

HUMAN RESOURCES PROCEDURE (MANUAL)

Approving authority	Executive Management Team
Purpose	This procedure provides information and practical advice in relation to human resources matters.
Responsible Officer	President and CEO
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Document Location	R:\Managers\OIHE\Policies
Associated documents	<p>Human Resources Policy</p> <p>Academic Integrity Policy and Procedure</p> <p>Academic Staff Professional Development Policy and Procedure</p> <p>Anti-Bullying and Harassment Policy and Procedure</p> <p>Anti-Discrimination Policy and Procedure</p> <p>Child Safety Policy and Procedure</p> <p>Conferral of Academic Qualifications Policy and Procedure</p> <p>Conferral of Academic Titles Policy and Procedure</p> <p>Diversity and Equity Policy and Procedure</p> <p>Equivalence of Professional Experience and Academic Qualifications Policy</p> <p>Occupational Health and Safety Policy</p> <p>Professional Staff Professional Development Policy and Procedure</p> <p>Records Management Policy and Procedure</p> <p>Sexual Assault and Sexual Harassment Policy and Procedure</p> <p>Social Media Policy and Procedure (Staff)</p> <p>Social Media Policy and Procedure (Students)</p> <p>Student Code of Conduct Policy and Procedure</p> <p>Staff Code of Conduct Policy and Procedure</p> <p>Use of Information Technology Facilities and Services Policy and Procedure (Staff)</p> <p>Use of Information Technology Facilities and Services Policy and Procedure (Students)</p> <p>Younger Students Policy and Procedure</p> <p>Employee Employment Agreement</p>

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1. PRINCIPLES

Ozford Institute of Higher Education (hereafter referred to as the “Institute”) attracts and retains high performing staff to achieve its strategic goals and who are aligned to the values and ethos of its missions and visions. The Institute achieves the alignment of the Institute and staff utilising principles outlined in the Human Resources policy and procedure.

This procedure simultaneously ensures the Institute meets all legislative and regulatory obligations including the Higher Education Standards Framework (Threshold Standards), in the provision of well-managed operations, a culture of excellence and a workforce mix and profile appropriate to its business needs and sustainability.

2. SCOPE

The procedure applies to all continuing and fixed term appointments of Academic and Professional Staff.

3. DEFINITIONS

Academic Staff

Academic Staff means all staff with academic leadership and oversight responsibilities, and all staff with teaching and/or supervisory roles in higher education courses and units of study.

Academic or Professional Misconduct

Academic Misconduct is where employees and contractors:

- claim possession of qualifications that have not been awarded;
- give pass grades or above to student work that is known to be not authentic (copied, someone else’s work, plagiarised, colluded with others, exam cheating) or not correct;
- accepts any form of gift or money or services for favourable grades or admission;
- provides information (questions and/or responses) about assessments or examinations to students or third parties that gives students unfair advantage, uses assessment examination material that is not original (i.e has been used before);
- fails to check the authenticity of students submitted assessments prior to awarding a pass grade, fabricates or alters student assessment or examination results;
- claims publication or research or academic work history that is not true;
- fabricates or falsifies findings of own research; or
- publishes work that has been plagiarised or undertaken by someone else (including students) without acknowledgement.

Candidate

A Candidate is a person applies for the advertised vacant position at the Institute.

Cultural safety

Cultural safety is the positive recognition and celebration of cultures. It is more than just the absence of racism or discrimination and more than ‘cultural awareness’ and ‘cultural sensitivity’. It empowers people and allows them to contribute and feel safe to be themselves.

Disciplinary Actions

Disciplinary Actions means measures taken by the Institute in relation to unsatisfactory performance, misconduct or serious misconduct and includes but is not limited to:

- formal counselling of an employee by an appropriate supervisor or internal or external counsellor;
- giving an employee a written warning (including where appropriate, a final warning);
- suspension with or without pay;
- withhold of an increment or payment of an invoice;
- removal from Office while remaining an employee of the Institution;
- termination of employment or contract agreement.

External advertising

External advertising means advertising in publicly available media that is accessible to people external to the Institute. It includes the Institute website, and may also include newspapers, specialist journals or websites and drawing vacancies to the attention of existing staff (including fixed term and casual/sessional staff) through intranet, e-newsletter and staff meeting.

General misconduct

General misconduct is where employees and contractors:

- act dishonestly;
- bully or harass other employees and contractors;
- interfere with other employees' and contractors' work;
- prevent or disrupt learning;
- disobey/fail to comply with contractual or legal requirements;
- misuse, damage or steal Institute's property or the property of others;
- alter/deface the Institute documents or records;
- prejudice the good name of the Institute, or
- otherwise act in an improper manner.

Inclusive environment

An inclusive environment:

- value all students
- respect their rights
- challenge all forms of discrimination
- understand and respond to the needs and capabilities of all students and their families, including Aboriginal children and their families
- adjust their approaches to ensure all students feel safe, welcome and can participate.

Institute Environments

Institute environments means any physical or virtual place made available by the Institute for use by a child for teaching, learning or Institute activities, including:

- the campus;
- Online learning environments; and
- Other physical environments where the Institute operates or conducts activities.

Physical environments are the physical places where an organisation operates or conducts activities, such as a building, facility or space and includes physical environments operated by third parties such as student advocates and homestay accommodation.

Online environments are any technological platforms which an organisation uses or controls, such as computers, phones, websites, intranet, email, social media and video conference facilities regardless of where such platforms may be accessed by students.

Internal advertising

Internal advertising means advertising in media that is accessible only by internal applicants. It includes advertising on the Institute's vacancies website as a vacancy "open only to current Institute employees" and may also include drawing advertised vacancies to the attention of existing staff (including fixed term and casual/sessional staff) through intranet, e-newsletter and staff meeting.

Internal applicant

Internal applicant means a current employed (at the time of advertisement)

- Continuing or fixed term staff member of the Institute who has successfully completed probation; or
- Casual/sessional staff member of the Institute who
 - i. Has been assessed through the performance and development proves as at least "meeting expectations" or "satisfactory" (as applicable); or
 - ii. Is able to demonstrate in their application that they have been engaged by the Institute as a casual/sessional employee on a regular and systematic basis for the previous 12 months

Position Description

Position Description is the list of tasks required to perform for the role.

Professional Staff

Professional Staff -means an employee employed in a capacity other than as an academic staff and includes employees engaged in clerical, administrative and technical work.

