction, training and performance development is an important part of how we foster a highly competent and committed work team.

We also need a system of ongoing training and support, without which employees cannot do their jobs effectively. This includes effective ways to communicate with the people who work for us about what they do, how well they are doing it, the organisation's expectations and requirements of their work performance, and their perspective on how they are working.

## Legislative Requirements

### Fair Work Legislations

A suite of legislations, regulations and amendments that, as at 2023, consist of:

- Fair Work Act 2009
- Fair Work Regulations 2009
- Fair Work Amendment (Protecting Vulnerable Workers) Act 2017
- Fair Work Amendment (Family and Domestic Violence Leave) Act 2018
- Fair Work Amendment (Improving Unpaid Parental Leave for Parents of Stillborn Babies and Other Measures) Act 2020
- Fair Work Amendment (Supporting Australia's Jobs and Economic Recovery) Act 2021
- Sex Discrimination and Fair Work (Respect at Work) Amendment Act 2021
- Fair Work Amendment (Paid Family and Domestic Violence Leave) Act 2022
- Fair Work Amendment (Secure Jobs, Better Pay) Act 2022
- National Employment Standards

These legislations govern the employee and employer relationship in Australia, and are intended to:

- Provide a safety net of minimum entitlements
- Enable flexible working arrangements
- Provide fairness at work and prevent discrimination against employees

As an employer that is primarily in the business of delivering health services, EnableOT's employees are all employed under the terms contained in the **Health Professionals and Support Services Award 2020 [MA000027]**

## **Health Practitioner Regulation National Law (Queensland) - 2009**

This Act (passed individually in every state in Australia) is intended to establish a national registration and accreditation scheme for health practitioners and students undertaking training as health practitioners to provide protection to the public by ensuring only health practitioners who are suitably trained and qualified to practise in a competent and ethical manner are registered.

## **Work Health and Safety Act 2011 (The Act):**

The Act details the duties of a 'person conducting a business or undertaking' (PCBU), officers and workers as well as suppliers and manufactures. In accordance with the Act, as a PCBU, the business has a primary duty of care to ensure workers and others are not exposed to a risk to their health and safety.

## **NDIS Act 2013 (The Act):**

The National Disability Insurance Scheme (NDIS) was developed to enable people with disability to live 'an ordinary life' as others in society do. The associated Act aims to provide for the National Disability Insurance Scheme in Australia, support the independence and social and economic participation of people with disability, provide reasonable and necessary supports, including early intervention supports, for clients in the National Disability Insurance Scheme launch, enable people with disability to exercise choice and control in the pursuit of their goals and the planning and delivery of their supports, facilitate the development of a nationally consistent approach to the access to, and the planning and funding of, supports for people with disability, promote the provision of high quality and innovative supports that enable people with disability to maximise independent lifestyles and full inclusion in the mainstream community, raise community awareness of the issues that affect the social and economic participation of people with disability, and facilitate greater community inclusion of people with disability.

## **Corporations Act 2001**

This Act is the principal legislation regulating business entities in Australia. It regulates matters such as the formation and operation of companies, duties of officers, takeovers and fundraising. EnableOT is registered Australian Company officially called Enable Occupational Therapy in Mental Health Pty Ltd. It was incorporated in 2000.

The ABN: 80 094 314 084

The Sole Owner and Director is: Christine Anne Coop.

## **Workplace Culture**

The purpose of EnableOT is to:

- Building/restoring lives that our clients consider worth living within a fee for service framework that charges people according to their financial circumstances.
- Supporting Practitioners - of all backgrounds, experience levels, locations and caseload preferences - to develop their capacity to practice to the full extent of their professional boundaries so to make a difference to people's lives, AND have a fulfilling working life for themselves.

