

2019

Trikki Kidz Pty Ltd Pty.Ltd

Policy and Pocedures

ABN: 84 119 953 043

ACN: 119 953 043

Version 1

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Trikki Kidz Pty Ltd

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Trikki Kidz Pty Ltd Pty.Ltd Policy and Procedure
Version 1

Reviewed:

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GOVERNANCE

Purpose and Scope

The purpose of this policy and procedure is to demonstrate Trikki Kidz Service's commitment to sound governance, and to document how governance is carried out and reviewed within the organisation. Trikki Kidz Service's NDIS Governance and Management Policies and Procedures describe to its staff, clients and stakeholders how Trikki Kidz Pty Ltd carries out its operational, legal and financial responsibilities in relation to its NDIS-related operations. They should be read alongside the Operational Policies and Procedure set out in Part 2, which describe how Trikki Kidz Pty Ltd delivers services and protects the rights of its clients with disability and their families and carers.

Legislation, regulations and standards relevant to this policy and procedure include:

- *National Disability Insurance Scheme (NDIS) Act 2013 (Cwth)*
- *Disability Act 2006 (Vic)*
- *Children, Youth and Families Act 2005 (Vic)*
- *Corporations Act 2001 (Cwth)*
- *Human Services Standards (Vic) - Governance*
- *Disability Inclusion Act 2014 (NSW)*
- *Disability Services Standards (NSW)*

Definitions

Governance is the process by which organisations are directed, controlled and held to account. It encompasses authority, accountability, stewardship, leadership, directions and control exercised in the organisation.

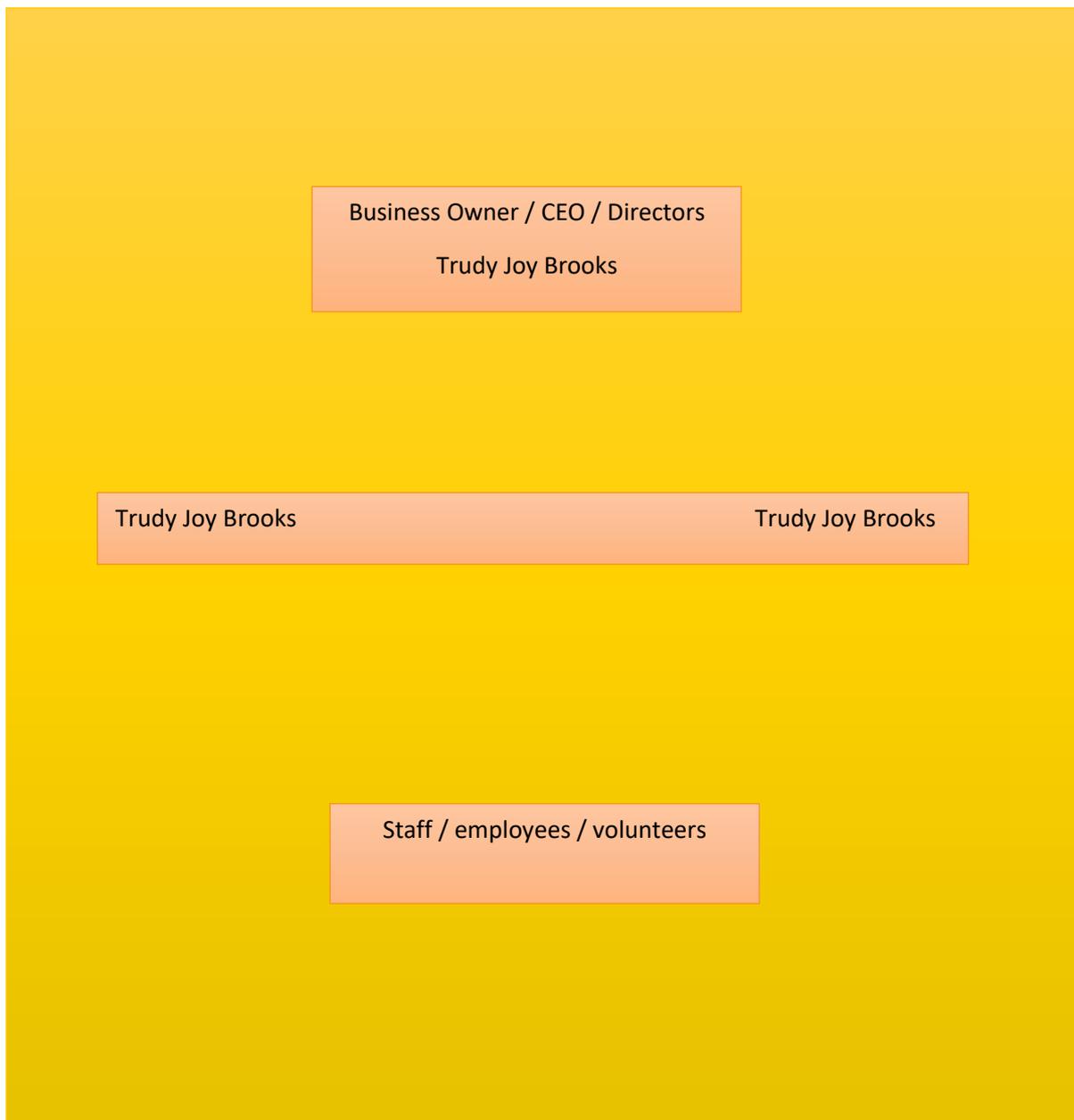
Policy

Trikki Kidz Pty Ltd has effective systems and processes in place to guide and support its overall direction, effectiveness, supervision processes and internal and external accountability. Accountable and transparent governance arrangements ensure Trikki Kidz Pty Ltd:

- complies with relevant legislation, regulations and contractual arrangements;
- supports and develops its staff; and
- Delivers quality and safe services to its clients.

Procedures

- Trikki Kidz Pty Ltd is a registered business name of the company Trikki Kidz Pty Ltd. ABN/ACN 84 119 953 043/119 953 043. Trikki Kidz Pty Ltd has been operating in Victoria since 2019.
- Trikki Kidz Pty Ltd operates in accordance with the terms set out in the Trikki Kidz Pty Ltd Constitution.
- Trikki Kidz Service's organisational structure is set out in its Organisational Chart, provided below.



Responsible by Management

- ensuring that the service has appropriate systems and policies in place for the effective governance and management of the service;
- providing leadership, forward planning and guidance to the service, particularly in relation to developing a strategic culture and direction;
- authority, accountability, and control on behalf of the service;
- overseeing legal functions and responsibilities;
- identifying, evaluate and mitigate risks to the service and its stakeholders (management, staff, clients, families and children), property, finances, goodwill and image;
- overseeing implementation of the service's human resources policies, procedures and practices including the development of job description for all staff;
- determining staffing requirements for service management and program delivery;
- recruiting staff that have the right technical and personal abilities to help further the service's Mission;
- disciplining staff when necessary, in accordance with Trikki Kidz Service's policies and procedures and legal requirements;
- identifying, assessing and informing staff of internal and external issues that affect the service;
- conducting official correspondence on behalf of the service;
- overseeing the planning, implementation and evaluation of the service's programs, services and special projects;
- establishing a positive, healthy and safe work environment in accordance with all appropriate legislation and regulations;
- working with staff to prepare a comprehensive annual budget and managing the service's finances;
- researching funding sources and oversee the development of tenders and fundraising plans;
- ensuring that good record keeping, bookkeeping and accounting procedures are followed;
- communicating with stakeholders to keep them informed of the work of the service and identifying changes and needs in the local community;
- establishing good working relationships and collaborative arrangements with other service providers, community groups, clients, families, carers, local, state and federal government agencies and other organisations to help achieve the goals of the service;

- monitoring and overseeing Trikki Kidz Service's day-to-day operations, including ensuring that good management practices and appropriate checks and balances are in place;
- maintaining the service's integrity and service delivery quality;
- ensuring all staff receive an orientation to the service and that appropriate ongoing training is provided;
- implementing a performance management process for all staff which includes monitoring the performance of staff on an ongoing basis and conducting a six-monthly performance reviews;
- developing goals and objectives to increase the service's growth and prosperity;
- designing and implement business plans and strategies to promote the attainment of goals;
- Ensuring the service has the adequate and suitable resources to complete its activities (e.g. people, material, equipment, etc.);
- organising and coordinating operations to ensure maximum productivity;
- supervise the work of employees and provide feedback and counsel to improve efficiency and effectiveness;
- maintaining relationships with clients, carers, families, suppliers, community, industry and government;
- gathering, analysing and interpreting external and internal data and write reports;
- assessing overall service performance against its objectives;
- ensuring adherence to all legal requirements and guidelines;
- coordinating periodic internal reviews or audits to ensure that compliance procedures are followed;
- identifying compliance issues that require follow up or investigation;
- filing appropriate compliance reports with the NDIA and government regulatory departments;
- sourcing and implementing software and technology to adequately support the company's operations and provide oversight and monitoring in all required areas;
- providing assistance to internal or external auditors in compliance reviews;
- preparing management reports regarding compliance operations and progress;
- discussing emerging compliance issues with staff; and

- Reporting violations of compliance or regulatory standards to the authorised government agencies as required.

MANUAL

This Policy and Procedure Manual sets out the policies and procedures that govern Trikki Kidz Service's NDIS-specific operations and service delivery. The policies and procedures within the manual will be reviewed regularly and based on a risk management approach to review timeframes. All policies and procedures comply with relevant Commonwealth and State Government legislation, regulations and standards applicable to Trikki Kidz Service's service delivery. This manual is intended to compliment all State and Commonwealth legislation and does not override any Acts of Parliament or other legal requirements.

Trikki Kidz Pty Ltd management is required to comply with the policies and procedures in this manual. Failure to follow Trikki Kidz Service's policies and procedures will be treated seriously and may result in disciplinary action.

A hard copy of this manual will be held by Trikki Kidz Pty Ltd management. An electronic copy will be kept on Trikki Kidz service's data systems. Management is expected to refer to the manual on a regular basis and keep up-to-date with any changes.

- Management meets with the team monthly and as necessary to ensure that the channels of communication are kept open, that Trikki Kidz Pty Ltd provides the highest quality care and to ensure the viability of the service.
- Management is expected to have the qualifications and experience to deal with issues relating to financial and legal matters, human resources, service management and service promotion.
- Management will report on a quarterly basis, on program, financial, data, IT and service quality (including client feedback and complaints).
- In recognition that stakeholder participation in Trikki Kidz Service's governance and management processes will improve service outcomes, Trikki Kidz Pty Ltd will seek feedback on its governance from stakeholders (clients, families, carers, advocates, staff, other service providers or government representatives) regularly (see the Trikki Kidz Pty Ltd *Feedback, Compliments and Complaints Policy and Procedure*).

Service delivery will be tracked in the Trikki Kidz Pty Ltd client management system, which will support and streamline organisational reporting. Trikki Kidz Service's performance will be summarised on a yearly basis in its Annual Report.

Conflict of Interest

- Failure to respond to actual or potential conflicts of interest can damage the reputation of and community confidence in Trikki Kidz Pty Ltd. It may also have legal ramifications.
- When making decisions, the following should be considered:
 - Do I have any personal or private interests in a matter that may conflict or be perceived to conflict with my duties in the organisation?
 - Could there be a benefit for me, my family or friends into the future if I involve myself in a matter?

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- How will my involvement be viewed by others?
 - Does my involvement in the decision being made appear fair and reasonable?
- All staff should avoid any conflict arising between their personal interests (or the interests of any other related person or body) and their duties to Trikki Kidz Pty Ltd.
 - Management must not take advantage of its position to gain, directly or indirectly, a personal benefit, or a benefit for any associated person (e.g. a family member or another organisation).
 - Management must not make use of inside information.
 - The personal interests of management, and those of any associated persons, must not be allowed to take precedence over those of Trikki Kidz Pty Ltd generally.
 - Management should seek to avoid conflicts of interest wherever possible. Full and prior disclosure of any conflict, potential conflict, or the appearance of a potential conflict, must be made. Once the conflict has been acknowledged and declared, management must decide what action to take to manage the conflict.

Monitoring and Review

- This policy and procedure will be reviewed at least annually by Trikki Kidz Pty Ltd management and incorporate staff, client and other stakeholder feedback.
- Trikki Kidz Service's annual client satisfaction surveys will assess satisfaction with Trikki Kidz Service's governance processes and provide opportunity for feedback on areas for improvement.
- The Trikki Kidz Pty Ltd *Continuous Improvement Plan* will be used to record and monitor progress of any improvements identified and where relevant feed into Trikki Kidz Service's service planning and delivery processes.

STRATEGIC AND OPERATIONAL PLANNING

Purpose and Scope

The purpose of this policy and procedure is to set out how Trikki Kidz Service's management will set, monitor and achieve the organisation's NDIS-specific Strategic and Operational objectives, underpinned by a continuous improvement approach.

Legislation, regulations and standards relevant to this policy and procedure include:

- *Human Services Standards (Vic) – Governance*

Organisational documents relevant to this policy and procedure include:

- *Trikki Kidz Pty Ltd 2019 Strategic and 2019 Operational Plans*

This policy and procedure applies to Trikki Kidz Service's management.

Definitions

Strategic Plan – A document used to communicate the long-term direction of an organisation, describing what it's going to do and how.

Operational Plan – A detailed plan used to provide a clear picture of how an organisation, or its specific areas or teams, will contribute to the achievement of the organisation's Strategic Plan.

Policy

- Trikki Kidz Service's strategic directions and priorities are documented in a three-year Strategic Plan, which is reviewed annually by management.
- Management is responsible for the development of the Strategic Plan.
- Trikki Kidz Pty Ltd has processes to involve staff, clients and other stakeholders in developing its strategic directions and priorities.
- An Annual Operational Plan, updated each year over the life of the Strategic Plan, supports execution of the Strategic Plan.

Procedures

- Trikki Kidz Service's management develops, works to and annually reviews a three-year Strategic Plan, which identifies the key outcomes that the organisation wants to achieve.
- A new Strategic Plan is developed every three years.

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- In reviewing the Strategic Plan, Trikki Kidz Service’s management seeks comment from clients and other stakeholders. The extent of consultation will be determined by external factors and the funds available at the time the Plan is developed.
- Management will formally review and update the Strategic Plan each financial year and at times of significant and unanticipated change.
- Annual Operational Plans form the basis of management’s expectations of each year, and are subject to regular monitoring and review on a quarterly basis.

Monitoring and Review

- This policy and procedure will be reviewed at least annually by Trikki Kidz Service’s management and incorporate staff, client and other stakeholder feedback.
- Trikki Kidz Service’s six-monthly Service Delivery and Planning days and activities will include clients and stakeholders where relevant and assess how effectively the organisation’s strategic and operational objectives inform quality service delivery.
- Trikki Kidz Service’s annual staff satisfaction survey will assess staff satisfaction with the organisation’s strategic and operational priorities and their alignment with service delivery.
- Trikki Kidz Service’s *Continuous Improvement Plan* will be used to record and monitor progress of any improvements identified and where relevant feed into the organisation’s service planning and delivery processes.

Programs and Services Development

Purpose

The Director/business owner will ensure that all programs and services of Trikki Kidz Pty Ltd shall be consistent with its strategic policies, complying with accepted best practice and carefully managed once established.

Scope

Director/business owner

Contact Officer

Director/business owner

References/Relevant legislation

Corporations Act 2001

Implementation Procedures

1. Programs and services shall be aligned to the vision values and service principles of Trikki Kidz Pty Ltd.
2. Accurately costs and able to be resourced, considering existing demands on staff, and other physical resources.
3. Consistent with accepted best practice and evidence.
4. Reviewed and regularly monitored for continuing relevance against the strategic plan and community needs.
5. Subject to continuing quality improvement through the development and implementation of an annual quality plan.
6. Formally accredited at least once in every three-year period through an external quality assurance/improvement system, where such external process exists.

Strategic Direction

ACKNOWLEDGEMENT

We begin by acknowledging the traditional custodians of the land on which we work, and we pay our respects to Elders past and present. We acknowledge the sorrow of the Stolen Generations and the impacts of colonisation on Aboriginal and Torres Strait Islander people. We recognise the resilience, strength and pride of the Aboriginal community. We embrace diversity in all its forms, and respect everyone's strengths and contributions irrespective of gender, ethnicity, culture, religious beliefs, sexual orientation and political views. We welcome our customers – consumers, carers, community, government, partners and supporters – our staff, members and volunteers, to our new Strategic Plan. This Plan provides our roadmap for the next two years.

Our Vision: Our vision is a world where people with disability are equal citizens. Our mission is to provide quality, sustainable and rights and create opportunities, empowering you to live the life you choose.

Our Purpose: Our purpose is to give all Australians peace of mind that if their child or loved one is born with or acquires a permanent and significant disability they will get the support they need just like every other normal human beings. The NDIS supports people with disability to build skills and capability so they can participate in the community and employment as a part of their daily living.

Our Values: Our values guide our day-to-day actions, behaviours, decisions, communications, performance conversations and the capabilities we are developing to successfully deliver the NDIS. They were developed for us, by us and are unique to our work.

Collaboration

- We work collaboratively with our consumers and other stakeholders
- We openly communicate and share our ideas and knowledge
- We work together to create exceptional outcomes for Trikki Kidz Pty Ltd consumers

Service Excellence

- We aim for amazing results and happy consumers
- We find ways to be creative in everything we do
- We listen to what our consumers want and need
- We encourage consumer feedback and sharing of ideas

Consumer Driven

- We create innovative solutions
- We never assume
- We work with our consumer to problem-solve and co-design meaningful solutions
- We are dedicated to consumer success

We understand mental health and wellbeing are determined by a complex combination of behavioural, social and environmental factors. As such, we recognise that to deliver a holistic service we must address social and economic inequities.

These include:

- Freedom from violence and discrimination
- Access to secure housing
- Access to education
- Gender
- Disability
- Ethnicity
- Food security
- Access to a secure income and freedom from poverty
- A safe and sustainable environment
- Social justice and equity

Trikki Kidz Pty Ltd recognises not everyone experiences life equally, by virtue of a range of factors including gender, socio-economic status, cultural background and education level. Our focus is therefore about creating opportunities for equitable outcomes. With this as our foundation, Trikki Kidz Pty Ltd provides a diverse range of services that are holistic and consumer focused.

Service Principles

- ***We understand and respond to consumers' needs***
All staff have capacity to identify multiple issues of concern and offer options for collaborative care.
- ***Our services are easy to access and safe***
Consumers are able to access our services safely without the need to revisit traumatic events.
- ***We respect diversity and cultural differences***
Cultural capability is defined as a set of behaviours, attitudes and policies that come together to work effectively with individuals and communities of diverse cultural populations.
- ***We are trauma informed***
Trauma informed care is an approach that involves understanding, recognising, and responding to the effects of all types of trauma.
- ***We involve your loved ones if appropriate***
Involvement of significant others is discussed at multiple points of contact and consent is obtained with clear consideration of how and when significant others may support better outcomes.
- ***Your lived experience is valuable and is a strength***
Strength-based practice emphasises people's self-determination and strengths, a philosophy that views people as resourceful and resilient in the face of adversity.
- ***We strive to always do better***
We ensure continuous quality improvement through reviewing our policies and practices to ensure that what we provide is matched to what people need.
- ***We are strong advocates***
We utilise our knowledge and experience to advocate strongly for consumers, to encourage and create confidence in consumers to advocate strongly for themselves.

Policy Making

Purpose

Policies are designed to provide clear, unambiguous guidelines for the implementation of the various accountabilities of Trikki Kidz Pty Ltd. Policies provide continuity, consistency and accountability.

Policy-making shall therefore follow set procedures to ensure the efficacy of the process and the overall policy framework.

Trikki Kidz Pty Ltd is committed to providing quality services and to the application of sound quality management principles in its administration and management practices.

Scope

Business Owner, Service Manager, management, staff and volunteers of Trikki Kidz Pty Ltd.

Contact Officer

Business Owner and Service Manager

Implementation Procedures

There shall be two levels of policy making – Governance level policies and Management level policies. All policies and procedures of Trikki Kidz Pty Ltd, both Governance level and Management level shall be reviewed at times specified for each policy.

Governance level policies:

The Governance policies and delegations to the Business Owner set the framework and limits of Management Policies to ensure that Trikki Kidz Pty Ltd is managed and operates within the boundaries established by the Board.

Governance level policies should apply to:

- i) Strategic policies defining the outcomes sought from all operational effort.
 - ii) Governance policies defining the Trikki Kidz Service's operating practices and relationship with the Business Owner.
 - iii) Compliance policies defining Trikki Kidz Service's commitment to meeting its legislative requirements, accountabilities and mitigation of risks.
- The need for new policies can be initiated by staff of Trikki Kidz Pty Ltd, the Business Owner, or Management.
 - Whenever possible, policies will be developed proactively, or in advance of an event, rather than in response to an event, crisis or problem.
 - All policies shall follow a standard format.
 - All policies will be programmed for review to be carried out by an approved policy sub-committee or working group.
 - All Governance level policies shall be available to the Business Owner, Service Managers and to staff as appropriate.

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Management level policies

The Business Owner or delegate approves organisation-wide management policies and procedures. The Business Owner in conjunction with the Management Team, shall develop management policies that establish the operational framework, standards and procedures of practice for all key areas of Trikki Kidz Pty Ltd including service delivery, financial and resource management, personnel management and other areas as required. All operational policies shall be consistent with the principles, boundaries and definitions espoused in Governance level policies.

- All Management policies shall follow a standard format, consistent with the Governance Policies.
- The Trikki Kidz Pty Ltd will establish the procedures for drafting and development of all Management level policies.

Policies on the Management, Standards and Procedures of Trikki Kidz Pty Ltd shall be documented and made available to all staff, volunteers, and to specify outside agents in the event of a policy audit.

Business Continuity

Definitions:

- **Business Continuity** is the 'uninterrupted availability of all key resources supporting essential business functions' (Australian National Audit Office, 2000).
- A **business continuity event** is an event where normal operations are suspended beyond the maximum tolerable period of disruption; causing the program/organisation to be unable to achieve its objectives.

Purpose

To ensure that appropriate procedures and support information is developed, maintained and in readiness for use in case of an emergency or disaster that threatens to interrupt essential business functions. This documentation is referred to as the Business Continuity Plan (BCP).

The BCP includes the key roles and reporting relationships of individuals with delegated authority, responsibilities and accountability for implementing the Business Continuity Plan.

Guidelines

- Identify and mitigate risks that may impact the ability for services to operate at normal activity and quality levels
- Reduce the impact of business interruptions (anticipated or spontaneous) should they occur
- Develop practices and procedures that encompass risk management and business continuity considerations
- Ensure Trikki Kidz Pty Ltd site is equipped with the knowledge and resources to respond to a BCP event that will minimise the impact on life, property and business operations.
- Monitor, control and continuously improve organisational BCP management knowledge and capability to respond to event

Implementation

- Separate Site Level plans and a Corporate Level plan are maintained so the scale of the response can be appropriately activated to the type and severity of the event
- Team identification and role nomination are allocated in line with the responsibilities as set out in the Business Continuity Plan
- A database of site/program level risks, rating, mitigation measures and risk strategies is maintained
- Annual review of risks/ratings/risk strategies is conducted (or on change of business practices e.g. new site)

- All nominated team members undergo BCP training, so they are equipped to fulfil their roles as described in the Business Continuity Plan.
- All volunteers and employees undertake a BCP Quiz periodically to maintain awareness of the BCP.
- Planned walk through of BCP 'events' are conducted periodically involving BCP core teams
- Triennial external review of the plan is undertaken
- BCP Team members have 24/7 access to the Business Continuity Plan document, site response matrix and contact details of BCP team for the site(s) for which they are responsible.

Relevant documents

- Business Continuity Plan Document (Framework)
- Business Continuity Action Checklist & Risk Matrix/Site plans.

References

The following resources have been consulted in forming Trikki Kidz Service's Business Continuity Plan:

- Standards
- AS NZS ISO 31000:2009 Risk Management – Principles & Guidelines
- AS NZS 5050-210 Business Continuity – managing disruption related risk
- ISO 22320-201 Societal Security – Emergency Management – Requirements for Incident Response
- ISO PAS 2239-207 Societal security – Guidelines for incident preparedness and operational continuity management
- VIMA- Risk Management Guidelines
- <http://www.vmia.vic.gov.au/Risk-Management.aspx>
- ANAO (Australian National Audit Office) - Business Continuity Management Building resilience in public sector entities

Management Structure and Processes

Purpose

The management structure of Trikki Kidz Pty Ltd is overseen by the Director/Business Owner, all decisions resolve at this level.

Trikki Kidz Pty Ltd does not currently have other levels of management but the following procedure will inform staff when this occurs.

Levels of Management

Director: The Director is the business owner and has final decision-making privileges in all aspects of the business.

Service Manager: Manages a particular service and has overarching responsibility for day to day running and budget requirements.

Team Leader: Provides support and leadership to a service team and Service Manager.

Procedure Details

Trikki Kidz Pty Ltd employees, volunteers and contractors are required to bring any concerns, issues or practice difficulties to their line manager. The person's line manager is the next highest-ranking management staff available and if unavailable the person would then be required to go to the next manager in line.

The Director/Business Owner has final say over internal conflict in line with other Trikki Kidz Pty Ltd policies and procedures.

Governance

Policies and Procedures that are linked with Management and Structure Procedure:

- Clinical Governance
- Governance of the Organisation
- Risk Management Policy
- Risk Management Procedure
- Strategic Direction
- Business Continuity Policy
- Trikki Kidz Pty Ltd Code of Conduct and Agreement
- Guide to Supervision

CONTINUOUS IMPROVEMENT

Purpose and Scope

The purpose of this policy and procedure is to set out how Trikki Kidz Pty Ltd will deliver quality services and meet relevant standards and compliance requirements through an ongoing cycle of review and evaluation of processes and procedures.

Legislation, regulations and standards relevant to this policy and procedure include:

- *National Disability Insurance Scheme (NDIS) Act 2013 (Cwth)*
- *Disability Act 2006 (Vic)*
- *Children, Youth and Families Act 2005 (Vic)*
- *Corporations Act 2001 (Cwth)*
- *Human Services Standards (Vic) - Governance*
- *Disability Services Standards (NSW)*

Organisational documents relevant to this policy and procedure include:

- *Trikki Kidz Service's Continuous Improvement Plan*
- *All Trikki Kidz Pty Ltd policies and procedures*
- *Trikki Kidz Pty Ltd Compliance Register*
- *Trikki Kidz Pty Ltd Complaints Register*
- *Trikki Kidz Pty Ltd Incident Register*
- *Trikki Kidz Pty Ltd Occupational Health and Safety Improvement Register*
- *Trikki Kidz Pty Ltd Internal Review and External Audit Schedule*

This policy and procedure applies to all Trikki Kidz Pty Ltd staff, contractors and volunteers.

Definitions

Continuous Improvement describes the ongoing effort of an organisation to improve services, systems, processes or products to maximise benefits for its clients. The process relies on using evidence-based information to support the organisation's achievement of its goals and outcomes. This also means adapting to changing needs of its community or clients.¹

Policy

- Trikki Kidz Pty Ltd is committed to quality, innovation and promoting a culture of continuous improvement in its governance, management and service delivery.
- Trikki Kidz Pty Ltd includes its management (or delegates), clients and other relevant stakeholders in its continuous improvement activities to ensure services are of a high quality and meet client needs.

Procedures

- Trikki Kidz Service’s management will specifically focus on continuous improvement in its governance by reviewing its own performance annually. Director, client and other stakeholder feedback will all be taken into account in this review.
- All Trikki Kidz Pty Ltd staff are responsible for identifying and actioning opportunities for continuous improvement. They will be made aware of their responsibilities through formal induction and training processes as well as ongoing workplace practices.
- The Agenda for quarterly team meetings will include a standing item on continuous improvement (including staff and client feedback and complaints).
- To support continuous improvement practices, the Director or a delegate is responsible for instigating, monitoring and reporting in regards to Trikki Kidz Service’s internal reviews and external audits, in accordance with its *Internal Review and External Audit Schedule*. Stakeholder representatives (clients, their families, friends, carers and advocates) will be included in each formal review or audit procedure undertaken by the organisation.
- All continuous improvement issues or opportunities identified will be reported to and tracked by management or a delegate in Trikki Kidz Service’s *Continuous Improvement Plan*.
- Trikki Kidz Service’s *Continuous Improvement Plan* is a 'living document', updated as and when improvements are identified. For any specific improvement identified, the Plan includes the:
 - improvement identified;
 - action to be taken;
 - person responsible for actioning;
 - staff, client or other stakeholder participation required and undertaken;
 - date of completion; and
 - Implementation review date.
- Continuous Improvement matters will be reported by management or to management on a quarterly basis by a delegate.
- All Trikki Kidz Pty Ltd NDIS-specific Policies and Procedures will be reviewed annually and incorporate staff, client and other stakeholder feedback.
- All service planning, delivery and evaluation activities will include staff, client and other stakeholders and their feedback.
- Management and staff are required to:
 - be familiar with all policies and procedures and their implementation;
 - critically review current policies and procedures and test them against future needs; and
 - Make positive and constructive suggestions about current policies and procedures and the development of new ones.

- Trikki Kidz Service's *Continuous Improvement Plan* will also track improvements identified as a result of quarterly reviews of:
 - feedback, complaints and dispute resolution processes involving clients, their families, carers and advocates, staff (where applicable), other service providers, the NDIA and the Victorian and New South Wales Governments, as recorded in Trikki Kidz Service's Complaints Register;
 - feedback and improvement activities offered to clients, families, carers and advocates;
 - planning, service delivery, plan review, exit, service refusal and referral information contained in Trikki Kidz Service's Client Management System;
 - results from internal reviews and external audits;
 - Trikki Kidz Service's performance against Trikki Kidz Service's Vision, Mission and KPIs as well as the *Human Services Standards* and the *Disability Services Standards (NSW)*;
 - strategic and operational planning;
 - learning and reflection opportunities for staff;
 - records of incidents including any involving clients or Occupational Health and Safety;
 - staff supervision and performance appraisal processes and outcomes;
 - analysis of internal reporting and data provided to the NDIA, the Victorian and New South Wales governments and other agencies;
 - learnings from collaborative relationships with similar organisations and networks;
 - specific program and project reviews and evaluations undertaken at the direction of management; and
 - On the job and formal training and professional development undertaken by staff.

Monitoring and Review

- This policy and procedure will be reviewed at least annually by Trikki Kidz Service's management and incorporate staff, client and other stakeholder feedback.
- Trikki Kidz Service's six-monthly Service Delivery and Planning days and activities will include clients and stakeholders where relevant and assess how effectively Trikki Kidz Service's continuous improvement processes inform quality service delivery.
- Trikki Kidz Service's annual staff and client satisfaction surveys will assess stakeholder satisfaction with Trikki Kidz Service's continuous improvement practices and the quality of services provided.

COMPLIANCE

Purpose and Scope

The purpose of this policy and procedure is to ensure that Trikki Kidz Pty Ltd complies with the range of legislative, regulatory and contractual requirements that apply to its operations and keeps abreast of changes to these requirements.

Legislation, regulations and standards relevant to this policy and procedure include:

- *National Disability Insurance Scheme Act 2013 (Cwth)*
- *Disability Act 2006 (Vic)*
- *Children, Youth and Families Act 2005 (Vic)*
- *Charter of Human Rights and Responsibilities Act 2006 (Vic)*
- *Child Wellbeing and Safety Amendment (Child Safe Standards) Act 2015*
- *Privacy and Data Protection Act 2014 (Vic)*
- *Health Records Act 2001 (Vic)*
- *Public Records Act 1973 (Vic)*
- *Disability Inclusion Act 2014 (NSW)*
- *The Australian Consumer Law (Cwth)*
- *Corporations Act 2001 (Cwth)*
- *Carers Recognition Act (Cwth)*
- *Associations Incorporation Reform Act 2012 (Vic)*
- *Human Services Standards (Vic) – Governance*
- *Child Safe Standards*
- *3.3.1. Quality of Service Delivery (Terms and Conditions, Service Agreement Information Kit for Funded Organisations, Victorian Department of Health and Human Services)*
- *3.8.1. Reporting and Accountability (Terms and Conditions, Service Agreement Information Kit for Funded Organisations, Victorian Department of Health and Human Services)*
- *Workplace Injury Management and Workers Compensation Act 1998*
- *Child Protection (Working with Children) Act 2012 (NSW)*
- *NDIS Terms of Business*
- *NDIS Guide to Suitability*

Organisational documents relevant to this policy and procedure include:

- *Trikki Kidz Pty Ltd Compliance Register*
- *Trikki Kidz Pty Ltd Internal Review and External Audit Schedule*

This policy and procedure applies to all Trikki Kidz Pty Ltd management, staff, contractors and volunteers.

Policy

- Trikki Kidz Pty Ltd recognises that quality service delivery relies on good compliance practices. It is committed to maintaining compliance with all relevant regulatory, legislative and contractual requirements.
- Trikki Kidz Service's management is ultimately responsible for ensuring Trikki Kidz Pty Ltd is and remains compliant.
- In providing services to people with disability, Trikki Kidz Pty Ltd complies with all requirements set down by the state and Federal governments.

Procedures

- Trikki Kidz Service's management is responsible for monitoring and reviewing the organisation's compliance.
- Management is responsible for:
 - supporting ongoing compliance in all areas of Trikki Kidz Service's operations;
 - ensuring staff understand their compliance responsibilities; and
 - Fostering a compliance culture within their area of responsibility.
- Compliance issues will be reported by management, or to management by a delegate on a quarterly basis, and these will be tracked in Trikki Kidz Service's *Compliance Register*.
- All staff are responsible for managing compliance within their areas of influence.
- Upon commencement, all staff will undergo Induction, which includes information and training on Trikki Kidz Service's compliance responsibilities.
- The Director or a delegate will foster a compliance-aware workplace by including updates to relevant requirements and regular information sharing sessions on agendas for staff meetings.
- Changes to legislation and regulatory compliance will be monitored by the Director or a delegate via ongoing contact with relevant government agencies, websites, and membership of peak organisations, internal audits, legislation updates and changes to relevant service standards. All staff are to be immediately advised of any changes.
- Management, or a delegate is responsible for instigating, monitoring and reporting in regards to Trikki Kidz Service's internal reviews and external audits, in accordance with the attached Organisational Audit Schedule.

Reporting Compliance Failure

- Trikki Kidz Pty Ltd encourages proactive reporting of compliance failures, breaches, issues, incidents and complaints.
- All staff must notify their immediate supervisor or relevant Accountable Officers once they become aware that a compliance failure has occurred or is likely to occur, or that a compliance-related complaint has been made.

- Supervisors must address compliance failures or compliance-related complaints upon becoming aware of them, in order to re-establish compliance and provide protection to Trikki Kidz Pty Ltd as quickly as possible.
- All compliance failures or compliance-related complaints must be reported to management, who will track them in Trikki Kidz Service's *Compliance Register*.

Specific Compliance Requirements

- Trikki Kidz Pty Ltd will comply with all data collection, service delivery and financial reporting requirements of all relevant Victorian, New South Wales and Commonwealth government agencies.

Victorian NDIS Approved Provider Compliance

- As a newly registered Victorian Approved NDIS Provider, Trikki Kidz Pty Ltd must maintain registration under the *Disability Act 2006 (Vic)* and demonstrate ongoing compliance with the *Victorian Human Services Standards*.
- Trikki Kidz Pty Ltd will undertake triennial independent reviews with a Victorian Government-approved independent review body. The first of these will take place within 12 months of Trikki Kidz Service's initial registration as a Victorian Approved NDIS Provider.
- Trikki Kidz Pty Ltd will undertake annual self-assessments against the *Human Services Standards* and action any areas for improvement in order to maintain accreditation.
- Review reports and audit findings will be provided to the Victorian Government Department of Human Services Standards and Regulation Unit. Trikki Kidz Pty Ltd will rectify any compliance concerns within the required timeframe.