Recruitment agency

Recruitment agency means recruiter or search consultant who is engaged externally.

Selection Committee

Selection Committee means either a professional staff or an academic staff panel convened in accordance with this procedure, to make a recommendation to the Delegated Officer about filling a vacant position.

Senior Academic Appointment

Senior Academic Appointment means the Academic Dean or any position where the title of Professor will be used by the appointee.

Serious misconduct

Serious misconduct includes but not limited to

- Acting dishonestly including any fraud in respect to the Institute, students or stakeholders;
- Knowingly making any false or misleading representation;
- Harassing or intimidating a student, a member of staff, a visitor to the Institute, or any other person, because of race, ethnic or national origin, sex, marital status, sexual preference, disability, age, political conviction, religious belief or for any other reason;
- Misuse of the facility in a manner which is illegal, or which is or will be detrimental to the rights or property of others. This includes the misuse, in any way, of any computing or communications

equipment or capacity to which the employee has access at or away from the Institute premises while acting as an Institute employee, in a manner which is illegal, or which is or will be detrimental to the rights or property of others;

- Theft or an action to steal, destroy or damage a facility or property of the Institute or for which the Institute is responsible.
- Any form of violence against a student, staff member or stakeholder of the Institute that is substantiated;
- A child abuse incident where the allegation is substantiated; or
- Being under the influence of alcohol or drug of dependence during working hours.

Shortlisting:

Shortlisting is developing a pool of candidates who meet the requirements of the job criteria based on the initial assessment.

Staff

Staff means a person engaged by an organisation as an employee, worker, contractor, labour hire worker, officer or office holder, minister of religion or religious or pastoral leader, regardless of whether that person's role relates to children.

Younger student

A student under the age of 18 years.

4. PROCEDURE

EMPLOYMENT OBLIGATIONS

The Institute has developed and implemented systems and processes to fully comply with all relevant legal obligations including:

- Fair Work Act;
- Modern Awards;
- Payroll Tax, PAYG withholding tax, Superannuation, leave and other deductions and entitlements;
- Equal Opportunity and Anti-discrimination;
- Work Cover;
- Occupational Health and Safety;
- Victorian Child Safe Standards and relevant legislation
- Privacy.

The Institute encourages notification by staff of any suspected or actual breach of these obligations to ensure this is responded to and where possible rectified as quickly as possible.

EQUAL OPPORTUNITY

This section should be read in conjunction with the following policies:

- ***Anti-discrimination Policy and Diversity and Equity Policy***
- ***Anti-bullying and harassment Policy***
- ***Diversity and Equity Policy and Procedure***

The Institute aims to ensure that staff recruitment is consistent with these policies and is reflective of cultural diversity of its student group(s). The Institute will establish and monitor all employment policies, practices and procedures to ensure that equal opportunity and cultural diversity principles are followed in all areas of staff management including:

- advertising for positions (including internal advertising);
- position description and selection criteria;
- interview questions and processes;
- selection panel practices;
- referee checks;
- appointment procedures;
- staff training and development;
- probation period;
- performance management.

All staff have the responsibility to comply with these policies and treat everyone who they work with or study with the Institute with dignity and respect.

The Institute has zero tolerance of any form of discrimination, bullying, harassment or racism. This type of behaviour is unlawful, and the Institute will act quickly to ensure that this behaviour does not occur, or continue to occur in the workplace, or in the provision of services to students.

The Institute encourages all staff members who experience discrimination, bullying, harassment or racism misbehaviour to report it. When misbehaviour is reported it will be taken seriously and will be investigated in a timely manner. Where necessary, a formal investigation will be undertaken, and disciplinary action may result.

RECRUITMENT OF STAFF

This section should be read in conjunction with the following policies and procedures:

- ***Child Safety Policy and Procedure***
- ***Equivalence of Professional Experience and Academic Qualifications Policy***

Position descriptions

All positions with the Institute will have current Position descriptions. The Position description will provide information on the following areas:

- position title;
- the supervisor of the position and reporting relationships
- context for position (background information);
- accountability;
- responsibilities and duties;
- selection criteria - the selection criteria should make clear the basis on which selection is to occur and include:
 - required qualifications;
 - required and desirable skills and experience;

- competencies, skills and abilities required by the position;
 - any special requirements for the position.
 - evidence of good character, conduct and child safety verification
 - Selection criteria should be classified as either essential that is those skills/competencies/experience/qualifications without which the employee would not be able to effectively undertake the responsibilities of the position or desirable – that is those skills, etc. which would enable the employee to perform at a higher level within the position but without which the incumbent would still be able to perform the role.
- details of the date on which it was prepared and by whom

All position descriptions must be approved by the Academic Dean or the Head of Marketing and Student Experience.

The Academic Dean or Head of Marketing and Student Experience, or nominated delegate, is responsible for ensuring that Position descriptions are current.

Staff Recruitment

The Institute aims to recruit appropriate skilled, qualified and competent staff able to fulfil the Institute's objectives that are suitable for child connected work in a timely and cost effective manner. This contributes to the Institute's strategic aims and helps to ensure continuous improvement in standards and capability.

The recruitment process is as follows:

1. The Academic Dean or Head of Marketing and Student Experience will recommend to the President and CEO that a position should be advertised. The President and CEO will authorise all recruitment.
2. The role's position description must be developed or updated for any vacant position that has been authorised to be filled, in order to inform candidates about the Institute's expectations and to make an equitable selection based on merit against clearly defined requirements.
3. The role's position description including selection criteria may not be varied after applications have been invited or advertised.
4. The Institute may invite candidates to apply for a position without advertising. This may occur, with approval from the President and CEO, where candidates are to be sourced from internal advertising or through a search conducted by a recruitment and selection consultant.
5. External advertising will be done through an online advertising portal approved by the President and CEO or the contracted recruitment agency if no suitable candidates are found through advertising. The President and CEO will approve all advertising related to academic positions.
6. Advertisements will contain:
 - closing date for applications;
 - appointment type on offer;
 - initial campus location of the advertised position;
 - address to which applications are to be sent;

- information relating to applicant's referees;
- name and phone number of contact person.
- The statement of commitment of the Institute as a Child Safe organisation and the requirement that the candidate has a valid Working with Children check.

