



# STAFFING

## Section 6

Modbury West OSHC recognises that the staff are an important element to a successful program, keeping this in mind the following policies were developed to improve work conditions and performance.

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## Appraisals S6-1

Modbury West OSHC Service aims to provide high quality child care through high quality work performance and high job satisfaction of staff. This policy provides a framework for achieving this through staff appraisal and work performance counselling systems.

### Staff Appraisal System S6-1/1

The Service will operate with a staff appraisal system involving all staff. The system used will be agreed by staff and the operator.

The staff appraisal system adopted by the Service must:

- Provide for two way feedback on work performance and job satisfaction
- Clearly state the expectations of each position, based on the job description
- Identify key performance measures for each position
- Use self evaluation as the central tool for assessing past performance
- Have a positive focus geared to improving future performance
- Be based on a process of ongoing constructive feedback and guidance
- Involve a formal interview between each employee and the Director (or Principal or nominee for the Director's appraisal) at least annually
- Identify individual staff training needs and career development goals
- Include an agreed action plan as a result of the annual interview process, to be written and signed by both parties and implemented over the next year.

Staff and the operator will jointly evaluate the staff appraisal system at least every two years, to improve it or to move to a better system.

### Work performance counselling S6-1/2

Some employees may experience difficulties in performing their work to the minimum standards required by the Service. In these situations, the Director (or principal or nominee if it is the Director experiencing difficulties) may choose to provide work performance counselling. This is additional to the staff appraisal system.

The purpose of work performance counselling is to give extra support and guidance to staff to help them to meet the minimum required standards, and to assess the staff member's progress towards those standards.

The counselling should accord with the following principles.

- Use informal discussion initially, moving to formal counselling if the staff member's performance does not adequately improve within a reasonable period of time.
- Record formal procedures
- Identify the problem areas
- Develop and implement an agreed action plan that includes training, guidance and support for the staff member.

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Review progress - up to 3 periods of review no more than 3 months each, within any 24 months period.

Maintain confidentiality.

A staff member who does not reach and maintain the required standards for her/his position after 3 review periods within a 24 months period may be dismissed for poor work performance.

Any decision to dismiss a staff member will be made by the operator with full information from the Management Committee representatives who conducted the work performance counselling, and any information the staff member wishes to provide.

A staff member who is receiving work performance counselling has the right to a support person present at any counselling sessions.

A staff member may appeal against any decision taken by the Director or management representative by using the grievance procedures.

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## Discipline S6-2

Modbury West OSHC Service aims to achieve high standards of conduct and professional behaviour. We encourage and support staff to maintain these standards by fostering self discipline and commitment to high quality care and good working relationships. Staff are role models for children in care and should model the requirements of the services policies and procedures

### Implementation

Definition - staff discipline refers to the personal behaviour and conduct of staff.

Staff need to understand the conduct expected of them. The Staff Professionalism policy (code of conduct) will be provided to each new staff member in her/his induction kit, discussed with her/him by the Director, and a copy kept in an accessible place for all staff at all times.

Where it appears that staff are unsure about the conduct expected of them, the Director should clarify this either personally or at a staff meeting.

Where a breach is reported or observed the disciplinary procedures should be used according to the following principles:

- In general, minor breaches of conduct should be handled informally by the team leader or the Director, before formal procedures are used.

- The incident should be investigated to establish if a breach actually did occur.

- If so, the expectations of the Service should be clarified to make sure that the staff member understands her/his responsibilities.

- The staff member should be given guidance and the chance to improve.

- Where her/his behaviour improves to the required level no further action should be taken.

Where the disciplinary procedures fail to achieve the standard of behaviour expected of a staff member, that employee will, be dismissed in accordance with work performance counselling policy.

Where after investigation and interview a staff member is found guilty of gross misconduct, being serious and wilful misconduct, s/he will be summarily dismissed.

A decision to dismiss an employee will be made by the operator, based on full information from those involved in the disciplinary procedure.

A staff member undergoing disciplinary procedures will be informed from the beginning of her/his rights which will include

- A right of appeal to the operator

- A right to assistance from another person of her/his choice.