NDIA Registered NDIS Provider Compliance

- As a NDIA Registered NDIS Provider, Trikki Kidz Pty Ltd must comply with the *NDIS Terms of Business* and the *NDIS Guide to Suitability*.
- Trikki Kidz Pty Ltd will assess its compliance with the *Terms of Business* and *Guide to Suitability* as part of its annual self-assessment against the *Victorian Human Services Standards*.

New South Wales NDIS Approved Provider Compliance

- In New South Wales, compliance with the New South Wales *Disability Service Standards (NSW DSS)* is required. Trikki Kidz Pty Ltd notes that, pending transition to a nationally consistent, risk-based quality assurance framework for the NDIS, the New South Wales Department of Family and Community Services - Ageing, Disability and Home Care (ADHC) has adopted mutual recognition of other jurisdictional quality assurance systems and service standards for disability services where these align to the revised *National Standards for Disability Services*. This mutual recognition includes the *Victorian Human Services Standards*.
- As such, Trikki Kidz Pty Ltd understands that ADHC will accept Trikki Kidz Service's independent verification statement against the *Victorian Human Services Standards* as meeting the requirement of third party verification against the NSW DSS, where Trikki Kidz Service's New South Wales –based sites are within the scope of the accreditation / verification process.

Trikki Kidz Pty Ltd Pty.Ltd Policy and Procedure Version 1	Reviewed:
	Next review:

Monitoring and Review

- This policy and procedure will be reviewed at least annually by Trikki Kidz Service's management and incorporate staff (where applicable), client and other stakeholder feedback.
- Trikki Kidz Service's *Continuous Improvement Plan* will be used to record and monitor progress of any improvements identified and where relevant feed into Trikki Kidz Service's service planning and delivery processes.

PROVIDING INFORMATION, ADVICE AND REFERRAL

Purpose and Scope

The purpose of this policy and procedure is to ensure Trikki Kidz Service's clients and other stakeholder's access services most appropriate to their needs through timely and responsive service integration and referral.

Legislation, regulations and standards relevant to this policy and procedure include:

- *Disability Act 2006 (Vic)*
- *Disability Inclusion Act 2014 (NSW)*
- *Human Services Standards (Vic) – Access and Engagement*
- *Information Sharing Guidelines for Registered Community Services in Victoria*

Documents relevant to this policy and procedure include:

- *Trikki Kidz Pty Ltd Client Charter*
- *Trikki Kidz Pty Ltd Information Management Policy and Procedure*
- *Trikki Kidz Pty Ltd Service Access Policy and Procedure*
- *Trikki Kidz Pty Ltd Assessment, Planning and Review Policy and Procedure*
- *Trikki Kidz Pty Ltd Decision Making and Choice Policy and Procedure*
- *Trikki Kidz Pty Ltd Privacy and Confidentiality Policy and Procedure*
- *Trikki Kidz Pty Ltd Feedback, Compliments and Complaints Policy and Procedure*
- *Trikki Kidz Pty Ltd Referral Database*

This policy and procedure applies to all potential and existing clients for Trikki Kidz Service's disability-specific services, their family members, carers and other supporters as well as other Trikki Kidz Pty Ltd stakeholders.

Types of Referral

Passive – The person is given contact information for appropriate service/s so they can make their own contact at a time that best suits them.

Facilitated referral – The person is helped to access the other service, for example, Trikki Kidz Pty Ltd makes an appointment with the other service on the person's behalf, asks the other service to make contact with the person or a caller is transferred to the other service.

Active referral - Trikki Kidz Pty Ltd , with the person's consent, provides the organisation to which it is referring the person with information that it has collected about the person or with its professional assessment of the person's needs.

Cold referral – A caller is transferred to another service, without any immediate communication between Trikki Kidz Pty Ltd and the other service.

Warm Referral - A 'live' three way conversation in the presence of the client (whether face to face or by telephone) in which Trikki Kidz Pty Ltd introduces the client, explains what has already been done to assist the client and why the client is being referred.

Policy

- Trikki Kidz Pty Ltd works proactively as part of a broader service delivery network, which enhances its own service delivery and provides its clients with appropriate referrals and services that meet their needs.
- Trikki Kidz Pty Ltd will inform the community, potential clients and other services about its services and access requirements through active engagement strategies that encourage and facilitate client and stakeholder participation.
- Where possible, people (including clients leaving the service or people unable to access Trikki Kidz Service's services) will be referred using facilitated, warm or active referral processes in accordance with the *Information Sharing Guidelines for Registered Community Services in Victoria*.

Procedures

Service Network Engagement

- Trikki Kidz Service's management will build strong relationships with local government and non-government providers and agencies and participate in relevant local networks, to increase service and referral options for its clients and other stakeholders.
- Trikki Kidz Service's management will build strong relationships with relevant Aboriginal and Torres Strait Islander (ATSI) and culturally and linguistically diverse (CALD) services to support it to identify and meet clients' needs and goals, as well as contribute to more coordinated service provision, better use of resources and improved outcomes for clients and communities. This includes active involvement with ATSI and CALD communities and services, such as participation in community events, collaborative service provision and referrals.
- Management will collaborate with local ATSI and CALD service providers to assist culturally sensitive service delivery, ensure staff are adequately trained and sensitive to the specific cultural needs of the service area (including in the development of referral practices) and generally facilitate participation of stakeholders from these backgrounds in the service and community.
- Where applicable, Trikki Kidz Pty Ltd will develop clear protocols with other service providers, such as memorandums of understanding or other forms of agreement, which in outline relationships and delineate the roles and responsibilities of collaborating agencies. Management will be responsible for establishing, reviewing and modifying such agreements.
- Management (or delegates) will be encouraged to attend interagency meetings as a means of linking with other service providers and to inform them of client service and referral options.
- Trikki Kidz Pty Ltd will retain records of service network involvement, such as meeting minutes and communications, in accordance with Trikki Kidz Service's *Information Management Policy and Procedure*, to inform continuous improvement.

- Management (or a delegate) will review Trikki Kidz Service's participation in service and referral networks on an annual basis to ensure the arrangements in place are the best use of Trikki Kidz Service's resources and are providing the best possible outcomes for Trikki Kidz Service's stakeholders.

Service Promotion

- Management (or delegates) will ensure Trikki Kidz Pty Ltd is listed on relevant directories, including through the 'Find Registered Service Providers' tool on the NDIS website.
- Trikki Kidz Pty Ltd will distribute information about its services in appropriate formats to local government and non-government providers and agencies in the organisation's geographical service area, including the local NDIA office and NDIS Local Area Coordination (LAC) service provider.

Referral and Information Sharing

- Trikki Kidz Pty Ltd will prominently display information (such as brochures) in its foyer regarding alternative services and local community participation options for clients and other stakeholders. Where possible (noting that the bulk of this collateral will be provided by other providers) information will be provided in a variety of formats, including staff explanation where necessary. Where clients are not accessing services at Trikki Kidz Service's premises, staff can provide them with brochures or information that may be of interest to them.
- Management (or delegates) will maintain a comprehensive *Referrals Database*, which will be continuously reviewed and built upon by all delivery staff.
- Management (or delegates) will respond to referrals and requests for its services within 1 working day, in accordance with its *Service Access Policy and Procedure*. Referrals required as part of Trikki Kidz Service's support of a client will be dealt with in accordance with this policy and procedure and Trikki Kidz Service's *Assessment, Planning and Review Policy and Procedure*.
- Trikki Kidz Pty Ltd will work collaboratively with all people refused services or leaving Trikki Kidz Pty Ltd, and their supporters, to identify what alternative services and referrals could best meet their needs.
- In all cases, referrals to other services will be made within 2 working days.
- Staff making referrals must have an accurate knowledge of the services provided by other agencies and actively contribute to the continuous improvement of Trikki Kidz Service's *Referral Database*.
- Management (or delegates) will provide referrals with empathy and respect for the person, a non-judgemental attitude and sensitivity to their needs.
- Where required, people will be provided with information and support to access a person of their choice, such as an advocate, to assist them to interact with Trikki Kidz Pty Ltd management (or delegates) and other services. See Trikki Kidz Service's *Decision Making and Choice Policy and Procedure*.

- When providing referrals, management (or delegates) will take into consideration:
 - the person's most pressing needs;
 - safety issues and whether a referral will compromise the person's safety;
 - The level of distress experienced by the person. For example, it may be necessary to calm the person or seek the support of a more senior staff member before referring them on to other services;
 - the needs of children, vulnerable people and people with complex needs or at high risk;
 - the person's age, ability, gender, sexual identity, culture, religion, spirituality and language and communication needs; and
 - Other services the person is already receiving and from where.
- Management (or delegates) must be aware of possible barriers that a person may experience in using another service and, where feasible and appropriate, work with them to find ways to overcome these barriers. Barriers may include:
 - lack of information about services and what is available;
 - lack of client capacity or interest in taking up a referral;
 - waiting lists that are too long to meet the client's needs;
 - cost;
 - lack of child care;
 - cultural or language barriers;
 - difficulties in contacting clients (e.g. lack of phone services);
 - family ties;
 - lack of anonymity in small communities;
 - lack of interpreters;
 - lack of services particularly in rural and regional areas; and
 - lack of transport options.
- Management (or delegates) will be assisted to support individuals with special or complex needs through ongoing formal and on-the-job training and professional development opportunities.
- Management (or delegates) will acknowledge and address any concerns and explain the reasons why a particular referral has been made.
- Where more than one service may assist a person, it is appropriate to provide them with information about the range of services available and give them choice over which particular service or services they want to use. In doing so, staff may need to provide some guidance on any special conditions for using a service. It is important to refer people to the most appropriate service at the right time and avoid a 'merry-go-round' of referrals.
- Management (or delegates) should use facilitated, warm or active referral processes where feasible, especially for clients who are likely to have trouble using other services without assistance.
- Where a referral is a passive or cold referral, management (or delegates) should provide sufficient information to the person to help make the referral successful.
- Where appropriate, management (or delegates) may also follow up with the person to ensure the referral was effective.

- Where required, information about alternative services, Trikki Kidz Service’s referral process and Trikki Kidz Service’s feedback and complaints processes will be provided to people in alternative formats that facilitate their understanding. Information about Trikki Kidz Service’s referral processes and information sharing provisions will be included in its *Trikki Kidz Pty Ltd Handbook* and provided where required by staff, including during service delivery.
- Where a person is not satisfied with referrals provided or the integration of supports provided by Trikki Kidz Pty Ltd with other services, they will be directed to Trikki Kidz Service’s feedback and complaints processes.
- Service access and refusal and referral information will be tracked in Trikki Kidz Service’s client management system and on client files. Records will include the timeframes within which incoming referrals were actioned or outgoing referrals made.

Information Sharing Provisions

- As per the *Information Sharing Guidelines for Registered Community Services in Victoria*, when sharing a person’s information with another service, staff must:
 - give priority to children’s best interests, including consideration of the need to protect children from harm, protect their rights and promote their development;
 - where they are not specifically authorised to share information by the *Children, Youth and Families Act 2005*, only share information as authorised by privacy legislation (see Trikki Kidz Service’s *Privacy and Confidentiality Policy and Procedure*);
 - seek consent, where this is possible, before sharing information and where this does not place the person or any other person at risk;
 - exercise professional judgment – use their professional skills, knowledge and experience – in deciding what action to take in regard to a vulnerable child; and
 - Consult with a senior staff member where they are unsure of what to do.

Monitoring and Review

- This Policy and Procedure will be reviewed at least annually by Trikki Kidz Service's management and incorporate staff, client and other stakeholder feedback.
- Trikki Kidz Service's *Continuous Improvement Plan* will be used to record and monitor progress of any improvements identified and feed into Trikki Kidz Service's service planning and delivery processes.
- Processes and materials for communicating Trikki Kidz Service's eligibility criteria, priority of access requirements and waiting list procedures, as well as service entry and exit processes, will be updated upon review and update of Trikki Kidz Service's *Service Access Policy and Procedure*. Relevant referral networks will also be advised.
- Service access and refusal and referral information will be tracked in Trikki Kidz Service's client management system. Information about referral pathways will be used to inform Trikki Kidz Service's continuous improvement.
- On a six-monthly basis, Trikki Kidz Pty Ltd will assess its performance against its benchmarks for responding to requests for information and actioning referrals, to ensure they are dealt with in a timely manner that supports the immediacy of the needs of the person enquiring.
- While delivery staff are responsible for actively updating Trikki Kidz Service's *Referral Database* on an ongoing basis, management will formally review the Database every six months to ensure the currency and relevance of the information it contains.
- Annual review of this Policy and Procedure will include staff, client and other stakeholder feedback and incorporate:
 - client file audits, to assess alignment between documented processes and actual practice;
 - service involvement and links with ATSI and CALD communities and services;
 - a review of Trikki Kidz Service's service network and referral processes to service planning and delivery; and
 - A review of feedback from staff, clients and other stakeholder on their satisfaction with Trikki Kidz Service's service integration and referral management.

SERVICE ACCESS

Purpose and Scope

The purpose of this policy and procedure is to demonstrate Trikki Kidz Service's commitment to service access procedures that uphold the right of people to access appropriate services that meet their needs and are provided in a transparent and equitable way. Legislation, regulations and standards relevant to this policy and procedure include:

- *Disability Act 2006 (Vic)*
- *Australian Human Rights Commission Act 1986 (Cwth)*
- *Disability Discrimination Act 1992 (Cwth)*
- *Racial Discrimination Act 1975 (Cwth)*
- *Sex Discrimination Act 1984 (Cwth)*
- *Age Discrimination Act 2004 (Cwth)*
- *Privacy Act 1988 (Cwth)*
- *Disability Inclusion Act 2014 (NSW)*
- *Anti-Discrimination Act 1977 (NSW)*
- *Human Services Standards (Vic) – Access and Engagement*
- *Victorian Department of Human Services Access Policy 2009*

Documents relevant to this policy and procedure include:

- *Trikki Kidz Pty Ltd Client Charter*
- *Trikki Kidz Pty Ltd Feedback, Compliments and Complaints Policy and Procedure*
- *Trikki Kidz Pty Ltd Privacy and Confidentiality Policy and Procedure*
- *Trikki Kidz Pty Ltd Decision Making and Choice Policy and Procedure*
- *Trikki Kidz Pty Ltd Occupational Health and Safety Policies and Procedures*
- *Providing Information, Advice and Referrals Policy and Procedure*

This policy and procedure applies to all potential and existing clients for Trikki Kidz Service's disability-specific services, their family members, carers and other supporters.

Definitions

Disability – a sensory, physical or neurological impairment or acquired brain injury or any Combination thereof, which –

1. is, or is likely to be, permanent; and
2. causes a substantially reduced capacity in at least one of the areas of self-care, self-management, mobility or communication; and
3. requires significant ongoing or long term episodic support; and
4. is not related to ageing; or
5. an intellectual disability; or
6. A developmental delay.

For more information on determining if someone has a disability and what that disability may be, see the *Disability Act 2006 (Vic)*.

Policy

- Trikki Kidz Service's service delivery environment is safe and engaging, physically accessible and responsive to its clients' support and communication needs.
- Trikki Kidz Service's screening and eligibility, priority of access and waitlist management is undertaken in a fair, equitable and transparent manner, and in line with Trikki Kidz Service's *Client Charter*. Access to services is based on relative need, service capacity, the best interests of people using the service and potential impact on existing service users.

Procedures

- Management (or delegates) are responsible for ensuring staff are familiar with the requirements of this policy and have sufficient skills, knowledge and ability to meet the requirements.
- Management report (or delegates report to management) on the effectiveness of the entry and referral processes. This is discussed internally in consultation/meetings.
- Client feedback and complaints will be addressed in accordance with Trikki Kidz Service's *Feedback, Compliments and Complaints Policy and Procedure*.
- In accordance with Trikki Kidz Service's *Privacy and Confidentiality Policy and Procedure*, respect for and protection of clients' privacy and confidentiality will be reinforced on an ongoing basis, verbally and in literature promoting the services offered by the organisation.
- Where required, clients will be provided with information and support to access a person of their choice, such as an advocate, to assist them to access the service. See Trikki Kidz Service's *Decision Making and Choice Policy and Procedure*.

Service Environment

- Trikki Kidz Pty Ltd ensures its service environment is kept clean, hygienic, safe, secure and aesthetically pleasing at all times, through implementing the following:
 - Trikki Kidz Service's *Occupational Health and Safety Policies and Procedures*, including fire safety and emergency; safety and security; maintenance and management of equipment, furniture, lighting and ventilation; electrical safety; vehicle safety; physical accessibility; chemical use and storage; infection control; and food storage and preparation;
 - Trikki Kidz Service's *Risk Management; Incident Management; Feedback, Compliments and Complaints; and Continuous Improvement Policies and Procedures*; and
 - Trikki Kidz Service's *Environmental Sustainability Policy and Procedure and Code of Practice*.
- Trikki Kidz Service's physical accessibility is ensured through its *Physical Accessibility Occupational Health and Safety Policy and Procedure*. As per this Policy and Procedure, Trikki Kidz Pty Ltd takes a continuous improvement approach to its physical accessibility and encourages clients to use its *Feedback, Compliments and Complaints Policy and Procedure* to assist it to respond to accessibility needs where required.

- Trikki Kidz Service’s services will be provided 24 hours a day, 7 days a week. Its Head Office hours are 9.00am to 5.00pm, Monday to Friday. The business’ phone number will divert to an afterhours contact from 5.00pm to 9.00am. This will be answered by a director (or delegate). At the discretion of management, these hours may be extended to provide additional service options to clients, where this can be justified by demand.
- Management (or delegates) will track demand, as well as client and accessibility needs, by monitoring:
 - **demographic data:** relating to the local community and its needs from Local, State and Federal Government Sources, including ABS data and specific NDIS market data published by the NDIA;
 - **unmet need:** demographic data (as above), Trikki Kidz Pty Ltd enquiry and waitlist data and feedback from staff, including those involved in local service networks; and
 - **Opportunities for innovation and improvement:** through quarterly review of Trikki Kidz Service’s *Complaints Register* and *Continuous Improvement Plan* and annual staff and client satisfaction surveys.
- Information for clients, including Trikki Kidz Pty Ltd signage and client information, will be provided in a variety of formats such as different languages, Easy English, face-to-face or phone explanation by staff, and the use of interpreters and advocates. Specific formats provided will be responsive to demand data (as above) and individual client needs.
- Trikki Kidz Pty Ltd will provide suitable client resources to accommodate the local population. This will take into account cultural backgrounds, disabilities, age and developmental stage where appropriate. Any premises signage will also be consistent with local population requirements.
- Trikki Kidz Pty Ltd will develop and implement a *Reconciliation Action Plan* to ensure it builds strong relationships, respect and opportunities for people from Aboriginal and Torres Strait Islander backgrounds within Trikki Kidz Pty Ltd.

Service Access

- Management (or delegates) will deal with all enquiries from prospective clients or their supporters about accessing services. If this individual doesn’t take the initial enquiry personally, they will contact the person seeking services or their supporter within 1 working day.
- In their first contact with the person or their supporter, management (or delegates) will assess whether the person requires any support to move through the intake process.
 - Management (or delegates) will advise the person of their right to involve a support person in their dealings with Trikki Kidz Pty Ltd.
 - They will also provide information and support for the person to access a person of their choice, such as an advocate, to assist them to interact with the service (see Trikki Kidz Service’s *Decision Making and Choice Policy and Procedure*).
 - Where physical access issues are identified, the management will consider whether Trikki Kidz Pty Ltd is accessible for the person, and if not, how it could be made accessible.
 - Where a language or cultural barrier is identified, management (or delegates) will engage an interpreter or an appropriate external agency to support the person. See Trikki Kidz Service’s *Service Delivery and Participation Policy and Procedure*.
- Management (or delegates) will book an Intake Interview with the person within 5 working days of their initial contact with them or sooner if the person’s needs are considered urgent.

- Management (or delegates) will conduct all Intake Interviews. They will provide the person with information about:
 - entry and exit procedures;
 - eligibility and priority of access requirements;
 - conditions that may apply to service provision; and
 - Fees.
- Management (or delegates) will undertake a non-discriminatory assessment of eligibility based on:
 - the best interests of children;
 - service guidelines; and
 - Identified client needs and risks.
- To be eligible to receive Trikki Kidz Service’s disability-specific services, a person must meet the following eligibility criteria. The person:
 - has one or more identified intellectual, cognitive, neurological, sensory or physical impairments that are, or are likely to be, permanent, or
 - has one or more identified impairments that are attributable to a psychiatric condition and are, or are likely to be, permanent, or
 - A child who has developmental delay.
- Consideration must also be given to the person’s Priority of Access by examining:
 - the person’s relative need compared to others who receive or want to receive Trikki Kidz Service’s services;
 - any special additional needs of the person, and where relevant, their family, carer or other supporters;
 - the extent to which Trikki Kidz Pty Ltd can contribute to those needs being met;
 - the resources available within Trikki Kidz Pty Ltd to meet the person’s needs;
 - other services the person receives and how Trikki Kidz Service’s services will complement those and contribute to improved outcomes for the person; and
 - The best interests of the person.
- Where relevant, the interview will take into account information already provided about the person in their NDIS Plan.
- Management (or delegates) will provide the person with:
 - an Trikki Kidz Pty Ltd Handbook (online access, outlining Trikki Kidz Service’s entry and exit procedures and appeal processes (see service refusal, below), priority of access requirements, waitlist procedures, fees, hours of operation, booking procedures, conditions that apply to service delivery, rights and responsibilities, privacy and confidentiality, and feedback, compliments and complaints processes; and
 - Trikki Kidz Service’s *Client Charter, Privacy Statement and Feedback, Compliments and Complaints* brochure.
- Where required, management (or delegates) will provide this information in an alternative format such as a different language, Easy English, detailed verbal explanation or the use of interpreters and advocates.

- Management (or delegates) will contact the person or their supporter within 1 working day of the Intake Interview to advise them of the outcome². Notification will be provided by phone and or email.
- Where the client is offered services and accepts, see Trikki Kidz Service's *Assessment, Planning and Review Policy and Procedure*.

Non-acceptance

- Where a person is offered services but chooses not to accept the offer, the administration staff will respect this choice.
- Management (or delegates) will encourage the person to contact Trikki Kidz Pty Ltd should they change their mind, noting that they may need to be placed on Trikki Kidz Service's waitlist if the service has no capacity to provide services at the time they do recontact.

Service Refusal

- Where services cannot be provided, the person will be provided with a clear reason based on Trikki Kidz Service's eligibility criteria, Priority of Access requirements or waiting list processes.
- Trikki Kidz Pty Ltd may refuse to offer a person services where:
 - they do not meet Trikki Kidz Service's eligibility requirements;
 - other potential clients are assessed as a higher priority based on Trikki Kidz Service's Priority of Access Considerations;
 - Trikki Kidz Pty Ltd does not have the capacity to cater to additional clients;
 - Trikki Kidz Pty Ltd does not have the resources to cater to the specific needs of the person.
- A person who meets Trikki Kidz Service's eligibility requirements and cannot be offered a service due to lack of capacity, can elect to be placed on Trikki Kidz Service's Waiting List. The person will be advised of the possible waiting time before services might become available.
- In either case, the person will be assisted with referrals and support to access alternative services, as per Trikki Kidz Service's *Providing Information, Advice and Referrals Policy and Procedure*.

Waiting List processes

- Management (or delegates) will contact people on its Waiting List at least every three months to:
 - advise them of their current status;
 - check whether they want to remain on the list;
 - provide referrals to other service providers if required; and
 - Advise the estimated wait time remaining.

- To keep Waiting List size and wait times to a minimum, additional services will be offered where justified by demand and Trikki Kidz Pty Ltd resources allow.

Appeal

- Any person refused services has the right to appeal management's decision. Appeals should be directed in writing to Trikki Kidz Service's management, who will make a final decision.
- If required, staff will provide support for a person to make an appeal, by either transcribing their feedback for management (or a delegate's) review or referring the person to interpreter or advocacy services.
- Those not successful in their appeal will be provided written advice to this effect. For procedures for those who successfully appeal, see Trikki Kidz Service's *Assessment, Planning and Review Policy and Procedure*.
- If a person is unhappy with outcome of their appeal, they will be directed to Trikki Kidz Service's complaints process. As per Trikki Kidz Service's *Feedback, Compliments and Complaints Policy and Procedure*, information on Trikki Kidz Service's complaints process can be provided in a variety of formats if required including support to access interpreters or advocates if necessary.

Alternative supports

- Trikki Kidz Pty Ltd will work collaboratively with all people refused services and (with consent) their supporters, to identify what alternative services and referrals could best meet their needs.
- With the client's consent, relevant information will be provided by Trikki Kidz Pty Ltd to new service providers to support the client's seamless transition. Where required, Trikki Kidz Pty Ltd staff will also meet with staff of alternative providers to facilitate a smooth transition for the client.

Continuous improvement

- Trikki Kidz Pty Ltd will maintain a record of people who have been refused a service, summarising reasons for their being found ineligible or, if found eligible, reasons for being placed on Trikki Kidz Service's Waiting List.
- Access, service refusal and referral information will be tracked in Trikki Kidz Service's client management system to inform Trikki Kidz Service's continuous improvement.

Monitoring and Review

- This Policy and Procedure will be reviewed at least annually by Trikki Kidz Service's management and incorporate staff, client and other stakeholder feedback. Clients and service networks will be advised of any changes.
- Trikki Kidz Service's *Continuous Improvement Plan* will be used to record and monitor progress of any improvements identified and feed into Trikki Kidz Service's service planning and delivery processes.

- Trikki Kidz Service’s annual service delivery and satisfaction surveys will assess:
 - client and other stakeholder awareness of Trikki Kidz Service’s access procedures;
 - client and other stakeholder satisfaction with Trikki Kidz Service’s physical access, service access procedures and management of service refusal and appeals regarding access; and
 - Whether clients are satisfied with the service environment, service delivery and referral and support to access other services.

- Trikki Kidz Service’s six-monthly Service Delivery and Planning days and activities will include clients and stakeholders where relevant and assess:
 - Whether Trikki Kidz Service’s eligibility criteria are reflected in its clients; and
 - Feedback provided by and to clients and potential clients around access and refusal and whether the information provided to clients is appropriate and effective.

SERVICE DELIVERY AND PARTICIPATION

Purpose and Scope

The purpose of this policy and procedure is to set out person-centred principles to guide service delivery for Trikki Kidz Pty Ltd clients. Legislation, regulations and standards relevant to this policy and procedure include:

- *Disability Act 2006 (Vic)*
- *Disability Inclusion Act 2014 (NSW)*
- *NDIS Act 2013 (Cwth)*
- *Human Services Standards (Vic) – Wellbeing and Participation*
- *4.15. Improving Inclusion and Access for Aboriginal People and Communities (Departmental Policies, Procedures and Initiatives, Service Agreement Information Kit for Funded Organisations, Department of Health and Human Services)*
- *Department of Human Services Language Services Policy*

Documents relevant to this policy and procedure include:

- *Trikki Kidz Pty Ltd Client Charter*
- *Trikki Kidz Pty Ltd Providing Information, Advice and Referrals Policy and Procedure*
- *Trikki Kidz Pty Ltd Information Management Policy and Procedure*
- *Trikki Kidz Pty Ltd Service Access Policy and Procedure*
- *Trikki Kidz Pty Ltd Assessment, Planning and Review Policy and Procedure*
- *Trikki Kidz Pty Ltd Decision Making and Choice Policy and Procedure*
- *Trikki Kidz Pty Ltd Privacy and Confidentiality Policy and Procedure*
- *Trikki Kidz Pty Ltd Feedback, Compliments and Complaints Policy and Procedure*
- *Trikki Kidz Pty Ltd Referral Database*

This policy and procedure applies to all potential and existing clients for Trikki Kidz Service's disability-specific services, their family members, carers and other supporters as well as other Trikki Kidz Pty Ltd stakeholders.

Policy

- All aspects of Trikki Kidz Service's service delivery promote clients' active participation in their community and support clients to develop and maintain independence, problem solving, social and self-care skills appropriate to their age, developmental stage and cultural circumstances.
- Trikki Kidz Pty Ltd promotes a person-centred approach to its service delivery whereby individuals lead and direct their services and are supported to maintain connections with their family, friends and communities.
- Trikki Kidz Service's *Service Access and Assessment, Planning and Review Policies and Procedures* are based on this philosophy.
- Client assessment, planning, service delivery and review will include activities or supports that help clients to take control of and responsibility for their choices and enhance their autonomy, independence and community participation.

Trikki Kidz Pty Ltd Pty.Ltd Policy and Procedure Version 1	Reviewed: Next review:
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Service Delivery Principles

- Trikki Kidz Pty Ltd will put the client at centre of decision-making in all aspects of their life and support clients to actively participate in their community and pursue their interests and goals.
- Client assessment, planning and review will include activities or supports that help clients to take control of and responsibility for their choices and enhance their autonomy, independence and community participation.
- Where required, management (or delegates) will identify and provide referrals and linkages to services and activities that will enhance people’s community participation and provide support and assistance to help clients access these. See Trikki Kidz Service’s *Providing Information, Advice and Referrals Policy and Procedure*.
- Referral possibilities include, but are not limited to: training, employment, education, health, wellness, recreation, leisure, cultural and community services, activities and events, as well as public transport and affordable housing options.
- Where possible, services and support provided to clients by Trikki Kidz Pty Ltd should support clients to develop and maintain independence, problem solving, social and self-care skills appropriate to their age, developmental stage and cultural circumstances.
- Management will develop a diverse workforce and employ diverse staff so that client assessments, planning, service delivery and reviews benefit from expertise from a range of staff with varying life experiences.
- Trikki Kidz Pty Ltd will work collaboratively with disability-specific and mainstream services to provide holistic service delivery to its clients.
- Trikki Kidz Pty Ltd will use a strengths-based approach to identifying individual client needs and life goals, particularly in relation to recognising individuals’ capacity to develop their independence, problem solving, social and self-care skills.
- Services will be delivered in a way that respects individuals’ personal, gender, sexual, cultural, religious and spiritual identity.
- Trikki Kidz Pty Ltd will support clients’ access to information on which to base their decisions when they want to try new things or continue with options that may not have gone well in the past, including the benefits and risks, consequences and responsibilities to them and others.
- Trikki Kidz Pty Ltd will recognise that people can communicate their choices, likes and dislikes in many ways, for example, verbal communication, withdrawal, acting out, engagement and disengagement, aggression, excitement, despondency and joyfulness. They will work with clients and adapt to their individual needs as they change over time, regardless of the frequency or cause.

ATSI-Specific Service Delivery Principles

- Trikki Kidz Pty Ltd is committed to supporting clients from ATSI backgrounds to maintain and strengthen their connection to their community.
- Management will develop a culturally competent workforce and employ Aboriginal and Torres Strait Islander staff so that client assessments, planning, service delivery and reviews are undertaken in a culturally sensitive way.
- Staff will identify and providing referrals and linkages to community services and activities operated by or for Aboriginal and Torres Strait Islander people.
- Trikki Kidz Pty Ltd will work collaboratively with ATSI services to provide holistic service delivery.
- Trikki Kidz Pty Ltd will use a strengths-based approach to identifying individual client needs and life goals, particularly in relation to recognising the importance of family, extended family, and kinship and community ties.

CALD-Specific Service Delivery Principles

- Trikki Kidz Pty Ltd is also committed to supporting clients to maintain and strengthen their cultural, spiritual and language connections.
- Management will develop a culturally competent workforce and employ culturally and linguistically diverse staff so that client assessments, planning, service delivery and reviews are undertaken in a culturally sensitive way.
- Management (or delegates) will identify and providing referrals and linkages to community services and activities operated by or for people from culturally and linguistically diverse backgrounds.
- Trikki Kidz Pty Ltd will work collaboratively with CALD services to provide holistic service delivery.
- Trikki Kidz Pty Ltd will use a strengths-based approach to identifying individual client needs and life goals, particularly in relation to recognising the importance of people's ties to their culture, spirituality and language.

Interpreters

- Trikki Kidz Pty Ltd recognises that the provision of language services is a quality and safety issue. The delivery of safe high-quality services requires effective communication between the client and Trikki Kidz Pty Ltd has a duty to provide language services appropriate to a person's needs.
- Interpreters will be made available at no costs to clients and Trikki Kidz Pty Ltd will promote this in its client information.
- Where it is determined that an interpreter may be required, staff will first assess how well the client can understand information in English. An effective method for assessing English proficiency is to conduct a short, informal interview with the person, asking for basic details about their reason for attending and their background.
- Stressful or unfamiliar environments may affect a person's ability to communicate effectively,

even if they generally have a level of proficiency in English suitable for that type of appointment or meeting.

- An interpreter will be engaged if a person requests one.
- Where a client has limited or no English language skills or uses Auslan, Trikki Kidz Pty Ltd will offer the use of a professionally accredited interpreter to ensure the client understands and can communicate in response to the information being provided to them.
- Every reasonable effort must be made to use an accredited interpreter before a family member or friend of the client is asked to assist. They may assist in communicating with a client where an interpreter is required but is not available and a matter must be dealt with in a restricted time frame. The decision to do so, and the circumstances justifying that decision, must be documented in the client's file or relevant record. As soon as practicable the services of a professional interpreter will be engaged to ensure the information has been accurately conveyed, especially in the case of medical or complex situations.
- Any individual under the age of 18 must never be asked to act in the place of an accredited interpreter.
- Unless they are an accredited interpreter or employed for their language skills, staff members who speak a language other than English may only assist with communicating low risk information such as making appointments or obtaining basic personal details such as name and address. Unaccredited bilingual staff cannot be used to communicate information that is legally binding or puts at risk either the client or Trikki Kidz Pty Ltd.
- The following are critical points at which people with low English proficiency should have access to information in their preferred language:
 - the client is being informed of their rights (for example, privacy, confidentiality) and responsibilities (for example, fees);
 - the client is required to make significant decisions concerning their lives (for example, provision of test results, medication regimes, other interventions, undertaking assessment and care planning, conducting assessment outcomes);
 - essential information needs to be communicated and understood to inform decision making (for example, procedures and referral options); and
 - Giving informed consent (for example, to treatment, release of information, power of attorney and guardianship matters).
- Trikki Kidz Pty Ltd will access Interpreters and Translators through the Victorian Interpreting & Translating Service (VITS). Services provided by VITS include:
 - telephone interpreting;
 - on-site interpreting (spoken languages and Auslan);
 - language translations; and
 - Video remote interpreting.

- Bookings for interpreters and translations can be made using Trikki Kidz Service's VITS PIN:
- Interpreting bookings including those for video remote interpreting can be made:
 - online at <http://client.vits.com.au>;
 - by email to interpreting.bookings@vits.com.au; or
 - By phone on (03) 9280 1955 (24 hours seven days a week).
- VITS' Video Remote Interpreting service is for people who are Deaf or hard of hearing and use Australian Sign Language (Auslan) to communicate.
- Clients can request a preferred interpreter. However, while the use of the client's preferred interpreter is recommended, if that interpreter has a qualification lower than a professional level, they can only interpret basic information. A professionally accredited interpreter must be used for the communication of critical or legally binding information.
- Information regarding access to interpreters will be published in *Trikki Kidz Pty Ltd Handbook* and clearly displayed in Trikki Kidz Service's foyer, along with other information regarding how Trikki Kidz Pty Ltd will deliver culturally competent services. Relevant contact details will be included in Trikki Kidz Service's *Referral Database*.

Translation

- Translated information can supplement interpreting services and provides information that the client can later refer to, or provide to family, carers and other support persons to aid understanding. Some people may prefer written information.
- Translation enquiries can be made:
 - online at <http://client.vits.com.au>;
 - by email to translations@vits.com.au; or
 - By phone on (03) 9280 1941.