SELECTION

Selection Committees

The Selection committees will comprise the Academic Dean or Head of Marketing and Student Experience and immediate supervisor of the position concerned. Other relevant staff may also be included at the request of the manager.

The Selection Committee:

- keeps all its proceedings and deliberations in total confidence;
- requires all members of the Committee to consider all applications;
- agrees on a short list;
- decides which referees' reports should be sought and when and what questions should be asked of the referees including in respect to suitability for child connected work;
- decides what questions are asked of the applicants at interview including in respect to suitability for child connected work;
- holds interviews or other selection activities as appropriate and notified to applicants;
- decides when unsuccessful applicants should be notified.

Applications and Shortlisting

The Institute will treat all candidates equitably, with respect and courtesy. Candidates who meet selection criteria will be short-listed.

Where candidates for positions are known to committee members, they should declare this knowledge at the initial stages. While participation of such committee members is decided on an individual basis, if such knowledge is likely to inhibit the objectivity of a panel member or be seen as a conflict of interest by others, he or she should not participate in the selection committee.

All members of the Selection Committee will meet and participate in the short listing of applicants. The Selection Committee may establish a short list following a meeting, telephone or email communication with all members.

The Selection Committee will base its decision on the selection criteria specified in the Position description.

All applicants must be assessed against selection criteria whether internal or external applicants. Internal applicants will not be short listed solely because they are internal applicants.

The Selection Committee will interview applicants who, on the basis of their written application, best meet the selection criteria for the advertised position. There is no required minimum or maximum number of applicants if they do not meet the selection criteria.

Interviews will be organised for the short list.

Telephone Interviews

Candidates who are shortlisted may be contacted for phone interview. Candidates will be informed that they will be contacted if the Institute wish to conduct a formal interview.

Preparation for interview by panel:

The Selection panel will meet to prepare for the interviews and establish:

- questions based on selection criteria including suitability for child connected work. To ensure all applicants are assessed equally, the Selection Committee will plan the same questions and/or tasks for each applicant and these will need to be clearly expressed, and their relevance made obvious to applicants.
- specific questions for the candidate based on their application (but not so as to cause inconsistencies between opportunities for candidates' responses). Questions about an applicant's job related attributes and abilities and those to further explore the applicant's written application will also be prepared. Follow up questions specific to a particular answer may be asked of candidates.
- allocation of who will ask questions;
- timing of interviews allowing for breaks; and
- to ensure panel members understand employment obligations ie. Questions about an applicant's age, disability or impairment, industrial activity, sexual activity, marital status, physical features, political or religious belief or activity, pregnancy or potential pregnancy, race, sex, status as a parent or carer, or personal association with a person who is identified by reference to any of these attributes cannot be asked, except where necessary and in accordance with legislative provisions, to ensure that the inherent requirements of the position can be carried out.

The Selection committee members will be advised that they have discretion in the relative weighting of selection criteria, the judgement of the merits of candidates against those criteria and in the assessment of potential or ability to perform other duties including suitability for child connected work.

Selection

The Selection Committees will conduct interviews with short-listed candidates.

1. Either before each interview or at its commencement, each applicant should be given the same information about the position.
2. Applicants will be questioned and assessed according to the position description and stated selection criteria.
3. Interview questions will be open ended and call on applicants to demonstrate from their past experiences or by use of other demonstrated evidence how they meet the selection criteria.
4. Committee members are also free to ask about any aspects of the applicant's professional background they consider relevant to the position.
5. During the interview, applicants will not be given assurances of any type of loading, allowance, salary increase or continuing appointment beyond the fixed term contract period, except where explicitly stated in the advertisement.
6. Discussions with the successful applicant should set out the recruitment process and make clear that the Selection Committee is making a recommendation only, and that a formal offer will be

made in writing and will be subject to reference checking and verification of the applicant's qualifications.

At the conclusion of the interview process and after considering references, the Selection Committee will recommend an appointment or, if no suitable applicants have been identified, recommend another course of action.

Re-advertising

The selection panel may decide to recommend to the Institute that the role is re-advertised where no suitable candidates were recommended for appointment or where a more competitive field of candidates is required

In such circumstances, the advertisement will include the statement "previous unsuccessful candidates need not apply". Candidates who are to be re-interviewed or reconsidered will be notified about the change to the process.

Checks on Preferred Candidate

Candidates will be informed during the selection process that any offer of employment will be subject to the following checks.

Referee Checks

At least two referee checks will be made. Reference checks will be conducted on a confidential basis.

Where a member of a Selection Committee is nominated as a referee for an applicant, the committee member should advise the applicant that they cannot be a referee and that an alternative should be nominated. Other committee members should be aware of this and agree with these actions. The Committee member concerned should also act to ensure objectivity throughout the selection process.

The person responsible for eliciting feedback from referees is the Convenor of the Selection Panel. Academic Dean/Head of Marketing and Student Experience will be responsible for referee checks.

Whenever possible reference checks will be done with the preferred candidate's current and immediate past supervisor. References from an applicant's present employer or supervisor should have the applicant's approval. If a Committee is unable to obtain agreement in a specific instance where a reference is considered vital, the applicant should be invited to nominate an alternate referee. If this is not possible, the panel should assess the candidate noting the incompleteness of referee comment.

Referees should be supplied with details of the advertisement, position description and selection criteria and asked to comment on the applicant's performance in relation to the criteria in the areas in which they are competent to comment. The questions will include an assessment of suitability for child connected work through questions on the candidate's experience and suitability in working with students under 18 years of age.

At no time either during or following the selection process, should comments made by referees or Committee members be made known to the applicants. Referee comments may be discussed with the applicant if the referee's permission is given in writing.

Verification of applicant qualifications and Character Checks

The Institute will request the following:

- *Qualifications Checks* - all candidates will be required to provide a copy of any qualifications they have cited during the selection process.
- *Publications Checks* – all academic candidates must have recent publications.
- *Police Checks or Police Clearance* – some candidates may be asked to supply a police check.
- *Working with Children Check* – all candidates must provide a valid Working with Children Check

Applicants will be asked to bring the originals of their qualifications and clearance of character check such as a current Working with Children Clearance (WWCC) to the interview, and certified photocopies of the originals. Photocopies without the original are not acceptable.

Where the applicant does not provide certified copies of their qualifications and originals sighted by the Interviewer, copies will be made of the original qualifications and the statement 'I have sighted the original qualification and can verify that this is a true copy of the original document' will be stamped on the photocopy and signed by the relevant Officer.