Formal procedures must be clearly documented, with the documentation being kept securely and confidentially.

All members of staff and the operator involved in a disciplinary process shall keep all information about the process confidential.



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## Disciplinary Steps S6-2/1

### Step 1: Verbal Warning

Verbal warning given as soon as possible indicating the specific problem regarding the performance of their work or conduct. The issues must clearly relate to the job description.

Indicate what should happen to improve the situation and how the staff member can improve their performance

Identify the support needed to assist the staff member to make the changes and take steps to implement these.

Indicate how the improvements will be measured, and when a review will take place. (1-4 weeks depending on the circumstances)

Give an opportunity for the staff member to respond to the concerns.

If this resolves the issue then there is no need to go any further.

### Step 2: Written Note

Where the problem continues to occur the staff member will be given written notice of the complaints against them.

A formal documented interview with the Director will take place.

The staff member will be given at least 48hrs notice of the meeting

Minutes will be taken of the meeting and a copy will be put on the staff members file and a copy must also be given to the staff member. The staff member may attach a written reply to the minutes.

The aim of the meeting is to negotiate how the situation may be improved.

The staff member will again be given specific indication of where their performance standards are not being met, indicate where changes are required and ways of achieving these, and told the method and date of review of their performance.

The staff member will be granted another probationary period

The staff member will be informed at this stage that termination will be considered if no changes occur.

If this resolves the issue then there is no need to go any further.



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## Step 3: Final Written Warning

If the problem still persists a sub committee meeting of the operator will be called to discuss the issues again, and the staff member given notice to attend. Membership of the sub-committee will include the Director, parent rep and another committee member (could be parent, staff, school or Governing Council).

The staff member will be given at least 48hrs notice of the meeting

Minutes will be taken of the meeting and a copy put on the staff members file and a copy given to the staff member. The staff member may attach a written reply to the minutes.

The aim of the meeting is to negotiate how the situation may be improved.

The staff member will again be given specific indication of where their performance standards are not being met, indicate where changes are required and ways of achieving these, and told the method and date of review of their performance.

At this stage the staff member will be given a "final written warning"

Again the staff member has the right of reply and can discuss the situation, they have the right to have a person of their choice attend the meeting.

If this resolves the issue then there is no need to go any further

## Step 4: Termination of Employment

If the problem still continues after the 3 warnings, another special meeting of the operator will be called and a decision made as to the employment of the staff member.

If the sub-committee believe that the staff members performance is unlikely to improve then the staff member will be dismissed.



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## Equal Employment Opportunity S6-3

Modbury West OSHC Service is committed to equality of opportunity for existing staff and in the appointment of new staff. The Service welcomes the contributions of staff from diverse backgrounds.

### **Implementation**

The Service will include a statement that it is committed to equal employment opportunity in all advertisements for staff.

The operator will ensure that selection criteria do not exclude disadvantaged groups from equitable consideration for positions.

Selection panels will be sensitive to the needs of applicants from disadvantaged groups, particularly language difficulties and cultural differences.

Where the population of children using the Service contains significant numbers of children from a particular ethnic or cultural group, the Service will try to attract suitable workers from that ethnic or cultural group.

Applicants who have a disability will be assessed against the selection criteria. The panel will apply the principle of reasonable adjustment to any impact the applicant's disability may have on the operations of the service.

The Service training plan will ensure that all staff have equitable access to training and development opportunities.

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## Leave S6-4

Modbury West OSHC Service aims to provide leave to staff in ways which benefit both staff and the Service. Staff are entitled to leave as provided by their industrial awards. The Service will especially try to support staff who need leave to fulfil their family responsibilities.

### Implementation

Annual, sick, family and study leave provisions apply to staff employed on a permanent basis. Long service leave and leave without pay provisions apply to all staff.

### Annual leave S6-4/1

The Director is responsible for allocating and approving annual leave, using a planned approach. However s/he should consult the operator if s/he believes it is necessary to direct a staff member to take annual leave.

The Director should notify the operator six weeks in advance of any period of annual leave s/he intends to take.

Staff should apply for annual leave 6 week before the date they want to start leave.

Where staff need annual leave at short notice for personal emergencies the Service will be flexible in trying to help meet the staff member's needs.