Monitoring and Review

- This Policy and Procedure will be reviewed at least annually by Trikki Kidz Service's management and incorporate staff, client and other stakeholder feedback.
- Annual review of this policy and procedure will include:
 - a review of service access and support strategies for people from ATSI and CALD backgrounds;
 - a review of service involvement and links with ATSI and CALD communities and services;
 - satisfaction with the cultural sensitivity of services provided by Trikki Kidz Pty Ltd staff;
 - satisfaction with the relevance and quality of referrals and connections provided by Trikki Kidz Pty Ltd staff to Aboriginal and Torres Strait Islander communities and services;
 - client file audits, to assess alignment between documented processes and actual practice;
 - feedback from people from ATSI and CALD backgrounds related to the cultural competence of the services provided to them;
 - feedback from people on their satisfaction with supports provided to maintain and strengthen their independent life skill; and
 - Client and other stakeholder awareness of, access to and experience of supports provided to enable them to maintain and enhance links with other people and organisations.
- Trikki Kidz Service's *Continuous Improvement Plan* will be used to record and monitor progress of any improvements identified and feed into Trikki Kidz Service's service planning and delivery processes.

Trikki Kidz Pty Ltd CLIENT CHARTER

Trikki Kidz Pty Ltd respects and fully commits to upholding the rights of all people, including those with disabilities. Trikki Kidz Pty Ltd is also committed to ensuring you, its clients (children, adults, family members, carers and guardians), are aware of your rights and responsibilities and can be confident in exercising them.

Legislation, regulations and standards relevant to this policy and procedure include:

- *United Nations Convention on the Rights of Persons with Disabilities*
- *United Nations Universal Declaration of Human Rights*
- *Disability Act 2006 (Vic)*
- *Charter of Human Rights and Responsibilities Act 2006 (Vic)*
- *Health and Human Services Standards (Vic) – Empowerment*
- *4.9. Victorian Charter of Human Rights and Responsibilities (Departmental Policies, Procedures and Initiatives, Service Agreement Information Kit for Funded Organisations, Victorian Department of Health and Human Services)*
- *Disability Inclusion Act 2014 (NSW)*

Documents relevant to this policy and procedure include:

- *Trikki Kidz Pty Ltd Client Charter*

This policy applies to all Trikki Kidz Pty Ltd management, staff, volunteers and contractors, as well as existing and potential Trikki Kidz Pty Ltd clients, their family members, carers and other supporters (clients).

Policy

- Trikki Kidz Pty Ltd respects and fully commits to upholding the rights of all people, including those with disabilities.
- As required by the *Charter of Human Rights and Responsibilities Act 2006*, Trikki Kidz Pty Ltd considers the rights protected by the Charter when it makes decisions, sets policies and provides services.
- In accordance with the *Disability Act 2006*, Trikki Kidz Pty Ltd is committed to ensuring its clients are made aware of their rights and responsibilities and supported to exercise them.
- As stipulated in the *Disability Inclusion Act 2014 (NSW)* Trikki Kidz Pty Ltd acknowledges that people with disability have the same human rights as other members of the community and that the community has a responsibility to facilitate the exercise of those rights.
- The Client Charter also sets out client responsibilities, which contribute to ensuring the rights of all clients and staff are upheld.

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Client Rights

Trikki Kidz Pty Ltd respects and fully commits to upholding the rights of its clients, as set out in the *Charter of Human Rights and Responsibilities Act 2006 (Vic)* and the *Disability Act 2006 (Vic)*. In accordance with this legislation, you have the right to:

- respect for your inherent individual human worth and dignity;
- be treated with courtesy, dignity and respect;
- realise your individual capacity for physical, social, emotional, cultural, religious and intellectual development;
- recognition of your individual autonomy and independence, including your right to dignity of risk and the freedom to exercise choice and have control over your life;
- live a life free from abuse, neglect or exploitation;
- privacy and confidentiality, and access to all personal information kept by us about you;
- be assessed for service access in an equitable, non-discriminatory way, according to your needs;
- be consulted about your needs and preferences and participate actively in decisions affecting your life, including all decisions made about your care and the development of our policies, programs and services;
- information about:
 - available services and service options, within Trikki Kidz Pty Ltd and with other service providers;
 - the services to be provided and any associated costs;
 - conditions that may apply to the services being provided;
 - how to make a complaint to us and to external agencies; and
 - your legal rights, entitlements and obligations under the *Disability Act 2006*;
- receive services:
 - that are appropriate, safe, of a high quality, are culturally relevant and adapt to your ongoing needs and goals;
 - in a way that results in the minimum restriction of your rights and opportunities; and
 - in a safe, accessible built environment appropriate to your needs;
 - and information necessary to support your rights, in ways that are appropriate and have regard to your disability and cultural background;
- have services and supports provided by appropriately qualified staff;
- change service providers and receive support in doing so;
- have a person of your choice support and advocate on your behalf in your interactions with us;
- refuse a service or support without prejudicing your future access to services; and
- Pursue any complaint about your service provision without fear of retribution and receive support to pursue complaints.

Client Responsibilities

We expect that you will:

- respect the human worth and dignity of its staff and other clients;
- treat staff and other clients with courtesy and respect;
- respect the rights of others including their rights to confidentiality and privacy;
- be responsible for your choices and the results of any decisions you make;
- play your part in helping us to provide you with services, by informing us of your support needs and any health, behavioural or wellbeing issues;
- proactively participate in the development, implementation and review of person-centred support plans;
- communicate any changes in your circumstances and needs to staff;
- promptly pay any fees and charges associated with the provision of your service; and
- Inform us as early as possible when support is not required.

Staff Responsibilities

- To ensure compliance with the *Charter of Human Rights and Responsibilities Act 2006*, staff will:
 - think about where human rights are relevant to their activities and decisions that they make;
 - where rights are relevant to the decision or action, consider whether or not the decision or action is limiting a human right in the Charter; and
 - Be able to demonstrate that any limitation on a human right is reasonable and consider whether the limitation is lawful, necessary, and proportionate in the circumstances.
- A 'reasonable' limitation is determined based on the standards in a free and democratic society, including human dignity, equality and freedom and taking into account:
 - the nature of the right;
 - the importance and purpose of the limitation;
 - the nature and extent of the limitation;
 - the relationship between the limitation and its purpose; and
 - Whether there is any less restrictive means reasonably available to achieve the purpose that the limitation seeks to achieve.
- Upon commencement, all staff will undergo Induction, which will include training client rights and responsibilities.
- Client complaints will be addressed in accordance with Trikki Kidz Service's *Feedback, Complaints and Dispute Resolution Policy and Procedure*.
- In accordance with Trikki Kidz Service's *Privacy and Confidentiality Policy and Procedure*, respect for and protection of clients' privacy and confidentiality will be reinforced on an ongoing basis, verbally and in literature promoting the services offered by the organisation.

Staff will provide services with sensitivity to, and awareness of, people's disabilities and culturally and linguistically diverse or Indigenous backgrounds.

Procedures

- The *Charter of Human Rights and Responsibilities Act 2006* protects the following human rights; and those relevant are addressed in Trikki Kidz Service's *Client Charter*:
 - recognition as a person and equality before the law, and to protection against discrimination;
 - right to life;
 - protection from torture and cruel, inhuman and degrading treatment, and not to be subject to medical or scientific experimentation or treatment without consent;
 - freedom from slavery or forced work;
 - freedom of movement;
 - right to not have one's privacy, family, home or correspondence arbitrarily or unlawfully interfered with, and one's reputation unlawfully attacked;
 - freedom of thought, conscience, religion and belief;
 - freedom of expression;
 - peaceful assembly and freedom of association;
 - protection of families and children by society and the State;
 - right to take part in public life;
 - practice and enjoy culture, religion and language;
 - to not be deprived of property other than in accordance with law;
 - liberty and security of person;
 - humane treatment when deprived of liberty;
 - detained child to be segregated from detained adults;
 - fair hearing;
 - presumption of innocence when charged with a criminal offence;
 - not to be tried or punished more than once for an offence already been finally convicted or acquitted in accordance with the law; and
 - With respect to the operation of certain retrospective criminal laws.

- Trikki Kidz Service's *Client Charter* also meets the requirements of the *Disability Act 2006* by stipulating that clients have the right to:
 - information about the services to be provided to them and any associated costs;
 - conditions that may apply to the services being provided;
 - information about how to make a complaint to Trikki Kidz Pty Ltd and to the Disability Services Commission; and
 - Information about their legal rights, entitlements and obligations under the Act.

- Further, Trikki Kidz Service's *Client Charter* supports the rights set out in the *Disability Inclusion Act 2014 (NSW)*, being the rights to:
 - respect for their worth and dignity as individuals;
 - participate in and contribute to social and economic life and should be supported to develop and enhance their skills and experience;
 - realise their physical, social, sexual, reproductive, emotional and intellectual capacities;
 - make decisions that affect their lives (including decisions involving risk) to the full extent of their capacity to do so and to be supported in making those decisions if they want or require support;
 - respect for their cultural or linguistic diversity, age, gender, sexual orientation and religious beliefs;
 - privacy and confidentiality (nothing that this does not affect the operation of Chapter

- 16A of the *Children and Young Persons (Care and Protection) Act 1998*);
 - live free from neglect, abuse and exploitation;
 - access information in a way that is appropriate for their disability and cultural background, and enables them to make informed choices; and
 - Pursue complaints.
- Trikki Kidz Pty Ltd will provide all prospective and existing clients with information about their rights through:
 - provision of Trikki Kidz Service's *Client Charter* in Trikki Kidz Service's Handbook;
 - displaying the *Client Charter* in Trikki Kidz Pty Ltd facilities; and
 - Verbal explanation by Trikki Kidz Pty Ltd staff.
- Trikki Kidz Pty Ltd will take into account the specific requirements of individuals when ensuring clients fully understand their rights through providing information in a format that suits their individual communication needs, whether they be due to disability or cultural background. Formats include different languages, Easy English, face-to-face or phone explanation by staff, and the use of interpreters and advocates.
- Both written and verbally communicated information about client rights will advise that access to this Policy and Procedure will be provided upon request.
- As per Trikki Kidz Service's *Service Access Policy and Procedure*, staff will discuss clients' rights and responsibilities with them during intake and assessment. Staff will confirm clients' understanding verbally, using an interpreter or advocate where required.
- For simplicity, the *Client Charter* currently only refers to relevant Victorian legislation.

Monitoring and Review

- Trikki Kidz Service's Continuous Improvement Plan will be used to record and monitor progress of any improvements identified.
- This Policy and Procedure will be reviewed at least annually by Trikki Kidz Service's management and incorporate client and other stakeholder feedback.
- Trikki Kidz Service's annual service delivery and satisfaction surveys will assess client:
 - satisfaction with the support they are provided to exercise their rights and responsibilities;
 - awareness of what to do if their rights are violated;
 - satisfaction with the quality of services they receive;
 - satisfaction that their privacy and confidentiality are maintained;
 - views on how easy it is to access the feedback, compliments and complaints system;
 - satisfaction with how complaints and feedback are managed;
 - satisfaction with the management of reviews and appeals; and
 - Awareness of their rights and the extent to which they feel able and supported to exercise them.

DECISION MAKING AND CHOICE

Purpose and Scope

The purpose of this policy and procedure is to outline Trikki Kidz Service’s approach to encouraging and enabling clients to make decisions, having regard for dignity of risk in relation to those decisions.

Legislation, regulations and standards relevant to this policy and procedure include:

- *Disability Act 2006 (Vic)*
- *Charter of Human Rights and Responsibilities Act 2006 (Vic)*
- *Human Services Standards (Vic) – Participation*
- *Guardianship and Administration Act 1986 (Vic)*
- *Disability Inclusion Act 2014 (NSW)*
- *Guardianship Act 1987 (NSW)*

Documents relevant to this policy and procedure include:

- *Trikki Kidz Pty Ltd Client handbook*
- *Trikki Kidz Pty Ltd staff Handbook*

This policy and procedure applies to all potential and existing Trikki Kidz Pty Ltd clients, their family members, carers and other supporters.

Definitions

Dignity of risk - Respecting each individual's autonomy and self-determination (or “dignity”) to make choices for themselves.

Policy

- Trikki Kidz Pty Ltd is committed to ensuring all clients are involved in making decisions and choices about all aspects of the support services they receive from the organisation.
- In the first instance, clients should be the person making informed decisions and choices with regard to themselves and the services they receive.
- All people have the right to maintain their personal, gender, sexual, cultural, religious and spiritual identity, and the right to dignity of risk.

Principles

Trikki Kidz Service's management (or delegates) will ensure all staff are familiar with the following principles:

- Trikki Kidz Pty Ltd recognises that the majority of its clients are children, where a parent or guardian will make decisions on their behalf.
- Some children and adult clients will have an independent support person, representative, family member or advocate to assist them to make a decision or choice, or make a choice on their behalf.
- A representative or person responsible is not necessarily the client's next of kin. A representative or person responsible can be:
 - a guardian or administrator appointed by the Victorian Civil and Administrative Tribunal (VCAT) or the Office of the Public Advocate (or in New South Wales, the NSW Civil and Administrative Tribunal (NCAT) or through a legal process known as enduring guardianship); or
 - A spouse, carer or close relative or friend (informal guardian).
- All adults have the right to make their own decisions. However, if a person is unable to make reasonable judgements because of disability, a guardian or administrator can be appointed to make decisions for them.
- A **guardian** can make personal and lifestyle decisions on another's behalf. In Victoria, an **administrator** can make financial and legal decisions about a person's estate. In New South Wales a person needs to have been authorised under an enduring power of attorney or been legally appointed to be the person's financial manager, in order to make decisions about financial matters. The NSW Trustee and Guardian can also be appointed financial manager for people with decision-making disabilities.
- An advocate can be a family member, friend or an independent person from a community organisation. Advocates assist clients to express their needs or speak on behalf of a client. They are not substitute decision makers, but are there to ensure the clients' needs and wants are listened to.

Procedures

- Management (or delegates) will advise clients/parents/guardians when making appointments for an initial assessment and subsequent reviews that they are entitled to have an independent support person at the meeting to assist them in the decision making process.
- Management (or delegates) will bring to the client/parent/guardian's attention information in Trikki Kidz Service's Handbook about independent advocacy and agencies that can assist with this process.

- When requested by clients/parents/guardians, management (or delegates) will contact their advocates, independent support people or other representatives, giving them the day, date and time of meetings clients would like them to attend.
- Trikki Kidz Pty Ltd management (or delegates) will support clients/parents/guardians to access any information they reasonably require to enable them to participate in decisions affecting clients' lives. This includes supporting them to access technology, aids, equipment and services that increase and enhance their decision-making and independence.
- Management (or delegates) will be responsive to the changing needs, goals, aspirations and choices of clients and will communicate in appropriate formats to facilitate their informed decision-making and choice.
- Where Trikki Kidz Pty Ltd is unable to meet the needs and goals of a client or is not resourced to effectively meet the person's needs, management (or delegates) will refer the person to other relevant service providers or community-based organisations to facilitate their support needs.
- Trikki Kidz Pty Ltd management (or delegates) will act upon the outcomes of a client/parent/guardian's input into decision- making.
- As per Trikki Kidz Service's *Client Rights and Responsibilities, Privacy and Confidentiality and Service Access Policies and Procedures*, information about clients' rights, services and processes that impact them will be provided in a variety of formats to assist understanding, in order to support decision-making and choice.

Dignity of Risk

- Where a client has the capacity for decision making, all options, risks and possible consequences must be discussed with them and all relevant stakeholders involved in the decision making process.
- If a decision doesn't place anyone at risk of harm, staff are to comply with the decision.
- Management (or delegates) will support clients' access to information on which to base their decisions when they want to try new things or continue with options that may not have gone well in the past, including the benefits and risks, consequences and responsibilities to them and others.
- Management (or all delegates, where applicable) will be trained in responding to the needs of clients, client decision making, dignity of risk and assisting clients to make informed choices in the least restrictive way, through formal induction and training processes as well as regular team meetings.

Provision of Information

- The way in which information and advice is provided to clients aligns with the *Disability Act 2006 - Provision of advice, notification or information*.
- Advice, notice or information given to a client must be explained by the person giving it to the maximum extent possible in the language, mode of communication and terms that person is most likely to understand.
- Where possible, explanation should be given verbally and in writing.
- If a client appears to be incapable of reading or understanding information provided, staff must use reasonable endeavours to convey the information to the person in the language, mode of communication or terms which the person is most likely to understand. Staff may give a copy of the information to:
 - a family member, guardian, advocate or other person chosen by the client; or
 - If no person is chosen by the client, to a person who staff consider can assist the client and who is not employed by Trikki Kidz Pty Ltd.

Monitoring and Review

- Trikki Kidz Service's service delivery and satisfaction surveys will assess:
 - Client and other stakeholder awareness of their rights and the extent to which they feel able and supported to exercise them;
 - Client and other stakeholder satisfaction with Trikki Kidz Service's complaints processes; and
 - Whether clients are satisfied with the choices they are provided regarding their service delivery.
- Trikki Kidz Service's *Continuous Improvement Plan* will be used to record and monitor progress of any improvements identified.

This Policy and Procedure will be reviewed at least annually by Trikki Kidz Service's management and incorporate client and other stakeholder feedback.

ASSESSMENT, PLANNING AND REVIEW

Purpose and Scope

The purpose of this policy and procedure is to set out the approach Trikki Kidz Pty Ltd will take to assessment, planning and review in respect to client support plans, once a person has been offered and accepted Trikki Kidz Service's services.

Legislation, regulations and standards relevant to this policy and procedure include:

- *Disability Act 2006 (Vic)*
- *Disability Inclusion Act 2014 (NSW)*
- *NDIS Act 2013 (Cwth)*
- *Human Services Standards (Vic) – Wellbeing*
- *DHHS Disability Services Planning Policy 2009*
- *The NDIS Terms of Business and Guide to Suitability*

Documents relevant to this policy and procedure include:

- *Trikki Kidz Pty Ltd Client Charter*
- *Trikki Kidz Pty Ltd Service Agreement Templates*
- *Trikki Kidz Pty Ltd Providing Information, Advice and Referrals Policy and Procedure*
- *Trikki Kidz Pty Ltd Information Management Policy and Procedure*
- *Trikki Kidz Pty Ltd Service Access Policy and Procedure*
- *Trikki Kidz Pty Ltd Decision Making and Choice Policy and Procedure*
- *Trikki Kidz Pty Ltd Privacy and Confidentiality Policy and Procedure*
- *Trikki Kidz Pty Ltd Feedback, Compliments and Complaints Policy and Procedure*
- *Trikki Kidz Pty Ltd Referral Database*

This policy and procedure applies to all clients of Trikki Kidz Service's disability-specific services, their family members, carers and other supporters.

Definitions

Planning - a process to enable people with a disability to explore their needs, goals and aspirations and the ways they can be supported to achieve these. Planning will have a different focus for each person.

Policy

- This policy and procedure aligns with the Planning requirements as set out in the *Disability Act 2006 (Vic)* (Division 3), the *Victorian Department of Human Services Disability Services Planning Policy 2009* and the principles of the *NDIS Act 2013 (Cwth)* of participation, choice and control, engaging as equal partners in decisions and including families, carers and other significant people.
- Trikki Kidz Pty Ltd will provide its clients with limited assistance with planning, including regarding its own service delivery and through providing advice, information and referrals.

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- Extensive assistance with planning is provided by service providers funded by the Victorian Department of Human Services or NDIA to deliver planning or case management support as one of their core functions and with the expertise to develop informal, community and disability-specific responses. See Trikki Kidz Service's *Referral Database* for relevant contacts.
- Should a person request assistance with support planning that is beyond the scope of this policy and procedure, the person should be directed to a relevant support coordinator (see point above). Referral and support to connect the person to the relevant agency or service provider will be provided within a service benchmark of 5 working days.³

Procedures

- Management (or delegates) involved in assessment, planning and review activities will be trained in and capable of implementing:
 - active engagement and early intervention strategies, including with families;
 - strength-based planning, assessment and review;
 - holistic and collaborative approaches to service delivery; and
 - Capacity building of families and carers.
- All documentation relating to assessment, planning and review will be maintained on client files and tracked in Trikki Kidz Service's client management system.
- For all assessments, planning and review activities, management (or delegates) will discuss clients' rights and responsibilities with them. They will confirm clients' understanding verbally, using an interpreter or advocate where required.
- Management (or delegates) will advise the person of their right to involve a support person in their dealings with Trikki Kidz Pty Ltd.
- Where required, clients will be provided with information and support to access a person of their choice, such as an advocate, to assist them to access the service. See Trikki Kidz Service's *Decision Making and Choice Policy and Procedure*.
- In accordance with Trikki Kidz Service's *Privacy and Confidentiality Policy and Procedure*, respect for and protection of clients' privacy and confidentiality will be reinforced on an ongoing basis, verbally and in literature promoting the services offered by the organisation.
- Where physical access issues are identified, management (or delegates) will consider whether the Trikki Kidz Pty Ltd is accessible for the person, and if not, how it could be made accessible.
- Where a language or cultural barrier is identified, management (or delegates) will engage an interpreter or an appropriate external agency to support the person.
- If necessary and with the client or their supporter/s consent, other parties such as service providers who deliver existing or complementary services to clients will be included in assessment, planning and review activities.

- Management (or delegates) will take into account the client's wishes in regards to accepting or rejecting particular support options.

Assessment

- Following their Intake Interview, where a client is offered services and accepts, management (or delegates) will work with the client and their supporter/s to assess their needs, develop and agree upon a Service Agreement.
- Management (or delegates) will meet with the client and their supporter/s within 5 working days of their acceptance, or sooner if able, for an Assessment and Planning Interview.
- Management (or delegates) will conduct all Assessment and Planning Interviews.
- The assessment will take into account:
 - the client's needs (including health, wellbeing and safety needs), goals and longer-term aspirations;
 - the supports that can be provided by Trikki Kidz Pty Ltd to meet those;
 - the client's preferred links to family, friendships and other support networks;
 - the client's and their supporters' age, ability, gender, sexual identity, culture, religion or spirituality;
 - any barriers to community participation and strategies that could be put in place to help clients overcome them; and
 - How, when, and where the client requires the supports to be delivered.
- Where possible, support provided to clients by Trikki Kidz Pty Ltd should:
 - support them to develop, maintain and strengthen independence, problem solving, social and self-care skills appropriate to their age, developmental stage and cultural circumstances; and
 - Help clients to take control of and responsibility for their choices and enhance their autonomy, independence and community participation.
- Where relevant, the interview will take into account information already provided about the person in their NDIS Plan.
- Where required, management (or delegates) will identify and provide referrals and linkages to other services and activities that will enhance the client's community participation and provide support and assistance to help them access these.
- Referral possibilities include, but are not limited to: training, employment, education, health, wellness, recreation, leisure, cultural and community services, activities and events, as well as public transport and affordable housing options.
- Referrals to alternative services will be provided in accordance with Trikki Kidz Service's *providing Information, Advice and Referrals Policy and Procedure*.

Planning

- Management (or delegates) will work with the client and their supporter/s to formalise the supports to be provided by Trikki Kidz Pty Ltd in a Service Agreement. Trikki Kidz Service's *Service Agreement Templates* can be tailored to the individual needs of each client.
- The Service Agreement will include:
 - the supports that will be provided;
 - the cost of those supports;
 - how, when, and where the client requires the supports to be delivered;
 - the period for when the client requires the supports to be provided;
 - when and how the Service Agreement will be reviewed;
 - how the client and Trikki Kidz Pty Ltd will deal with any problems or questions that arise, including complaint handling and dispute resolution;
 - what the client's and their supporter's responsibilities are under the Service Agreement;
 - what Trikki Kidz Service's responsibilities are under the Service Agreement; and
 - What notice is needed for the client or Trikki Kidz Pty Ltd to change or end the Service Agreement and how this is done.
- Service Agreements will be prepared within no more than 7 days of the client commencing to regularly access Trikki Kidz Service's services, and ideally by a service benchmark timeframe of 5 days.
- Management (or delegates) must ensure the client (and their supporter/s) understands their plan, or are supported to understand it, and provide the client a copy. A copy will also be kept on the client's file and key elements captured in Trikki Kidz Service's client management system.
- The client must sign the Service Agreement before service delivery can commence.

Review

- Management (or delegates) with the relevant stakeholders will review the provision of supports for each client every 6 months with the client and their supporter/s.
- Flexibility will be provided in regards to the timing of review assessments, based on clients' needs and wishes.
- Reviews will include:
 - the client's needs (including health, wellbeing and safety needs), goals and longer-term aspirations;
 - the client's progress towards addressing their needs and achieving their goals;
 - recognition and celebration of the client's progress; and
 - the client's and their supporters' age, ability, gender, sexual identity, culture, religion or spirituality;
 - the client's preferred links to family, friendships and other support networks;
 - any barriers to community participation and strategies that could be put in place to help clients overcome them; and
 - Whether there needs to be a change to the supports provided.

- Where possible, support provided to clients by Trikki Kidz Pty Ltd should:
 - support them to develop, maintain and strengthen independence, problem solving, social and self-care skills appropriate to their age, developmental stage and cultural circumstances; and
 - Help clients to take control of and responsibility for their choices and enhance their autonomy, independence and community participation.
- Reviews will take into account information in the client's NDIS Plan (if applicable).
- If changes to the supports or their delivery are required, a *Change of Booking* form will be completed by the client or their supporter/s and the Administration staff and the *change of booking form* will be attached to the client's Service Agreement.
- If the client wishes to change their service delivery outside of the six-monthly review cycle, they can request a review or complete a *Change of Booking* form with management (or delegates).

Monitoring and Review

- This Policy and Procedure will be reviewed at least annually by Trikki Kidz Service's management and incorporate staff, client and other stakeholder feedback.
- Trikki Kidz Service's *Continuous Improvement Plan* will be used to record and monitor progress of any improvements identified and feed into Trikki Kidz Service's service planning and delivery processes.
- Trikki Kidz Service's annual client satisfaction surveys will assess client:
 - satisfaction with supports provided;
 - satisfaction with the relevance and quality of referrals and connections provided by Trikki Kidz Pty Ltd staff; and
 - Awareness of, access to and experience of supports provided to enable them to maintain and enhance links with other people and organisations.

Bullying Harassment and Sexual Harassment

Purpose

Trikki Kidz Pty Ltd is committed to providing all workers with a healthy and safe work environment free from bullying, harassment and sexual harassment and aims to ensure that no worker is bullied, harassed or sexually harassed at work. It encourages all employees, to report bullying, harassment and sexual harassment promptly, so that appropriate measures can be taken to address such inappropriate conduct.

The purpose of this policy is to comprehensively outline Trikki Kidz Service's commitment to eradicating bullying, harassment and sexual harassment and the expectation that workers, including employees, will also act in accordance with that primary aim.

Who is covered by this Policy?

This policy applies to 'workers' who may be engaged for or with Trikki Kidz Pty Ltd including:

- all employees
- contractors/sub-contractors and any of their employees whilst engaged on work for Trikki Kidz Pty Ltd
- volunteers and unpaid workers
- work experience students
- consultants and/or consultants' employees whilst engaged on Trikki Kidz Pty Ltd work
- agents, whilst acting on behalf of Trikki Kidz Pty Ltd

Expectations and Commitment

- Trikki Kidz Pty Ltd expects all workers, regardless of their position, to behave in a professional manner and to treat each other with dignity and respect. Compliance with this policy is an essential part of meeting that expectation. Disciplinary action up to and including summary dismissal, cessation of services or other relevant sanctions may result where there is non-compliance. Such conduct may also be an offence under relevant Occupational Health and Safety legislation, such as the Occupational Health and Safety Act 2004 (Vic).
- Trikki Kidz Pty Ltd aims to ensure that all workers, regardless of their position, are fully aware of their obligations under this policy. Where appropriate, Trikki Kidz Pty Ltd will implement training and awareness raising strategies to ensure all workers know their rights and responsibilities.
- Bullying, harassment and sexual harassment are forbidden in all contexts. As a result, Trikki Kidz Pty Ltd will not tolerate the bullying, harassment or sexual harassment of workers, clients and their families, visitors and any other person who attends a Trikki Kidz Pty Ltd workplace.
- Bullying, harassment and sexual harassment are not only forbidden within Trikki Kidz Pty Ltd workplaces, it is unlawful in any work-related context, including work functions, office Christmas parties and while performing work for Trikki Kidz Pty Ltd off the premises.

What is Bullying?

Bullying is repeated unreasonable behaviour, by an individual or group that creates a risk to health and safety.

Bullying can take different forms including psychological, physical or even indirect bullying. It can be obvious or subtle, which means it is not always easy to identify. Bullying conduct can occur via verbal, physical, written or electronic interactions (including SMS, email, social media or other communication applications/programs). In most cases the behaviour is persistent and happens over a period of time.

A risk to health and safety occurs where there is a risk to a person's mental or physical health.

By way of guidance some examples include:

- abusive, insulting or offensive language or comments
- aggressive and intimidating behaviour
- belittling or humiliating comments
- continuously and deliberately excluding someone from workplace activities and/or ignoring that person
- setting tasks that are unreasonably below or beyond a person's skill level, including unreasonable deadlines
- changing work arrangements such as rosters and leave to inconvenience a worker or group of workers
- excessive scrutiny at work and/or unjustified criticism or complaints

Bullying can be directed downwards (from managers to workers), sideways (between workers) or upwards (workers to managers).

This policy covers bullying that happens 'at work'. However, this is not limited to the physical workplace, and includes all behaviour that is related to work, for example, electronic communications and work-related social events.

Serious bullying could constitute a crime under the relevant state Crimes Act, such as the Crimes Act 1958 (Vic), under which it is punishable by up to 10 years imprisonment. An employee may also make an application to the Fair Work Commission for orders that bullying in the workplace stop.

What is Harassment?

Harassment is unwelcome physical or verbal conduct or behaviour directed toward another person that is intended to offend, humiliate or intimidate the person, or where a reasonable person would have anticipated the possibility of offence, humiliation or intimidation. Harassment may involve (but is not limited to) any of the behaviours listed above under the definition of Bullying. Harassment may be based on a particular attribute – for example, a person’s race, age, sexual preference.

Harassment may be found to have occurred if the behaviour makes the person claiming to have been harassed feel.

- offended and humiliated
- intimidated or frightened
- Uncomfortable at work.

What is not Bullying/Harassment?

Bullying or Harassment does not include reasonable management action taken in a reasonable manner, including for example:

- directing a worker in the performance of his or her work
- changing work practices and procedures
- managing worker performance
- investigating alleged misconduct
- disciplining a worker for misconduct
- Allocating work in accordance with Trikki Kidz Pty Ltd policies and procedures.

If performance issues need to be addressed, managers should ensure that the conversation is respectful, constructive and supportive, as appropriate.

What is Sexual Harassment?

Sexual harassment is any unwanted, unwelcomed, or any uninvited behaviour of a sexual nature which makes the person feel humiliated, intimidated, or offended. The Sex Discrimination Act 1984 provides that ‘conduct of a sexual nature’ includes making a statement of a sexual nature to a person, or in the presence of a person whether the statement is made orally or in writing.

Sexual harassment often involves an abuse of power or trust and is often directed at someone who is unable to stop it easily. Sexual harassment can take many different forms and may include physical contact, verbal comments, jokes, propositions, the display of offensive material, or other behaviour which creates a sexually hostile working environment.

Examples of sexual harassment include:

- uninvited touching
- uninvited kisses or embraces
- smutty jokes or comments
- making promises or threats in return for sexual favours
- displays of sexually graphic material including posters, pinups, cartoons, graffiti or messages left on notice boards, desks or common areas
- repeated invitations to go out after prior refusal
- sexual gestures

- sex-based insults, taunts, teasing or name-calling
- staring or leering at a person or at parts of their body
- unwelcome physical contact such as massaging a person without invitation or deliberately brushing up against them
- touching or fiddling with a person's clothing, e.g. lifting up skirts or shirts, flicking bra straps, or putting hands in a person's pocket
- requests for sex
- sexually explicit conversation
- persistent questions or insinuations about a person's private life
- offensive phone calls or letters
- offensive electronic communications
- revealing clothing

The above list is not exhaustive of the examples of conduct that could constitute sexual harassment.

Some sexual harassment may also be criminal behaviour. For example:

- physical molestation or assault
- indecent exposure
- sexual assault
- stalking
- Obscene communications (telephone calls, letters etc.).

Sexual harassment is a form of discrimination based on sex and is therefore unlawful pursuant to Federal as well as State legislation. It is prohibited in recruitment for employment, selection for a promotion during the course of employment, and in termination of employment.

Sexual harassment is against the law and legal action can be taken against individuals and Employers where sexual harassment occurs. In Victoria the legislation covering sexual harassment includes the Sex Discrimination Act 1984 (Commonwealth) and the Equal Opportunity Act 1995 (Victoria). Persons who sexually harass another person are personally liable at law, and further, that persons Employer may be vicariously liable for the actions of the harasser. Consequently, Trikki Kidz Pty Ltd treats this matter very seriously and will not tolerate sexual harassment in the workplace.

What is not Sexual Harassment?

Behaviour based on mutual attraction, friendship and respect is not sexual harassment. If the interaction is consensual, welcome and reciprocated, it is not sexual harassment.

Responsibilities

Responsibility of Managers and Supervisors

Trikki Kidz Pty Ltd has a duty to eliminate bullying, harassment and sexual harassment in the workplace. Managers and supervisors have the primary responsibility for ensuring that such conduct does not occur within the workplace or in connection with any person's employment.

Managers and supervisors have a responsibility to:

- Monitor the working environment to ensure that acceptable standards of conduct are observed at all times
- Model appropriate behaviour themselves

- Promote Trikki Kidz Service’s Bullying, Harassment and Sexual Harassment policy within their work area
- Treat all complaints seriously and take immediate action to investigate and resolve the matter
- Refer complaints to People & Culture Business Partner for assistance if they do not feel that they are the best person to deal with the matter (for example, if there is a conflict of interest or if the complaint is particularly complex or serious).

Responsibility of Workers

All workers (as defined above) have a responsibility to ensure that they do not participate in bullying, harassing or sexually harassing behaviour in the workplace.

Workers have a responsibility to:

- Comply with this Bullying, Harassment and Sexual Harassment Policy
- Offer support to anyone who is being bullied, harassed and/or sexually harassed and where possible, advise them where they can obtain help and advice
- Maintain complete confidentiality if they provide information during the investigation of a complaint or become aware of a complaint. Staff should be aware that spreading gossip or rumours may expose them to proceedings for defamation

Workers who believe that they are experiencing bullying, harassment or sexual harassment are encouraged to seek assistance at the first available opportunity, for example, by speaking to their immediate manager.

Making a Complaint

Complaint Process

Trikki Kidz Pty Ltd recognises that complaints about bullying, harassment and/or sexual harassment vary. They may involve managerial staff, co-workers or others engaged in activities with Trikki Kidz Pty Ltd. They may be extremely serious or relatively minor, but important to consider and address nonetheless. On this basis, Trikki Kidz Pty Ltd provides an informal and a formal complaints process where a worker, including employee, considers that they have been subject to a breach of this Policy.

Informal Complaint Procedure

If a person believes they have been bullied, harassed and/or sexually harassed they may (and are encouraged to) make a complaint to their Manager, that person will listen to the complaint and discuss the possible strategies with the individual.

The aim of the informal complaints procedure is to resolve the situation at the earliest possible stage. This would normally involve the Manager of the person against whom the allegation is made, conciliating the matter without any formal notes or other procedures being undertaken. This informal procedure is suitable where the allegations are of a less serious nature, and where the complainant seeks to warn the person involved against a continuation of the alleged conduct.

Formal Complaint Procedure

There are a range of circumstances where the informal complaints procedure is inappropriate, particularly where the complaint involves a serious allegation of bullying, harassment and/or sexual harassment and/or the complaint involves an allegation against a senior staff member or staff at management level.