Applicants will be requested to provide certified copies before an offer of employment can be made.

Where there is any doubt as to the authenticity of the original qualifications documentation further checks will be made with the issuing educational body.

The WWCC will be verified using the Victorian Government Working with Children Clearance status checker:

[Working with children check status checker \(service.vic.gov.au\)](http://service.vic.gov.au)

Appointment

Before an offer of employment is made to any preferred candidate, the Selection Committee must recommend the candidate and all necessary checks must be completed.

The President and CEO will approve the recommendation for appointment.

Any offer of employment must always be made with the condition that it is subject to agreement on salary level and acceptance of the probationary period

A salary level (within the designated funding level) will be offered in accordance with the candidate's qualifications and experience.

There will also be discussion about starting date and the process for induction.

This offer will be put in writing with a request that the successful candidate notifies the Institute in writing of their acceptance of the offer, by the specified date. The contract of employment will set out the salary and conditions, hours, duration of position and probationary period.

Upon acceptance of the employment, the applicant will be requested to

- Sign and return the contract of employment by the specified date which will be prior to commencement of employment.
- Add the Institute as an employer on its WWCC record. This will then be verified by the Institute on the WWCC website Organisation Status Checker section.
- Complete new staff forms including details for payments of wages and superannuation and Australian Taxation forms.

Unsuccessful Candidates

Unsuccessful candidates who have been contacted for telephone interview/face to face interview will be notified by email.

Any concerns about the recruitment and selection process should be referred in the first instance to the Chairperson of the Selection Committee. Alternatively, written complaints may be submitted to the President and CEO.

There is no appeal process against decisions made by Selection Committees concerning the recruitment and appointment of staff. Selection Committees have discretion in the relative weighting of selection criteria, the judgement on the merits of candidates against those criteria and in the assessment of potential or ability to perform other duties.

Disposal of Applications

All applications submitted become the property of the Institute. Interview record forms will be destroyed two weeks after unsuccessful candidates have been notified.

The application of the successful candidate will be kept in the new staff member's personnel file.

PROBATION

All new staff must undergo a probationary period relevant to their type and level of appointment, unless they are employed on a sessional basis.

The Institute decides on the length of the probation period based on the role. The probation ranges from 3 to 6 months, beginning from when the employee starts employment.

The probationary period is the opportunity for the Institute to assess a new employee's performance in their job, and for the new employee to decide whether the role suits them.

If an employee's performance or conduct is not satisfactory during their probationary period, the Institute will attempt to address the issues. The Institute will:

- make sure the employee clearly understands their role, the expected level of output or performance, and the expected conduct at work, and
- provide the employee with regular performance feedback during the probation period and inform them of any changes needed to their work or conduct.

If an employee does not pass their probation, the Institute will:

- provide written notice of termination when employment ends
- arrange for the unused accumulated annual leave hours to be paid out.

INDUCTION OF NEW STAFF

The new staff member will be contacted prior to commencement to confirm the start date and time of induction.

The Institute provides an induction program for all new staff during their first day of employment. which launches the induction program. New staff are entitled to receive, and will be required to work through, appropriate materials about the Institute, its policies and procedures, their job and regulatory requirements.

Prior to the induction date, a Staff Induction Pack will be prepared. The pack includes below documentation ready to be provided to the new staff on the induction day:

- a copy of Position Description and role expectation;
- an introduction to the Institute and its Organisational Chart;
- a formal written welcome to the Institute;
- building and ICT access;
- a copy of the ***Human Resources Policy and Procedure (Manual)***;
- a copy of the ***Staff Code of Conduct Policy and Procedure***;
- a copy of the ***Child Safety Policy and Procedure*** which includes the Child Safe Code of Conduct and reporting obligations
- all policies and procedures relevant to the staff member's role;
- the location of the Institute's website, Moodle and intranet where all policies and procedures are kept;
- TEQSA's Higher Education Standards Framework and how it relates to the Institute and the staff;
- ESOS National Code 2018 and how it relates to the Institute and staff;
- governance overview of the Institute; and
- Fair Work Information Statement.

The Academic Dean or the Head of Marketing and Student Experience are responsible for conducting the staff induction.

The new staff member will receive the induction pack and a discussion regarding the specific role and responsibilities, functional requirements will be held. A guided tour of the office will be provided with the new staff member:

- shown to their workstation;
- introduced to relevant department heads and other staff;
- shown the facilities of the building;

- advised about the emergency exits, first aid officer; fire wardens and a briefing on evacuation and safety procedures
- advised how to use the phone and take phone messages;
- shown the location of the meeting rooms and how bookings work; and
- shown the location of the Institute website and intranet and the orientation will include explanation of the policies relevant to their roles. Specific reference will be made to the Child Safety Policy (including the Child Safety Code of Conduct) and Procedure.

As a follow up, for academic staff the Academic Dean will

- explain the policies, procedures, structure of courses, assessment methods, and all aspects of operation of OIHE to the new staff member; and
- provide the details of the younger students enrolled in their units/classes and any students with special needs; and
- advise that the staff member is required to inform the Student Experience team on the same day if any younger student is missing from any class or if they have any child safe concerns in respect to the student.

The staff member must acknowledge receipt of and an understanding of the policies and procedures by signing the staff induction form. The induction checklist must be returned to the Accounts team to be filed in the staff member's individual file.

The relevant Head of Department will maintain daily contact with new staff member within the first week of employment.

After the staff induction, all employment forms must be signed and returned prior to the first payroll. The forms will be kept in the staff file.

CONDITIONS OF EMPLOYMENT

Hours of Work

The working week is a 38 hour week

The normal working hours of duty are 8.30am – 5.00pm Monday to Friday, excluding 54 minutes for lunch

Times for sessional staff will be negotiated initially at the contractual stage. Hours of work for sessional/contract staff are dependent on the timetabling of the course/subject/unit being delivered.

Time Records

All staff are to keep accurate records of time worked during each day period. The following information should be recorded:

- start and finish times;
- lunch/meal breaks;
- sick leave;
- annual leave;

- time off in lieu accrued (TOIL) and taken;
- public Holidays.

Time and Leave Forms are checked by the Academic Dean and the Head of Marketing and Student Experience and authorised as a true and correct record before being given to the Accounts team.