The Director will give staff a written approval/non-approval for annual leave within two weeks of receiving the application.

Once leave has been approved, it will only be changed by agreement between the staff member and the Director.

### Sick leave S6-4/2

The Director is responsible for approving sick leave applications.

Staff must let the Service know as soon as possible if they are too ill to come to work, preferably 2 hours before the start time of their shift.

Staff must supply a medical certificate for sick leave of three or more days in a row.

The Director has the discretion to approve sick leave of less than three days in a row without a medical certificate.

The Director may approve sick leave in advance only if it is for a scheduled medical procedure and the staff member supplies a medical certificate.

When a staff member needs more sick leave than the award allows, the Director may approve sick leave without pay if the staff member provides a medical certificate.

### Family leave S6-4/3

The Director has the authority to approve and administer the Family leave provisions of the Awards, but should advise the management body of any family leave applications or variations to family leave.





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## **Study leave S6-4/4**

The Director is responsible for administering the study leave provisions of the CCW Award, including requests for long term study leave without pay.

## **Long Service Leave S6-4/5**

The Director is responsible for arranging and allocating long service leave. However s/he should consult the operator if s/he believes it is necessary to direct a staff member to take long service leave.

The Director should give at least two months notice to the operator of when s/he intends to take long service leave.

Staff should apply for long service leave at least two months ahead of when they want to take it.

Staff should take long service leave as soon as they reasonably can after it falls due.

The Service encourages staff to take their long service leave in a full block rather than splitting it.

## **Leave without pay S6-4/6**

Staff can apply for short or long term leave without pay for health, family, study or personal reasons.

The Director has the discretion to approve leave without pay for periods of less than ten working days (short term leave).

The Management Committee will consider requests for long term leave without pay (i.e. more than ten working days). Staff must apply in writing through the Director to the Chairperson of the Management Committee, where possible at least six weeks in advance, giving the reasons for the leave.

The Director and/or the Management Committee will consider each case based on the needs of both the Service and the staff member.

Staff should use all available paid leave before applying for leave without pay.

Leave without pay will not break service but will not count for accrual of benefits.



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## Participation S6-5

Modbury West OSHC Service aims to operate as an effective partnership between parents and staff. We encourage staff to participate in the decision making of the Service both formally and informally.

### Implementation

The operator encourages staff to participate in its discussions and decisions through:

Including an elected representative of staff as a member of the Management Committee, to represent the views and interests of the staff in the deliberations of the operator;

Allowing staff to attend meetings of the Management Committee as observers by prior agreement of the Management Committee;

Involving staff in sub-committees and working parties.

Where practical, staff selection panels will include an elected staff representative who is equal in all respects to the other panel members.

### Staff meetings S6-5/1

Staff meetings are the most practical means of enabling communication, consultation, support and some training and development within the staff team.

Staff meetings will be convened regularly by the Director.

All staff are required to attend staff meetings, and will be considered to be on duty for the duration of the meeting.

The duration and time of meetings should be agreed between the staff, Director and operator.

All staff are encouraged to place items on the agenda and to discuss issues of concern to them.



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## Professionalism S6-6 (Code Of Conduct)

The quality of care for children, good relationships among staff, the confidence of parents and the reputation of Modbury West OSHC Service all depend on the professional attitude and behaviour of the Service staff and Management. This policy aims to provide clear guidance to staff about the standards the service requires as a condition of employment.

### Implementation

Staff are expected to support the policies and procedures of the Service. Where staff believe any of the policies or procedures need to be changed, they should first discuss it at a staff meeting and then have the staff representative suggest the change to the Management Committee. Meanwhile staff should continue to follow the existing policy and procedures.

Staff duties are described in their job descriptions. Staff should perform their duties to the best of their ability, while meeting their job description. If staff have trouble performing these duties to the required standard, they should ask for help from the Director.

Staff are expected to comply with their legal and industrial award obligations.

It is vital that the Service be a healthy and safe environment for children, staff, parents and visitors. Staff must act in ways which do not endanger the health or safety of anyone, and should encourage healthy and safe behaviour in the children by setting a good example.