If an employee believes that he or she is the victim of bullying, harassment and/or sexual harassment the employee should contact their Manager. A statement should be completed by the employee particularising the allegations and details of the alleged bullying harassment and/or sexual harassment. This statement should be provided to the Manager.

When allegations of bullying, harassment and/or sexual harassment are made, they will be seen as a serious matter and will be investigated in a timely manner and an investigation may be conducted. If the matter is to be the subject of a formal investigation, then such investigation will be undertaken by an external body with the competence to conduct a workplace investigation. In this formal process, adherence will be hard to the principle of natural justice, including the following:

- I. The person making the complaint (**Complainant**) is interviewed and the allegations are particularised
- II. The allegations are conveyed in writing to the person alleged to have engaged in bullying, harassment and/or sexual harassment (Respondent)
- III. The Respondent will be given the opportunity to respond and to the Complaint
- IV. If there is a dispute over the facts, statements from other witnesses and any other relevant evidence will be gathered
- V. A finding is made by the investigator as to whether or not the complaint has substance
- VI. If the Investigator believes the complaint has substance, then a report documenting the investigation process will be created and provided to Trikki Kidz Pty Ltd
- VII. The parties will be advised of the outcome of the investigation upon its completion.

If the employee's allegations are proven, action to be taken will depend upon the seriousness of the allegations. The action might include, for example:

- Requiring a commitment from the person accused of bullying, harassment and/or sexual harassment that such behaviour will not occur in future, and/or provision of an apology to the victim of the bullying, harassment and/or sexual harassment
- Mediation (where appropriate)
- Counselling and/or training for the person accused of bullying, harassment and/or sexual harassment, the person who suffered the bullying, harassment and/or sexual harassment and/or the wider workplace
- Disciplinary action against the person accused of bullying, harassment and/or sexual harassment.

If the allegations are not proven, the parties will be advised of the outcome.

Reporting and investigation of bullying, harassment and/or sexual harassment is to be conducted in a confidential manner. Any breach of confidentiality during and following the reporting and investigation process may lead to disciplinary action.

What happens if I engage in Bullying, Harassment and/or Sexual Harassment?

Regardless of their level within Trikki Kidz Pty Ltd, employees found to have bullied, harassed and/or sexually harassed other staff may be subject to disciplinary action up to and including summary dismissal.

Workers may also be subject to sanctions in the event that it is found that they have engaged in bullying, harassment and/or sexual harassment.

Definitions

Bullying: Bullying is repeated unreasonable behaviour, by an individual or group that creates a risk to health and safety.

Complainant: Person making a complaint alleging that they have been subjected to bullying, harassment and/or sexual harassment

Fair Work Act 2009 (Cth): Legislation governing the employee/employer relationship in Australia, providing a safety net of minimum entitlements, enabling flexible working arrangements and fairness at work and preventing discrimination against employees.

Harassment: Harassment is unwelcome physical or verbal conduct or behaviour directed toward another person that is intended to offend, humiliate or intimidate the person, or where a reasonable person would have anticipated the possibility of offence, humiliation or intimidation

Industrial Instruments: Includes Awards, Enterprise Agreement and contracts of employment which outline an employee's minimum standards and employment conditions

Manager: An employee who has the responsibility for the overall provision of services within a specific portfolio or group of tasks. A manager may have responsibility for the provision of services of other employees (direct reports) and accounts for the employees' conditions of employment and performance

Respondent: Person who is alleged in a Complaint to have bullied, harassed or sexually harassed someone against someone

Sexual Harassment: Sexual harassment is any unwanted, unwelcomed, or any uninvited behaviour of a sexual nature which makes the person feel humiliated, intimidated, or offended. The *Sex Discrimination Act 1984 (Cth)* provides that 'conduct of a sexual nature' includes making a statement of a sexual nature to a person, or in the presence of a person whether the statement is made orally or in writing.

Worker: Includes all employees; contractors/sub-contractors and any of their employees whilst engaged on work for Trikki Kidz Pty Ltd; volunteers and unpaid workers; work experience students; consultants and/or consultants' employees whilst engaged on Trikki Kidz Pty Ltd work; and agents, whilst acting on behalf of Trikki Kidz Pty Ltd.

Where can I get help if I'm bullied, harassed or sexually harassed?

Trikki Kidz Pty Ltd encourages you to contact your Manager if you think you have been subjected to bullying, harassment and/or sexual harassment.

Assistance may also be sought from external agencies, such as:

- Fair Work Commission
- Relevant State Equal Opportunity or Anti-Discrimination Commission or Australian Human Rights Commission
- Relevant WorkCover / Worksafe / Workplace Health and Safety Authorities in each State.
- Police (for cases of physical assault). Please contact the nearest station
- You may wish to refer to the relevant OHS legislation. This legislation does not proscribe bullying specifically, but imposes a general obligation to provide a safe workplace

Police Check

Purpose

Trikki Kidz Pty Ltd in its role as an employer and service provider is committed to providing quality services to the community in a safe environment. To uphold the quality and safety of its services, Trikki Kidz Pty Ltd requires all personnel to maintain a valid police record check for the duration of their engagement. This is to ensure that Trikki Kidz Pty Ltd customers, personnel and the reputation of Trikki Kidz Pty Ltd are not compromised to provide quality services to the community.

Responsibility

This procedure states the provisions of police check requirements at Trikki Kidz Pty Ltd and the renewal cycles that apply to Trikki Kidz Pty Ltd personnel.

Trikki Kidz Pty Ltd personnel are required to renew their police record check every three years unless program contract requirements as advised by the Director of Service Design & Development establishes otherwise. E.g. personnel supporting TAC funded consumers would need annual renewals.

It is an organisational requirement that all Trikki Kidz Pty Ltd personnel have the results of a valid police record check recorded. Trikki Kidz Pty Ltd personnel will be required to renew their police record check prior to expiry.

It is the responsibility of Trikki Kidz Pty Ltd personnel to disclose any pending or disclosable outcomes to their manager, for the duration of their employment. Failure to notify your manager of any pending or disclosable outcomes may be subject to disciplinary action up to and including termination of employment.

Trikki Kidz Pty Ltd will not accept a police record check issued more than 60 days prior to the commencement of employment.

Costs for initial checks and renewals are at the expense of, and remain the property of, the new appointee/Trikki Kidz Pty Ltd personnel.

All costs for initial checks and renewals are at the expense of and remain the property of the Trikki Kidz Pty Ltd personnel.

Trikki Kidz Pty Ltd will maintain the costs of police record checks for volunteers only.

Scope

This policy applies to all existing and new Trikki Kidz Pty Ltd personnel.

A police record check can only be requested for the purposes of employment and/or pre-engagement screening of Trikki Kidz Pty Ltd personnel within the scope of this policy.

New appointees are required to undergo and produce a valid police record check prior to commencement of employment. Police checks are valid if issued within 60 days prior to the commencement of employment.

Procedure details

International Police Check and Trikki Kidz Pty Ltd Statutory Declaration

International police checks identify and release relevant police history information in the country or countries requested. An international police check is an organisational requirement if new appointee/existing personnel has resided continuously in an overseas country for 12 months or more in the last 10 years.

Where a new appointee cannot obtain international police check due to restrictions imposed by the country required, a completed Statutory Declaration form accompanied by a national police check will be required.

If an employee has indicated that they have been a citizen or permanent resident of a country other than Australia after turning sixteen years of age, they are required to sign a statutory declaration stating that they have never, in Australia or overseas, been convicted of murder or sexual assault, or convicted of and sentenced to imprisonment for any other form of assault.

National Police Check

National police checks identify and release relevant police history information, at a point in time, using information held by police in all Australian states and territories relating to convictions, findings of guilt or pending court proceedings.

Establishing the identity of the person is critical to ensuring any police history information identified through a police check belongs to the correct person. Therefore, the person must give their consent by completing the application online to have their police history checked.

Police Check Renewal Reminders

Policy

Trikki Kidz Pty Ltd personnel receive an initial reminder email to renew their police check six weeks prior to the expiry date.

Procedure

The second and final reminder email is sent to Trikki Kidz Pty Ltd personnel and their respective line manager four weeks prior to the expiry date.

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Police Record Checks – Expiry

Policy

In the event that Trikki Kidz Pty Ltd personnel have failed to provide a renewed police check prior to the date of expiry, suspension of employment without pay will result. The expiry date is observed as the conclusion of business hours on the date of expiry, as recorded in Trikki Kidz Pty Ltd personnel's electronic file.

Procedure

The line manager, will issue the suspension supported by correspondence that has been issued to Trikki Kidz Pty Ltd personnel.

Trikki Kidz Pty Ltd personnel will be subject to suspension without pay and suspension of service continuance, inclusive of leave entitlements until such time as the renewed police check is provided to Trikki Kidz Pty Ltd.

Upon Trikki Kidz Pty Ltd being issued with the renewed police record check during suspension, Trikki Kidz Pty Ltd personnel are to be returned to duty by their line manager and suspension lifted the following business day.

Disciplinary action may result for breaches of this procedure.

Police Record Check Renewals

It is an organisation requirement that all Trikki Kidz Pty Ltd personnel have the results of a valid police record check recorded. Trikki Kidz Pty Ltd personnel will be required to renew their police record check prior to expiry as stipulated by Trikki Kidz Pty Ltd.

Police Record Check Results

The results of police record checks are recorded in Trikki Kidz Pty Ltd personnel electronic file. Details pertaining to disclosable outcomes are stored securely.

Non-Disclosable Court Outcomes

Where the police record check reveals no disclosable court outcomes, outstanding charges or other matters, the offer of employment may be confirmed for new appointees or the employment contract can continue for Trikki Kidz Pty Ltd personnel.

Disclosable Outcomes

Policy

Record of court convictions and findings of guilt, to which provisions of relevant spent convictions / non-disclosable legislation and / or information release policies have been applied:

- charges
- court convictions, including any penalty or sentence
- findings of guilt with no conviction
- court appearances
- good behaviour bonds or other court orders
- pending matters awaiting court hearing

Where a disclosable outcome arises, the Director/Business Owner will assess the new appointee/employee's police history information in accordance with all privacy laws, Trikki Kidz Pty Ltd Privacy Policy and take into consideration the Australian Human Rights Act 1986 (Cth), Commonwealth Spent Convictions Scheme and the Crimes Act 1914 (Cth). The Director/Business Owner will make an assessment and determination regarding the confirmation of appointment or continuity of employment based on the severity and relevance of the disclosable outcome.

Trikki Kidz Pty Ltd does not discriminate on the grounds of police history information when deciding. It is not an act of discrimination to deem a person unsuitable for a particular role if a person's police history has deemed the person unsuitable to perform the inherent or essential requirements of the role.

Trikki Kidz Pty Ltd maintains confidentiality and protects the new appointee/employee's identity at all times, ensuring the information pertaining the new appointee/employee's police history is always used for the purposes for which it is intended.

Procedures

The Director/Business Owner will make the determination of confirmation of employment offer or discontinuation of the employment contract. This will be determined following full assessment of the results and relevant circumstances.

The Director/Business Owner, will notify the new appointee/Trikki Kidz Pty Ltd personnel of the decision, supported by correspondence issued.

Disclosable Outcomes – Investigation

Trikki Kidz Pty Ltd must provide the disclosed police history information to the new appointee/employee to enable an opportunity to provide additional information and context or dispute the results.

Trikki Kidz Pty Ltd personnel may be subject to suspension of employment with pay, during the assessment of the results, and until such time as a determination is made regarding the viability of ongoing employment.

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When assessing the relevance of police history information with respect to confirmation of employment or ongoing employment, Trikki Kidz Pty Ltd will consider a range of factors, including:

- The relevance of the police history information to the inherent requirements of the work that is required to be performed
- The seriousness of the conviction or offence
- The severity of any penalty imposed
- Whether the offence has been decriminalised or removed from the statutes
- Whether, in relation to the offence, there was a finding of guilt but without conviction, which may generally indicate a less serious view of the offence by the courts
- The age of the person when the offence occurred
- The period of time that has lapsed since the offence took place
- Whether the person had a pattern of offences
- The circumstances in which the offence took place
- Whether the person's circumstances have changed since the offence was committed, for example, previous drug use
- The attitude of the person to their previous offending behaviour

Trikki Kidz Pty Ltd will also pay particular consideration to the following:

- Murder or sexual assault
- Any other form of assault
- Any offence involving harm or exploitation of vulnerable people
- Any serious alcohol or drug related offences that indicate a pattern of dependence
- Drug trafficking
- Any offence involving dishonesty, including theft, fraud, misrepresentation
- Terrorism

Disclosable Outcomes – Assessment

Result	Outcome	Action
No criminal history	NO IDENTIFIED RISK	Confirmation of employment offer or ongoing employment
Offence against the person; Offence involving violence (<i>spent conviction</i>); Offence relating to property; Offence involving dishonesty or fraud; Driving offence; Drug trafficking (<i>spent conviction</i>); Drug possession	RISK	Confirmation of employment offer or ongoing employment; Rescind of employment offer or termination of employment
Murder and sexual assault (unspent and spent conviction); Offence involving violence (unspent conviction); Drug trafficking (unspent conviction)	UNACCEPTABLE RISK (Australian Health Practitioner Regulation Agency (AHPRA) Regulatory Requirement)	Rescind of employment offer or termination of employment

References or related Documents

- The Australian Criminal Intelligence Commission is established under the *Australian Crime Commission Act 2002* (Cwlth) (ACC Act)
- Commonwealth Spent Convictions Scheme
- Australian Health Practitioner Regulation Agency (AHPRA) Registration Standard – Criminal History
- Charter of Human Rights and Responsibilities 2006: A person has the right not to have their privacy unlawfully or arbitrarily interfered with or their reputation unlawfully attacked
- Privacy and Data Protection Act 2014: Organisations must not collect sensitive information such as criminal records unless the person has consented, or the collection is required under law
- Australian Human Rights Commission Act 1986 (Cth) and the Australian Human Rights Commission Regulations 1989 (Cth)

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Related Policies/Documents

This Policy and Procedure should be read, as appropriate, with the following Trikki Kidz Pty Ltd policies/ procedures/ documents:

- Police Record Check Policy
- Privacy Policy
- Risk Management Policy
- Risk Management Procedure

Contact Officer

Director/Business Owner

Definitions

Customer: Trikki Kidz Pty Ltd is committed to be a customer centric organisation. Our broad definition of customer means we are inclusive of all people who interact or engage with us, either externally or internally. Our customers include consumers, clients, participants, patients, carers, the community, stakeholders, partners, staff, volunteers and members.

Trikki Kidz Pty Ltd Personnel: All employees (whether employed full-time, part-time, fixed term or on a casual basis), volunteers, students, contractors and sub-contractors performing work on behalf of Trikki Kidz Pty Ltd.

Board Member: A person or persons elected or appointed who jointly oversee the activities of a company or organisation, which can include a non-profit organisation or a government agency or corporation.

Trikki Kidz Pty Ltd Employee: An individual who is employed by Trikki Kidz Pty Ltd on a regular and systematic basis of employment regardless of whether they are full time, part time, or casual.

New Appointee: A successful applicant who has been offered employment with Trikki Kidz Pty Ltd and is yet to commence employment.

Non-Disclosable Outcome: There is no Police History Information (PHI) that is held or that can be released.

Spent Convictions: Refers to the Commonwealth Spent Convictions Scheme. The scheme allows a person to disregard some old criminal convictions after 10 years (or five if a juvenile offender) and provides protection against unauthorised use and disclosure of this information.

Australian Criminal Intelligence Commission (ACIC): An Australian government executive agency, established by agreement between the Commonwealth, states and territories.

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Police History Information (PHI): Any information including disclosable court outcomes released as part of Police History Check regarding the name provided to ACIC.

Statutory Declaration: A declaration made under statutory authority before a justice of the peace or commissioner for oaths which may in certain cases be substituted for a statement on oath.

Valid Police Check: A police check (national or international) that has been completed through an accredited agency and discloses the PHI of the person. A valid police check has an issue date that is no more than 60 days prior to commencement of employment and is renewed prior to the expiry date as determined by Trikki Kidz Pty Ltd.

Pre-engagement Screening: A process requiring a Police check clearance prior to a Letter of Offer being issued.

Volunteer: is a member of the community who offers to work within the organisation to assist in the achievement of its aims and objectives, without the expectation of payment or material reward.

Record Keeping

Purpose

All assets and physical resources shall be appropriate and effective to support the objectives of Trikki Kidz Pty Ltd, and shall meet all regulatory standards, including Occupational Health and Safety requirements.

Scope

Director/business owner

Contact Officer

Director/business owner

Implementation Procedures

The Director shall ensure that:

1. The premises meet local and/or government standards and/or any other statutory or minimum code requirements, are accessible for universal access, and are fit for purpose.
2. Property, equipment and resources are maintained at a standard appropriate to their function and meet Occupational Health and Safety requirements.
3. An inventory of the property of Trikki Kidz Pty Ltd is maintained and reviewed regularly with a view to monitoring its usability and lifespan.
4. Replacement and upgrading of equipment are budgeted for within the item's lifespan.
5. Abuse or misuse of the assets of Trikki Kidz Pty Ltd does not occur, and a security system is in place to ensure adequate safeguards to prevent loss, damage, or theft of property.
6. The assets of Trikki Kidz Pty Ltd are insured for not less than is considered necessary for prudent risk management.
7. Insurance coverage of buildings, equipment and fixtures does not fall below a practical level of replacement value.
8. Insurance policies do not expire.
9. No unauthorised person handles redeemable assets.
10. Intellectual property, information or files are not used for unethical purposes.
11. Employees whose driving record leads to increases in the premium or cancels the vehicle insurance are managed appropriately, including driver training, payment of additional costs incurred or being suspended from driving Trikki Kidz Pty Ltd vehicles.
12. Fundraising ventures are not entered into which entail high risk, or which could in any way be considered unethical or illegal or which directly contravene the stated values and beliefs of Trikki Kidz Pty Ltd.

Organisational Reporting

Purpose

Trikki Kidz Pty Ltd has a responsibility to report aspects of its business and services to funding bodies, and to keep records of information for analysis of the organisation.

Trikki Kidz Pty Ltd is required to provide reports to NDIA around service delivery and create the following reports for reporting to funding bodies and the organisation:

- Financial performance against an agreed plan or budget
- Service and activity performance
- Compliance with legal and contractual obligations
- Progress and performance against the organisational plans (including strategic, financial, action items and risk management)
- Incidents and risks
- Information to assist in governing body decision making
- Results of audits, reviews or evaluations
- Client feedback reports (including complaints)
- Recommendations for improvement and the status of improvement actions
- Improving systems and processes and meeting resource needs
- Follow up actions from previous reports
- Planned changes that may affect the organisation's management systems

Financial performance against an agreed plan or budget

Trikki Kidz Pty Ltd utilises accounting software, Practicing Accountant and Business Solutions Consultant to create financial reports and budget requirements. Annual reports are submitted to the Director and analysed for future budgeting responsibilities.

Individually, consumers with NDIS Plans are quoted for services for the year, the budget for each person is to be reported and discussed with the consumer.

Service and activity performance

Reports are to be created annually focusing on performance of services and activities. Accounting software reports are collated to show which services were popular, the services that raised more funds and the activities that should be developed further.

Compliance with legal and contractual obligations

NDIS Plans, service agreements and quotes provided to the consumer are contractual and are required to be reviewed throughout the time of the plan.

It is the responsibility of Trikki Kidz Pty Ltd to adhere to the agreement and abide by the budget to avoid negative consequences for the consumer.

Progress and performance against the organisational plans

The strategic direction and other organisational plans can be tracked by multiple sources, consumer feedback is the main item of interest and the most valued. Consumers are encouraged to provide ongoing feedback through the website, staff members and the Facebook page. Consumer engagement is discussed in the Consumer Engagement Procedure.

Incidents and risks

Incidents are reported throughout the year, collated and reviewed within the staff and management team. Each incident is reviewed and debriefed accordingly with analysis of each one written and filed. Case studies are created to discuss the main types of incidents occurring and strategic plans created for reduction of similar incidents in the future.

Risk assessment is completed for all aspects of the individual services and activities, risk management is also utilised when staffing programs and considering consumer mix for programs. Risk management policy and procedure is to be followed.

Client feedback reports

All feedback is recorded, collated and reviewed. The feedback received is allocated to the appropriate member of staff and the Director.

Feedback, regardless of positive or negative should be responded to within the specified time frame in the appropriate policy.

Archiving, Retention and Disposal of Consumer Health Records Procedure

Purpose

Trikki Kidz Service's consumer health records are archived and destroyed in accordance with relevant legislation and the requirements of our service agreements. This procedure sets out the organisation's responsibilities and requirements to ensure compliance with these obligations.

Responsibility

The Service Manager is responsible for the archiving and disposal of all approved (electronic and paper based) consumer records.

The service manager is responsible for monitoring compliance with this procedure.

Procedure details

- Archiving of Paper-based Consumer Health Records
When it is time to archive consumer health records, the health records will be transferred for storage in the archives area at an offsite locked storage site.

- Disposal of Paper-based Health Records
The Service Manager is responsible for the disposal of all (electronic and paper based) consumer health records. Consumer data may not be destroyed without the express involvement and endorsement of the Service Manager.
Health records stored at the offsite locked storage facility are stored according to their anticipated disposal date.

- Document Destruction
- The Crimes (Document Destruction) Act 2006 holds managers and staff personally accountable if they knowingly destroy documents that are or are reasonably.

Likely to be required as evidence in existing or even potential legal proceedings. Note that this refers to all documents and not just documents contained within the consumer health record.

References or related Documents

- Public Records Office Standard *11/06 Retention and Disposal Authority for Patient Information Records 9/9/2011*
- Disability Employment Services *Records Management Instruction Guidelines V2.0 23/01/2014*
- *Health Records Act 2001 (Vic)*
- *Health Records and Information Privacy Act 2002 (NSW)*
- *Health Records (Privacy and Access) Act 1997 (ACT)*
- *Crimes (Document Destruction) Act 2006 (Vic)*

Consumer Health Records

Purpose

Trikki Kidz Pty Ltd is committed to maintaining a consumer health records system that supports Trikki Kidz Service's integrated models of care and service delivery and provides a complete, relevant, timely and accurate description of all supports provided to consumers and of the organisation's contact with the consumer.

Trikki Kidz Pty Ltd maintains a hybrid (hard copy and electronic) consumer records system; these records are:

- i. Unique to the individual consumer
- ii. Used by Trikki Kidz Pty Ltd personnel to assist with and inform for assessment, care and treatment, continuity of care, consumer and staff safety, quality, education, research, evaluation, medico-legal, funding and statutory requirements
- iii. Kept up-to-date
- iv. Handled and stored in a manner that preserves the consumers' rights to privacy
- v. Accessible to the consumer upon request (as directed by legislation and regulations)
- vi. Locatable
- vii. Archived and destroyed in accordance with relevant legislation and the requirements of our funding agreements

Scope

This policy applies to Trikki Kidz Pty Ltd personnel involved in consumer service delivery and those responsible for administering consumer information.

Managers are responsible for the implementation and monitoring of this policy and the corresponding procedures, as well as:

- Ensuring health care providers have timely access to paper based and electronic Consumer records, and
- Monitoring compliance with this policy, including participating in Consumer record audits and acting on the audit results.

Care providers are responsible for:

- Maintaining their knowledge, documentation and management of consumer records consistent with the requirements of this policy and related procedures
- Ensuring they are aware of current information about individual consumers that they are working with

Failure to maintain compliant consumer records can be interpreted as a failure to carry out our duty of care to the consumer and may result in consequences for the individual staff member and their supervisor, as well as for the organisation. For the individual/s involved, this can include disciplinary action, including possible termination of employment, as well as damage to personal and

Professional reputation. For the organisation, this can result in damage to the reputation of the organisation, and may result in legal action and financial loss, including loss of contract funding (depending on the nature of the issue).

Definitions

Customer - Trikki Kidz Pty Ltd is committed to being a customer centric organisation. Our broad definition of customer means we are inclusive of all people who interact or engage with us, either externally or internally. Our customers include consumers, clients, participants, patients, carers, the community, stakeholders, partners, staff, volunteers and members.

EACH Personnel - All employees (whether employed full-time, part-time, fixed term or on a casual basis), volunteers, students, contractors and sub-contractors performing work on behalf of EACH.

Consumer Record - A collection of information about services accessed and received by a consumer that is essential for their present and future care.

As such, the consumer record must contain sufficient information to identify the consumer to whom it relates, as well as up-to-date information relevant to the consumer's services, support and care during current and future encounters with Trikki Kidz Pty Ltd, for example:

- Identification
- The consumer's social, medical and/or family history
- The orders and results of any physical examination or tests
- Information relating to allergies and other alerts
- Comprehensive notes regarding all encounters, services, supports and care with and provided by Trikki Kidz Pty Ltd staff
- Other factors that may need special consideration
- Secure and guaranteed access to complete information collected in the consumer record is essential to ensure that care providers have the right information available when and where they need it. This maximises the quality and efficiency of the services and supports they can provide to consumers at all times

For the purposes of legal document retention requirements, a consumer health record may include not only the content of the organisation's hybrid consumer health record, but also anything which contains information about that consumer irrespective of its form. The term 'documents' have been found to include:

- Post-it notes
- Photographs
- Maps
- Emails
- Electronically stored files
- PDF versions of documents
- CD-ROMs or USB devices
- Back-up tapes, and
- Information on mobile phones and tablets

For this reason, all information relating to a consumer is transferred to Trikki Kidz Service's Consumer health record system in a timely manner.

Electronic Consumer Health Record

Replaces paper-based consumer records by electronically documenting the information relevant to consumer's services, support and care.

The electronic consumer health record is managed in a way that:

- Ensures security and confidentiality
- Prevents alteration
- Provides an audit trail of access including the login used and the date/time of access
- Complies with legal requirements and best-practice standards for health records

Contact Officer

For any issues in relation to interpretation of this policy contact the Business Owner or Service Manager.

References/Relevant legislation

Commonwealth:

- Privacy Act 1988
- Freedom of Information Act 1982
- AS2828-2012 Health Records

Victoria:

- Health Records Act 2001
- Privacy and Data Protection Act 2014
- Freedom of Information Act 1982
- Crimes (Document Destruction) Act 2006
- Mental Health Act 2014
- Children, Youth and Families Act 2005
- PROS 11/06 Retention and Disposal Authority for Patient Information Records

Related EACH Policies/Documents

- Privacy Policy
- Service Agreement with consent to share

Implementation Procedures

- *Collection, Use and Disclosure of Personal and Sensitive Information*
- *Archiving, Retention and Disposal of Consumer Health Records*

Customer information privacy

Purpose

This statement describes the personal information handling practices of Trikki Kidz Pty Ltd and gives customers an understanding of the type of personal information that Trikki Kidz Pty Ltd manages.

References

- Health Records Act 2001(Vic)
- Health Services Act 1988(Vic)
- Privacy and Data Protection Act 2014 (Vic)
- Health Records and Information Privacy Act 2002 (NSW)
- Information Privacy Act 2009 (Qld)
- Health Records (Privacy and Access) Act 1997 (ACT)
- Personal Information Protection Act 2004 (Tas)
- Privacy Act 1988 and the Australian Privacy Principles

Definitions

Personal information means information or an opinion about an identified individual, or an individual who is reasonably identifiable whether the information or opinion is true or not; and whether the information or opinion is recorded in a material form or not.

Customer: Trikki Kidz Pty Ltd is committed to be a customer centric organisation. Our broad definition of customer means we are inclusive of all people who interact or engage with us, either externally or internally. Our customers include consumers, clients, participants, patients, carers, the community, stakeholders, partners, staff, volunteers and members.

Trikki Kidz Pty Ltd Personnel: All employees (whether employed full-time, part-time, fixed term or on a casual basis), volunteers, students, contractors and sub-contractors performing work on behalf of Trikki Kidz Pty Ltd.

Introduction

Trikki Kidz Pty Ltd is committed to protecting individuals' rights to privacy. Trikki Kidz Pty Ltd complies with federal and state legislation relating to confidentiality and privacy as they apply in each jurisdiction. All personnel within Trikki Kidz Pty Ltd maintain the highest standards of professional practice and codes of conduct regarding the confidentiality of personal information.

Trikki Kidz Pty Ltd personnel receive training and understand their obligations under the laws and ethical codes of professional conduct relating to privacy and confidentiality and always ensure that the privacy of client information is protected.

Consent

When we collect your personal information, our personnel will discuss the content of this policy with you and request your consent to the collection. If you do not consent to collection of your personal information, the level or type of service that we can offer to you is limited. Most of our services require collection of relevant personal information as this enables us to provide you with the most appropriate care, support and/or treatment.

Anonymous

It is the right of an individual not to identify him or herself when accessing services from Trikki Kidz Pty Ltd. If you choose not to disclose your identity, the level or type of service that we can offer is limited and each time you access any of our services you will be asked for information which you have previously given. Most of our services require collection of your personal information as this enables us to provide you with the most appropriate care, support and/or treatment.

Collection

Information is collected in a respectful, lawful and non-intrusive way. Wherever possible, information is collected directly from you rather than from a third party. We will advise you if we have collected information about you from a third party.

We only collect personal information for purposes that are directly related and necessary to our activities and the services that we provide, and which is essential to the quality and effective administration of our services.

We also collect personal information related to our members, our volunteers and employees and others who participate in the functions and operations of Trikki Kidz Pty Ltd.

Use and Disclosure

We only use your personal information for the purpose for which it was given to us, or for purposes that are directly related to one of our functions or activities relevant to you. Personnel who are involved with your care, support and treatment will access your personal information. Information that is essential for your continuing care and Trikki Kidz Service's. Management, funding and quality assurance may be accessed by other appropriate personnel within Trikki Kidz Pty Ltd. For example, some administrative staff may have access to personal information during their duties. The extent of this access is limited to information that is relevant for them to perform their official duties.

We do not disclose personal information to other organisations or anyone else unless:

- You have consented to the disclosure
- You would reasonably expect, or have been told, that information of that kind is usually passed to those individuals, bodies or agencies
- Is otherwise required or authorised by law
- It will prevent or lessen a serious and imminent threat to somebody's life or health
- It is reasonably necessary for a law enforcement function.

Some information is used to help plan our services, for reporting purposes to our funding bodies and for quality improvement. This information may also be used for research that will help us to provide better overall healthcare for the community. As this information is not personally identifiable, specific consent to this is not required.

Some of our funding agreements with government require transfer of personal files and information back to the funding body at the end of the contract.

Trikki Kidz Pty Ltd is a national organisation. Personal information may be transmitted to organisations outside your home state. This will only be done where you have given explicit consent, or where the recipient organisation is subject to similar, binding privacy obligations and it is reasonably believed that you would give consent and it is impracticable for you to do so.

We do not intend to disclose your personal information to overseas recipients.

Organisations that we regularly disclose information to include:

- The Department of Health and Human Services (Vic) is an organisation to which we may be required to disclose personal information and return files, for example at the end of funding contracts.
- The National Disability Insurance Agency (NDIA). The National Disability Insurance Scheme Act 2013 s55 (1) gives the NDIA the power to require production of information that is, among other matters, relevant to the functions of the NDIA.

Data Quality

We take steps to ensure that the personal information we collect is accurate, up to date and complete. This includes maintaining and updating personal information when you advise us that your personal information has changed, and at other times as necessary.

Data Security

We take reasonable steps to protect the personal information we hold against loss, unauthorised access, use, modification or disclosure and against other misuse. These steps may include password protection and encryption of digital information and securing paper files with physical access restrictions.

Access to personal information held on computer systems is controlled and monitored. Only personnel required by their duties to have access to client records and information systems are authorised to access such information.

When no longer required, personal information is destroyed in a secure manner in accordance with the law and the requirements of our funding agreements.

Access and Correction

Access to your personal information is available to you on request. However, information relating to others or where the information would otherwise be exempt from disclosure by law will not be given. Proof of identity must be presented to us before personal information will be released.

Requests should be in writing and addressed to the Business Owner or Service Manager.

If we do not agree to provide access to personal information, we will advise you of the steps to take to seek a review of, or to appeal our decision (as applicable).

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You can take steps to request a correction of your personal information held by us. Requests should be in writing and must provide evidence to support the requested changes. If we do not agree to make the requested changes to personal information, you may make a statement about the requested changes and we will attach this to our file.

How to contact us

Contact us to obtain further information regarding this privacy policy or to provide any comments.

Telephone: 0427 734 115

Email: trudy@trikkikidz.com.au

Post: 40-44 High Street, Cobram, 3644, Victoria

If you have concerns about the way we handle your personal information, or you would like to make a complaint relating to privacy matters, please use the above contact details.

Privacy complaints:

- Will be treated seriously
- Will be dealt with properly
- Will be dealt with in a confidential manner
- Will not affect the standard of services that you receive from us.

Data quality

We will correct any personal information that we hold about you on request.

If you are on one of our automated email lists, you may opt out of further contact from us by clicking the 'unsubscribe' link at the bottom of the email.

Data security

There are inherent risks in transmitting information across the internet and we do not have the ability to control the security of information collected and stored on third party platforms. We take all reasonable steps to manage data stored to ensure data security.

Related Policies/Documents

- Collection and use of personal and sensitive information

Open Disclosure

Purpose

The purpose of the Open Disclosure is a process of providing an open, consistent approach to communicating with customers and their support persons following an adverse event, and the guidelines for the effective implementation of Trikki Kidz Pty Ltd Open Disclosure Policy and Procedures. Trikki Kidz Pty Ltd is committed to the process of open disclosure, especially where there has been an adverse event, whether or not that event may or may not have caused harm.

This includes expressing regret for what has happened as early as possible, keeping the customer and their support person(s) informed and providing feedback on investigations including the steps taken to prevent an event from recurring. It is also about providing information that will enable systems to be changed to improve customer safety.

The purpose of the Open Disclosure Policy is to:

- Establish a consistent approach to open disclosure across Trikki Kidz Pty Ltd
- Provide a system that facilitates the management of open disclosure in a timely, supportive and effective manner for both customers and staff
- Provide clear processes that describe individual and health service responsibilities in the management of open disclosure
- Support the establishment of consistent mechanisms for using open disclosure recommendations to improve systems and services

Trikki Kidz Pty Ltd will ensure that when an incident occurs the customer and their support persons will be engaged in timely discussion by a senior clinician or manager, and action that includes:

- An expression of regret that the incident occurred
- A factual explanation of what happened, without drawing any conclusions
- An explanation of the current or potential consequences
- Information on the steps being taken to manage the event, including the customer's ongoing care and support
- Information on the actions being taken to prevent recurrence
- The opportunity for the customer and their support persons to raise questions and obtain answers; and/or
- Assistance to manage the open disclosure process
- Lodging a complaint if dissatisfied

Trikki Kidz Pty Ltd is committed to the key principles of open disclosure, as stated in the National Open Disclosure Standards. These are:

- Openness and timeliness of communication
- Acknowledgement
- Expression of regret

- Recognition of the expectations of customers and their support person
- Integrated risk management and systems improvement
- Staff support
- Good governance
- Confidentiality

Trikki Kidz Service's commitment to open disclosure reflects our commitment to providing customer centred care that respects the customer's individuality and is mindful of the factors that may influence the way they experience services, and to developing open and transparent services that are capable of creating and maintaining a sustainable, safe and high-quality environment that is responsive to the needs of its customers. Such an environment is characterised as one in which customers:

- Are included as equal partners
- Are engaged in decision making about their care
- Have their views listened to and acknowledged
- Receive accurate, clear, easily understood information about all aspects of their service and
- Can have their family/carers/support persons included in the process

Trikki Kidz Pty Ltd will ensure that a staff member with the appropriate level of knowledge and skill will facilitate the open disclosure process, and that the time taken, or process utilised for open disclosure will not prejudice a customer's or support person's ability to pursue other avenues of redress.

Scope

All Trikki Kidz Pty Ltd Personnel.