It is the responsibility of each member of staff to ensure that original Medical Certificates are provided to Accounts team, via the Academic Dean or the Head of Marketing and Student Experience, to cover such absences.

Method of Pay

Salaries are paid on a fortnightly basis on Fridays. Salaries are paid directly into the bank account/credit co-operative account nominated by the staff member.

Superannuation

Under the Superannuation Guarantee Legislation, the Institute is required to provide a minimum superannuation benefit as set out in the Australian Taxation Office (ATO) Super Guarantee percentage of a staff member's gross salary.

Please see the ATO website for the current Superannuation Guarantee rate:

<https://www.ato.gov.au/Rates/Key-superannuation-rates-and-thresholds/?anchor=Superguarantee>

For all staff, the superannuation contributions are paid into an acceptable nominated fund.

Staff contributions to their superannuation account are to be arranged by individual staff as desired and notified to the Accounts team.

LEAVE PROVISIONS

Absence from Work

When possible, staff should telephone their Head of Department before 8 am and make personal contact to advise if they are unable to attend work that day. At times when it is impossible for staff to make the phone call, then significant others, should make it on their behalf.

Annual Leave

Annual leave (also known as holiday pay) allows an employee to be paid while having time off from work. Full-time and part-time employees get 4 weeks of annual leave, based on their ordinary hours of work.

Annual leave accumulates from the first day of employment. The leave accumulates gradually during the year and any unused annual leave will roll over from year to year.

Annual leave accumulates when an employee is on:

- paid leave such as:
 - paid annual leave

- paid sick and carer's leave
- paid family and domestic violence leave
- community service leave including jury duty
- long service leave.

Annual leave does not accumulate when the employee is on:

- unpaid annual leave
- unpaid sick/carer's leave
- unpaid parental leave
- unpaid family and domestic violence leave.

An Annual Leave request form is to be filled out by the staff member and approved by the Head of Department. Applications for Annual Leave are to be submitted at least 2 weeks before the first day of the leave for approval.

Staff need to negotiate with the Head of Department regarding the most suitable time for them to take leave in order to minimise disruption to Program delivery.

The Institute reserves the right to direct staff to take Annual Leave. The Head of Department has the authority to direct staff to take leave as considered appropriate.

Sick and Carer Leave

Sick and carer's leave lets an employee take time off for:

- personal illness
- caring responsibilities, or
- family emergencies.

Full-time employees are entitled to 10 sick days per year. Unused sick and carer's leave is carried over to the next year. Pro rata sick leave entitlements apply to part-time staff. Full-time and part-time employees can take unpaid carer's leave if they have no paid sick or carer's leave left.

Sessional/Casual employees are entitled to 2 days of unpaid carer's leave per occasion.

If 2 or more consecutive days are taken, an original Medical Certificate or reasonable evidence that they are not fit for work.

In the event a sick day is taken either side of a Public Holiday, an original Medical Certificate must be supplied

Sick leave must be recorded on the worker's timesheet and original Medical Certificates are to be attached to the leave form and submitted to the Head of Department.

Where an employee is sick for a protracted period, the employees will not be dismissed by the Institute because of their absence while they are still using their sick leave. The employee is no longer protected from being dismissed because of their absence (even if they provide evidence) if:

- the absence is more than 3 consecutive months or more than 3 months in total over the last 12 months, and
- the employee has used all of their paid sick leave.

Compassionate and Bereavement leave

All employees, including casuals, have an entitlement to compassionate or bereavement leave. Employees can take compassionate leave if:

- a member of their immediate family or household dies, or contracts or develops a life-threatening illness or injury
- a baby in their immediate family or household is stillborn
- they have a miscarriage
- their current spouse or de facto partner has a miscarriage.

Compassionate or Bereavement Leave is up to 3 days. Full-time and part-time employees receive paid compassionate leave. The employee is paid at their base pay rate for the ordinary hours they would have worked during the leave.

Casual/sessional staff may access 2 days unpaid compassionate leave per occasion.

The employee taking compassionate leave must give the Institute notice as soon as they can (this may be after the leave has started). The employee needs to advise the Institute how much leave they are taking, or expect to take, and when.

Other time may be negotiated with the Academic Dean or the Head of Marketing and Student Experience.

The Institute may request evidence about the reason for compassionate leave (for example, a death or funeral notice or statutory declaration).

Public Holidays

All employees have a right to be absent from work on a public holiday. The provisions as stated in staff contracts, apply.

Part-time staff are entitled to Public Holidays, which fall on their usual day of work.

If a public holiday falls during a period of paid leave (for example, annual leave or sick leave), the employee will be paid for the public holiday. This includes any hours that fall on a part-day public holiday. Employees (except casual employees) who normally work on the day a public holiday falls will be paid their base pay rate for the ordinary hours they would have worked if they had not been away because of the public holiday.

However, if the employee is taking unpaid leave, they will not be paid for the public holiday.

The public holiday will not be counted as annual leave or sick leave. This means that the public holiday hours will not be taken away from the employee's amount of paid leave.

While it is not usual business practice, the Institute can request employees to work on a public holiday, but the request has to be reasonable. The Employees will be given the choice to work on a public holiday or not.

Leave without Pay

Employees may apply for Leave Without Pay for any purpose. LWOP is not an automatic right but requests for LWOP will be assessed on a case by case basis and will be considered having regard to both the needs of the Employee including their personal and family responsibilities and the reasonable business needs of the Institute.

An Employee requesting LWOP should exhaust all paid leave and time in lieu credits prior to the proposed commencement of the LWOP.

LWOP must be approved prior to leave being taken. However, in exceptional circumstances, the Institute may grant LWOP where it has not been approved in advance (for example, in the case of an emergency or other unforeseeable circumstance). Employees may request LWOP for a period of any duration. However, approval for leave requests in excess of 12 months will be given in exceptional circumstances only. LWOP arrangements must be agreed and approved at least every 12 months. There is no automatic entitlement to have further LWOP requests approved.

The staff member should meet with the Head of Department in the first instance to discuss the request.

Service needs will be considered regarding approval for the length of leave without pay. The Institute will consider LWOP requests promptly and in a balanced way, having regard to both the needs of the Employee (including their personal and family responsibilities) and the reasonable business needs of the Institute. Where the Institute decides to refuse a request for LWOP, the Institute will discuss the reasons for the refusal with the Employee as soon as reasonably practicable.