Our core expectations for everyone on the EnableOT team is summed up in the following "This is Us" Principles:

- Be honourable to self and others
- Do your 'best' and grow your 'better'
- Be rigorously authentic to others and insightful to self
- Make a difference in a way that matters to you
- Notice and celebrate others and their journey
- Enjoy being part of EnableOT

To do this we have a work culture of:

- **Commitment** – we work hard to enable the people we support to achieve their goals. When the going gets tough, we stick in there. But we are also committed to balanced lives. As we seek full lives for the people we support, so we seek to ensure staff do not work excessive hours, and have a life for themselves outside work.
- **Self-discipline** – we are building a culture around freedom and responsibility, which means we are self-disciplined people, who are willing to go to extreme lengths to fulfil our responsibilities. We know how to conduct ourselves professionally, with warmth, at all times.
- **Responsible** – we follow through on initiatives and own the consequences until the new idea works and contributes to the whole business
- **Enabling** – we support each other to develop our skills and abilities and use them effectively for the benefit of those we support. We lean on each other. We help each other.
- **Confidentiality** – we share specific, private information on a ‘need to know’ basis and within supervised systems. We do not gossip about others. We build each other and others up with our words and actions.
- **Challenge**- we challenge ourselves with developing insight. We participate in being in an organisation where people grow and develop. We engage in constructive debates to collaboratively solve problems. Once a decision is made, we work wholeheartedly towards the agreed decision.
- **Listening** – we make a habit of listening to each other and our clients
- **Teamwork** – we recognise and understand each other’s differences, priorities and styles and seek to use these to work as a team and support each other, in the good times and the bad. We focus on co-operation and always come to a resolution, not a compromise. We ask for help when needed, and are compassionate to people who ask for our help.
- **Recognition and Encouragement** – appreciation and encouragement are great motivators. We seek to identify opportunities to praise and encourage each other, and we celebrate success.
- **Consistency** – we are consistent with our actions, so the people we support feel comfortable when dealing with us. We act and make decisions on what makes a real difference. When necessary we pull together to make changes that ensure we work efficiently and effectively.
- **Systems** – we have systems and resources in place so our staff can work autonomously and responsibly. Staff have the freedom to seek opportunities, to innovate, and find the best way forward for their clients.
- **“Safe to Fail” but Safe** – we are willing and keen to take thought-through risks and make sure we learn through every experience, the good and the bad.
- **Learning** – we are creative and are willing to try new ways of doing things. We make mistakes, but after they occur, we learn from them to ensure they do not happen again. We all act as coaches to help others make their own intelligent decisions.
- **Fun** – we view life as a journey, we believe we are being shaped towards the future, rather than being pushed by the past. Life is to be appreciated and enjoyed. We want to create an atmosphere of fun and happiness so that those around us can enjoy it as well.

## Recruitment

EnableOT is committed to recruiting employees who are suitably qualified and experienced and who have the competence and appropriate qualities to undertake their role within our organisation. Our recruitment and selection procedures will be in accordance with employment legislation and our contractual obligations.

When a potential employee identifies interest in joining the Enable team:

- EnableOT’s Director meets with them to discuss fit with EnableOT – including reason behind their interest, past history, qualifications, and the way EnableOT works.
- EnableOT’s Director provides them with a copy of the relevant employee agreement and discusses key elements of the journey to competency (experienced as unsettling for a substantial period after starting)
- Each party decides whether there is ‘good fit’ – and if so, the person is signed on..

Once appointment has been made, EnableOT will:

- Support new staff through induction and training according to their role, before they commence working with EnableOT’s clients.
  - NDIS Mandatory Modules – Induction and Orientation
  - Infection Prevention & Control
  - NDIS Worker Screening
  - BlueCard (Working with Children) Screening for those not in a registered health profession.
  - Legislative requirements included in EnableOT policies and procedures
  - Orientation of the work site and documentation
  - Competencies specifically required for working with intended initial clients.
- Identify and collect key documentation from the new team member regarding their:
  - Professional Qualifications
  - Professional Registration
  - Professional Association Memberships
  - Professional Indemnity and Public Liability Insurance Coverage
  - Driver’s Licence
  - Contact Details
  - Emergency Contact
  - Information pertaining to paying their wages – TFN Declaration, Superannuation Fund, Bank Account Details
  - Details of any secondary employment
  - Specialised Worker Capabilities in:
    - Assisting in response to an emergency or disaster
    - Contingency planning
    - Infection prevention and control

Staff records are stored on a separate practice profile on the **Halaxy** platform.