Responsibility

Director:

- Ensure the management of open disclosure across Trikki Kidz Pty Ltd is in accordance with the policy and this procedure
- Establish, maintain and review the effectiveness of the Trikki Kidz Pty Ltd Open Disclosure Policy
- Disseminate learnings from the management of open disclosure issues through the management review process as appropriate
- Provide advice to Service Areas in response to specific queries about open disclosure issues
- Ensure that resources are available to enable implementation of the required open disclosure education and training programs and the open disclosure process
- Ensure that an evaluation strategy is in place to assess compliance with the open disclosure policy
- Ensure regular reviews of open disclosure processes occur

- Ensure the programs within their service area have systems in place which facilitate the open disclosure process
- Ensure that incidents that lead to an open disclosure have been reported and recorded as per Trikki Kidz Service's Incident Management Processes in accordance with this policy
- Ensure that a staff member with the appropriate skills and training has been designated to undertake the open disclosure process with the customer and their support person
- Ensure that staff understand when the open disclosure process should be initiated

All Trikki Kidz Pty Ltd Personnel will:

- Participate in the open disclosure process, including training, as required
- Adhere to the principles and aims of this policy
- Ensure all incidents that may lead to an open disclosure are reported via the appropriate process

Procedure details

Trikki Kidz Pty Ltd will:

- Ensure a consistent and standard process will be undertaken when investigating an adverse event
- Provide an environment in which staff recognise and openly discuss incidents and recommended actions with customers and their support persons
- Provide an environment in which all staff are able and encouraged to recognise and report incidents and are supported through the open disclosure process

All programs and services in Trikki Kidz Pty Ltd will ensure that:

- All adverse events are openly disclosed to the customer and their support persons
- Local procedures are in place to facilitate the implementation of a disclosure
- Staff are appropriately supported through the open disclosure process
- Incidents are utilized locally and across the system to drive improvement in the quality of health care services provided

References/Relevant legislation

Commonwealth

- Commonwealth Health Insurance Act 1973 (Part VC)
- Commonwealth Freedom of Information Act 1982

Victoria

- Victoria Wrongs Act 1958
- Victoria Health Services Act 1988 (Part 7 Division 3)
- Victoria Freedom of Information Act 1982

Related Policies/Documents

- Risk Management Procedure
- Customer Rights and Responsibilities Policy
- Child Safe Policy
- Freedom from Abuse Neglect and Exploitation Policy
- Privacy Policy

Help section

For help with the *Open Disclosure Procedure*, contact the Director/Business Owner.

Contact Officer

The Director/Business Owner

Definitions

Customer: Trikki Kidz Pty Ltd is committed to be a customer centric organisation. Our broad definition of customer means we are inclusive of all people who interact or engage with us, either externally or internally. Our customers include consumers, clients, participants, patients, carers, the community, stakeholders, partners, staff, volunteers and members.

Trikki Kidz Pty Ltd Personnel: All employees (whether employed full-time, part-time, fixed term or on a casual basis), volunteers, students, contractors and sub-contractors performing work on behalf of Trikki Kidz Pty Ltd.

Open disclosure: Open disclosure is a process of providing an open, consistent approach to communicating with customers and their support persons following an incident.

This includes expressing regret for what has happened as early as possible, keeping the customer and their support person(s) informed and providing feedback on investigations including the steps taken to prevent an event from recurring. It is also about providing information that will enable systems to be changed to improve customer safety.

Adverse event: An adverse event is an event that leads to negative consequences for individuals and/or groups directly or indirectly attributable to service provision.

For the purposes of this document, an adverse event is the overarching term used to cover a collective group of events and includes: an incident, issues or events identified in a complaint or by a notification in relation to the provision of services or supports by a service provider.

Career: A family member, guardian or friend who has an interest in, or is responsible for, the care of a customer

Circumstance/s: All the factors connected with or influencing an incident

Complaint: An expression of concern, dissatisfaction or frustration with the quality, or delivery of services, policies, procedures or conduct

Expression of regret: An oral or written expression of regret to a customer in relation to an incident. Using the word 'sorry' would be appropriate as part of an expression of regret, as on its own, it does not constitute an apology, e.g. 'I am/we are sorry that this has happened'. An expression of regret does not include any statement of liability or agreement concerning responsibility for the incident such as 'I am sorry we did this'

Feedback: A general comment, a positive or negative statement or a complaint

Formal complaint: A more complex matter that may need to be referred to a Manager or Trikki Kidz Service's Complaints Officer

Harm: Death, disease, injury, suffering, disability and/or psychological/emotional harm experienced by a person

Incident: Any event or circumstance that resulted, or could have resulted in unintended and/or unnecessary harm to a person and/or a complaint, loss or damage

Risk Assessment: A numerical score applied to an incident, which is based on the type of event, its likelihood of recurrence and its consequence. The score is determined by the use of the risk matrix.

Support person: A person/s nominated by the customer, able to be involved in the open disclosure process, receiving relevant information and giving appropriate support and care to the customer

Standard/s: Agreed specifications and/or procedures designed to ensure that a material, product, method or service is fit for the purpose and consistently performs the way in which it was intended.

Complaints and Feedback

Purpose

The purpose of this procedure is to describe in a simple but systematic way the steps to follow when addressing complaints and/or feedback from our consumers or members of the community.

As outlined in Trikki Kidz Service's Complaints and Feedback policy, Trikki Kidz Pty Ltd has a commitment to the fair resolution of complaints by people at all levels in the organisation adopting the Natural Justice Process. This means that a minimum standard of fairness is to be applied to the investigation and resolution of a complaint.

The requirements of natural justice include:

- Fully informing a person of any allegation made against them
- Giving them an opportunity to state their case, provide an explanation or put forward a defense
- Ensuring that proper investigation of the allegations occurs, that all parties are heard, and relevant submissions considered
- Ensuring the decision-maker acts fairly and without bias.

Trikki Kidz Pty Ltd values the perspective and input from our customers and the community and actively ensures that they have an accessible and safe avenue for providing feedback that fosters a culture which supports consumers and the community to make positive comments as well as raise complaints.

The intent of this policy is to create a positive culture that seeks and then uses consumer and community experiences to improve the quality and safety of services.

Legislation, regulations and standards relevant to this policy and procedure include:

- *Disability Act 2006 (Vic)*
- *Human Services Standards (Vic) – Empowerment*
- *4.5. Complaints Management (Departmental Policies, Procedures and Initiatives, Service Agreement Information Kit for Funded Organisations, Victorian Department of Health and Human Services)*
- *Disability Inclusion Act 2014 (NSW)*
- *Community Services (Complaints, Reviews and Monitoring) Act 1993 (NSW)*
- *AS ISO 10002-2014 Customer Satisfaction – Guidelines for Complaints Handling in Organizations*
- *NDIA Terms of Business*
- *Australian Consumer Law*

Documents relevant to this policy and procedure include:

- *Trikki Kidz Pty Ltd Feedback, Compliments and Complaints Brochure*
- *Trikki Kidz Pty Ltd Complaints and Grievances Register*
- *Trikki Kidz Pty Ltd Continuous Improvement Plan*
- *Trikki Kidz Pty Ltd Privacy and Confidentiality Policy and Procedure*
- *Trikki Kidz Pty Ltd Information Management Policy and Procedure*

<p>Trikki Kidz Pty Ltd Pty.Ltd Policy and Procedure Version 1</p>	<p>Reviewed:</p> <p>Next review:</p>
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This policy and procedure applies to all stakeholders of the organisation, including clients, families and carers, advocates, management, staff, volunteers, contractors, other service providers, government agencies and members of the community.

Issues raised by Trikki Kidz Pty Ltd staff (where applicable), volunteers and contractors would generally be dealt with under Trikki Kidz Service's *Disputes and Grievances Policy and Procedure*, however from time to time staff may raise issues or provide feedback that is best dealt with under this policy.

This policy and procedure should be read in conjunction with Trikki Kidz Service's *Dealing with Complaints Policy and Procedure*.

Policy Statement

All feedback provides Trikki Kidz Pty Ltd with an opportunity to review services, facilities or systems which can lead to quality improvements for the consumer.

Trikki Kidz Pty Ltd has a commitment to the fair resolution of complaints by people at all levels in the organisation by adopting the "Natural Justice Process". This means that a minimum standard of fairness is to be applied to the investigation and resolution of a complaint.

Trikki Kidz Pty Ltd will ensure that all Trikki Kidz Pty Ltd personnel are familiar with and understand Trikki Kidz Service's feedback management process and that customers are aware of their right to make a complaint and the right to have an advocate to assist them with this process.

Trikki Kidz Pty Ltd is committed to acknowledge complaints within five working days of the complaint being received. For complex complaints, Trikki Kidz Pty Ltd will endeavour to complete the process within 28 business days.

If the complainant is not satisfied with Trikki Kidz Service's internal process outcome, Trikki Kidz Pty Ltd will provide the complainant with information about the relevant external complaint agencies.

- Compliments, complaints and other forms of feedback provide Trikki Kidz Pty Ltd with valuable information client satisfaction and an opportunity to improve upon all aspects of its service. Feedback is taken seriously by Trikki Kidz Pty Ltd and seen as an opportunity for improvement.
- Trikki Kidz Pty Ltd records and handles feedback effectively in order to identify areas for improvement, coordinate a consistent approach to complaint resolution, reduce the potential for future complaints and allow for reporting and efficient allocation of resources.
- Resolving complaints at the earliest opportunity in a way that respects and values the person's feedback can be one of the most important factors in recovering the person's confidence about Trikki Kidz Service's services. It can also help prevent further escalation of the complaint. A responsive, efficient, effective and fair complaint management system will assist Trikki Kidz Pty Ltd to achieve this.
- Trikki Kidz Pty Ltd has an effective feedback, compliment and complaint handling system that addresses the principles of visibility and accessibility, responsiveness, assessment and investigation, feedback, continuous improvement and service excellence.

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- Trikki Kidz Service’s approach to feedback, compliments and complaints management ensures:
 - people understand their rights and responsibilities;
 - information on the feedback, compliment and complaint management process is easily accessible;
 - increased satisfaction of clients in the management of their compliments and complaints;
 - the recording of data to identify existing or emerging trends or systemic issues;
 - staff demonstrate an awareness of Trikki Kidz Service’s feedback, compliments and complaints management processes;
 - staff develop the range of skills and capabilities required to manage compliments, complaints and feedback; and
 - An organisational culture that is focused on effective, person-centred complaints resolution and utilising feedback for continuous improvement.

Scope

This policy applies to all Trikki Kidz Pty Ltd personnel receiving feedback or complaints from a consumer, their carer, family member or someone on their behalf and from members of our community.

It is Trikki Kidz Pty Ltd management’s responsibility to provide the avenue and mechanisms for receiving feedback and it is staff’s responsibility to ensure that all feedback received including complaints are dealt with according to this policy and relevant procedure.

Responsibilities

Trikki Kidz Pty Ltd management, staff, volunteers, students and agency staff, have the responsibility to understand the Consumer Complaint and Feedback Procedure and to ensure that Consumers are aware of their right to make a complaint and the right to have an advocate to assist them with this process.

Business Owner is responsible for ensuring that:

- there are processes in place to provide consumers with opportunities to provide feedback or raise complaints
- there are resources available to support above processes
- There is the provision of regular reports to the Board, on raised complaints as well as progress on actions to address them; and consumer and community feedback received is used to improve quality of services at Trikki Kidz Pty Ltd.

Managers are responsible for ensuring that:

- all staff, volunteers, students and agency staff under their responsibility are familiar with the Consumer Complaints and Feedback Policy and with this Procedure
- any new and current staff completes the Consumer Complaints and Feedback Procedure training
- all complaints received about services provided by their staff are dealt with according to this Procedure and Policy

- if complaints are not satisfactorily resolved at the program level, they are to be escalated to the Business Owner or Service Manager

Staff, volunteers and students are responsible for:

- completing training on the Consumer Complaints and Feedback Procedure;
- fully advise the Business Owner and Service Manager on complaints
- supporting the investigation process as required

Procedures

- Trikki Kidz Service's management will promote best practice, continuous improvement and an open, supportive, respectful culture that encourages and supports staff, clients and other stakeholders to make complaints and report concerns without fear of retribution. This will be assessed in a yearly Performance Reviews of management staff.
- Upon commencement, all staff will undergo Induction, which will include information on staff retention approaches including their right to access Trikki Kidz Service's feedback, complaints and dispute resolution process. They will also be trained in this policy and procedure and in providing stakeholders with information about feedback, compliments and complaints.
- Where staff are employed, Annual Performance Reviews will assess staff awareness of this policy and procedure and their roles and responsibilities when service users make complaints. Additional on-the-job and formal training will be provided where required. This will also be monitored informally by management.
- The Agenda for team meetings will include a standing item on Continuous Improvement, including staff and client feedback and complaints.
- Trikki Kidz Service's *Client Charter*, Handbook, website and a specific *Feedback, Compliments and Complaints Brochure* provide clients, their families and carers and all other stakeholders with information about this policy and procedure, in an easy to understand format. This will include information on how feedback and complaints will be addressed and who to contact to provide feedback and complaints to external agencies, including external advocacy and support agencies. Information will be clearly displayed in Trikki Kidz Pty Ltd and provided by staff when requested.
- Any client or other stakeholder wishing to lodge feedback or a complaint will be provided with information regarding this policy.
- Information about providing feedback and making complaints will be provided in a variety of formats, including in Easy English and alternative languages. Interpreters and referrals to advocates can be provided.
- Trikki Kidz Pty Ltd staff will provide all clients, their families and carers with this policy and procedure when they first access the service and, throughout service delivery, remind them of the policy and their right to make a complaint without fear of affecting their service.

- All personal information Trikki Kidz Pty Ltd collects to manage feedback or complaints will be handled in accordance with privacy legislation and Trikki Kidz Service's *Privacy and Confidentiality Policy and Procedure*. Feedback and complaints will be dealt with in a confidential manner and will only be discussed with the people directly involved. All information regarding feedback and complaints will be kept securely in accordance with Trikki Kidz Service's *Records and Information Management Policy and Procedure*.
- Complaints and feedback can be lodged by a third party on behalf of another person, if their consent has been provided.
- Feedback and complaint data will be tracked and analysed to identify any ongoing issues. Feedback, complaints and dispute resolution matters will be reported on a quarterly basis, as part of the report on Continuous Improvement.
- In accordance with the *Disability Act 2006 (Vic)*, Trikki Kidz Pty Ltd will report annually to the Disability Services Commissioner in the form required by the Disability Services Commissioner, specifying the number of complaints received and how the complaints were resolved.

Feedback

- Feedback can be provided to any staff member at any time in any way by any stakeholder, including through:
 - a staff member (where applicable);
 - Trikki Kidz Service's public email address;
 - mail;
 - phone contact;
 - *Feedback and Complaint Forms*
 - staff planning days and management meetings (involving client and other stakeholder representatives);
 - client forums;
 - staff collection of client feedback after each major interaction with the service (e.g. initial assessment and planning; reviews; exit);
 - Annual client service delivery and satisfaction surveys. All clients will be asked to complete these surveys; and
 - Annual staff and stakeholder satisfaction surveys. All staff will be asked to complete these surveys and stakeholders will be selected on a random basis.
- Where feedback is provided verbally, the receiving staff member will transcribe the feedback onto a Trikki Kidz Pty Ltd *Feedback and Complaint Form*.
- Provision of feedback through any of Trikki Kidz Service's channels is voluntary.

Trikki Kidz Service's complaints management process

- Trikki Kidz Service's complaints management process can be simplified into five steps:
 1. Receive;
 2. Record;
 3. Acknowledge;
 4. Resolve; and
 5. Communicate resolution.

1. Receive

- To lodge a complaint, individuals are encouraged to speak directly to a staff member first, in an attempt to resolve the matter without recourse to the complaints and grievances procedures.
- Management (or delegates) will:
 - Listen – openly to the concerns being raised by the complainant.
 - Ask – the complainant what outcome they are seeking.
 - Inform – the complainant clearly of the complaint process, the time the process takes and set realistic expectations.
 - Be accountable – and empathic towards the affected person and action all commitments made.
 - Assess – situations that pose an immediate threat or danger, or require a specialised response.
- All complaints and grievances will be referred to management (or delegates) for resolution.
- Management will discuss minor complaints directly with the party involved as a first step towards resolution.
- If the complaint cannot be resolved promptly or within 24 hours, management will treat it as a grievance (advising the individual of their right to lodge a grievance if they have not already done so, with the assistance of a support person or advocate if they wish).
- A *Feedback and Complaints Form* will be made available to the individual to lodge their grievance, however it is not mandatory that they use the form. The *Feedback and Complaints Form* can be used to make anonymous complaints.
- Grievances can be lodged:
Directly with a staff member, either verbally or by providing a completed Feedback and Complaints Form;
Telephone: 0427 734 115
Email: trudy@trikkikidz.com.au
Post: 40-44 High Street, Cobram, 3644, Victoria
- At any time, individuals can make a complaint directly to the National Disability Insurance Agency (NDIA); the Victorian Department of Health and Human Services' Complaints, Integrity and Privacy Unit; the Victorian Disability Services Commission; the Commission for Children and Young People Victoria; the Victorian Ombudsman; the Office of the Commissioner for Privacy and Data Protection; the Victorian Independent Broad-based Anti-corruption Commission (IBAC); or if relevant, NSW Ageing, Disability and Home Care (ADHC) or the New South Wales Ombudsman.
- All clients making a complaint will be encouraged to use an advocate of their choice to act on their behalf if they wish. The advocate may be a family member or friend, or sourced (with the assistance of a staff member if required) through the National Disability Advocacy Program.
- If a complaint alleges actual or possible criminal activity or abuse or neglect, it will be referred to the Director immediately. The Director will report the complaint as per Trikki Kidz Service's Incident Management Policy and Procedure and work with the relevant authority to investigate the allegation.

- Staff will take all reasonable steps to ensure a complainant is not adversely affected because a complaint has been made by them or on their behalf.

2. Record

- Management will:
 - Record – all information that is relevant to the compliment or complaint, in its original and simplest form, in Trikki Kidz Service's *Complaints and Grievances Register*.
 - Store and protect – the *Complaints and Grievances Register* in a secure file, accessible only to management.

3. Acknowledge

- Management will:
 - Acknowledge – receipt of the grievance within 2 working days to build a relationship of trust and confidence with the person who raised the complaint.
 - Provide anonymity – a person may request to remain anonymous in their lodgement and therefore contact may not be possible or expected.
 - Seek desired outcomes – provide realistic expectations and refer the matter to other organisations where identified as being more suitable to handle.
 - Avoid conflict of interest – by appointing a person unrelated to the matter as an investigator if necessary.
 - Provide timeframes and expectations – to the complainant where possible.

4. Resolve

- In resolving a complaint or grievance, management will:
 - Involve the complainant – keep them informed of the progress of the complaint and discuss any disparities identified in the information held.
 - Request additional information – when required but apply a timeframe that limits when it is to be provided by.
 - Consider extensions – only where necessary and always communicate any additional time requirements to the complainant with an explanation of the need.
 - Record – all decisions or actions of the complaint investigation in Trikki Kidz Service's *Complaints Register*.
 - Focus – on the identified complaint matters only. A complaint is not an opportunity to review a whole case.
- Investigation of complaints will not be conducted by a person about whom a complaint has been made. If required, management will determine the appropriate person to undertake the investigation.

5. Communicate resolution

- Trikki Kidz Pty Ltd will respond to all complaints and grievances as soon as possible and within 28 days from acknowledgement.
- If a complaint or grievance cannot be responded to in full within 28 days of acknowledgement, an update will be issued to the complainant. The update will provide the date by which a full response can be expected. The update should be provided verbally in the first instance then confirmed in writing.

- Management (or delegates) will:
 - Discuss the outcome – where possible, verbally with the complainant before providing written advice and allowing them the opportunity to make further contact following receipt of the written advice.
 - Include information on recourse – what further action may be available to the complainant at the conclusion of the complaint investigation. An action of recourse may be to escalate the matter further with an external agency or for a further review within the organisation.
 - Provide a further review – to enable the first investigation to be reviewed for soundness and allow additional information not available in the first complaint to be included.
 - Identify opportunities – relay complaint outcomes to the appropriate area within the organisation for action to improve service delivery.
 - Seek Feedback – from the complainant regarding their experience of the complaints process.
- Support will be provided to assist complainants’ understanding of correspondence regarding complaints and grievances where required (e.g. interpreters, referral to advocates, etc.).
- Options for actions responding to a complaint include but are not limited to:
 - explaining processes;
 - rectifying an issue;
 - providing an apology;
 - ongoing monitoring of issues; and
 - Training or education of staff.
- Trikki Kidz Service’s *Complaints and Grievances Register* will be used by the Trikki Kidz Pty Ltd Director to record every complaint, track investigation progress and outcomes and how the outcomes have been communicated to stakeholders.

Complaints Escalation and Dispute Resolution

- If a complainant remains dissatisfied with the outcome of their complaint or grievance they will be provided with the details of other agencies they can use to assist them to achieve a resolution.
- Escalated complaints will be tracked in the *Complaints and Grievances Register* in the same manner as other complaints and the same communication processes as outlined above will be applied. If necessary, the Director will undertake communication with the complainant instead of the Trikki Kidz Pty Ltd Coordinator.
- Complaints to the NDIA can be lodged:
 - by email to feedback@ndis.gov.au
 - by phone on 1800 800 110
- Complaints to the Victorian Department of Health and Human Services, Complaints, Integrity and Privacy Unit can be lodged:
 - Telephone: 1300 884 706
 - Email: reception@dhhs.vic.gov.au
 - Post: Complaints, Integrity and Privacy Unit, GPO Box 4057 Melbourne VIC 3001

- Complaints to the Victorian Disability Services Commission can be lodged:
 - by email to complaints@odsc.vic.gov.au
 - by phone on 1800 677 342 (TTY 1300 726 563)
 - online at www.odsc.vic.gov.au
 - via Skype by calling or emailing to make an appointment first
- Complaints to the Commission for Children and Young People Victoria can be lodged:
 - by email to childsafes@ccyp.vic.gov.au
 - by phone on 1300 78 29 78
- Complaints to the Office of the Commissioner for Privacy and Data Protection can be lodged:
 - By phone on 1300 666 444
 - online at www.cdpd.vic.gov.au
- Complaints to the Victorian Ombudsman can be lodged:
 - by phone on 03 9613 6222 or (regional areas) 1800 806 314
 - online at www.ombudsman.vic.gov.au
- Complaints to the Independent Broad-based Anti-corruption Commission can be lodged:
 - by phone on 1300 735 135
 - online at www.ibac.vic.gov.au
- Complaints to NSW ADHC can be lodged:
 - by email to servicembx@facns.nsw.gov.au
 - by phone on (02) 9377 6000
 - online at www.adhc.nsw.gov.au
 - by post to Locked Bag 10 Strawberry Hills NSW 2012
- Complaints to the NSW Ombudsman can be lodged:
 - by email to nswombo@ombo.nsw.gov.au
 - by phone on 02 9286 1000 or Toll free (outside Sydney metro) on 1800 451 524
 - online at www.ombo.nsw.gov.au
- NDIS participants purchasing products and services also have rights and protections under the Australian Consumer Law (ACL), including provisions on customer guarantees and unfair contract terms. Consumer Affairs Victoria and Fair Trading NSW provide information and advice and in some cases, dispute resolution services for customer disputes under the ACL. See <https://www.consumer.vic.gov.au> or <http://www.fairtrading.nsw.gov.au>.

Monitoring and Review

- Trikki Kidz Service's annual service delivery and satisfaction surveys will include questions regarding:
 - satisfaction with Trikki Kidz Service's feedback and complaints processes;
 - whether stakeholders have received adequate information about making complaints and their awareness of complaints mechanisms;
 - the extent to which clients and their supporters feel they have been included in the review of feedback and their satisfaction with this process;
 - whether stakeholders have received adequate information about how the organisation will use feedback, complaints and appeals information; and
 - Any barriers to lodging complaints and feedback.

- Trikki Kidz Service's *Continuous Improvement Plan* will be used to record how the outcomes of feedback have been communicated to stakeholders. Positive feedback will be recorded in the Plan as a way of recording things the organisation does well. If positive feedback relates to a client or staff member, that person will be formally recognised by management.
- This Policy and Procedure will be reviewed at least annually by Trikki Kidz Service's management and incorporate client and other stakeholder feedback.

Procedures 2

Guidelines

- The process to provide feedback or submit a complaint will be easily accessible and understandable for the service users and community.
- No one will be adversely affected because of making a complaint or a complaint made on their behalf, which will be addressed in an equitable, objective and unbiased manner.
- All personal information collected will be handled in accordance with privacy policies.
- The Service/Program will make every reasonable effort to investigate all relevant circumstances and information regarding the complaint and where necessary if the complaint is unresolved at this level, the complaint will be escalated to the Trikki Kidz Pty Ltd Business Owner or Service Manager.
- Where relevant, information will be provided to consumers on advocacy.
- All complaints and feedback received are immediately emailed to the Business Owner or Service Manager.
- Decisions and actions from the complaints will be reported reviewed annually.

Complaints communication process

Trikki Kidz Pty Ltd has adopted four principles of successful complaint resolution: Acknowledgement, Answer, Action, and Apology (from the Disability Service Commissioner)

Acknowledgement – verbal or written

- A complaint can be received by any staff member at Trikki Kidz Pty Ltd. A range of opportunities are available for consumers and the community to provide feedback verbally or in writing, such as: face to face, over the phone, letters, emails, and Trikki Kidz Pty Ltd website.
- Listen openly to the concerns and ask questions to understand the complainant's perspective - be curious rather than defensive.
- Recognise the feelings behind their arguments and accusations.
- Complaints will be acknowledged verbally and/or in writing (as requested by complainant) within 5 business days of the initial complaint.
- Try to resolve the complaint as quickly as possible - for complex complaints, provide the person who has raised the complaint with clear advice that Trikki Kidz Pty Ltd policy is to complete the complaint process in 28 days.

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- A complaint of a serious nature must be forwarded to the Business Owner immediately on receipt.
- The complainant will be advised of their rights to an advocate, and any other relevant independent external complaint bodies. The complainant will be kept informed on the progress of the complaint investigation.

The best acknowledgement has the following qualities:

- **Brief:** Clear sentences, or as few as possible. Remember that when a person is upset, a concise message is more likely to be heard than one that has many parts to it.
- **Focus:** Recognise the feelings the person is presenting with the issues. Be curious and ask about their feelings. Let them say how they feel and let them know you accept how they feel. Do not evaluate or interpret their feelings.
- **Tone:** An accepting and understanding tone is best conveyed through a confident clear voice at medium pitch.
- **Pace:** Adopt a moderate to slow pace when giving an acknowledgement. Remember that people who are upset are likely to be exaggerated in terms of behaviour. Your pace of words and / or body language can indicate that you are safe and steady.
- **Impact:** Be aware of how the person is responding to your attempts to acknowledge their concerns. Then move on to the problem to solve. If the person is getting more agitated, try again.

Answer

- People typically want to know why something has or has not happened, or why a decision was made. This is important to their ability to understand and process what has happened and to move onto resolving their concern.
- Answers should include a clear explanation of the event/decision relevant to their concern raised.
- You will have the best chance of resolving the issues when you are seen to be doing all you can to provide answers. If there are answers you cannot provide immediately, then inform the person of why and what process you will follow to get answers or clarify whether the information they may need can in fact be provided.
- Be upfront and clear about where you know that a policy or situation will prevent information being provided.
- The complaint should be resolved in 28 business days. If this is not possible, the complainant will be informed of the further time required.
- Investigation and resolution of the complaint can be verbal or written, depending on the complainant's choice.

Action

- Review and follow up the complaint as appropriate and develop an action plan.
- Document the complaint investigation, follow up and record resolution, action plan and outcome by email to the Service Manager.
- Ensure complaints are managed appropriately and within the policy time frame.
- Ensure feedback is analysed with the Service Manager and where applicable recommendations for change or improvements documented by email to Service Manager or Business Owner.
- Develop the actions to solve identified problems and then develop an action plan to address issues to improve quality and prevent further problems in the future. The plan should include what will be done, who will do it and when, how will we communicate our progress and how we will check that things are on track.
- Review and monitor the actions.

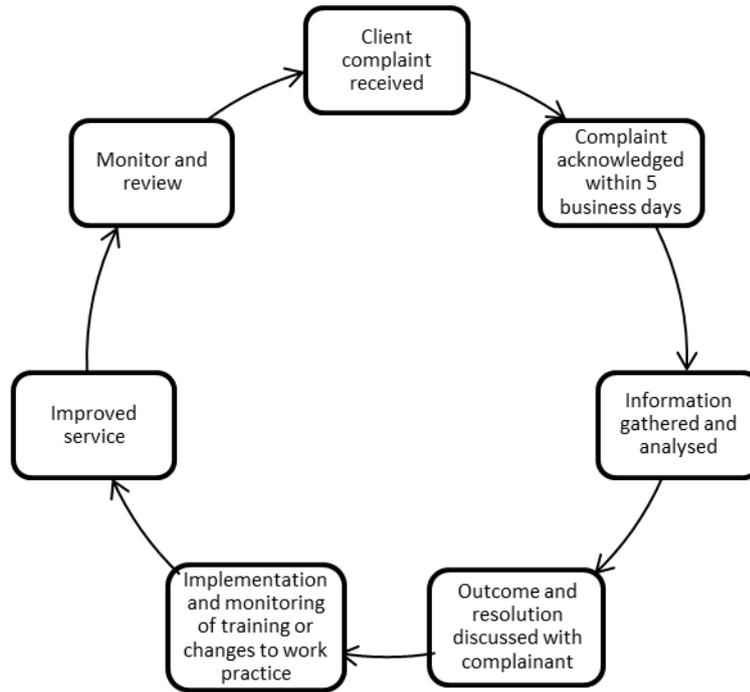
Apology

- A genuine and timely apology is an effective way to acknowledge a person's complaint.
- The best apology has the following qualities:
 - I. **Timely:** Made soon after the event or soon after people realise the event has raised concerns.
 - II. **Sincere:** The apology is seen as genuine, from the heart and delivered with the right intent.
 - III. **Specific:** The apology is to the point at issue and is not a generic apology about resource levels, policies or social conditions etc.
 - IV. **Explanatory:** The apology gives some idea of the circumstances and contributing factors that lead to the concern / event.
 - V. **Learning and Improvement:** The apology includes something about what a person or organisation has learned and how things will change to improve behaviours, organisational system and / or quality improvements.

Quality Improvement

- Trikki Kidz Pty Ltd will use various means of communicating details of complaints and feedback received, outcomes achieved and identify common themes or areas for improvement.
- The complaints and feedback system will be annually evaluated to ensure it is meeting the needs of the consumers and community and funding bodies.

In summary the Consumer Complaints Management Procedure at Trikki Kidz Pty Ltd can be described as per below chart:



Definitions

For this policy and relevant procedure, the following definitions have been adopted:

Customer: Trikki Kidz Pty Ltd is committed to be a customer centric organisation. Our broad definition of customer means we are inclusive of all people who interact or engage with us, either externally or internally. Our customers include consumers, clients, participants, patients, carers, the community, stakeholders, partners, staff, volunteers and members. In the context of this procedure customer is used in reference to external customers.

Trikki Kidz Pty Ltd Personnel: All employees (whether employed full-time, part-time, fixed term or on a casual basis), volunteers, students, contractors and sub-contractors performing work on behalf of Trikki Kidz Pty Ltd.

Feedback: Is the voice of the customer sharing observations, complaints and suggestions with Trikki Kidz Pty Ltd about our services or the way we conduct our business. In this procedure feedback refers to a complaint, concern, compliment, comment or suggestion.

Complaint or concern: An expression of dissatisfaction made by a consumer or community member in regard to an action or omission by the organisation.

Complaint - an expression of dissatisfaction made to or about an organisation, related to its products, services, staff or the handling of a complaint, where a response or resolution is explicitly or implicitly expected.

For the purpose of this policy and procedure, a complaint is defined as an issue of a minor nature that can be resolved promptly or within 24 hours, and does not require a detailed investigation. Complaints include an expression of displeasure, such as poor service, and any verbal or written complaint directly related to the service (including general and notifiable complaints).

General complaint - addresses any aspect of the service e.g. a lost clothing item or the service's fees. The complaint must be dealt with as soon as is practicable to avoid escalation of the issue.

Grievance - a formal statement of complaint that cannot be addressed immediately and involves matters of a more serious nature e.g. the service is in breach of a policy or the service did not meet the care expectations of a family.

Notifiable complaint - A complaint that alleges a breach of the *Education and Care Services National Law Act* or *Regulations*, or alleges that the health, safety or wellbeing of a child at the service may have been compromised. See Trikki Kidz Service's *dealing with Complaints Policy and Procedure* for how to manage notifiable complaints.

Compliment: An expression of praise, congratulation or encouragement to staff at any level of the organisation.

Suggestion: A suggestion is an idea someone proposes. A suggestion can be accepted or rejected.

Comment: A comment is to state an opinion or make a remark on something.

Contact Officer

The contact officer for all complaints is the Business Owner or Service Manager.

Related Policies/Procedures/Documents

- Customer Feedback Procedure.
- Consumer Complaints & Feedback policy
- Customer Information Privacy Policy.
- Australian Standard AS/NZS ISO 10002:2014 Guidelines for Complaints Management in Organisations.
- "Everything You Wanted to Know About Complaints..." Booklet, June 2013 – State of Victoria Disability Services Commissioner 2013.

References/Relevant Legislation

- Health Services (Conciliation and review) Act 1987 (Victoria)
- Health Records Act 2001 (Victoria)
- Privacy Act 1988 (Commonwealth)
- Health Practitioner Regulation National Law Act 2009 (Victoria)
- Human Rights and Equal Opportunity Commission Act 1986 (Commonwealth)
- Victorian Charter of Human Rights (2008)
- Disability Act 2006 (Victoria) -Describes the role of the Disability Commissioner
- Australian Standard AS/NZS ISO 10002:2014 Guidelines for Complaints Management in Organisations
- Managing unreasonable complainant conduct practice manual, 2nd Edition, NSW Ombudsman, May 2012

Trikki Kidz Pty Ltd STAFF CODE OF CONDUCT

Trikki Kidz Pty Ltd prides itself on the professionalism and ability of its staff and management to meet client and other stakeholder needs. The organisation strives to be a leading service provider and to provide a safe, healthy and happy workplace. This Code of Conduct is designed to ensure that all staff, management and stakeholders are treated in a manner that reflects the Mission, culture and legal obligations of the service.

Compliance

- At all times, staff and management are expected to:
 - adhere to all Trikki Kidz Pty Ltd policies and procedures;
 - comply with all applicable Federal, State and local laws and regulations;
 - comply with all reasonable, lawful instructions and decisions related to their work;
 - maintain a high degree of ethics, integrity, honesty and professionalism in dealing with clients, other staff and stakeholders;
 - maintain the confidentiality of the organisation's operations in relation to service activities, confidential documentation and work practices during and after their employment; and
 - Take reasonable steps to ensure their own health, safety and welfare in the workplace, as well as that of other staff, clients and stakeholders.

Staff and Management Behaviour

- If an employee breaches the following guidelines, disciplinary action may be taken.
- If the breach of conduct is of a legal nature, it will be addressed in accordance with relevant Federal, State or local government laws.
- Employees and management must not:
 - discriminate against another staff member, client or stakeholder on the basis of sex, age, race, religion, disability, pregnancy, marital status or sexual preference;
 - engage in fighting or disorderly conduct, or sexually harass other staff, clients or stakeholders;
 - steal, damage or destroy property belonging to the organisation, its staff, clients or stakeholders;
 - work intoxicated or under the influence of controlled or illegal substances;
 - bring controlled or illegal substances to the workplace;
 - smoke on the service's premises or in its motor vehicles; or
 - Accept benefits or gifts which give rise to a real or apparent conflict of interest.