Final approval will be given by the President and CEO.

LWOP shall not break the Employee's continuity of service but will not count as service for the purpose of accrual of leave including annual leave, personal leave, long service leave etc.

Where the Institute and the Employee agree on an extended LWOP arrangement, the Employer may grant LWOP for an extended basis conditional on the Employee accepting they may be unattached from their substantive position and that the Institute may reallocate the Employee to a position or duties other than the Employee's pre-leave position or duties for which the Employee is qualified for and is capable for performing upon their return to work. If no suitable duties can be allocated when the Employee is due to return, the Employee may be declared surplus to requirements. This condition may be applied regardless of whether the extended absence was approved upfront or occurred as a result of a series of approved absences.

Maternity Leave and Partner Leave

Staff are entitled to maternity/paternity leave after 12 months service.

- before the date or expected date of birth if the employee is pregnant
- before the date of the adoption, or

- when the leave starts (if the leave is taken after another person cares for the child or takes parental leave)

Parental leave is unpaid leave that can be taken after an:

- employee gives birth
- employee's spouse or de facto partner gives birth
- employee adopts a child under 16 years of age.

Employees are entitled to up to 12 months of unpaid parental leave. They can also request up to an additional 12 months of unpaid leave.

The leave can be taken:

- as a single continuous period (continuous unpaid parental leave)
- flexibly for up to 100 days (flexible unpaid parental leave)
- as a combination of a continuous period and flexible days.

Flexible unpaid parental leave comes out of an employee's entitlement to 12 months of unpaid parental leave.

Employees who are taking parental leave to care for an adopted child are also entitled to 2 days unpaid pre-adoption leave to attend relevant interviews or examinations. This leave cannot be used if an employer tells an employee to take another type of leave. For example, paid annual leave.

Family and domestic violence leave

All employees are entitled to 10 days of family and domestic violence leave each year. This includes full-time, part-time and casual employees.

- Family and domestic violence means violent, threatening or other abusive behaviour by certain individuals known to an employee that both:
- seeks to coerce or control the employee
- causes them harm or fear.

To access paid family and domestic violence leave, the individual could be:

- an employee's close relative
- a member of an employee's household, or
- a current or former intimate partner of an employee.

To access unpaid family and domestic violence leave, the individual needs to be a close relative.

An employee's paid leave entitlement is available in full immediately and resets on the employee's work anniversary. It does not accumulate from year to year.

Paid family and domestic violence leave is a standalone leave entitlement. This means employees receive it separately from other types of leave, such as annual leave or paid sick and carer's leave.

Community service leave

Employees, including casual employees, can take community service leave for activities such as voluntary emergency management activities or jury duty.

The employee is entitled to take community service leave while they are engaged in the activity and for reasonable travel and rest time. There is no limit on the amount of community service leave an employee can take.

An employee who takes community service leave must give their employer:

- notice of the absence as soon as possible (this may be after the leave starts)
- the period or expected period of absence.

An employer may request an employee who has given notice, to provide evidence that the employee is entitled to community service leave.

Long Service Leave

Employees qualify for long service leave if they have worked continuously with the Institute for at least 7 years.

Long service leave accrues at a rate of one week for every 60 weeks of continuous service – that is about 0.866 of a week each year.

After at least 7 years' continuous employment, an employee is entitled to:

- take their long service leave
- be paid any unused long service leave entitlement if employment ends.

Casual and seasonal employees, and employees engaged for a specified term, are entitled to long service leave. Their employment must still be 'continuous'. The employment will be deemed continuous providing there is no absence of more than 12 weeks between any two instances of employment.

Paid or unpaid absences of any duration because of illness or injury will not break continuous employment.

STAFF CODE OF CONDUCT

The Institute's ***Staff Code of Conduct Policy and Procedure*** applies to all employees and provides the framework of principles for conducting business, dealing with other employees, students and contractors. All staff must also comply with the ***Child Safety Policy and Procedure*** including the Child Safety Code of Conduct.

Should an employee have doubts about any aspect of the Code of Conduct, they should seek clarification from the Academic Dean or the Head of Marketing and Student Experience.

Any employee in breach of the policies may be subject to disciplinary action, including termination.

Drug and Alcohol Consumption

Alcohol must NOT be consumed whilst on the Institute premises, business, during working hours or near/with students.

Generally, the consumption of drugs and alcohol will be considered a serious breach of the Institute **Staff Code of Conduct Policy and Procedure** and may result in dismissal.

ICT and Internet

The Institute's **ICT Acceptable Use Policy and Procedure** and the **Social Media (Staff) Policy and Procedure** sets out expectations of staff when using ICT and social media.

Dress Code

The Institute staff present themselves to a very high standard on a day-to-day basis and represent the organisation in a highly professional manner.

The Dress Code for this organisation ranges from “very smart casual” to that of “professional office” – this range will allow for individual differences as well as the variety of circumstances which may occur. The Dress Code does not include:

- jeans or any denim material items;
- runners or other non-dress shoes;
- thongs;
- singlets.

STAFF TRAINING AND DEVELOPMENT

This section should be read in conjunction with the

- **Academic Staff Professional Development Policy and Procedure**; and
- **Professional Staff Professional Development Policy and Procedure**

All Institute staff have an ongoing obligation to maintain and enhance their skills and capabilities relevant to their role and responsibilities with the Institute and to achieve their career aspirations. All staff are expected to take an active role in their own on-going professional and career development.

- Academic teaching staff must demonstrate their commitment to the scholarship of and excellence in teaching and learning by undertaking professional development and being active in scholarship which informs their teaching in their relevant subjects including course design, student assessment, course reviews, monitoring student progress, graduate outcomes and promotion of academic honesty.
- Professional staff must be committed to maintaining and enhancing their skills and capabilities to support the operation of the Institute.

As set out in the **Academic Staff Professional Development Policy and Procedure** and the **Professional Staff Professional Development Policy and Procedure**, all staff have responsibility for:

- proactively engaging in undertaking regular professional development to increase job skills, maintain currency of skills and knowledge and/or meet the changing needs of their role and the Institute,
- completing all regulatory and legislative professional development identified for their role,
- engaging in ongoing scholarly, research and/or professional activity as relevant for their role,
- using self-reflection to identify competency gaps,
- working with their supervisor to establish professional development opportunities,
- making time for professional development in consultation with their supervisors,
- proactively researching professional development opportunities,
- seeking out and responding to feedback.
- After attending professional development reporting about the activity and its benefits to support professional development of their team; and
- Seeking professional development from and providing professional development to other staff members within the Institute.