## Building Staff Competency

EnableOT is committed to making sure that those who work in our service are well prepared for what they are required to do. However, we are extremely aware that it is not possible to be fully equipped before getting underway with the type of client situations we work in. Even experienced and capable clinicians/administrators, typically take two years to build competency to a level sufficient for them and their clients to thrive. During this initial period staff are usually stressed and feeling out-of-their-depth, and are particularly dependent on encouragement from the rest of the EnableOT team to make it through to the time when they feel like ‘I’ve got this’.

A two year training/induction period is not feasible to do before client work begins – it must happen at the same time as working with clients. The task before us is substantially more complicated than driving a car, yet the ability to drive effectively and safely is only developed by a learner getting behind the wheel while accompanied by an experienced driver who directs their learning in real-life situations. In a similar way, we throw our new staff into immediately working with clients, but ensure they are supported by an experienced clinician with intensive scheduled, and ad hoc supervision.

The Aimed-For Level of Competency is characterised by:

- A skills and knowledge base that covers a sufficient expanse of clinical, legislated and administrative needs likely to be seen in EnableOT’s clients, to a depth that is considered expert, with clinical competencies in applying strategies to build capacity within complex (and often entrenched) social environments and meeting legislative requirements in documenting them.
- The nature of engagement in supervision has transformed from being ‘behind a client’s need’ (ie.from one session to the next, needing the next instalment in knowledge/skills before being able to meet the client’s need), to stretching themselves into clinical, administrative or personal growth excellence.

- Confident in taking 'safe to fail' levels of initiative toward the goal when a potentially innovative or better approach occurs to them, while refraining themselves at other times when their judgment indicates a risk is too great.
- Consistent high performance across most of the complex situations
- Adaptability that sees them capable of 'flying by the seat of their pants' – adjusting their approach 'on the fly' because an opportunity presented itself that was better, or a client's need indicated that the original plan should be dropped.

The essential skill and knowledge base for each EnableOT team member includes, but is not limited to:

- Self-awareness
- Cross-cultural awareness
- Zero Tolerance approach to Violence, Neglect, Exploitation and Discrimination
- Infection prevention and control
- Dynamic Risk Assessment, Risk Exposure Analysis and Hazard Control
- Positive Behaviour Support
- Restrictive Practice
- Capacity Building strategies
- Disaster Preparation
- Legislative Frameworks governing our practice (ie. mental health, disability, guardianship, privacy, child safety, workplace health & safety, health registration, NDIS, human rights & equal opportunity, freedom of information, fair work, child support, criminal justice, family law, native title, antid-discrimination, etc).
- EnableOT suite of policies
- EnableOT templates and their use
- Any clinical or administrative skills needed immediately for initial clients/tasks

Each team member is unique, their existing competencies unique, their developmental needs unique, their method of building competency unique. Thus, EnableOT does not have a cookie-cutter approach to developing competency. Nor do we have a regular Performance Review process, but instead, have a constant developmental process.

The aim is to build competencies as needed, gradually filling in the gaps until the staff member is no longer seeking support to meet a client need, but starts stretching themselves beyond the scope of their caseload in order to perform at an excellent level.

This takes into account what significant research has taught us regarding Adult Learning Theory and the Stages of Learning. Our approach to competency building of staff is as evidenced-based as our work with clients.

**Our expectation for 'good enough in the meantime' is singular and developmental: as long as an EnableOT team member is actively applying themselves to making progress towards the Aimed-For Level of Competency on any one of the characteristics above, and while doing so, are making a tangible positive difference to the lives of the clients they are serving, then we are satisfied with their performance.** (if the team member is in administration, their clients are the EnableOT Practitioners and Therapy Assistants)

We see the development of the Aimed-For Competency as a partnership in which EnableOT takes a critical shaping role where we provide sunshine, rain and fertilizer (different for each person) while our team are expected to do their best to absorb as much benefit as they can (without being desperate about it!), and grow. Together we and they arrange adjustments to their caseload and responsibilities so that they are 'planted in the right soil' in which they can flourish in themselves and bear the fruit of much productivity.