Dress code

- All staff should:
 - dress to comply with workplace health and safety regulations relevant to their work activities;
 - dress suitably for their position, presenting a clean, neat and tidy appearance at all times;
 - wear minimal jewellery;

- wear a uniform (if supplied) and maintain its condition (clean and not torn); and
 - Consult with management if unsure of the type of clothing appropriate to their position.
- Employees who deliberately breach this dress code may be subject to disciplinary action.

Privacy and confidentiality

- Staff and management must comply with Trikki Kidz Service's *Privacy and Confidentiality Policy and Procedure* in regards to the collection, storage, use, correction and disposal of personal and health information.

Dealing with aggressive behaviour

- Staff and management are expected to provide a high standard of service provision. However, the service does not accept any form of aggressive, threatening or abusive behaviour towards its staff by other staff, clients or stakeholders.
- If a staff member is unable to calm another person and/or believes a situation places them or other people in danger, they should notify management.

Use of computers, telephones, facsimiles

- Unauthorised access and use of confidential information can severely damage the reputation of the service and undermine personal privacy.
- Staff and management must:
 - use Trikki Kidz Pty Ltd communication and information devices for officially approved purposes only;
 - use these communication and information devices for limited personal use, as long as this use does not interfere with daily duties; and
 - Not share their password/s with another staff member or share another staff member's password/s.

Use of the Internet and email

- Internet and email are provided to employees for genuine work-related purposes.
- Staff and management must:
 - Limit personal use to a minimum. The organisation may monitor use and call upon employees to explain their use;
 - not divulge personal or confidential information via the Internet or email; and
 - Not use the Internet to access websites or send emails of an explicit sexual nature or in any manner that breaches Trikki Kidz Service's *Equity, Anti-Discrimination and Workplace Harassment Policy and Procedure*.
- While the privacy of all staff is respected, emails may be used as evidence if legal action is taken against an employee. This information may also be used as evidence of a breach of the Code of Conduct or Trikki Kidz Service's *Equity, Anti-Discrimination and Workplace Harassment Policy and Procedure*.

Staff Security

Purpose

To provide a secure and safe work environment for Trikki Kidz Pty Ltd personnel and members of the community using the premises and/or services of Trikki Kidz Pty Ltd.

To achieve the purpose of this policy, below are some guidelines for services to develop their own Staff Security Procedures to reflect their own particular circumstances and requirements, taking into consideration the nature of the service and the location of service delivery.

Guidelines

In consultation with Trikki Kidz Pty Ltd personnel and management the purpose will be achieved by:

- Implementing a risk management approach to staff security (onsite and off-site service provision or outreach service) e.g. identification of hazards and risk assessment completed.
- Developing procedures for staff security for all Trikki Kidz Pty Ltd personnel.
- Developing procedures for Trikki Kidz Pty Ltd personnel who are on outreach.
- Ensuring that procedures developed take into consideration Work Health & Safety (WHS) legislation.
- Recording and analysing all incidents and near misses which occur within the service.
- Conducting regular risk audits and implementation of recommendations.
- Developing and implementing procedures for the prevention and management of incidents.
- Developing an Emergency Management plan in conjunction with Community Emergency agencies where needed.
- Regular review of all procedures (annually or after an incident).
- Ensuring staff are aware and understand these procedures.
- Monitoring of staff compliance with these procedures.

Scope

This policy applies to all Trikki Kidz Pty Ltd personnel.

Trikki Kidz Pty Ltd Personnel

Will comply with WHS procedures and any measures put in place to protect their health and safety at work.

Line Managers

Will develop their program/service specific procedures, implement them and monitor compliance. Non-compliance must be addressed and reported to the relevant area manager.

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Director

Is accountable for ensuring that all programs/services under their respective service area(s) have developed the relevant Staff Security procedures, that they have been communicated to staff and there is an implementation and monitoring of compliance plan in place.

Definitions

Customer: Trikki Kidz Pty Ltd is committed to be a customer centric organisation. Our broad definition of customer means we are inclusive of all people who interact or engage with us, either externally or internally. Our customers include consumers, clients, participants, patients, carers, the community, stakeholders, partners, staff, volunteers and members.

Trikki Kidz Pty Ltd Personnel: All employees (whether employed full-time, part-time, fixed term or on a casual basis), volunteers, students, contractors and sub-contractors performing work on behalf of Trikki Kidz Pty Ltd.

Employee: A person employed under a contract of employment or training.

Outreach Worker: Staff undertaking work outside their site from which they are based.

Off Site Service Provision or Outreach Service: refers to the delivery of services outside of the site which workers or services are based. This includes but not limited to seeing a client in their own home or in a residential and/or community setting.

Line Manager: Refers to your immediate supervisor in a service i.e. team leader, team coordinator, program manager, manager, director.

Contact Person: Refers to the person/position nominated to oversee the activities of the workers while off site/on outreach visits and is the nominated contact for emergencies relating to Trikki Kidz Pty Ltd personnel's safety.

Third Parties: Services that are involved in the health and welfare of clients or workers and includes but is not limited to, services or programs within the organisation, emergency services and other health community support services.

Site: Is the physical facility where a worker is directed to work.

Workplace: A workplace legally means any place where work is performed, including any place where a worker goes, or is likely to be, while at work.

Can include but not limited to:

- Anywhere inside the place of usual occupation e.g. an office.
- Anywhere work is performed outside the place of usual occupation e.g. meeting room at external location, client's homes, and community settings.
- A vehicle, vessel or aircraft.
- Any other place where work related functions are carried out.

Contact Officer

For any interpretation or any issues in relation to this policy contact the Director/Business Owner.

References/Relevant legislation

- AS/NZS 4801
- OHSAS 18001
- Occupational Health and Safety Act 2004
- Occupational Health and Safety Regulations 2017
- Relevant Compliance Codes and Codes of Practice
- Managing the Work Environment and Facilities Code of Practice. 2011
- Work Health and Safety Act 2011

Related Policies/Documents

- Health and Safety Policy
- Incident Management Procedure
- Risk Assessment

Implementation Procedures

All programs and sites will develop their specific Staff Security Procedures based on the nature and location of services.

EQUITY, ANTI-DISCRIMINATION AND WORKPLACE HARASSMENT

Purpose and Scope

The purpose of this policy and procedure is to demonstrate Trikki Kidz Service's commitment to equal opportunity and a workplace free from harassment and discrimination.

Legislation, regulations and standards relevant to this policy and procedure include:

- *Fair Work Act 2009 (Cwth)*
- *Australian Human Rights Commission Act 1986 (Cwth)*
- *Disability Discrimination Act 1992 (Cwth)*
- *Racial Discrimination Act 1975 (Cwth)*
- *Sex Discrimination Act 1984 (Cwth)*
- *Age Discrimination Act 2004 (Cwth)*
- *Workplace Gender Equality Act 2012 (Cwth)*
- *Australian Human Rights Commission Act 1986 (Cwth)*
- *Privacy Act 1988 (Cwth)*
- *Equal Opportunity Act 2010 (Vic)*
- *Anti-Discrimination Act 1977 (NSW)*
- *Human Services Standards (Vic) – Human Resources*
- *NSW Disability Services Standards – Service Management*

Documents relevant to this policy include:

- *Trikki Kidz Service's Staff Code of Conduct*
- *Trikki Kidz Service's Disputes and Grievances Policy and Procedure*

This policy and procedure applies to Trikki Kidz Pty Ltd management and all staff, contractors and volunteers. While Trikki Kidz Pty Ltd does not currently employ staff or volunteers, this policy remains applicable to the organisation as a whole. References to staff are also applicable to management in this situation.

Definitions

Equity – treating all persons fairly and without discrimination.

Discrimination – treating a person less favourably than others in similar circumstances because of a personal attribute that has no relevance to the situation.

Age discrimination - Discrimination on the basis of age (regardless of age) or on the basis of age-specific characteristics or characteristics generally associated with a person of a particular age.

Disability discrimination - Discrimination on the basis of physical, intellectual, psychiatric, sensory, neurological or learning disability, physical disfigurement, disorder, illness or disease that affects thought processes, perception of reality, emotions or judgement, or results in disturbed behaviour, and presence in body of organisms causing or capable of causing disease or illness (e.g., HIV virus).

Racial discrimination - Discrimination on the basis of race, colour, descent or national or ethnic origin and in some circumstances, immigrant status.

Sex discrimination – Discrimination on the basis of sex, marital or relationship status, pregnancy or potential pregnancy, breastfeeding, family responsibilities, sexual orientation, gender identity or intersex status.

Sexual harassment - any form of unwanted, unwelcome or uninvited sexual behaviour that is offensive, humiliating or embarrassing.

Workplace harassment - repeated behaviour, other than behaviour amounting to sexual harassment, of one employee or group of staff members that is unwelcome, unsolicited and considered to be offensive, intimidating, humiliating or threatening by another staff member.

Policy

- Trikki Kidz Pty Ltd strives to provide a positive working environment in which all staff are valued and encouraged to contribute.
- As an equal opportunity employer, the organisation is bound by all relevant State and Federal legislation in relation to equal employment opportunity (EEO). This legislation ensures that no employee will be discriminated against unfairly or unlawfully.
- Trikki Kidz Service’s staff are expected to comply with equity and anti-discrimination legislation, Trikki Kidz Service’s Staff Code of Conduct and this policy and procedure.

Procedures

- Trikki Kidz Service’s work practices and processes are continuously reviewed to ensure they comply with EEO requirements. These work practices include:
 - recruitment and selection;
 - pay and benefits;
 - training and development;
 - promotion;
 - discrimination and harassment;
 - performance appraisals/reviews;
 - grievance procedures; and
 - Terminations.

Discrimination

- Trikki Kidz Pty Ltd staff must neither be discriminated against, nor discriminate or treat unfairly or unlawfully another staff or community member on the following grounds:
 - sex;
 - race, colour, nationality or ethnic origin;
 - religion;
 - disability;
 - age;
 - pregnancy;
 - marital or parental status;
 - political belief or activity;
 - trade union activity;
 - lawful sexual activity; or
 - Association with or relation to a person with any of the above attributes.

Harassment

- Staff must not be subject to or engage in unlawful harassment or discrimination against another staff or community member.
- Forms of harassment include:
 - sexual harassment;
 - homosexual and transgender vilification;
 - HIV/AIDS vilification; and
 - Racial vilification.
- Sexual harassment includes:
 - unwanted attention or touching;
 - sexual propositions;
 - leering or staring;
 - offensive language;
 - displaying nude images;
 - persistent requests for dates; and
 - Crude or offensive jokes.
- Harassment will not be tolerated and disciplinary action will be taken against those responsible in accordance with Trikki Kidz Service's *Human Resources Policy and Procedure*.

Inclusive language

- When writing internal or external documents, staff must ensure that non-sexist and non-racist language is used by:
 - avoiding male-dominated terms (e.g. use 'chair' or 'chairperson' instead of 'chairman');
 - eliminating the unnecessary use of the person's gender (e.g. 'female Manager');
 - Avoiding the use of 'he' or 'she' (use 'their' instead of 'his' or 'her').

Breaches of this policy and procedure

- All breaches of this policy and procedure will be taken seriously.
- Employees who feel they are the subject of discrimination or harassment should:
 - approach the Director to discuss appropriate actions or options; or
 - Lodge a formal complaint or grievance which will be dealt with by the Director in accordance with Trikki Kidz Service's *Disputes and Grievances Policy and Procedure*.
- Complaints will be dealt with promptly and in accordance with relevant State and Federal legislation and Trikki Kidz Pty Ltd policies and procedures.
- All complaints will remain confidential.

Monitoring and Review

- This policy and procedure will be reviewed at least annually by Trikki Kidz Service's management and incorporate staff, client and other stakeholder feedback.
- Trikki Kidz Service's *Continuous Improvement Plan* will be used to record and monitor progress of any improvements identified and where relevant feed into Trikki Kidz Service's service planning and delivery processes.

MAINTENANCE AND MANAGEMENT OF EQUIPMENT, FURNITURE, LIGHTING AND VENTILATION

Purpose and Scope

This policy and procedure sets out the practices to be followed in order to maintain equipment, furniture, lighting and ventilation at Trikki Kidz Service's premises.

Legislation, regulations and standards relevant to this policy and procedure include:

- *Occupational Health and Safety Act 2004 (Vic)*
- *Occupational Health and Safety Regulations 2007 (Vic)*
- *Occupational Health and Safety Amendment Regulations 2014 (Vic)*
- *Work Health and Safety Act 2011 (NSW)*
- *Work Health and Safety Regulation 2011 (NSW)*
- *Accident Compensation Act 1985, as amended 2007*
- *National Quality Standards*
- *AS/NZS 4804:2001 and 4801:2001 Occupational Health and Safety Systems*
- *Human Services Standards (Vic) – Risk Management*

Organisational documents relevant to this policy and procedure include:

- *Trikki Kidz Pty Ltd Occupational Health and Safety Policy and Procedure*
- *Trikki Kidz Pty Ltd Occupational Health and Safety Improvement Register*
- *Trikki Kidz Pty Ltd Incident Management Policy and Procedure*
- *Trikki Kidz Pty Ltd Workplace Inspection Checklist*
- *Trikki Kidz Pty Ltd Maintenance Book*

This policy and procedure applies to management, all staff (where applicable), volunteers and contractors. It should be read in conjunction with Trikki Kidz Service's *Occupational Health and Safety Policy and Procedure*.

Definitions

Maintenance falls into three broad categories:

- **Essential Maintenance**—work that is recurrent in nature, required to keep systems operational, safe and as required by statutory authorities or regulation, for example:
 - fire protection systems;
 - security systems;
 - ventilation systems;
 - heating and cooling plant and equipment;
 - lift services;
 - electrical equipment safety inspections and testing; and
 - Hazardous materials management.

Planned Maintenance – work that has been identified through asset inspection and assessment procedures required to be undertaken to preserve a building’s fabric including features, for example:

- painting previously painted surfaces;
- replacement of floor coverings;
- replacement of furniture;
- annual cleaning; and
- Gutter cleaning.

Unforeseen Maintenance – work that cannot be anticipated, usually as a result of a breakdown or an accident, which is essential for health safety, security or protecting the environment, for example:

- blocked drains from stormwater or sewerage;
- electrical hazards; and
- Vandalism.

Policy

The built and landscaped environments at Trikki Kidz Pty Ltd will be kept in such condition to ensure that the facilities are adequate:

- for the services provided;
- for the numbers of clients supported; and
- For safe and secure use by staff, clients and other stakeholders.

Procedures

- The Director will formally inspect Trikki Kidz Service’s premises on a six-monthly basis using Trikki Kidz Service’s *Workplace Inspection Checklist*, in accordance with Trikki Kidz Service’s *Internal Review and External Audit Schedule*. The checklist refers to:
 - chemicals;
 - electricity;
 - storage;
 - furniture;
 - floor coverings;
 - ventilation;
 - lights;
 - fire extinguishers; and
 - Evacuation.
- The Director will take necessary corrective action to ensure any unacceptable condition or risk situation is resolved.
- Trikki Kidz Pty Ltd also has a *Maintenance Book* located at its premises. Management (or delegates) will record any items that require maintenance in this book. The Director will engage an external maintenance person to attend to these issues. If the matter is of an urgent manner a tradesman will be notified immediately.

- If a maintenance issue is identified and it poses an immediate threat, management (or delegates) must notify management immediately. The Director will develop Risk Management and Risk Treatment Plans relating to fire safety, building and equipment maintenance and security systems. The Director will review these on a monthly basis and report on relevant risks to management. Identified risks will be tracked by the Director using Trikki Kidz Service's *Risk Register*.

Environment Hazards

- All staff are required to care for Trikki Kidz Service's equipment in an appropriate manner and to ensure that it is clean and safe.
- Broken equipment or furniture, lighting or ventilation should be reported to the Director immediately and removed where possible.
- Hazardous equipment will be stored in the appropriate places.
- Repairs that do not present an immediate risk to staff, clients or other stakeholders will be assessed by the Director and passed on to the appropriate person to repair the problem.

Reporting

- Incidents relating to any of Trikki Kidz Service's equipment, furniture, lighting and ventilation should be reported in accordance with Trikki Kidz Service's *Incident Management Policy and Procedure*.

Monitoring and Review

- This policy and procedure will be reviewed at least annually by Trikki Kidz Service's management and incorporate staff (where applicable), client and other stakeholder feedback.
- Trikki Kidz Service's *Continuous Improvement Plan* will be used to record and monitor progress of any improvements identified and where relevant feed into Trikki Kidz Service's service planning and delivery processes.

ELECTRICAL SAFETY

Purpose and Scope

This policy sets out a framework for the management and use of electrical installations and equipment at Trikki Kidz Pty Ltd in compliance with the *Occupational Health and Safety Act 2004 (Vic)* and the *Electrical Safety Act 1998*. This policy provides guidance to Trikki Kidz Pty Ltd and its stakeholders in the management of electrical safety in the workplace, including safe use of approved electrical equipment, who is authorised to undertake electrical work and isolation of electrical machinery/equipment.

Legislation, regulations and standards relevant to this policy and procedure include:

- *Occupational Health and Safety Act 2004 (Vic)*
- *Electrical Safety Act 1998 (Vic)*
- *Work Health and Safety Act 2011 (NSW)*
- *Work Health and Safety Regulation 2011 (NSW)*
- *AS/NZS 4804:2001 and 4801:2001 Occupational Health and Safety Systems*
- *AS/NZS 3000:2007: Electrical installations*
- *AS/NZS 3008.1.1:2009: Electrical installations - Selection of cables*
- *AS/NZS 3017:2007: Electrical installations - Verification guidelines*
- *AS/NZS 3760:2010: In-service safety inspection and testing of electrical equipment*
- *AS/NZS 4024.1:2006: Safety of Machinery*
- *Safe Work Australia - Managing Electrical Risks at the Workplace*
- *Human Services Standards (Vic) – Risk Management*

Organisational documents relevant to this policy and procedure include:

- *Trikki Kidz Pty Ltd Occupational Health and Safety Policy and Procedure*
- *Trikki Kidz Pty Ltd Occupational Health and Safety Improvement Register*
- *Trikki Kidz Pty Ltd Incident Management Policy and Procedure*
- This policy applies to:
 - all electrical equipment and installations on Trikki Kidz Service's premises; and
 - All management, staff (where applicable), clients, students, contractors or visitors using electrical devices Trikki Kidz Pty Ltd property.

This Policy and Procedure should be read in conjunction with Trikki Kidz Service's *Occupational Health and Safety Policy and Procedure*.

Definitions

Trikki Kidz Pty Ltd Premises - buildings, land and property owned, leased and/or occupied by Trikki Kidz Pty Ltd.

Electrical Installation - a group of items of electrical equipment that are permanently electrically connected together and can be supplied with electricity from the works of an electricity supply authority or from a generating source.

Electrical Equipment - any apparatus, appliance, cable, conductor, fitting, insulator, material, and meter or wire that:

- is used for controlling, generating, supplying, transforming or transmitting electricity at a voltage greater than extra-low voltage;
- is operated by electricity at a voltage greater than extra-low voltage;
- is part of an electrical installation located in an area in which the atmosphere presents a risk to health and safety from fire or explosion; or
- Is, or is part of, an active impressed current cathodic protection system.

Policy

Electrical work is not to be undertaken on Trikki Kidz Pty Ltd premises except by an appropriately licensed Electrical Installation worker engaged by the Director.

Procedures

Testing, Tagging and Repairing Electrical Equipment

- The inspection, testing and tagging of Electrical Equipment used at Trikki Kidz Pty Ltd must be conducted in accordance with the requirements of *AS/NZS 3760:2010 - In-service safety inspection and testing of electrical equipment* and the *Occupational Health and Safety Act (2004)*.
- Only equipment in use needs to be tested. Equipment not in use and/or beyond its testing date should have an isolation tag to indicate that tagging is required and must be completed prior to use.
- Testing and tagging of equipment must be done either by a qualified electrician or by someone who has successfully completed an approved course at a Vocational Education and Training provider. There are also a number of electrical contractors who specialise in the checking and tagging of Electrical Equipment.
- Electrical appliances must be inspected and tested:
 - at intervals not exceeding those set out by *AS3760:2010* (a tolerance of two weeks is acceptable); and
 - Before being returned to service or after any repair or servicing that could have affected the electrical safety of the appliance.
- Manufacturer's instructions may specify intervals appropriate to specific types of equipment.

New Equipment

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- Brand new electrical equipment that is 'out of the box' and unused (i.e. new equipment that is not second-hand) does not have to be tested before first use, but should still be visually inspected to ensure that no damage occurred during transport, delivery, installation or commissioning.
- The date when the new electrical item was placed into service should be recorded, if there is no record of installation or similar record. In that case it should also be fitted with a tag that states:
 - that the equipment is 'new to service';
 - the date of entry into service; and
 - The date when the first electrical safety test is due.
- Any equipment purchased second-hand must be tested and tagged before first use.

Appliances brought in from home

- Electrical appliances brought in by contractors, or from home by staff, clients or visitors, for use on Trikki Kidz Pty Ltd property are subject to the same testing and tagging procedure as for appliances owned or leased by Trikki Kidz Pty Ltd. Appliances should be tested and tagged prior to their use on Trikki Kidz Pty Ltd property.
- While there is no requirement to test and tag personal laptops, staff, clients and visitors are encouraged to have their laptops tested and tagged using an approved person or company.
- In both situations above the testing and tagging is the responsibility and at the expense of the owner.

Hire equipment

- While it is the responsibility of the person hiring equipment to ensure that the equipment is inspected and tested at the commencement of each hire, the person or company who hires out the equipment to Trikki Kidz Pty Ltd must ensure that the equipment - for the period of the hire - meets all relevant inspection and testing requirements.

Testing of test equipment

- Test equipment, including leads and probes, must be appropriate and adequate for the tests being performed, and must be suitable for use in accordance with its operating instructions.
- Testing equipment must be in good condition and working order, must be clean and have no cracked or broken insulation, and must be suitable for any voltages that could be found during fault conditions on the equipment being tested. Particular care must be taken with respect to the condition of the insulation on leads, probes and clips of test equipment.
- Instruments such as multi-meters, RCD performance testers, earth loop impedance testers, voltage testers, insulation resistance testers and the like must be regularly tested for accuracy of operation.
- Testing equipment must pose no danger of electrocution to those using it or of damage to the electrical equipment being tested. Test probes and other equipment must be designed and selected so that they cannot inadvertently short circuit between live conductors or live conductors and earth.

- The terminals of test equipment should be shrouded and all other test sockets on measuring instruments should be designed so as to prevent inadvertent contact with any live test socket and/or conductor when equipment is in use.
- Where appropriate, test leads and testing devices need to be provided with suitable fuse protection. Testing equipment, where used in hazardous flammable areas, must be designed and clearly marked as being suitable for use in such locations.
- Testing equipment used for detecting a live (energised) source should undergo trial operation to prove that it is functioning correctly immediately before and after the test has taken place.

Installation and removal of electrical equipment

- No Electrical Equipment may be installed on Trikki Kidz Pty Ltd owned or leased property unless the work is undertaken by an appropriately licensed electrical installation worker engaged by the Director.
- The changing of light bulbs and lamps have been known to result in electric shock and falls from heights. This work must be completed by a licensed electrician or an appropriately trained staff member or contractor.

Managing electrical risks in the workplace

- Before any installation or removal of electrical equipment takes place, hazards associated with the work must be identified and appropriate actions taken to eliminate or minimise them as far as is practicable.

Unsafe electrical equipment at the workplace

- The Director will ensure that any unsafe Electrical Equipment is disconnected (or isolated) from its electricity supply and, once disconnected, is not reconnected until it is repaired or tested and found to be safe or is replaced or permanently removed from use.
- To ensure that unsafe Electrical Equipment is not used inadvertently before it can be tested, repaired or replaced, it should immediately be labelled to indicate that it has been taken out of service for safety reasons pending testing and possible repair and to warn against further use.
- Reporting arrangements must be put in place to ensure as far as is reasonably practicable that management is advised if a worker reasonably believes that Electrical Equipment in the workplace is electrically unsafe or that unexpected conditions, for example flooding, render the use of Electrical Equipment in a workplace area unsafe.
- An *Incident Report* should be lodged when the hazard is discovered and include all details of the incident to enable accurate investigation.

Residual Current Devices (RCDs)

- The greatest risk of electric shock often results from people making contact with unprotected energised parts of Electrical Equipment and earth. Contact with energised parts may occur by touching bare conductors, internal parts of Electrical Equipment, or external parts of Electrical Equipment that have become energised because of an internal fault.

- Workplace fatalities can be prevented by the use of properly installed and maintained RCDs, commonly referred to as 'safety switches'. An RCD is an electrical safety device designed to immediately switch off the supply of electricity when electricity 'leaking' to earth is detected at harmful levels. RCDs offer high levels of personal protection from electric shock.
- RCDs also reduce the risk of fire by detecting electrical leakage to earth in electrical wiring and Electrical Equipment. This protection is particularly important for older electrical installations.
- For new electrical installations, RCDs must be installed in the switchboard by a licensed Electrical Installation worker.

Certificates of electrical safety

- On completion of any electrical installation work undertaken on Trikki Kidz Pty Ltd premises, a certificate of electrical safety must be issued by the electrical contractor who undertook the work. No electrical installation work should be commenced unless the contractor concerned is authorised and willing to issue such a certificate.
- Testing shall include mandatory and optional tests as applicable to the required works.

Inspection and testing

- In some instances electrical installation work must be inspected by a licensed electrical safety inspector before the certificate of electrical safety can be finalised. The electrical contractor undertaking the installation work will be able to advise if an inspection is required and arrange for an inspector to undertake it.
- An electrical installation, or any part thereof, that has been constructed, altered, added to or repaired must not be put into service until:
 - the certificate of electrical safety has been issued and the installation inspected if required; and
 - The installation has been tested and the electrical contractor has verified that the alteration, addition or repair is compliant with AS3000 (Electrical installations) and does not impair the safety and integrity of any existing electrical installation.
- For major construction works all parts of the electrical installation will be inspected and certified by an independent and qualified electrical inspector. Self-certification by the installation contractor is not acceptable.

Inspecting and testing of RCDs

- The Director will ensure that all RCDs used at the workplace are tested regularly by a competent person to ensure the devices are working effectively. This requirement applies to all RCDs, including non-portable RCDs, used in all operating environments.
- A record of testing must be kept until the device is next tested or disposed of.

Operation and Maintenance Manuals

- For all new installations and equipment the contractor is to provide Operating and Maintenance Manuals in line with the Minimum Level Design and Construction Specifications.

Portable electrical equipment

Ensuring the safe use of portable Electrical Equipment

- There are a number of things that must be done to help ensure the safe use of portable Electrical Equipment in the workplace including:
 - using only portable Electrical Equipment that is recommended under this procedure (see below);
 - visually inspecting new equipment to ensure that no damage has occurred during transport, delivery, installation or commissioning;
 - arranging electrical leads so they will not be damaged - avoiding running leads across the floor or ground, through doorways and over sharp edges, and using lead stands or insulated cable hangers to keep leads off the ground; and
 - Not using leads and tools in damp or wet conditions unless they are specially designed for these conditions.

Risk management

- If it is believed there might be a hazard to health or safety associated with the use of the portable equipment, the risk must be identified and action taken to eliminate it, or minimise it so far as is practicable. See Trikki Kidz Service's *Risk Management Policy and Procedure*.
- Any hazard or injury resulting from the use of portable Electrical Equipment must be reported immediately using Trikki Kidz Service's *Incident Report*.

Unsafe portable Electrical Equipment at the workplace

- The Director will ensure that any unsafe Electrical Equipment at the workplace is disconnected or locked out (or isolated) from its electricity supply, and, once disconnected, is not reconnected until it is repaired or tested and found to be safe or is replaced or permanently removed from use.
- To ensure that unsafe Electrical Equipment is not used inadvertently before it can be tested, repaired or replaced, it should be labelled to indicate that it has been taken out of service for safety reasons pending testing and possible repair and to warn against further use.
- Reporting arrangements must be put in place to ensure as far as is reasonably practicable that the Director is advised if a worker reasonably believes that portable Electrical Equipment in the workplace is electrically unsafe or that unexpected conditions, for example flooding, render the use of portable Electrical Equipment in a workplace area unsafe.

RCDs

- Workplace fatalities can be prevented by the use of properly installed and maintained RCDs - commonly referred to as 'safety switches'.
- While RCDs significantly reduce the risk of electric shock they do not provide protection in all circumstances. For example an RCD will not isolate an electricity supply if a person contacts both active and neutral conductors while handling faulty plugs or electrical equipment with the result that electricity flows through the body, unless there is also a current flow to earth.

When RCDs must be provided for use in workplaces

- Where practicable, appropriate RCDs should be used to minimise any electrical hazard associated with the supply of electricity to 'plug in' electrical equipment. In the following higher-risk workplaces use of RCDs is required where:
 - the normal use of Electrical Equipment exposes the equipment to operating conditions that are likely to result in damage to the equipment or a reduction in its expected life span, including conditions that involve exposure to moisture, heat, vibration, mechanical damage, corrosive chemicals or dust;
 - Electrical Equipment is moved between different locations in circumstances where damage to the equipment or to a flexible electricity supply cord is reasonably likely;
 - Electrical Equipment is frequently moved during its normal use;
 - Electrical Equipment forms part of, or is used in connection with, an amusement device; and
 - A circuit supplies a wet use appliance, if practicable.
- Common examples of Electrical Equipment that may be used in these operating conditions, and therefore should use RCDs, include:
 - hand-held Electrical Equipment-for example drills, saws, hair dryers and electric knives;
 - Electrical Equipment that is moved while in operation-for example jackhammers, electric lawn mowers, vacuum cleaners, floor polishers and extension cords; and
 - Electrical Equipment that is moved between jobs in ways that could result in damage to the equipment-for example electric welders, electric cement mixers, portable bench saws and extension cords.

Non-portable (or 'fixed') RCDs

- Non-portable RCDs are RCDs installed at either the switchboard or a fixed socket outlet. For new installations the Minimum Level Design and Construction Specifications state that when an RCD is installed it is installed in the switchboard.
- Fixed RCDs must be installed by an appropriately licensed electrical installation worker engaged by Facilities and Services Division.

Portable RCDs

- Portable RCDs are usually plugged into a Socket Outlet and (depending on design) may protect one or more items of Electrical Equipment.
- Management must take all reasonable steps to ensure that portable RCDs used at the workplace are tested according to AS 3760:2010 by an appropriately licensed electrical installation worker to ensure the devices are working effectively.
- If an RCD is tested and found to be faulty it should be taken out of service immediately and arrangements made for its immediate replacement.
- A record of testing will be provided and must be kept on the device until it is next tested or disposed of.

Use of portable Electrical Equipment on Trikki Kidz Pty Ltd Premises

- The use of double adaptors is not permitted within Trikki Kidz Pty Ltd and should be removed and replaced with EPODs (power boards) fitted with overload protection devices.
- Power boards are to be used only if they have overload protection. Home-made EPODs are illegal throughout Australia and must not be used at Trikki Kidz Pty Ltd.
- If an integral part of an electrical appliance or rack, and EPOD shall be fixed by the use of secure fittings in such a way that the face is in the vertical plane in a location that is not susceptible to mechanical or water damage. Where possible the cord should be fixed to reduce the weight on the EPOD electrical junction.
- Each EPOD must be plugged into a general purpose outlet (GPO). GPOs share power circuits. Be aware too many EPODs plugged into GPOs on the same circuit may overload the circuit and cause a power failure.
- Extension leads are only suitable for temporary applications. For longer term applications a new GPO should be installed or an EPOD with overload protection used. Ensure the extension lead is placed appropriately and shielded with an appropriate extension lead cover to reduce tripping hazards. Be wary of heavy equipment rolling over or impacting the lead as it may damage the insulation and wires causing shorting.
- The use of fan forced coil heaters is not permitted; these devices pose a high fire risk and consume a great amount of energy. They are often not fitted with a cut-off switch and have relatively exposed elements making them susceptible to trapping dust and debris. Where a building has insufficient heating Trikki Kidz Pty Ltd will permit the use of convective panel heaters. Be aware that too many panel heaters on the same circuit may overload the circuit and cause a power failure.

Hazard and incident reporting

- All hazards and injuries relating to electrical safety must be reported immediately in accordance with Trikki Kidz Service's *Incident Management Policy and Procedure*.
- Most electrical shocks constitute a notifiable incident and must be dealt with in accordance with Trikki Kidz Service's *Incident Management Policy and Procedure*.

Monitoring and Review

- This policy and procedure will be reviewed at least annually by Trikki Kidz Service's management and incorporate staff (where applicable), client and other stakeholder feedback.
- Trikki Kidz Service's *Continuous Improvement Plan* will be used to record and monitor progress of any improvements identified and where relevant feed into Trikki Kidz Service's service planning and delivery processes.

INFECTION CONTROL

Purpose and Scope

The purpose of this policy and procedure is to ensure that Trikki Kidz Pty Ltd minimises the risk of the spread of infectious diseases in its work environments.

Legislation, regulations and standards relevant to this policy and procedure include:

- *Occupational Health and Safety Act 2004 (Vic)*
- *Occupational Health and Safety Regulations 2007 (Vic)*
- *Occupational Health and Safety Amendment Regulations 2014 (Vic)*
- *Work Health and Safety Act 2011 (NSW)*
- *Work Health and Safety Regulation 2011 (NSW)*
- *Accident Compensation Act 1985, as amended 2007*
- *National Quality Standards*
 - *AS/NZS 4804:2001 and 4801:2001 Occupational Health and Safety Systems*
- *Human Services Standards (Vic) – Risk Management*
- *Australian Guidelines for the Prevention and Control of Infection in Healthcare 2010*

Organisational documents relevant to this policy and procedure include:

- *Trikki Kidz Pty Ltd Occupational Health and Safety Policy and Procedure*
 - *Trikki Kidz Pty Ltd Occupational Health and Safety Improvement Register*
 - *Trikki Kidz Pty Ltd Incident Management Policy and Procedure*

This policy and procedure applies to all staff, volunteers and contractors. It should be read in conjunction with Trikki Kidz Service's *Occupational Health and Safety Policy and Procedure*.

Definitions

Infectious diseases - also known as communicable diseases; caused by organisms such as bacteria, viruses, fungi and parasites. These microorganisms are able to invade and reproduce in the human body, and then cause harmful effects. In healthcare settings, the main modes for transmission of infectious agents are contact (including blood borne), droplet and airborne.

Policy

- Trikki Kidz Pty Ltd management (or delegates) have a duty of care and must take all reasonable steps to safeguard clients, other staff and stakeholders from infection.

Procedures

- Any Director (or staff member where applicable) with any infectious disease, including the flu, is required to stay away from the workplace until such time they are cleared by a doctor. A medical certificate is required to be presented with the staff member's timesheet for payment of sick days.

- Notifiable diseases are diseases that must be reported to the Health Department by health practitioners. Any staff member that has a notifiable disease must not attend work until such time as they are cleared by their doctor.