The Institute supports the ongoing professional development of all Institute staff to ensure the maintenance of a high level of student service and teaching practices. Please refer to the *Academic Staff Professional Development Policy and Procedure* and the *Professional Staff Professional Development Policy and Procedure* for further information.

STAFF MANAGEMENT, PERFORMANCE AND DEVELOPMENT REVIEW

The Head of Department will evaluate the performance of all individual staff, including casual/sessional staff, and provide feedback progressively through regular discussions. Staff management will include:

- There are regular meetings with academic and professional staff members informally when they are on campus
- The Head of Department or the individual's supervisor randomly check on their work.
- There are teaching evaluations each trimester to gather formal feedback on the lecturers.
- The Student Experience team members regularly meet with students who from time to time to provide informal feedback about their teaching experience and the Institute's operations.
- Student consultations are conducted on an as-needed basis with the Academic Dean available for consultation and students may provide informal feedback about their teaching experience and the Institute's operations.

The Head of Department has responsibility for providing positive feedback and dealing with any concerns about a staff member's performance and/or conduct as they arise. Performance issues should not be held over until the performance and development review discussion as it has a forward focus.

All staff have a performance and development review process which usually takes place on an annual basis. For casual/sessional staff, the performance and development review will be at the end of the contracted period.

Each staff member will be provided with the opportunity to engage with the performance and development review process including meeting with their respective supervisor. The review will include:

- providing positive feedback on performance and identifying any improvement opportunities;
- assessing the professional development undertaken in the previous 12 months

- identifying professional development opportunities for the forthcoming 12 months;
- determining work priorities, workload performance expectations and the individual's priorities over the next review period including career aspirations;
- agree on plans for taking leave in the next semester or in the coming 12 months; and
- review the staff member's Position description for currency and relevance.

The outcomes of the review discussion will be documented and recorded in the staff member's file.

Staff are given the opportunity to give feedback on the Institute and its management through regular surveys.

CONCERNS AND UNSATISFACTORY PERFORMANCE MANAGEMENT

The following information outlines the counselling procedures that are applied to situations where there are concerns or inappropriate or unsatisfactory performance and breaches of discipline by staff members.

The approach involves structured counselling providing an opportunity for the staff member to attempt to resolve the concerns, within an agreed timeframe by processes including cooperation, regular feedback and specific training/skill development. This is approached in a manner that is fair, open and transparent, consistent with the values of the Institute.

Verbal Warning

Where the Institute considers that disciplinary action is necessary, the Head of Department shall notify the staff member of the reason(s) and inform the staff member that she/he is being warned as part of a disciplinary process that may result in termination of employment.

The first warning shall be verbal, and an entry recorded in the staff member's personnel file that such a warning has been given. The "warning" entry shall include a clear statement of the Institute's specific concerns, the Institute's expectations regarding resolutions of these matters and the times in which these are to be achieved.

The staff member should be given the opportunity to sign the entry and be given a copy of the entry. If the staff member declines to sign the entry, the record will be endorsed to that effect by management.

Written Warning

If the problem continues, the matter will be discussed with the staff member and a second warning in writing will be provided to the staff member and recorded on her/his personal file. The "warning" shall include a clear statement of the Institute's specific concerns, the Institute's expectations regarding resolutions of these matters and the times in which these are to be achieved.

The staff member shall be given the opportunity to sign the entry and be given a copy of the entry. If the staff member declines to sign the entry, the record will be endorsed to that effect by the Head of Department.

Final Warning

If the problem continues management will again discuss it with the staff member. If a final warning is to be given then it shall be issued in writing and a copy sent to the staff member and placed on the staff member's personnel file. The "warning" shall include a clear statement of the Institute's specific concerns, the Institute's expectations regarding resolutions of these matters and the times in which these are to be achieved.

The staff member shall be given the opportunity to sign the entry and be given a copy of the entry. If the staff member declines to sign the entry, the record will be endorsed to that effect by management.

In the event of the matter recurring, then the employment of the staff member concerned may be terminated without any further warning.

Nothing in these Disciplinary Procedures shall be taken to apply where the Institute considers instant dismissal for serious misconduct.

TERMINATION OF EMPLOYMENT

The following policies and procedures outline Termination of Employment, which may be instigated by the employer or by the staff member.

Resignation

Resignations must be given in writing and staff need to provide the required period of four weeks' notice.

The Institute will acknowledge resignations in writing.

Once the staff member's resignation has been accepted the Exit Procedure and Exit Interview process should be followed.

Staff Member Exit Procedure

When a staff member leaves the Institute an exit form will be filled in by the Head of Department.

Instant or Summary Dismissal

The President and CEO or their delegated authority has the right to dismiss any staff member without notice for **serious misconduct**.

In such cases the President and CEO or their delegated authority must act as soon as they are made aware of the problem and implement the following process:

- collect the facts surrounding the incident. If this will take more than one business day the staff member should be sent home on full pay while the matter is thoroughly investigated. The staff member should be informed of the serious nature of the allegations under investigation;
- provide the staff member the opportunity to respond to the allegations. The staff member has the option of having a representative of her/his choice present at the meeting. Also present at the meeting should be a member of the President and CEO or their delegated authority.

If the Institute is satisfied that the staff member has committed a serious and wilful offence, the staff member must be given a letter of termination and final payment before leaving the premises. The President and CEO or their delegated authority should receive all returned the Institute properties (e.g. keys, etc.) before the staff member leaves.

If the Institute is satisfied that there are extenuating or compassionate circumstances, an action plan will be agreed between the staff member and the Institute is implemented. As the Institute has zero tolerance to child abuse, this will not occur in the case of a child abuse incident.

OCCUPATIONAL HEALTH AND SAFETY

This section should be read in conjunction with the *Occupational Health and Safety Policy*.

The Institute is committed to provide and maintain a safe, healthy and comfortable work environment for its staff, students and other visitors.

All staff are expected to comply with the *Occupational Health and Safety Policy*. Staff are expected to proactively identify any OH&S risks that arise in their work and raise these issues with the Executive Management team. The Executive Management team will act to mitigate any OH&S risks.