However, should a situation arise where a EnableOT team member, even with all this support, fails often to make a tangible difference to their clients (such that there are multiple incidences of feedback or complaint to this effect), and the additional effort expended by EnableOT, in both repairing relationships with external parties and delivering corrections for each of the situations, significantly compromises other EnableOT team members ability to perform their duties adequately, then a formal Performance Improvement Process will be commenced.

## Performance Improvement Process

Due to the already specified process of building competency (above), an EnableOT team member who is commenced on a formal Performance Improvement Process will already be well aware of the challenges their current functioning in their designated role is having on EnableOT and our clients. So this step will be simply to put it into writing and begin a thorough examination of all the factors contributing to inadequate performance, to make sure no options for stimulating improvement have been missed. Systemic factors with EnableOT will be examined equally along with factors attributable to the low-performing team member. If discussion identifies that the most potent factors (from both sides) are immutable, the conversation might turn to examining the 'fit' of the person with Enable. Listed also will be all the efforts invested on both sides to make improvements and the outcome of those efforts so that there is clarity about the context.

If at the end of this analysis process together, the team member wishes to persist with the efforts to build their competency in their given role, then a detailed plan, including time frames for expected deliverables, will be developed. As long as EnableOT fulfils their part of that agreement, ongoing employment with EnableOT for the low-performing team member will be contingent upon them reaching the expected performance levels within the specified time frames.

## Building Team Functioning, Team Belonging, and Whole-of-Organisation Competencies

EnableOT is committed to the professional development of a whole team of people who fit well together – a part of a cohesive 'whole' - while feeling appreciated for their unique, authentic selves. We do this through several mechanisms:

1. Fortnightly Supervision Pairs: our Practitioner Team Members are connected with a partner, with whom they attend telephone-based supervision each week with their Clinical Supervisor within Enable, typically EnableOT's Director and Senior Occupational Therapist. EnableOT's Practice Manager attends briefly each fortnight. Together the administrative and clinical journeys everyone shares during this intense process forms deep connections. The regular rotation of these pairs (at least twice a year) means that eventually everyone is paired up with everyone else, creating a functioning practitioner-level unit.
2. Triannual Team Retreat Weekends: Three times a year, the entire EnableOT team aims to meet for a weekend of face-to-face connection, continuous improvement, and professional development. It is mandatory for the practitioner-level team members (unless a crisis prevents), while therapy assistants and administrative assistants encouraged to come (most do, at least for part of the time).
3. Mattermost Communication Platform: We have an online internal instant messaging platform that contains a broad range of channels for team communication and connection (work and social).
4. Supporting Informal Connection: EnableOT team members connect together in small social gatherings and to support each other through difficult patches. This is encouraged, and builds our sense of being a cohesive group of people who care deeply for each other.

We ask our team members to share our philosophy regarding the development of competency, by approaching their colleagues with understanding and be willing to provide what support they can to each other.

However, should a team member's conduct present a challenge to the equilibrium, wellbeing and/or work capacity of a colleague(s), there may be a need for an adjustment in the dynamic of that work relationship. The expected order for steps that one EnableOT team member to address an issue with another is as follows:

1. Ask yourself: Does it really matter? Is this something that is likely to be an ongoing problem that will affect me in a week, in a month, in a year, if it continues?
2. Ask yourself: What contribution to the dynamic am I making? By changing my step in the 'ugly dance' of this situation, can I effect and change in the whole problem?
3. Undertake a Difficult Conversation: Take the issue directly to the person [the only exception allowed is if approaching the other directly puts you at risk of your mental health collapsing, or of a reoccurrence of an emotional, physical or sexual abuse]. If it is not bad enough to overtake the natural reticence to face the person directly with an uncomfortable conversation, it is not bad enough to talk about it with anyone else

(including your supervisor). The attitude of this conversation should be curiosity and warmth, expressing the hope for resolution that works for both.