Good quality childcare relies on effective teamwork and good relationships among staff. Staff are expected to assist good working relationships by treating each other with courtesy, honesty and respect. Conflicts between staff should be aired in private, and not in front of children, parents or other staff. Staff should seek help from the Director, or use the grievance procedures, if they are unable to resolve their conflict between themselves.

Similarly, staff should treat parents and children with courtesy, honesty and respect. Children arriving or departing from the Service should be welcomed or farewelled by name. Staff should treat children equally and as individuals regardless of gender, race, family background, culture, religion or beliefs. Staff will be sensitive the rights and feelings of the children.

Staff are expected to maintain and improve their skills through participating in the staff training and development opportunities provided by the Service.

Staff must observe confidentiality in all circumstances involving children, parents, staff and visitors. Staff must not discuss any child or parent with any other parent or visitor, within or outside the Service. In any situation where a staff member is not sure if information is confidential or not, s/he should check with the Director. Staff shall only discuss positive behaviours with families unless otherwise directed by the Director

Staff are expected to arrive for work on time and return from breaks on time.

Staff should dress appropriately for their duties, with particular attention to safety.



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Staff should use language which will not offend other staff or parents, especially within hearing range of children.

Staff must attend work free from the influence of alcohol or other non-prescription drugs.

Smoking is strongly discouraged and staff will not smoke on site or anywhere within sight of the children.

Staff should tell the Director if they are taking any prescription medication which may affect their capacity for work (e.g. causing drowsiness); prescription drugs which may affect the performance/ability of the staff member to perform their duties in accordance with the work duty statement may result in a staff member being asked to complete the course of the prescription before returning to work. This will be done to ensure the best quality of care is available. The taking of prescription drugs will be done out of view of children.

Staff are expected to come to work when they are fit enough to do so without risking injury or infection to themselves or the staff or children at the Service. When staff are unwell or injured they should not attend work and if entitled may apply for sick leave or workers' compensation.

Staff should help each other to maintain high quality care and high standards of professionalism.

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## Recruitment S6-7

We believe that staff are the most valuable asset to the quality of the centre and that high quality staff are imperative to the smooth running of the centre. We aim to employ the best possible staff for the position through fair advertising and selection processes.

### Implementation

When a vacancy arises the operator will:

- Decide whether the position should be filled on a permanent, fixed term, or casual basis
- Constitute a selection panel to conduct the selection process (see selection panel membership S6-7/2)
- Delegate authority to the panel to make the appointment where the panel decision is unanimous
- Approve the job description and selection criteria for the position prior to advertisement of the position
- Determine the method of advertisement

### Advertising the position S6-7/1

Vacancies will be advertised in the state or local press, depending on the position, but may also be advertised on a limited basis with a view to recruiting from within the following areas:

The pool of relief workers employed by the Service

Network SA newsletters or updates

Employment agencies

TAFE campuses offering training to child care workers

Other Childcare or OSHC Services in the region.

Advertisements should invite written applications which include contact telephone numbers for two professional referees.

### Selection Panel Membership S6-7/2

The selection panel for all childrens services professional positions will consist of three members: a Management Committee representative (nominated by the committee), the Director and a staff representative (nominated by the staff).

Where the staff team is too small to include a staff representative, it should then include two Management Committee representatives and the Director.

Where the vacancy is for the Director's position the panel will consist of two operator representatives one being the principal or nominee, and a staff representative (not the outgoing Director).

Where the vacancy is for children's services assistant the responsibility for selection of staff lies with the Director.

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## **Interview S6-7/3**

The selection panel will draw up suitable interview questions, which relate to all aspects of the position and ensure equal opportunity guidelines are followed. The panel will decide who will ask each question.

The panel shall draw up a list of essential requirements for each answer.

No longer than 5 days after the closing date the panel will meet to discuss the applications, develop a short list and decide on the interview date and times.

An appropriate time frame (approximately 30 minutes) will be allocated to each interview, with a short break between, for discussion.

A nominated person on the selection panel will contact the applicants to determine the time and date of interview.

Each applicant will be given a copy of the job description before the interview.