STAFF COMPLAINTS AND GRIEVANCES

The Institute supports the right of every employee to lodge a grievance about the Institute and its operations. Staff should raise any grievance that they have with their supervisor. If the matter relates to child safety, the *Child Safety Policy and Procedure* should be followed.

In most circumstances, the Institute will attempt to resolve problems and grievances informally. The Institute's staff will take concerns seriously and act promptly to resolve the matter.

If the staff member is not satisfied with the informal process, the staff member can escalate the concern or grievance by making a formal complaint in writing to their Head of Department or to the President and CEO. The complaint should be escalated to the next higher level of authority for discussion and resolution. The complainant must fully describe their grievance in writing, with dates and evidence to support the grievance, how they have already tried to settle the grievance and what action is required to resolve the matter.

The relevant Head of Department or the President and CEO will do their utmost to action grievances objectively, discreetly and promptly. The matter will be investigated by the Institute.

Where the complaint is in respect to another staff member, the person(s) against whom the grievance/complaint is made will be given the full details of the allegation(s) against them. They will have the opportunity and a reasonable time to respond to the complaint before the process continues.

The Institute may, at its option, convene a panel to consider the matter and the panel may involve internal or external members. All members will be expected to be objective, independent, discreet and act promptly. The Complainant will be advised in writing of the outcome of the complaints Process including any actions taken.

Grievances that are misconceived, vexatious, and lacking substance may result in disciplinary action being taken against the employee lodging the grievance.

STAFF RECORDS

This section should be read in conjunction with the *Records Management Policy and Procedure* and the *Privacy Policy and Procedure*.

A file will be kept for each staff member including:

- Position description;
- verified teaching qualifications including experiences;
- copy of their job application;
- a copy of the letter of offer and the staff member's original letter of acceptance and contract;
- performance appraisal information if applicable;
- any other matters relating to the person's employment including any disciplinary reports;
- personal contact information including, address, phone and next of kin or contact person for emergencies.
- Information confirming suitability for child connected work including Working with Children clearance (WWCC), Personal identification, and reference check responses.

The Accounts team will keep:

- record of annual leave and other entitlements;
- salary payments including salary packaging arrangements;
- timesheets;
- tax file number.

The Accounts team will also conduct checks once a trimester to confirm that the WWCC for all persons that interact with students are valid.

Personnel files will be kept in a locked filing cabinet at all times when not in current use.

Any staff member may access their file at any suitable time to be arranged with the President and CEO or nominee. The staff member should advise if the information is inaccurate, not up-to-date, incomplete, irrelevant or misleading. The Institute will respond to the request for correction within 20 working days if not sooner.

If the Institute does not agree with making the correction, the Institute will give written notice that includes reasons.

All confidential information that is no longer required will be disposed as set out in the *Records Management Policy and Procedure*.

Staff files and performance information are disclosed or made available to staff involved with the Institute's management and outside of the Institute by those agencies which the Institute is required by law to provide such information such as TEQSA and other state and government authorities.

REPORTING AND MONITORING OF STAFF MANAGEMENT

The Heads of Department will report on staff management and any staff incidents and concerns to the Executive Management team and/or the CEO and President. Any improvements required to enhance the staff management systems and processes will be discussed and implemented as appropriate.

The President and CEO will report to the Governing Board on staff management and any staff incidents and concerns as part of the regular report to the Governing Board.

5. QUALITY ASSURANCE

To ensure that this procedure is fit for purpose and meet the requirements of the HES Threshold Standards the procedure will be;

- 5.1 internally endorsed by the Senior Management on development or review, prior to approval by Governing Board, or the Academic Board or other delegated authority;
- 5.2 externally reviewed as part of any independent review of the HES Threshold Standards approved by the Governing Board
- 5.3 internally reviewed by the Responsible Officer every three years from the date of approval (if not earlier).
- 5.4 referenced to the applicable HES threshold Standard and/or other legislation/regulation.

6. FEEDBACK

Feedback or comments on this procedure is welcomed by the listed Responsible officers of the Institute.

7. ACKNOWLEDGEMENT

This procedure was developed with reference to:

- Ozford College of Business Human Resources Policy and Procedure
- Commission for Children and Young People Child Safe Standards materials and resources, extracted August 2023 ([CCYP | Resources and support for the Child Safe Standards](#))
- Australian Government Department of Education, Education Services for Overseas Students (ESOS) Framework and resources, extracted August 2023 ([Education Services for Overseas Students \(ESOS\) Framework - Department of Education, Australian Government](#))
- Fair Work Ombudsman National Employment Standards and resources, extracted August 2023 ([National Employment Standards - Fair Work Ombudsman](#))
- The University of Queensland Policy and Procedures Library, Human Resources, September 2021 ([5. Human Resources - Policies and Procedures Library - The University of Queensland, Australia \(uq.edu.au\)](#))

8. VERSION CONTROL

Version	Date approved	Description	Approved by
1.0	May 2014	Initial issue	GB
2.0	May 2017	Internal review	EMT

Version	Date approved	Description	Approved by
3.0	September 2018	Internal review	EMT
4.0	December 2020	Internal review	EMT
5.0	August 2023	Internal Review Staff Recruitment & Selection Procedure, , Staff Performance and Development Review Procedure and Induction Procedure have been merged into this Procedure	EMT
Related legislation/ regulation/standard	Tertiary Education Quality and Standards Act 2011 Higher Education Standards Framework (Threshold Standards) 2021 Education Services for Overseas Students Act (ESOS) 2000 Education Services for Overseas Students Regulations 2019 The National Code of Practice for Providers of Education and Training to Overseas Students 2018 Standards The Victorian Child Safe Standards Child Wellbeing and Safety Act 2005 Children, Youth and Families Act 2005 Occupational Health and Safety Act 2004 Racial Discrimination Act 1975 (Cth) Sex Discrimination Act 1984 (Cth) Disability Discrimination Act 1992 (Cth) Disability Standards for Education 2005 (Cth) Australian Human Rights Commission Act 1986 (Cth) Workplace Gender Equality Act 2012 (Cth) Age Discrimination Act 2004 (Cth) Fair Work Act 2009 (Clth) Victorian Legislation Equal Opportunity Act 2010 Racial and Religious Tolerance Act 2001 (VIC) Spent Convictions Act 2021		

Note:

EMT = Executive Management Team