Standard Precautions

- Standard precautions must be implemented when cleaning surfaces and facilities. Staff must wear suitable gloves and other protective clothing appropriate for the task. Protective eyewear must be worn where splashing is likely to occur.
- Toilets, sinks, wash basins, baths, shower areas, and surrounding areas should be cleaned regularly or as required. Cleaning methods for these items should avoid generation of aerosols. Although environmental surfaces play a minor role in the transmission of infections, a regular cleaning and maintenance schedule is necessary to maintain a safe environment.
- Surfaces should be cleaned on a regular basis using only cleaning procedures that minimise dispersal of microorganisms into the air.
- Floors should be cleaned daily or as necessary with a vacuum cleaner. Alternatively, damp dusting or cleaning with a dust-retaining mop is acceptable.
- Routine surface cleaning should be undertaken as follows:
 - clean and dry work surfaces before and after usage or when visibly soiled;
 - spills should be dealt with immediately;
 - use detergent and warm water for routine cleaning;
 - where surface disinfection is required, use in accordance with manufacturer's instructions;
 - clean and dry surfaces before and after applying disinfectants;
 - Empty buckets after use, wash with detergent and warm water and store dry; and mops should be cleaned in detergent and warm water then stored dry.
- Standard precautions to protect against infectious diseases include:
 - wash hands for 30 seconds before and after contact with clients, eating, using gloves and after using the toilet, contact with used equipment and contact with body substances or equipment, materials (including linen) or contaminated surfaces;
 - wear disposable latex gloves when handling food or any item which may be contaminated by bodily fluids;
 - cover cuts or scratches with waterproof, breathable dressing;
 - wear personal protective equipment (PPE) such as protective eyewear, an apron, enclosed footwear and/or a face mask if splashing or direct contact with body fluids is likely;
 - Use sharps containers at point of use if sharps are being used. Do not reheat sharps; and
 - Clean up spills with water and bleach.

- Anyone with signs and symptoms of a respiratory infection, regardless of the cause, should follow or be instructed to follow respiratory hygiene and cough etiquette as follows:
 - Cover the nose/mouth with disposable single-use tissues when coughing, sneezing, wiping and blowing noses;
 - Use tissues to contain respiratory secretions;
 - Dispose of tissues in the nearest waste receptacle or bin after use;
 - If no tissues are available, cough or sneeze into the inner elbow rather than the hand;
 - Practice hand hygiene after contact with respiratory secretions and contaminated objects/materials; and
 - Keep contaminated hands away from the mucous membranes of the eyes and nose.

Person-centred approach to Infection Control

- A person-centred approach to providing support includes putting clients at the centre of infection prevention and control and enabling them to participate in their care process.
- To support a two-way approach to infection prevention and control and encourage client participation, Trikki Kidz Pty Ltd will:
 - take patients' perspectives into account when developing policies and programs;
 - familiarise clients with its infection prevention and control strategies;
 - encourage clients to disclose their health or risk status if there is a potential risk or source of infection;
 - provide opportunities for patients to identify and communicate risks and encourage them to use feedback procedures through the service's feedback, compliments and complaints processes;
 - provide educational materials about infection prevention and control using a variety of media (e.g. posters, printed material, educational videos) in a variety of accessible formats; and
 - Inform clients about the protocols for protecting their privacy and confidentiality.

Reporting

- Incidents relating to infection control or infectious diseases should be reported in accordance with Trikki Kidz Service's *Incident Management Policy and Procedure*.

Monitoring and Review

- This policy and procedure will be reviewed at least annually by Trikki Kidz Service's management and incorporate staff (where applicable), client and other stakeholder feedback.
- Trikki Kidz Service's *Continuous Improvement Plan* will be used to record and monitor progress of any improvements identified and where relevant feed into Trikki Kidz Service's service planning and delivery processes.

Return to Work

Purpose and Scope

The purpose of this policy and procedure is to set out the steps Trikki Kidz Pty Ltd follows in an instance where a Director or staff member are injured during the course of employment.

Legislation, regulations and standards relevant to this policy and procedure include:

- *Human Services Standards (Vic) – Human Resources*
- *Workplace Injury Management and Workers Compensation Act 1998 (NSW)*
- *NSW Disability Services Standards – Service Management*

Documents relevant to this policy include:

- *Trikki Kidz Service’s Staff Code of Conduct*
- *Trikki Kidz Service’s Occupation Health and Safety Policy and Procedure*
- *Trikki Kidz Service’s Human Resources Policy and Procedure*
- *Trikki Kidz Service’s Equity, Anti-Discrimination and Workplace Harassment Policy and Procedure*

Policy

- Trikki Kidz Pty Ltd is committed to the return to work of its injured workers and will:
 - Prevent injury and illness by providing a safe and healthy working environment
 - participate in the development of an injury management plan and ensure that injury management commences as soon as possible after the work is injured
 - support the injured worker and ensure that early return to work is a normal expectation
 - provide suitable duties for an injured worker as soon as possible
 - ensure that injured workers (and anyone representing them) are aware of their rights and responsibilities – including the right to choose their own doctor and approved workplace rehabilitation provider, and the responsibility to provide accurate information about the injury and its cause
 - consult with staff and, where applicable, unions to ensure that the return to work program operates as smoothly as possible
 - maintain the confidentiality of injured worker records
 - not dismiss a worker as a result of a work related injury within six months of becoming unfit for employment

Procedures

Notification

- Management (or a delegate) will notify record all injuries in the *Register of Injuries*
- Management (or a delegate) will notify Safe Work NSW or Worksafe Vic (whichever is applicable) of all injuries to staff within 48 hours.

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Recovery

- Management (or a delegate) will ensure that the injured worker receives appropriate first aid and/or medical treatment as soon as possible.
- Management (or a delegate) will consult with the doctor nominated by the injured worker and who is responsible for the medical management of the injury and assist in planning return to work.

Return to work

- Management (or a delegate) will arrange a suitable person to explain the return to work process to the injured worker
- Management (or a delegate) will ensure that the injured worker is offered the assistance of a WorkCover approved workplace rehabilitation provider if it becomes evident that they are not likely to resume their pre-injury duties, or cannot do so without changes to the workplace or work practices.
- Management (or a delegate) will arrange for the worker's early return to work (subject to medical and rehabilitation provider advice)

Suitable duties

- Management (or a delegate) will develop an individual return to work plan when the worker according to medical advice, is capable of returning to work.
- Trikki Kidz Pty Ltd will provide suitable duties that are consistent with medical advice and that are meaningful, productive and appropriate for the injured worker's physical and psychological condition depending on the individual circumstances of the injured worker.

Suitable duties may be:

- at the same worksite or a different worksite
- the same job with different hours or modified duties
- a different job
- full time or part time

Dispute resolution

- Trikki Kidz Pty Ltd will work together with the injured worker and their union representative to resolve any disagreements about the return to work program or suitable duties
- If disagreements cannot be resolved, Trikki Kidz Pty Ltd will involve other parties such as the worker's treating doctor, the agent/insurer, an approved workplace rehabilitation provider or an injury management consultant.

Monitoring and Review

- This policy and procedure will be reviewed at least two-yearly by Trikki Kidz Service's management and incorporate staff, client and other stakeholder feedback.
- Trikki Kidz Service's *Continuous Improvement Plan* will be used to record and monitor progress of any improvements identified and where relevant feed into Trikki Kidz Service's service planning and delivery processes.

HUMAN RESOURCES

Purpose and Scope

The purpose of this policy and procedure is to set out Trikki Kidz Service's recruitment and selection, staff management and exit procedures and to demonstrate Trikki Kidz Service's commitment to effective, transparent and fair human resources practices.

Legislation, regulations and standards relevant to this policy and procedure include:

- *Fair Work Act 2009 (Cwth)*
- *Equal Opportunity Act 2010 (Vic)*
- *Privacy Act 1998 (Cwth)*
- *Information Privacy Act 2000 (Vic), as amended 2011*
- *Disability Services Act 2006 (Vic)*
- *Working with Children Act 2005 (Vic)*
- *Working with Children Regulations 2006 (Vic)*
- *Human Services Standards (Vic) – Human Resources*
- *Victorian Child Safe Standards*
- *3.10 Assignment and Subcontracting (Terms and Conditions, Service Agreement Information Kit for Funded Organisations, Victorian Department of Health and Human Services)*
- *4.6 Safety Screening for Funded Organisations (Terms and Conditions, Service Agreement Information Kit for Funded Organisations, Victorian Department of Health and Human Services)*
- *Child Protection (Working with Children) Act 2012 (NSW)*
- *NSW Probity in Employment Policy for FACS funded disability service providers*

Organisational documents relevant to this policy and procedure include:

- *Trikki Kidz Pty Ltd Disputes and Grievances Policy and Procedure*
- *Trikki Kidz Pty Ltd Equity, Anti-Discrimination and Workplace Harassment Policy and Procedure*
- *Trikki Kidz Pty Ltd Code of Conduct*
- *Trikki Kidz Pty Ltd Staff Records*
- *Trikki Kidz Pty Ltd Return to Work Policy and Procedure*
- *Victorian and New South Wales Police Check Application Forms*
- *Victorian and New South Wales Working with Children Check Application Forms*
- *Trikki Kidz Pty Ltd Staff Training Needs Self-Assessment Form*
- *Trikki Kidz Pty Ltd Staff Performance Review Feedback Form*
- *Trikki Kidz Pty Ltd Staff Performance Improvement Plan Form*
- *Trikki Kidz Pty Ltd Staff Training Plan*
- *Trikki Kidz Pty Ltd Training and Development Calendar*
- *Trikki Kidz Pty Ltd Training and Development Register*

This policy and procedure should be read in conjunction with Trikki Kidz Service's general *Staffing Policy and Procedure* and *Volunteers and Students Policy and Procedure*. This policy and procedure applies to all Trikki Kidz Pty Ltd staff, contractors and volunteers providing disability-specific services and supports within Trikki Kidz Pty Ltd on commencement of the commencement of employment of additional staff to the organisation.

Definitions

Criminal history record check - a full-disclosure, Australia-wide criminal history record check issued by a police force or other authority of a state or territory, or the Commonwealth. It may also be referred to as a National Police Certificate or Police Records Check.

Policy

- Trikki Kidz Pty Ltd is committed to building and promoting a diverse and talented workforce that has the support and capacity to deliver high quality services to its clients.
- Trikki Kidz Pty Ltd will employ sufficient numbers of specialist and support staff, taking into consideration qualifications and experience to meet legislative, policy and service standards.
- All Trikki Kidz Pty Ltd staff will have and maintain a clear Police Records Check and a Working with Children (WWC) check.

Procedures

Recruitment and selection

- Trikki Kidz Pty Ltd staff will meet the minimum qualification and experience requirements set down by the NDIA for the delivery of supports to NDIS participants. Those relevant, or in future potentially relevant to Trikki Kidz Pty Ltd are:
 - Disability Support Worker: Certificate III, IV, Diploma or Advanced Diploma in
- Trikki Kidz Pty Ltd staff will also meet the minimum experience requirements set down by the NDIA's *Guide to Suitability*. Currently, Disability Support Workers, Developmental Educators, Welfare Workers and Social Workers are expected to have experience delivering person-centred services in the community or in the home and delivering supports to assist people with disability with development of their skills and abilities.
- Minimum qualification and experience requirements will be included in recruitment documentation and Position Descriptions.
- Trikki Kidz Service's management are responsible for recruiting staff and will:
 - develop selection criteria for each position;
 - advertise positions, respond to enquiries and email application forms if requested;
 - contact applicants and arrange interviews (including interview panels);
 - speak with nominated referees and seek opinion about the applicant's qualities, skills and capacity to fulfil the role;

- support selected applicants through the appointment process, including mandatory checks and contract negotiations; and
 - Notify unsuccessful applicants in writing or verbally, offering feedback on application.
- Selection will be based on merit and have respect to Trikki Kidz Service's *Disputes and Grievances and Equity, Anti-Discrimination and Workplace Harassment Policies and Procedures*.
 - Unsuccessful applicants have the right to appeal recruitment decisions. Appeals should be directed in writing to the Director and a final decision will be made by Trikki Kidz Service's management. Applicants who successfully appeal will be provided the opportunity for a second interview. Applicants who are not successful in their appeal will be provided advice in writing to this effect.

Mandatory Checks

- As a NDIA Registered Provider, Trikki Kidz Pty Ltd must screen new and existing staff, volunteers, students and contractors who work directly with people with disability before they are employed or appointed.
- The mandatory checks applicable to Trikki Kidz Pty Ltd staff are:
 - referee checks;
 - the Victorian or (where relevant) New South Wales Police National Police Records Check⁴; and
 - The Victorian or (where relevant) New South Wales Working with Children Check (both renewed every 5 years).
- As a provider of services and supports to children, all Trikki Kidz Pty Ltd staff must have and maintain a clear Working with Children (WWC) check. This requirement applies to all volunteers and students unless they are working under the direct supervision of an educator who is over 18 years of age and holds, or is actively working towards, an approved, Diploma-level education and care qualification. Parent, family members and guardians closely related to children attending the service are exempt from needing a WWC Check.
- The Director is responsible for:
 - determining who will cover the costs of WWC or criminal history record checks;
 - ensuring all staff and volunteers and have a current WWC Check or a Victorian Institute of Teaching (VIT) certificate of registration, prior to their appointment; and
 - Maintaining a staff record for all Trikki Kidz Pty Ltd staff including their qualifications, professional registration/membership, training and criminal history and WWC check status. Management must ensure these have been sighted and maintain the details on each staff record.
- The Director will develop Risk Management Plans for working with people with disability and for working with children. These will be reviewed on a quarterly basis.

- Employment contracts will stipulate that all staff are obligated to:
 - advise management (or delegates) if they are charged with a criminal offence which is punishable by imprisonment or, if found guilty, could reasonably affect their ability to meet the inherent requirements of their job; and
 - Disclose any formal disciplinary action taken against them by any current or former employer. This includes any finding of improper or unprofessional conduct by any Court or Tribunal of any kind and any investigations that the staff member has been subject of by an employer, law enforcement agency or any integrity body or similar in Australia or in another country.
- Prior to commencement all prospective staff will be required to sign a statutory declaration that they have fully disclosed all relevant information regarding their criminal record and employment history.

Student placements

- For students aged 17 years or younger, police checks are not required, however referee checks with teachers, parents or other adults who personally know the students must be undertaken.
- A police check is required for students aged 18 years and older. These checks must be administered by the relevant course coordinator in the educational institute or the student can obtain a police check through the Victoria Police website.
- For international students or students who have resided in an overseas country for 12 months or more in the last ten years, as they are only here for a short period, the usual requirement for obtaining an international police check is waived. However, they must complete a Statutory Declaration declaring that they do not have:
 - any charges laid against them by police concerning any offence committed in Australia or in another country in the past; or
 - Any offence of which they have been found guilty, committed in Australia or in another country in the past.

International police checks

- Prospective staff must be informed at the beginning of recruitment processes that if they have resided continuously in an overseas country for 12 months or more in the last ten years, they should contact the relevant overseas police force to obtain a criminal or police record check. If they were a minor when they were overseas, they do not require an international police check.
- Some countries will not release information regarding an individual for personal or third party purposes. In these extenuating cases, where an international police records check cannot be obtained, a statutory declaration and character reference checks must be conducted with at least two individuals who personally knew the individual while they were residing in the other country. This should be undertaken as a very last resort if the international police check is actually unavailable and cannot be obtained.
- The applicant must be informed that referees will be asked whether they have knowledge or information concerning the applicant, which would adversely affect the applicant from performing the job, including any relevant criminal offences. The credentials of persons acting as referees must be verified and can include previous employers, government officials and family members.

- In the case of asylum seekers and refugees who may be unable to provide character references to accompany a statutory declaration, the statutory declaration will suffice with proof of status. However, eligibility to work should be confirmed as part of the recruitment process using the Department of Immigration & Border Protection's Visa Entitlement Verification Online (VEVO) checking system at <http://www.border.gov.au/Busi/Visa> or their faxback service.

Results of the police record check

- Information released as part of a police record check is restricted according to the relevant legislation or release policies operating in the specific police jurisdiction.
- Where the police record check reveals no disclosable court outcomes, outstanding charges or other matters, their appointment may be confirmed.
- An applicant should not automatically be precluded from a job or placement on the basis of having a police record.
- However, in line with Victorian Department of Health and Human Services' Child Protection Manual, if a person's national police history includes a Category one offence, the individual should not be engaged in any client contact role without the written approval of the Director of the Office of Professional Practice and the relevant Department of Human Services' Divisional Deputy Secretary.
- In all other cases, management will oversee the assessment process in order to determine the applicant's suitability for employment or placement. Management (or delegates) will ensure that:
 - the applicant, student or volunteer confirms that the details of the disclosable record are correct;
 - assessment of the disclosable record of the applicant, volunteer or student is made in accordance with the assessment criteria detailed below;
 - Before employment is formally offered, a discussion occurs with the relevant DHHS Area Director/Regional Senior Program Manager about the intention to employ an individual with such a record. The departmental representative cannot direct or make the decision to employ, but should provide their opinion regarding any decision Trikki Kidz Pty Ltd makes;
 - Any decision made for or against a person is able to be justified and is fully documented.
- The Director should give consideration to the following criteria:
 - the relevance of the criminal offence, in relation to the job or placement;
 - the nature of the offence and the relationship of the offence to the particular job or placement for which the applicant is being considered;
 - the length of time since the offence took place;
 - whether the person was convicted or found guilty and placed on a bond;
 - whether there is evidence of an extended police record;
 - the number of offences committed which may establish a pattern of behaviour which renders the applicant unsuitable;
 - whether the offence was committed as an adult or a juvenile;
 - the severity of punishment imposed;
 - whether the offence is still a crime, that is, has the offence now been decriminalised;
 - whether there are other factors that may be relevant for consideration; and
 - The person's general character since the offence was committed.

- Where the Director makes the decision not to take on an applicant, volunteer or student with a disclosable record, they must:
 - inform the unsuccessful applicant of the decision and its rationale;
 - provide an opportunity for the unsuccessful applicant to discuss the results; and
 - Inform the unsuccessful applicant of the opportunity for the decision to be reviewed.
- Where a check demonstrates that a person has a disclosable record, Trikki Kidz Pty Ltd may be obligated to report that outcome to the Disability Worker Exclusion Scheme Unit. See the Department of Health and Human Services' website for relevant information.

Working with Children Check

- The Director will:
 - ensure staff or volunteers issued with a Negative Notice do not undertake child-related work; and
 - Periodically go to the Department of Justice WWC Check website and check the status of all employees and volunteers with WWC Check cards using Check Status function.
- Staff and volunteers must:
 - inform Trikki Kidz Pty Ltd within seven days if they have been issued with an Interim Negative Notice or Negative Notice, or if they have a relevant change in circumstances; and
 - Not engage in child-related work if they have been issued with a Negative Notice.

Storage of documentation and confidentiality

- Information obtained as part of the safety screening process must be treated with the highest level of confidentiality and privacy in accordance with the relevant legislation and standards. See Trikki Kidz Service's *Privacy and Confidentiality* and *Records and Information Management Policies and Procedures*.

Other Checks

- In addition to the Mandatory Checks, the Director will also confirm the identity (through photo identification) and qualifications (through sighting a copy) of all prospective staff prior to their appointment.
- If qualifications are a mandatory requirement of the role, original qualifications must be copied, certified as being a true copy of the original and dated by the relevant delegate then returned to the applicant.
- If there are doubts about the qualification, the Director should undertake an online check to verify that the qualification was awarded to the applicant. If an online check is not possible, the applicant should provide a letter from the registrar of the relevant institution confirming that the qualification was in fact awarded to the applicant. If there are any concerns about the authenticity of the qualification as presented, the issuing institution must be contacted directly to verify that the particular qualification was completed and issued to the relevant applicant on the date specified.

Training and Development

- Records of induction, training and organisational and professional development provided to all staff will be kept on each staff record as well as in Trikki Kidz Service's *Training and Development Register*.

Induction

- Upon commencement and prior to engaging with clients, all staff will undergo a comprehensive Induction process. This will include (but is not limited to) the provision of information and training in:
 - Trikki Kidz Service's Mission and Vision and Strategic and Operational Plans;
 - Trikki Kidz Service's compliance responsibilities, including obligations under relevant legislation, regulations and standards and its Policies and Procedures;
 - staff roles and responsibilities, Trikki Kidz Service's Staff Code of Conduct, the Trikki Kidz Pty Ltd philosophy, and Trikki Kidz Service's Code of Practice;
 - Trikki Kidz Service's organisational and governance structures, team processes, communication channels, staffing, supervision arrangements and accountabilities;
 - continuous improvement, risk management and OH&S, including first aid, incident reporting and emergency procedures;
 - staff entitlements and working conditions;
 - client rights and responsibilities and Trikki Kidz Service's *Client Charter*;
 - obtaining feedback and handling complaints;
 - privacy and confidentiality and Trikki Kidz Service's records and information management processes;
 - supporting clients to actively participate in their service delivery, including family members and supporters in service delivery and alternative communication needs and aids;
 - cultural, linguistic and disability diversity;
 - the needs of vulnerable people including children, people with complex needs, and culturally and linguistically diverse and Aboriginal and Torres Strait Islander people;
 - responsibilities under anti-discrimination legislation;
 - use of interpreters and translators;
 - the service's access and exit/transition processes;
 - referral processes, including target response and referral timeframes and how to make appropriate referrals;
 - Trikki Kidz Service's service network, *Referral Database* and appropriate referrals for common issues;
 - Trikki Kidz Service's assessment, planning and review processes;
 - evidence-based, person-centred approaches to service delivery and how to use a strengths-based approach to identifying client needs and life goals;
 - Trikki Kidz Service's financial management processes, including supporting clients' control over their finances;
 - Trikki Kidz Service's service delivery and participation processes;
 - Duty of Care requirements;
 - child protection and interacting appropriately with children;
 - how to respond to actual or potential signs of abuse and neglect, including their responsibilities for responding;
 - particular risks that may be experienced by people with different needs; and
 - Positive behaviour support strategies.

- Where possible, cultural awareness training will be delivered by local ATSI and CALD groups to ensure it is tailored to the organisation's service areas.
- All staff will be asked to provide feedback on the Induction process to contribute to Trikki Kidz Service's continuous improvement.
- Ongoing training will be provided in these areas where required.

Ongoing Training and Development

- Trikki Kidz Pty Ltd is committed to ensuring staff and volunteers have the necessary skills and knowledge to competently undertake their duties.
- Trikki Kidz Pty Ltd will provide ongoing training and development opportunities for staff that extend and enhance their capabilities as well as provide them opportunities for advancement within the organisation.
- Management and staff will have the opportunity to participate in training and development activities each year.
- Training and development methods available to staff include on-the-job training, internal or external courses, support for undertaking research or project work, attendance at conferences or seminars, and networking, coaching and mentoring programs.
- Training on specific issues or areas will be provided where a need is identified, for instance, NDIS information and preparedness training; disability and mental health; cultural awareness; LGBTI awareness; use of interpreters and translators; and referral and support networks.
- Annual staff Performance Reviews will encourage staff to take an active role in their ongoing development by identifying their training and development needs in consultation with management.
- The Director will be responsible for overseeing training and development needs for Trikki Kidz Pty Ltd. They will track training undertaken and future needs in Trikki Kidz Service's *Staff Training and Development Register* and plan and publicise upcoming training and development opportunities using a *Training and Development Calendar* distributed regularly to all staff.
- Where management decides that it is necessary for a staff member to acquire a particular skill or qualification in order to carry out their duties, Trikki Kidz Pty Ltd will consider being fully responsible for all costs incurred in the staff member meeting that requirement.
- Where Trikki Kidz Pty Ltd capacity and resources allow, staff will be supported to pursue further education or training that will contribute to their professional development but which may not be a requirement directly relevant to their current position.
- Trikki Kidz Pty Ltd will provide equity of access to professional development opportunities for all staff, taking into account the organisation's needs and the needs and skills of staff.
- Where a staff member wishes to pursue further education or professional development that is not a requirement for their current position or directly relevant to Trikki Kidz Service's needs, Trikki Kidz Pty Ltd will not directly contribute to the cost of the staff member's training.

- At the Director’s discretion, and taking into account any impact on service delivery or other staff, the staff member may be:
 - permitted to take annual leave or unpaid leave that would assist them to participate in the activity; and
 - Granted up to two days’ study leave as necessary to attend examinations.

Staff management and retention

- Trikki Kidz Service’s management is responsible for ensuring the structure and environment of the organisation promotes cooperative work practices and encourages staff and volunteers to take responsibility and initiative.
- Staff performance and retention are supported by the following organisational policies and procedures:
 - Human Resources;
 - Financial Management;
 - Continuous Improvement;
 - Code of Conduct;
 - Disputes and Grievances;
 - Equity, Anti-Discrimination and Workplace Harassment; and
 - Occupational Health and Safety.
- Staff are expected to attend regular team meetings, where they will have access to information sharing, training and development, and debrief opportunities.
- All staff will be provided with Induction and ongoing training and development opportunities, team building activities and mentoring.
- All staff will have formal supervision (debrief and mentoring) sessions monthly with their immediate supervisor.
- All staff will undergo annual Performance Reviews with their immediate supervisor.

Performance Reviews and Management

- Performance Reviews will be conducted for all staff on a yearly basis. These will assess staff capability to perform their role and their understanding and application of Trikki Kidz Service’s policies and procedures and provide an opportunity to set future professional goals.
- The Director will notify their staff in writing, two weeks in advance, of the date and time of their performance review.
- Staff must complete a *Staff Training Needs Self-Assessment* before the date of the review and take this with them to the interview.
- Before the interview, management will review the performance of their staff over the past year and make preparatory notes.
- Either party can request that a support person or senior manager be present during the interview.
- Performance Reviews will seek to:

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- clarify any issues relevant to the employee’s job description and performance standards;
 - identify the employee’s strengths;
 - identify areas where the employee needs to improve;
 - discuss the *Staff Training Needs Self-Assessment* completed by the employee and any training that will help the employee improve their skills;
 - Make changes to the employee’s *Staff Training Needs Self-Assessment*, where necessary. Both parties must sign this document as agreement on the employee’s training needs;
 - identify and confirm the actions to be taken to maintain, enhance or improve performance; and
 - Set future professional goals.
- The supervisor will complete a *Staff Performance Review Feedback Form*. This will be signed by them and the employee.
 - Where strategies for performance improvement are required, a *Staff Performance Improvement Plan* must be completed and signed by the staff member and management.
 - After the Performance Review, a *Staff Training Plan* should be completed and signed by both the employee and management.
 - A copy of the completed Staff Training Plan will be placed on the employee’s file and a copy given to the employee.
 - If an employee believes that they have been directly or indirectly discriminated against in the performance review, they should take action in accordance with Trikki Kidz Service’s *Disputes and Grievances Policy and Procedure*.
 - A copy of all documentation relating to employees’ Performance Reviews must be retained on their staff record.

Workers Compensation Claims

- This section must be read in conjunction with Trikki Kidz Service’s *Return to Work Policy and Procedure*.
- Staff members who have been injured or become ill and wish to make a Workers Compensation claim must do the following:
 1. If they have not already done so, record their injury or illness in writing as soon as possible, using Trikki Kidz Service’s *Register of Injuries*, within 30 days of becoming aware of the injury. This can be done by the affected staff member or someone on their behalf. If the affected staff member is unable to record their injury or illness in the *Register of Injuries* they will need to notify management of their injury or illness in writing within 30 days of becoming aware of it. If the injury was a result of a motor vehicle accident, it must also be reported to the police.
 2. Be assessed by a doctor, who will determine the kind of treatment required, including the frequency and duration of treatment. The doctor will also issue a *Certificate of Capacity*, which is required to make a claim.
 3. Complete a *Worker’s Injury Claim Form*, available from Worksafe Victoria, and submit it to management.

- The Director or delegate will submit the completed *Worker's Injury Claim Form* to Worksafe Victoria within 10 calendar days of receiving it.
- If the incident occurs in NSW, the Director or delegate will submit a claim to Safe Work NSW.
- Staff making a Workers Compensation claim may be required to attend an independent medical examination, conducted to help Worksafe Victoria make decisions about the person's possible compensation entitlements, treatment, recovery, rehabilitation and return to safe work.
- Staff making a Workers Compensation claim may also be asked to provide a statement to the relevant a Worksafe Victoria or Safe Work NSW Circumstance Investigator.
- Worksafe Victoria/Safe Work NSW will notify staff making a Workers Compensation claim of the outcome within 28 days from the date they received the claim.
- Trikki Kidz Pty Ltd will make every reasonable effort to support its staff in any claim for Workers Compensation, including adhering to this Policy and Procedure, providing staff with return to work information and assisting staff with planning their return to work.

Termination of Employment

- Staff are required to give Trikki Kidz Pty Ltd the relevant notice as stated in the relevant industrial Award or instrument in the event they choose to end their employment with the organisation. This notice must be provided in writing.
- Trikki Kidz Pty Ltd has the discretion to pay the employee their notice period in lieu of having them attend work for the notice period.
- Trikki Kidz Pty Ltd will ensure all salary and entitlements are paid to the staff member within 14 days of the end of their employment with the organisation.

Disciplinary Action

- Staff who are not performing satisfactorily, engage in misconduct or do not comply with Trikki Kidz Service's Code of Conduct, Policies and Procedures or their Employment Contract may face disciplinary action.
- Trikki Kidz Service's management staff are responsible for identifying problems as soon as they arise and taking action. They must maintain records of all performance-related discussions and counselling sessions and these must be kept on staff records.
- In all processes the principles of natural justice must be followed. This means the staff member must have an opportunity to state their point of view before action is taken and that the decision maker must not be biased.
- If a staff member engages in serious misconduct so that it is unreasonable for Trikki Kidz Pty Ltd to continue their employment, they may be dismissed instantly. Examples of such misconduct include theft, assault and fraud. Such action must be supported by a high level of evidence.
- Other misconduct that may result in disciplinary action includes:
 - not complying with Trikki Kidz Service's Code of Conduct; and
 - Preventing other employees from carrying out their duties.

- If misconduct occurs, the Director must complete a *Misconduct or Non-Performance Report* detailing relevant incidents and behaviours.
- If management identify unsatisfactory performance of a staff member, they must advise the employee.
- Training may be required to improve the standard of the staff member's performance. An opportunity must be provided for the employee to improve their performance within a reasonable timeframe.
- If the staff member's performance does not improve to the required standard after assistance and training has been provided within the specified time, the Director must complete a *Misconduct or Non-Performance Report* outlining specific performance problems.
- The Director will meet with the staff member and inform them that a report will be written and they will be provided with a copy.
- The following disciplinary process will then be followed:
 1. Discussion/Counselling – between the Director and the staff member. The problem will be explained and the staff member asked to respond. The employee is entitled to have a support person present. If misconduct or non-performance is proved, the Director will advise the staff member of the corrective action they need to take. The Director will record details of the disciplinary session in the *Misconduct or Non-Performance Report*. All parties present must sign the report.
 2. First warning - if the incident of misconduct is repeated or performance does not improve, the Director will issue a first written warning. If the case is considered severe enough, the first warning can be regarded as the final warning.
 3. Final warning - if the problem persists, the Director will issue a final written warning to the employee. If the issue is not resolved, the Director will take action to dismiss the employee.
- The Director will maintain formal records (*Misconduct or Non-Performance Reports*) of each counselling/disciplinary session and keep them confidential. All records must be sighted and signed by the relevant staff member as true. Such records will provide important evidence if the matter proceeds to the Fair Work Commission.

Dismissal

- Trikki Kidz Pty Ltd must comply with all State and Federal legislation and the staff member's Employment Contract in relation to disciplinary action and employment termination.
- Trikki Kidz Pty Ltd must ensure:
 - dismissal is not for an unfair reason;
 - the staff member knows the reason for dismissal and has an opportunity to respond in relation to that reason; and
 - It gives the staff member appropriate notice or compensation in lieu of notice.

- Employees may be dismissed on the basis of:
 - their conduct, capacity or performance;
 - operational requirements, e.g. the position is no longer required; or
 - Other reasons sufficient to justify termination.

Monitoring and Review

- This policy and procedure will be reviewed at least two-yearly by Trikki Kidz Service's management and incorporate staff, client and other stakeholder feedback.
- Trikki Kidz Service's *Continuous Improvement Plan* will be used to record and monitor progress of any improvements identified and where relevant feed into Trikki Kidz Service's service planning and delivery processes.
- Trikki Kidz Service's feedback collection mechanisms, such as staff and client satisfaction surveys, will assess:
 - staff access to and understanding of Trikki Kidz Service's human resources processes and policies and procedures relating to the provision of high quality and safe services;
 - staff access to and understanding of how criminal history checks are undertaken and their satisfaction with the management of these;
 - staff confidence in their ability to do their job based on their qualifications and experience;
 - staff satisfaction with training and development opportunities provided by Trikki Kidz Pty Ltd ;
 - client satisfaction that their specific needs, including cultural needs, are understood and supported by staff; and
 - Client satisfaction that they are actively involved in the improvement of Trikki Kidz Service's services.
- Trikki Kidz Pty Ltd will review its human resources practices in accordance with its *Internal Review and External Audit Schedule*. This schedule includes service planning and delivery activities that incorporate staff and stakeholder participation, assess feedback provided to and by staff, clients and stakeholders and review files for alignment of practice with processes (staff file audits).

Informed consent

Purpose

The purpose of this Policy is to outline Trikki Kidz Pty Ltd.'s commitment to seeking the informed consent of our customers before any service is given to the customer, even those services considered low risk or not harmful.

Involving customers in decisions about their care and well-being acknowledges their personal worth and individuality as well as their responsibility in managing their own health and wellbeing.

A person gives informed consent if they:

- Have capacity to give informed consent to the treatment proposed
- Have been given adequate information to enable the person to make an informed decision
- Have been given a reasonable opportunity to make the decision
- Have given consent freely without undue pressure or coercion by any other person
- Have not withdrawn consent or indicated any intention to withdraw consent.

Capacity

The person seeking informed consent must presume that the other person has the capacity to give informed consent.

This means that everyone must be presumed to have capacity to make decisions about their treatment.

Procedures for obtaining the consent of a person whose capacity to give consent is or may be impaired or limited is set out in the Trikki Kidz Pty Ltd *Informed Consent Procedure*

Adequate information

A person has been given adequate information to make an informed decision if:

- They have been explained the proposed treatment, including the purpose, type, method and likely duration of the treatment
- They have been explained the advantages and disadvantages of the treatment including information about the associated discomforts, risks and common or expected side effects of the treatment
- They have been explained any beneficial alternative treatments that are reasonably available, including any information about the advantages and disadvantages of these alternatives
- They have received answers to any relevant questions that the person has asked and any other relevant information that is likely to influence the person's decision
- The information has been provided in a form that is accessible to the person

Reasonable opportunity

A person has been given a reasonable opportunity to make a decision if:

- The person has been given a reasonable period of time to consider the matters involved in the decision
- The person has been given a reasonable opportunity to discuss the decision with the health care professional proposing the treatment
- The person has been given a reasonable amount of support to make the decision
- The person has been given a reasonable opportunity to seek any other advice or assistance in relation to the decision.

Given consent freely without undue pressure or coercion

Informed consent must be freely given. A person must not feel they have to give informed consent simply because the health care professional believes it is necessary for their treatment or in their best interests or to please a family member or carer.

Have not withdrawn consent

A person can withdraw consent at any time:

- Verbally or in writing
- Before the treatment starts or during a course of treatment
- If they say or indicate by their behaviour that they do not consent to the treatment.

Scope

This policy applies to all Trikki Kidz Pty Ltd Personnel and Customers.

Definitions

Customer: Trikki Kidz Pty Ltd is committed to be a customer centric organisation. Our broad definition of customer means we are inclusive of all people who interact or engage with us, either externally or internally. Our customers include consumers, clients, participants, patients, carers, the community, stakeholders, partners, staff, volunteers and members.

EACH Personnel: All employees (whether employed full-time, part-time, fixed term or on a casual basis), volunteers, students, contractors and sub-contractors performing work on behalf of EACH.

Informed consent: in a health care setting, is the procedure whereby consumers consent to, or refuse, an intervention based on information provided by a health care professional regarding the nature of potential risks (consequence and likelihood) of the proposed intervention.