Each applicant will be asked the same questions with their answers recorded

The committee are to discuss each applicant and their suitability for the position based on their answers, qualifications and experience, comments from referees, and the selection criteria drawn up by the panel.

Should the committee have difficulty in deciding between two applicants, a second interview for these applicants will be conducted, with new questions.

## **Selection Panel Decisions S6-7/4**

The panel will keep a written record of its process and decision.

Where the decision of the panel is unanimous, the panel has the power to make the appointment.

Where all the panel members do not agree on the best applicant, the panel will refer the decision back to the operator. The operator will then determine a course of action appropriate to the circumstances (e.g. it may support the majority opinion of the panel, decide to reinterview with a different panel, readvertise the position, or other options).

Under no circumstances should a position be offered prior to contacting two referees each for the main contenders.

## **Appointment S6-7/5**

A three month probationary period will apply to all new employees. This must be advised to the prospective employee at or before the offer of appointment.

The successful applicant must present original copies of any prerequisite qualifications to the Director, (or operator chairperson for the Directors position) prior to appointment. The Service will keep a photocopy of the documents on the staff member's personal file.

The Service will make a formal written offer of employment to the successful applicant, outlining the terms and conditions of the employment being offered. This should be signed by the operators chairperson or her/his authorised delegate for the Directors position and signed by the



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Director for all other staff. The offer will include an acceptance of employment to be signed by the employee, with a copy kept by the Service and by the employee.

## Induction S6-7/6

The induction process will be an ongoing process and should include

Written information, introductions to existing staff, guided tour of the Service, and discussion of working arrangements and expectations.

Before commencement the Director will provide new staff with an induction kit including:

The Service's philosophy and policies, code of conduct, a list of all current staff and their positions, a current list of Management Committee members and their positions, the terms and conditions of employment, union membership information, job description and Emergency procedures.

The Director\* will show the new staff member around the Service and introduce him/her to any other staff.

The Director should explain the operations of the Service and answer any questions the new staff member may have, before s/he commences duties in her/his new role.

## Probation S6-7/7

A staff member's employment will be confirmed in writing if s/he successfully completes the three months probationary period.

The probationary period should be viewed as an opportunity to give and receive constructive feedback with the new employee, and to allow for adjustment within the new work environment.

A structured process of assessment and guidance should be followed

The operator will decide whether to confirm or terminate appointment after the probationary period, based on the recommendation of the Director.

Where the Director intends to recommend termination of employment, s/he must advise the staff member in enough time to allow the staff member to prepare her/his point of view for the operator. The operator will give the staff member the opportunity to present his/her point of view personally or in writing.

## Fixed term positions S6-7/8

Where a vacancy is for a fixed term due to the extended absence of a staff member on maternity, study or other leave, the vacancy may be filled by employment of a staff member for the duration of the absence.

If the vacancy is for a period of less than three months, the Director may fill the position on a casual basis through the use of relief staff and/or temporary performance of higher level work or alternative duties by existing staff.

Where a position is to be filled for a fixed term, this must be clear in any advertising and the dates of the term described clearly in the offer of employment.

## Casual Staff S6-7/9

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Where the regular hours of duty of a position are expected to be less than 15 hours per week, staff may be appointed on a casual basis.

Casual positions should be clearly advertised as such.

Staff appointed on a casual basis should have the casual basis of their position clearly explained to them personally and stated in their letter of offer, including casual pay loading, entitlement to long service leave, lack of sick leave and lack of annual leave.

Except where stated otherwise, the provisions of these policies and procedures apply equally to casual and permanent employees.

## **Relief staff S6-7/10**

The Service will employ relief staff on a casual basis see *Fixed term positions above* to fill short term vacancies or emergency absences.

The Director will keep a register of relief staff who are suitable for work at the Service.

Before a potential relief staff member is placed on the register, the Director/delegate will:

- Interview the person
- Check referees
- See the originals and take copies of qualifications
- Establish fitness for childcare duties
- Ensure a formal written offer of employment is made

The Director will provide a modified induction for all new relief staff which will include:

- A copy of the induction kit
- An introductory tour of the Service
- Making sure the relief staff is familiar with the code of conduct, the Child Protection Policy and the OHS&W Policy before s/he starts work.