- a. If reoccurrence of an emotional, physical or sexual abuse is believed likely, skip steps (3) & (4), and go immediately to step (5)
  - b. If, due to the stress of doing so, you cannot bring the issue directly, approach your supervisor for this special step. Disclose the details of your issue to your supervisor with the intent of getting their help to conduct a difficult conversation. This is not the lodging of a grievance but a request for support – to come with you to facilitate the conversation between you and the other person, not be there as a corrective force to the other.
4. Informal Grievance to Supervisor: In the case that the other person refused to engage in a resolution, or has not implemented their agreed actions, report the issue to your direct Supervisor, who will now approach the other party and, bringing you both together, will act as investigator and judge, documenting the outcome and policing the implementation of the outcome. Non-compliance of either party with the outcome becomes the basis for a Performance Improvement Process.
  5. Formal Grievance: If the issue continues unresolved, a grievance is to be lodged in writing to EnableOT's Director for addressing. Key documentation will be shared with all parties as part of the endeavours to resolve this issue.
  6. External Parties Involved: if the issue continues unresolved, pursue the matter with external authorities such as Fair Work Australia, WorkCover Qld, and/or legal practitioners.

## **Gross Misconduct or Malpractice.**

If the Director of EnableOT perceives a situation of gross misconduct or malpractice has been committed by a team member, they will approach that employee openly and provide an opportunity for that person to agree or disagree with the perception. If there is agreement, the agreed misconduct/malpractice will be documented and signed by the employee and EnableOT as substantiated, and the person's employment with EnableOT may be terminated immediately.

If there is disagreement, the issue is to be put for collegial consideration. Both parties are to suggest who, how many, which subgroup (eg. locality group) of colleagues they consider are necessary to hear evidence of misconduct/malpractice and make a decision accordingly. Whichever of the suggested collegial groups is the larger, is the one approached for judgment. If indicated by the severity of the situation, or by legal requirement, this may involve investigation by an external independent party, as well as communication about the investigation to external parties (such as clients who have made a formal complaint and wish to be kept informed of the outcome).

Serious misconduct includes (but is not limited to) all forms of VNED (Violence, Neglect, Exploitation or Discrimination) EnableOT has zero tolerance for VNED in any form. Actions such as these will not be tolerated in the treatment of clients or between staff. If an allegation of VNED has been made against an EnableOT team member from a source external to EnableOT, we are obligated to suspend that individual from providing direct client service delivery until the allegation has been fully investigated and found to be unsubstantiated. If the matter is upheld, then the team member will face a Performance Improvement Process or possible termination of employment.

Serious misconduct involves an employee causing serious and imminent risk to the health and safety of another person or to the reputation or fiscal viability of EnableOT, or deliberately behaving in a way that is inconsistent with continuing their employment. These may include theft, fraud, causing of harm in a wilful or negligent manner, or refusing to carry out a lawful and reasonable instruction that is part of the job.

## Building EnableOT Management Competency

In a similar manner to the approach EnableOT takes to building the competencies of its team members, the Management of EnableOT are also building competency to become a more effective, smooth running, sustainable and delightful organisation to work for.

We have not yet attained this Aimed-For Competency and seek the support of our team to help us be better at what we do through participation in stimulating our development. We appreciate that our team members have the same developmental expectation of us as we have of them.... That as long as we are improving, it's 'good enough'.

However, should a situation arise where EnableOT's Management, fails often to meet a core need of our team members, such that our limitations represent an unfair burden, or require our staff to expend additional efforts compensating we invite issues to be raised as follows – with an indication of the preferred/needed solution:

- Individually during Supervision sessions
- As a group as part of the Team Retreat Weekends
- As an informal Mattermost message
- [and only if perceived as necessary] formally in writing.

There may come a time when EnableOT Management becomes incapable of meeting its commitment to provide all the support to team members that is outlined in the Employee Agreements (such as the permanent incapacity of EnableOT's Director). If strategies to rectify the short-falls fails to result in the operational viability of EnableOT, it could cease to operate as a company.

We are working to build a future operational capacity that means the loss of a single individual from Management will not result in the collapse of the company to operate, but in the meantime, we have contingency plans of which EnableOT's Team Members will be a part of shaping if/when the situation arises.

## Review

This policy will be reviewed when required by changes to legislation or when organisation operations require it. Employees and clients will be consulted in relation to any proposed changes. It is recommended that this policy be assessed at 9 monthly internal review alternating with formal auditing processes.