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EMPLOYEE DISCIPLINE AND TERMINATION

POLICY PURPOSE

The purpose of this policy is to specify procedures for managing and setting disciplinary action in cases of unsatisfactory performance, misconduct or serious misconduct.

SCOPE

This policy applies to all programs and activities within all service streams of ##### and to all employees and volunteers who interact with service users within the group.

POLICY STATEMENT

is committed to ensuring that fair and effective systems exist for managing and settling cases of unsatisfactory performance and unacceptable conduct or workplace behaviour. The disciplinary process must observe procedural fairness and natural justice with appropriate outcomes for managing misconduct and serious misconduct. This policy will apply to all employees employed by ##### and relate to all programs and activities operated by the

PRINCIPLES

- procedural fairness and natural justice will apply and those involved in any disciplinary action have a duty not to be influenced by favouritism, bias or conflict of interest and must act fairly and impartial
- employees have the right to be provided an opportunity to be interviewed, present written and oral evidence and be present during a formal meeting
- all issues are investigated thoroughly and justly
- the standards of behaviour and performance required are clear to all parties
- an employee has been counselled and given every reasonable opportunity to improve his or her behaviour and performance, excepting in cases of serious misconduct
- employees have the right to have a support person at the formal disciplinary meeting
- if, in spite of all reasonable efforts by ##### the employee has failed to meet the required standards, then termination of employment might occur

POLICY CONTEXT AND RELATED LEGISLATION

This policy should be read in conjunction with the Employee Discipline and Termination This policy & procedures.

Additionally, this policy recognises the legal and moral obligations of Nulsen Group and it has been framed around the:

- Fair Work Act 2009 (Cth) (as amended 2017)
- National Disability Insurance Scheme Act 2013 (Cth) (as amended 2018)
- National Disability Insurance Scheme Quality and Safeguarding Framework 2016

- National Employment Standards (NES) (2016)
- Standard 6 of the National Standards for Disability Services (2013)
- Social, Community, Home Care and Disability Services Industry Award 2010 (SCHADS Award) (as amended 2019)

RESPONSIBILITIES

is responsible for ensuring that fair and effective systems exist for managing unsatisfactory performance and unacceptable conduct or workplace behaviour within all service streams of the group

- The Chief Executive Officer and Executive Directors are responsible for complying with the spirit of this policy and ensuring that all employees of ##### act in good faith and in accordance with this policy.
- The Chief Executive Officer is the final decision maker with regard to all cases involving serious misconduct
- Managers are responsible for monitoring compliance with this policy and reviewing this policy to ensure that it is operating effectively.
- Employees are responsible for:
 - acting in good faith WITH this policy
 - acting with ethics, integrity, honesty and transparency at all times.

BREACHES OF THE POLICY Any breaches of the Employee Discipline and Termination Policy could constitute a possible act of misconduct. Reference is accordingly made to ##### Employee Discipline and Termination Policy which outlines the relevant processes that may be followed if misconduct is suspected.