If no relief staff are available to work, the Director may contact another childcare or OSHC service. (see *staff share program S6-7/11*)

## **Staff Share Program S6-7/11**

Modbury West OSHC has established contacts with The Pines OSHC and Settlers Farm OSHC, In the event we are unable to fill a shift/s within our own staff team, an offer will be made to either services' staff. We will also offer opportunities to our staff team to work additional hours where possible at either service if requested.

An agreement between the services means that the staff are employed and paid (including entitlements) through their own services payroll while working at another service. That service then invoices the other service for reimbursement of wages and 15% on costs. The 15% on costs are designed to cover administration and possible entitlements that are attracted for hours worked.

A modified induction for all staff involved in this program will be conducted on a regular basis, as a minimum staff will be taken on a tour of the service, given OHS&W information, Emergency procedures, update on routines & children where relevant.





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## Rehabilitation S6-8

Modbury West OSHC Service wishes to support staff members who become ill or injured and need to return to work on a gradual or modified basis. This policy aims to assist ill or injured staff to return to work in a way that meets both their needs and the needs of the Service.

### Implementation

This policy only applies to injuries that are not work related. Work related injuries are covered by workers compensation rehabilitation provisions.

Staff recovering from illness or injury may ask to return to work gradually or with modified duties, under a rehabilitation program.

The Director will be responsible for deciding if a rehabilitation program can be arranged and for managing the program.

If the Director believes that a rehabilitation program is viable for the service, then s/he and the staff member will jointly discuss and develop a program which will:

- Be based on detailed medical advice about hours and acceptable duties
- Detail the duties to be performed and the hours of attendance
- Contain agreed goals and timeframes
- Have regular review dates

The Director will consult with the staff in the affected work area to determine whether or not the program could work with their support.

Depending on the complexity of the situation, the Director may seek expert advice from a rehabilitation consultant, physiotherapist, or other treating practitioner.

If the program is likely to result in significant extra cost to the Service, the Director should seek management body approval before commencing.

A permanent staff member on a rehabilitation program will be entitled to sick leave for the hours that s/he is not working, as long as these are covered by a medical certificate.

If at any stage of the program the staff member appears to be unfit for the duties, the Director may request the staff member to visit her/his doctor for a reassessment of her/his capacity for work. The Director may require a medical certificate verifying the staff member's fitness before allowing her/him to resume duties.

The Director and the staff member should review the program regularly in joint discussions. They should amend it if progress is different from earlier expectations.

A rehabilitation program can only work with a commitment from both the Service and the staff member. If the staff member does not honour her/his commitment to the program, the Director may cancel the program and allow the staff member to return to work only when s/he is fit for full duties. If the staff member believes that the Service is not honouring its commitment to the program s/he should use the grievance procedures.



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## Professional Development S6-9

Modbury West OSHC Service is committed to providing the highest quality service through ongoing staff professional development, we will provide staff with encouragement and support to further their skills in the OSHC field.

### Implementation

The operator will allocate sufficient resources to meet the training priorities of the Service. This will be at least equal to 1.5% of the annual salary budget.

The Director is responsible for developing, implementing and evaluating an annual training plan for the Service.

This training plan will:

- include a training needs assessment, based on the staff appraisals for individual needs and consultation with staff and management for the Service's priorities
- be presented to the Management Committee annually before the annual budget is developed, to allow training to receive an adequate budget allocation
- ensure that training opportunities are provided equitably to all staff
- include a variety of methods of training delivery such as:

Internal workshops for staff to share their expertise with each other

Internal workshops conducted by outside presenters/experts

Attendance by staff at external workshops, conferences and seminars

Short courses provided by training organisations such as TAFE

Staff who attend external training will share the skills and knowledge they have gained with other staff where relevant.

Staff and the Director will evaluate all training activities against the training needs identified in the training plan.

Apart from study leave, staff will be considered to be at work for the duration of any training activity they attend under the Service's training plan.

The Service will meet the costs of all authorised training activities, apart from tertiary study. Staff are encouraged to attend additional training not included in the services training plan, costs for such training courses & professional development should be negotiated with the Director.