Contact Officer

The Business Owner or Service Manager

References/Relevant legislation***National***

- Family Law Act 1975

Victoria

- Medical Treatment Act, 1988
- Mental Health Act, 2014
- The Children, Youth and Families Act 2005
- The Child Wellbeing and Safety Act 2005

Related Policies/Documents

- Trikki Kidz Pty Ltd Privacy Policy
- Trikki Kidz Pty Ltd Information Security Policy
- Trikki Kidz Pty Ltd Child Safe Policy
- Trikki Kidz Pty Ltd Ethics Policy
- Trikki Kidz Pty Ltd Freedom from Abuse and Neglect Policy

EXIT AND TRANSITION PLANNING

Purpose and Scope

The purpose of this policy and procedure is to demonstrate Trikki Kidz Service's commitment to transparent and equitable service exit procedures that uphold the rights of people and support them to transition to other supports where required.

Legislation, regulations and standards relevant to this policy and procedure include:

- *Disability Act 2006 (Vic)*
- *Australian Human Rights Commission Act 1986 (Cwth)*
- *Disability Discrimination Act 1992 (Cwth)*
- *Racial Discrimination Act 1975 (Cwth)*
- *Sex Discrimination Act 1984 (Cwth)*
- *Age Discrimination Act 2004 (Cwth)*
- *Privacy Act 1988 (Cwth)*
- *Disability Inclusion Act 2014 (NSW)*
- *Anti-Discrimination Act 1977 (NSW)*
- *Human Services Standards (Vic) – Wellbeing*

Documents relevant to this policy and procedure include:

- *Trikki Kidz Pty Ltd Client Charter*
- *Trikki Kidz Pty Ltd Feedback, Compliments and Complaints Policy and Procedure*
- *Trikki Kidz Pty Ltd Privacy and Confidentiality Policy and Procedure*
- *Trikki Kidz Pty Ltd Decision Making and Choice Policy and Procedure*
- *Trikki Kidz Pty Ltd Service Access Policy and Procedure*
- *Trikki Kidz Pty Ltd Providing Information, Advice and Referrals Policy and Procedure*
- *Trikki Kidz Service's Records and Information Management Policy and Procedure*

This policy and procedure applies to all potential and existing clients for Trikki Kidz Service's disability-specific services, their family members, carers and other supporters.

Policy

- Clients have the right to terminate their service provision and any time, and this decision will not prejudice future access to the service.
- Trikki Kidz Pty Ltd collaborates with other services to enhance exit/transition planning to meet people's needs.
- Exit procedures will be fair, transparent, follow due process, uphold the rights of clients and protect the safety and integrity of Trikki Kidz Pty Ltd staff, clients, programs and services.

Procedures

- Should a client, their supporter/s or Trikki Kidz Pty Ltd wish to end service provision before the dates set out in the Service Agreement, they must give the other party at least 2 weeks' notice.
- Service exit and referral information will be tracked in Trikki Kidz Service's client management system to inform continuous improvement.
- Management (or delegates) is responsible for ensuring staff are familiar with the requirements of this policy and have sufficient skills, knowledge and ability to meet the requirements.
- Client feedback and complaints will be addressed in accordance with Trikki Kidz Service's *Feedback, Compliments and Complaints Policy and Procedure*.
- In accordance with Trikki Kidz Service's *Privacy and Confidentiality Policy and Procedure*, respect for and protection of clients' privacy and confidentiality will be reinforced on an ongoing basis, verbally and in literature promoting the services offered by the organisation.
- Where required, clients will be provided with information and support to access a person of their choice, such as an advocate, to assist them to access the service. See Trikki Kidz Service's *Decision Making and Choice Policy and Procedure*.
- All clients exiting the service will be offered an Exit Interview, where management (or delegates) will explain the reason for the client's service termination (if applicable), obtain feedback about where Trikki Kidz Pty Ltd can improve its processes and communicate the steps to re-accessing the service should the client wish to.

Service Termination

- As part of Trikki Kidz Service's entry processes, clients are informed of their rights and responsibilities. Where a client is asked to leave Trikki Kidz Pty Ltd, information regarding the reason for being asked to leave will be provided and explained to the client and their supporter/s. These reasons will be included in the client's exit plan if required (see below).
- Trikki Kidz Pty Ltd will only terminate a client's services when:
 - they are unwilling over a period of time to work towards agreed goals;
 - other people using the service, staff or the person themselves are at risk of harm;
 - financial requirements are not being met;
 - severe incompatibility with other clients using the service is displayed;
 - Dramatic health changes require significantly increased levels of care or a service model not provided by Trikki Kidz Pty Ltd.
- The service exit will only be actioned after discussion and consultation with the client, their supporter/s and other important stakeholders, and strategies have been implemented to meet irreconcilable differences.
- Clients will be offered support to access interpreters or advocates to assist them through this process if necessary.

Client Requested Termination

- Clients have the right to terminate their service provision and any time, and this decision will not prejudice future access to the service.
- On termination of service the client will be sent a letter informing them of their rights to future service provision and information regarding advocacy services if required.

Appeal

- Clients who have their services terminated by Trikki Kidz Pty Ltd have the right to appeal. Appeals should be directed in writing to the director and a final decision will be made by management. Clients who successfully appeal will be supported to continue accessing Trikki Kidz Pty Ltd. Applicants who are not successful in their appeal will be provided advice in writing to this effect.
- If a person is unhappy with outcome of their appeal, they will be directed to Trikki Kidz Service's feedback and complaints processes. As per Trikki Kidz Service's *Feedback, Compliments and Complaints Policy and Procedure*, information on Trikki Kidz Service's complaints process can be provided in a variety of formats if required and support to access interpreters or advocates if necessary.

Transition Planning

- Management (or delegates) will work collaboratively with clients and their supporters to identify what alternative services and referrals could best meet their needs. See Trikki Kidz Service's *Providing Information, Advice and Referrals Policy and Procedure*.
- With the client's or their supporter's consent, Trikki Kidz Pty Ltd will provide relevant information to new service providers to support the client's seamless transition. Where required, Trikki Kidz Pty Ltd staff will introduce the client to or meet with staff of alternative providers to facilitate a smooth transition for the client. See Trikki Kidz Service's Information Sharing Provisions in its *Providing Information, Advice and Referrals Policy and Procedure*.
- Prior to exiting clients will be provided guidance and support to:
 - investigate other options or models of support from Trikki Kidz Pty Ltd ;
 - explore the consequences of their decision to exit the service; and
 - Consider re-entry to the service in the future should their needs or circumstances change.
- An Exit Plan will be agreed with the client and with their informed consent, any other stakeholders. The Plan will contain identified timeframes outlining actions and those responsible to implement the actions.

Service Re-entry

- Clients who have chosen to exit Trikki Kidz Pty Ltd have the right to re-access services within a 1-month period of exiting, without having to follow formal access processes, provided the necessary service resources area available.
- Following expiration of the one-month cooling off period, a new intake assessment will be undertaken if they request service at some point in the future.

Files and Documentation

- Upon a client's exit all documentation and information developed and implemented by Trikki Kidz Pty Ltd will remain the property of the service. Any documentation provided by other service providers and included in the client's file that has been used to facilitate the client's support will be returned to the client or their supporter/s. Trikki Kidz Pty Ltd will retain copies of these documents.
- All information in relation to the client will be retained, secured and stored in accordance with Trikki Kidz Service's *Records and Information Management Policy and Procedure*.

Monitoring and Review

- This Policy and Procedure will be reviewed at least annually by Trikki Kidz Service's management and incorporate staff, client and other stakeholder feedback.
- Trikki Kidz Service's *Continuous Improvement Plan* will be used to record and monitor progress of any improvements identified and feed into Trikki Kidz Service's service planning and delivery processes.

POSITIVE BEHAVIOUR SUPPORT AND RESTRICTIVE PRACTICES

Purpose and Scope

The purpose of this policy is to:

- support the delivery of high quality services to clients by improving their quality of life and eliminating or reducing behaviours of concern; and
- Set out when restriction of rights may be necessary, how and when restrictions can be applied and how and when restrictions are monitored.

Legislation, regulations and standards relevant to this policy and procedure include:

- *Disability Act 2006 (Vic)*
- *Education and Care Services National Regulations*
- *Occupational Health and Safety Act 2004 (Vic)*
- *Disability Inclusion Act 2014 (NSW)*
- *NDIS Act 2013 (Cwth)*
- *Human Services Standards (Vic) – Empowerment*

Documents relevant to this policy and procedure include:

- *Behaviour Support Plan Toolkit, Department of Human Services, Victoria*
- *Trikki Kidz Pty Ltd Client Charter*
- *Trikki Kidz Pty Ltd Decision Making and Choice Policy and Procedure*
- *Trikki Kidz Pty Ltd Privacy and Confidentiality Policy and Procedure*
- *Trikki Kidz Pty Ltd Feedback, Compliments and Complaints Policy and Procedure*

This policy and procedure applies to all clients of Trikki Kidz Service’s disability-specific services, their family members, carers and other supporters.

NOTE: Only registered disability service providers that have the approval of the Secretary, Department of Health and Human Services can use restrictive interventions.

Definitions

Authorised Program Officer – Under the *Disability Act 2006 (Vic)* disability service providers are responsible for appointing an Authorised Program Officer, who must ensure that any restrictive intervention used in the provision of a disability service for which the Authorised Program Officer is responsible is administered in accordance with the Act. Trikki Kidz Service’s Authorised Program Officer is Trikki Kidz Service’s Director.

Behaviours of concern - any behaviour by a person using Trikki Kidz Service’s services which could cause physical harm to themselves or other people, or which could cause property damage that might lead to themselves or other people being hurt.

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Behaviour Support Plan - A plan developed for a person with a disability that specifies a range of strategies to be used in managing the person's behaviour, including proactive strategies to build on the person's strengths and increase their life skills. Any person who is subjected to restraint and/or seclusion in disability services in Victoria must have an approved Behaviour Support Plan.

Restrictive intervention – as defined by the *Disability Act 2006 (Vic)* any intervention that is used to restrict the rights or freedom of movement of a person with a disability including chemical restraint, mechanical restraint or seclusion.

Chemical restraint - the use, for the primary purpose of the behavioural control of a person with a disability, of a chemical substance to control or subdue the person. Does not include the use of a drug prescribed by a registered medical practitioner for the treatment, or to enable the treatment, of a mental illness or a physical illness or physical condition.

Mechanical restraint - the use, for the primary purpose of the behavioural control of a person with a disability, of devices to prevent, restrict or subdue a person's movement. Does not include the use of devices:

- for therapeutic purposes; or
- To enable the safe transportation of the person.

Restraint - chemical restraint or mechanical restraint.

Seclusion - means the sole confinement of a person with a disability at any hour of the day or night:

- in any room in the premises where disability services are being provided of which the doors and windows cannot be opened by the person from the inside; or
- in any room in the premises where disability services are being provided of which the doors and windows are locked from the outside; or
- To a part of any premises in which disability services are being provided.

Senior Practitioner - the person appointed by the Victorian Government to make sure people's rights are protected and that service providers follow standards any time restrictive interventions are used.

- **Advance care directive** is a legal form where a person, 18 years of age or over, is able to write down (or where unable to do so have written down on his or her behalf) his or her instructions, wishes and preferences for future health care, accommodation and personal matters and/or to appoint one or more substitute decision makers who can make decisions on the person's behalf in any period of impaired decision making capacity, or as determined by the person. In this policy, it includes Enduring Power of Guardianship, Medical Power of Attorney and Anticipatory Direction made before 1 July 2014.
- **Chemical restraint** is the use of any medication (including PRN medication) for the primary purpose of influencing or controlling a person's behaviour, movement or normal bodily function for a non-therapeutic reason. Chemical restraint does not include the administration of:
 - Medication prescribed by a medical practitioner for the treatment of a diagnosed mental illness, a physical illness or physical condition.

- Pre-procedural medication for the *principal purpose of reducing that person's anxiety regarding the procedure*, and where the person is not resisting the medication.
- **Detention** is a situation where a person who wishes to do so is actively prevented from leaving the place where they receive disability services. Detention may include locked doors, windows or gates, and the constant supervision and escorting of a person to prevent them from exercising freedom of movement.
- **Environmental modifications** are changes made to the person's environment, including the use of physical or other barriers, for safety or therapeutic purposes. An environmental modification becomes an environmental restraint if a person resists or objects to its implementation.
- **Environmental restraint** is the use of physical or other barriers to prevent the person's free access to parts of their environment for the primary purpose of influencing or controlling that person's behaviour (e.g. preventing someone who actively wishes to do so from accessing certain foods that pose a significant safety risk, such as allergic reaction).
- **Exclusion** is the act of preventing a person from participating in or being part of an activity or decision, or deliberately ignoring or not including a person in an activity or decision.
- **Guardian** means a person appointed as guardian of an adult by order of the relevant state Public Guardian institution. A guardian is responsible for making decisions on behalf of a person about accommodation and/or health care and/or lifestyle matters.
- **Impaired decision-making capacity** refers to the inability of a person to make a particular decision at a particular time because he or she is incapable of:
 - understanding any information that may be relevant to the decision; or
 - retaining such information; or
 - using such information in the course of making the decision; or
 - communicating his or her decision in any manner; or
 - By reason of being comatose or otherwise unconscious, is unable to make a particular decision about his or her medical treatment.
- **Mechanical restraint** refer to the use of a device to prevent, restrict or subdue a person's free movement for the primary purpose of influencing or controlling that person's behaviour. Mechanical restraint does not include the use of devices for therapeutic purposes (e.g. splints) or for safety purposes not primarily related to behaviour (e.g. seat belts, wheelchair trays or bed rails to prevent injury from falls, devices to enable the safe transportation of a person). However, a therapeutic or safety device is considered a mechanical restraint if a person resists or objects to its use.
- Where there is no substitute decision-maker or relevant instruction, a **person responsible** for a person with impaired decision-making capacity has legal authority to provide or refuse consent to health care and medical treatment for that person (subject to certain legislatively prescribed exceptions), in the following legal order:
 - guardian with health care decision-making powers
 - relative with a close and continuing relationship (an adult spouse or domestic partner or an adult related by blood, marriage, adoption or Aboriginal kinship rules/marriage)
 - an adult friend with a close and continuing relationship

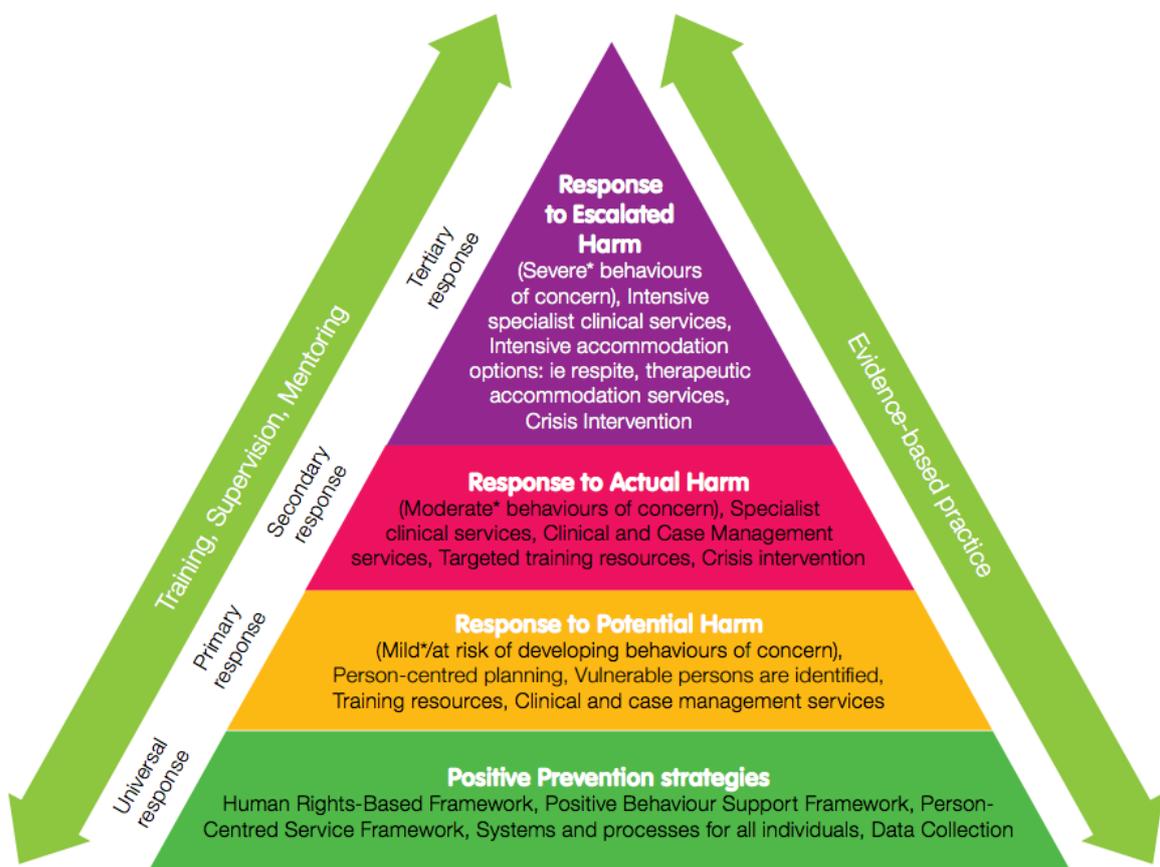
- someone charged with the day to day care and well-being of the person
- South Australian Civil and Administrative Tribunal (SACAT) (last resort).
- **Physical restraint** is the use of any part of a person's body to prevent, restrict or subdue free movement of another person's body for the primary purpose of controlling that person's behaviour. Physical restraint does not include brief physical contact to guide or redirect a person away from immediate potential harm or injury consistent with a service provider's duty of care to that person or physical assistance with activities of daily living.
- **PRN medication** (PRN) is an acronym for 'pro-re-nata' a Latin phrase used in medicine to mean 'medication given as needed' or 'as the situation arises' (i.e. the times of administration are determined by the needs of the person and not given at scheduled times, e.g. analgesia for pain or fever, Ventolin for asthma, antihistamine for allergies, midazolam for seizures). PRN may also be used for chemical restraint (see definition of chemical restraint).
- **Psycho-social restraint** – the use of power-control strategies to influence a person's behaviour. This includes but is not limited to directing the person's behaviour through voice tone, commands or threats and the use of punishment, including ignoring the person and withholding basic human rights, such as positive social interaction, personal belongings or a favoured activity.
- **Restrictive practices** refer to any practice, device or action that removes or restricts another person's freedom, movement or ability to make a decision. This includes detention, seclusion, exclusion, aversive restraint, chemical restraint, physical restraint, mechanical restraint, environmental restraint and psycho-social restraint. Restrictive practices do not include therapeutic or safety devices/practices, where the device or practice is being used for its intended purpose and the person is not resisting or objecting to its use.
- **Safety device/practice** refers to a device or practice used for safety purposes not primarily related to behaviour (e.g. lap belts or bed rails to prevent accidental falls or devices to enable the safe transportation of a person). This also includes environmental modifications for safety purposes, such as sensor mats and 'Walkabout' alarms.
- **Seclusion** refers to the sole confinement of a person with disability in a room or physical space at any hour of the day or night where voluntary exit is denied, prevented or not facilitated.
- **Substitute decision-maker** is an adult appointed under an advance care directive who can make decisions about health care, end of life, living arrangements and other personal matters on behalf of a person during a period of impaired decision-making capacity, whether for a short time or permanently. In this policy, it includes substitute decision-makers appointed under the former Enduring Power of Guardianship and Medical Power of Attorney.
- **Therapeutic device/practice** is a device or practice recommended by an appropriate health practitioner for the purpose of maintaining or restoring health or for the treatment of an illness or condition (e.g. splints).

Policy

- Trikki Kidz Pty Ltd promotes the dignity, worth, rights and developmental potential of people with a disability. Client rights and ethical principles should always be considered when adopting any strategy that relates to the management of challenging behaviour.

- Restrictive interventions are used only when Trikki Kidz Pty Ltd has authorisation from the Secretary, Department of Health and Human Services to use them and other options have failed, as one part of a wider plan to manage behaviours of concern.
- Trikki Kidz Pty Ltd uses a Positive Behaviour Support approach in working with people in situations where there is challenging behaviour or behaviours of concern.
- Trikki Kidz Service's Positive Behaviour Support Services are delivered in a capacity building and collaborative way and using the 'Pyramid' model at all levels of service provision. The Pyramid Model is comprised of four tiers with an emphasis on prevention, and the provision of services that support the emergence and maintenance of positive behaviours, as well as the reduction of behaviours of concern.

Positive Behaviour Pyramid



*Definitions of levels of behaviours of concern (severe, moderate, mild) can be related to the Risk Assessment Matrix.

(from Inclusive Directions, 2016, Positive Behaviour Support in Person-Centred Care.

http://www.directions.org.au/wp-content/uploads/2016/03/ID_WEB_Positive-Behaviour-Therapy.pdf)

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Version 1

Reviewed:

Next review:

Procedures

Positive Behaviour Support

- Trikki Kidz Pty Ltd staff will use Positive Behaviour Support strategies to respond to behaviours of concern in a positive, encouraging way. Strategies include:
 - proactively preventing behaviours of concern occurring in the first place;
 - working to the primary goal of enhancing the quality of life of a person and a secondary goal of reducing behaviours of concern;
 - taking into consideration the context in which any behaviours of concern occur and the environments in which the person lives;
 - inclusive, person-centred approaches to behaviour management;
 - seeing the person's strengths and being committed to the person's potential;
 - valuing the person and seeing the behaviour in context;
 - an appreciation that all behaviours have a purpose; and
 - Being positive.
- Trikki Kidz Pty Ltd management (or delegates) will discuss how to manage behaviours of concern with the client and their supporter/s.
 - In managing behaviour, staff will always use the least restrictive alternative. Any action taken to benefit a client should intrude as little as possible on their rights and lifestyle.
 - Restrictive practices that constitute aversive restraint, psycho-social restraint or exclusion are inconsistent with rights-based and person-centred service delivery to people with disability and must not be recommended or used in any circumstances.

Procedure

- Management and staff (where applicable) will implement Trikki Kidz Service's *Assessment, Planning and Review Policy* and Procedure consistent with this policy.

Management (director) responsibilities

- To ensure that clients who exhibit challenging behaviour have access to relevant professional services.
- To ensure that staff have access to relevant training and are able to demonstrate competence in supporting people who exhibit challenging behaviour.
- To ensure that clients with a history of challenging behaviour are a priority for behaviour Intervention.
- To ensure the regular review of behaviour interventions.
- To ensure that debriefing and counselling are available to people involved in critical incidents involving challenging behaviour, including family members, other clients and staff.
- To ensure that significant others are invited to participate in identifying the person's support needs.

Management (or delegates) Responsibilities

- To support the client in a way which promotes positive interactions.
- To support the development of the client by following all procedures as specified in the client's behaviour intervention plan.
- To prevent and protect self and others from injury.
- To reduce unnecessary damage to property.
- To implement any necessary reactive strategies using a least restrictive approach

Restrictive Practices

Restrictive practices restrict the liberty of individuals and should be considered only in exceptional circumstances where the health, safety and wellbeing of a person with disability and/or the safety of others is at risk and all other reasonable, less restrictive alternatives have been trialed.

In these rare instances, the use of restrictive practices must be time-limited, based on best practice and involve the least infringement of the person's rights.

Any recommendation of the use of restrictive practices with a child must critically consider the potential impact on that child's opportunities for development.

The use of a restrictive practice within Trikki Kidz Pty Ltd requires the following:

- Comprehensive bio psychosocial assessment
- Recommendation of the restrictive practice by an appropriate professional, within the context of an holistic individual support plan for the person with disability
- Informed consent by a person with legal authority
- Where required, authorisation by the relevant government institution for the Public Guardianship
- Application of the restrictive practice by appropriately trained disability services staff, to the extent legally authorised
- Regular review of the use of the restrictive practice as part of individual support planning with the person.

Within Trikki Kidz Pty Ltd, the use of a restrictive practice requires recommendation by:

- a practitioner, being a medical practitioner, relevant health professional or manager of the relevant service unit or area; **and**
- Management

Individual Plans

The plans of people subject to restrictive practices must include the following key quality elements in relation to positive behaviour support:

- The plan identifies the function of the behaviours of concern
- Environmental factors that trigger or support the behaviours of concern are identified
- The plan introduces both environmental change and supports new behaviour
- Reinforcement of new behaviours is identified
- The response to recurrence of behaviours of concern is described
- The plan contains a strategy to communicate between relevant persons.

Trikki Kidz Pty Ltd may seek the expertise of psychologists and/or developmental educators in the development and implementation of individual support plans.

An appropriate individual support plan must be in place before a restrictive practice is recommended.

Management (or delegates) are to be advised and instructed on the individual support plan, which must be readily available in the person's file for ongoing use by staff when required.

Trikki Kidz Pty Ltd is required to ensure that a person's specific consent and/or authorisation arrangements, including the details of a person's substitute decision-maker or guardian, or any orders by the relevant Public Guardianship authority are clearly documented to inform management (or delegates) about arrangements relating to the use of restrictive practices.

Disability service providers are responsible for accurate recording and reporting of the use of restrictive practices. This includes:

- Maintaining a register of all people who have an individual support plan that includes the use of restrictive practices
- Recording each instance where a restrictive practice is used
- Recording each use of a restrictive practice in an emergency.

Restrictive Interventions

- Trikki Kidz Pty Ltd in principle does not support the use of restrictive interventions. Should Trikki Kidz Pty Ltd need to implement restrictive interventions routinely, it will register with the Senior Practitioner, appoint an Authorised Program Officer (APO) to monitor the use of these practices within the service and report the use of these practices to the Senior Practitioner using the Department of Health and Human Services' Restrictive Intervention Data System (RIDS).
- Once registered with the Senior Practitioner, where restrictive interventions are deemed necessary, management will consult with the client, their supporter/s and other key stakeholders to develop a Behaviour Support Plan using the Department of Human Services' *Behaviour Support Plan Toolkit*.
- The primary focus of any Behaviour Support Plan will be to improve the quality of life of the client with a secondary focus on eliminating or reducing behaviours of concern. Restrictive interventions approved for use will be used in a way that is deemed least restrictive and only as a last resort.
- For each client that restrictive interventions apply to, the restrictive practices will not be implemented until that client's Behaviour Support Plan is approved by the Authorised Program Officer and until the client subject to the restrictive interventions has been notified in writing at least two days prior to the proposed use of the practices, except in the case of an emergency.
- Notification will be in an accessible communication format for the client and advise that a restrictive intervention has been approved for use and under what conditions. Clients subject to restrictive intervention and their supporters will be made aware of the reasons restrictive interventions are to be implemented and when and how this will be reviewed.
- Before any restrictive intervention is used, staff will discuss the proposed intervention with the client and their supporter/s if applicable.

- Before any restrictive intervention is used, staff will make sure the person showing the behaviours of concern and their supporter/s if applicable, understand they have the right to appeal to the Senior Practitioner if they do not agree with the intervention.
- If a client does not have a supporter or guardian and is unable to advocate for themselves, staff will make sure the person is supported to access an advocate (see Trikki Kidz Service's *Decision Making and Choice Policy and Procedure*).
- Staff will consult with management (or delegates) before they introduce any restrictive intervention.
- Any use of a restraint must be approved by management (or delegates).
- If restraint is used, it will be for as short a time as possible and its use will be reviewed frequently as per the relevant Behaviour Support Plan.
- If restraint is used, staff will record the details of every time it is used and how the client responded.
- Restrictive intervention will always be overseen by a specialist in behaviour. A medical specialist will also oversee any restrictive intervention to identify any potential side effects.

Emergency Restrictive Interventions

- Staff may use restrictive interventions as an emergency measure if they consider that a person's safety is in serious and urgent danger. If this happens, the intervention will be as short and as limited as possible.
- After implementing any emergency restrictive intervention, staff will report immediately to the management, who will report immediately to the Senior Practitioner.

Reporting

- Management (or delegates) will report the use of restrictive interventions to the Senior Practitioner on a monthly basis through RIDS.
- Management (or delegates) will report on the use of emergency restrictive interventions as soon as possible after they occur through RIDS.
- If Trikki Kidz Pty Ltd is not registered with the Senior Practitioner for the use of restricted practices, management will contact the Office of the Senior Practitioner on (03) 9096 8427.

Monitoring and Review

- This Policy and Procedure will be reviewed at least annually by Trikki Kidz Service's management and incorporate client and other stakeholder feedback.
- Trikki Kidz Service's *Continuous Improvement Plan* will be used to record and monitor progress of any improvements identified.
- Trikki Kidz Pty Ltd will review and monitor its processes around restrictive practices and protecting clients from harm in accordance with an Internal Review and External Audit Schedule. This schedule includes service planning and delivery activities, which incorporate client and stakeholder participation and assess feedback provided to and by clients and stakeholders.
- Trikki Kidz Service's service delivery and satisfaction surveys will assess:
 - client and other stakeholder awareness of their rights and the extent to which they feel able and supported to exercise them;
 - client and other stakeholder satisfaction with Trikki Kidz Service's complaints processes; and
 - The extent to which clients feel safe and protected in their dealings with Trikki Kidz Pty Ltd.

Rights and Responsibilities

Purpose

The purpose of this procedure is to ensure that Trikki Kidz Pty Ltd customers are aware of their rights and responsibilities. Trikki Kidz Pty Ltd customers have the right to feel safe, expect a professional and confidential service, and the right to expect that information about them to be managed appropriately.

Trikki Kidz Pty Ltd staff will respect a person's culture, religious beliefs, sexual orientation, their individual right to privacy and be guided by the following principles:

1. We make services safe, responsive and easy to access
1. We are trained to understand and respond to all your needs
2. We respect diversity and learn about you and your culture
3. We recognise and respond to the impact of trauma
4. We include the people important to you
5. We believe making change is possible
6. We respect your lived experience and work with your strengths
7. We work together with you and others to respond to your needs
8. We advocate with you and for you and your community
9. We are committed to getting better at all that we do

Responsibility

It is the responsibility of all Trikki Kidz Pty Ltd staff, volunteers, students on placement and contractors and sub-contractors to respect the rights of customers and to maintain customer confidentiality according to legislative and regulatory requirements.

Procedure Details

Trikki Kidz Pty Ltd recognises the importance of the quality and safety of service delivery.

Customer Rights

All customers have the right to -

Access:

All customers have the right to fair and equitable access to a full range of Trikki Kidz Pty Ltd based on their needs and eligibility for service criteria.

Quality and Respect:

Customers have the right to safe and high-quality health services, provided with professional care, skill and competence. Customers have the right to care that shows respect for them as individuals, their culture, beliefs, values and personal characteristics.

Choice:

Trikki Kidz Pty Ltd staff must ensure customers are involved in decisions and choices about their care and about health service planning.

Informed consent enhances participation and choice.

Customers have the right to have a support person or to advocate on their behalf in respect to their rights and responsibilities

Be Listened to:

Customers have the right to comment or make a complaint about their care and have any concerns dealt with properly and promptly.

Confidentiality and Privacy:

Customers of Trikki Kidz Pty Ltd have the right to personal privacy and the proper handling of personal health and other information is assured.

The confidentiality in relationship between the customer and their service provider is maintained and respected.

Communication and Interpreters:

Customers have the right to receive open, timely appropriate communication about health or other care in a manner they can understand.

Accredited interpreters are made available for equitable and open communication.

Customer Responsibilities

The rights of customers are balanced by a set of responsibilities which assist customers get the best from the service being provided. Equally, Trikki Kidz Pty Ltd has responsibilities to the customers. Trikki Kidz Pty Ltd strives to provide an environment where customer rights and responsibilities are met.

To ensure optimal service experience, the responsibilities expected of all customers include:

- Keep appointments or let us know early if you need to cancel.
- Show consideration and respect for staff, accepting that there are limits to the services that Trikki Kidz Pty Ltd can provide.
- Give the information needed to provide you with the required services.
- Ask questions about your health care so that you can make informed decisions.
- Respect the advice given to you, accepting that the final decision is yours.
- Maintain the confidentiality and privacy of staff and other people using Trikki Kidz Pty Ltd particularly when you are participating in group programs.
- Observe safety procedures (including NO SMOKING signs) to ensure a safe environment for everyone.
- Observe the code of conduct for the service you are receiving or the program you are attending.

PROTECTING CLIENTS FROM HARM

Purpose and Scope

The purpose of this policy and procedure is to outline Trikki Kidz Service’s immediate response requirements following verbal assault, bullying, discrimination or racism or an allegation of physical or sexual assault that involves a client.

The aims of the policy and procedure are to:

- ensure timely and effective responses are taken to address immediate client safety and wellbeing;
- support clients who have experienced physical or sexual assault;
- be accountable to clients for actions taken immediately and planned in response to their experience of an assault;
- ensure due diligence and responsibilities to clients are met; and
- Hold perpetrators of physical and sexual assault accountable for their actions.

Legislation, regulations and standards relevant to this policy and procedure include:

- *Crimes Act 1958*
- *Disability Act 2006 (Vic)*
- *Children, Youth and Families Act 2005 (Vic)*
- *Child Wellbeing and Safety Act 2005 (Vic)*
- *Child Wellbeing and Safety Amendment (Child Safe Standards) Act 2015*
- *Charter of Human Rights and Responsibilities Act 2006 (Vic)*
- *Family Law Act 1975 (Cwth)*
- *Occupational Health and Safety Act 2004 (Vic)*
- *Working with Children Act 2005 (Vic)*
- *Working with Children Regulations 2006 (Vic)*
- *Australian Human Rights Commission Act 1986 (Cwth)*
- *Disability Discrimination Act 1992 (Cwth)*
- *Racial Discrimination Act 1975 (Cwth)*
- *Sex Discrimination Act 1984 (Cwth)*
- *Age Discrimination Act 2004 (Cwth)*
- *Privacy Act 1988 (Cwth)*
- *Anti-Discrimination Act 1977 (NSW)*
- *Child Safe Standards (Vic)*
- *Human Services Standards (Vic) – Empowerment*
- *4.4. Responding to Allegations of Physical or Sexual Assault (Departmental Policies, Procedures and Initiatives, Service Agreement Information Kit for Funded Organisations, Department of Health and Human Services)*
- *Responding to Allegations of Physical or Sexual Assault: Technical Update 2014 (Department of Health and Human Services)*

- *Critical Client Incident Reporting – Human Services (Victorian Department of Health and Human Services) Protecting the Safety and Wellbeing of Children and Young People – A Joint Protocol of the Department of Human Services Child Protection, Department of Education and Early Childhood Development, Licensed Children’s Services and Victorian Schools*
- *Disability Inclusion Act 2014 (NSW)*
- *Children and Young Persons (Care and Protection) Act 1998 (NSW)*
- *Abuse and Neglect Policy (NSW Family and Community Services; Ageing, Disability and Home Care)*

Documents relevant to this policy and procedure include:

- *Trikki Kidz Pty Ltd Incident Management Policy and Procedure*
- *Trikki Kidz Pty Ltd Incident Record form*

This policy and procedure applies to Trikki Kidz Pty Ltd management, all staff (where applicable), contractors and volunteers.

This policy and procedure should be read in conjunction with Trikki Kidz Service’s *Child Safe Environment Policy and Procedure*.

Definitions

Abuse (in the context of this policy) – Verbal, physical and/or emotional mistreatment and/or lack of care of a person. Examples include sexual abuse and any non-accidental injury.

Abuser - A person who mistreats and/or harms another person.

Bullying - Repeated verbal, physical, social or psychological behaviour that is harmful and involves the misuse of power by an individual or group towards one or more persons. Bullying occurs when one or more people deliberately and repeatedly upset or hurt another person, damage their property, reputation or social acceptance.

Child or Young Person- In Victoria, under the *Children, Youth and Families Act 2005*, and in New South Wales, under the *Children and Young Persons (Care and Protection) Act 1998*, a person under 18 years of age.

Child abuse - An act or omission by an adult that endangers or impairs a child’s physical and/or emotional health and development. Child abuse can be a single incident but often takes place over time. Abuse, neglect and maltreatment are generic terms used to describe situations in which a child may need protection.

Physical abuse: When a child suffers or is likely to suffer significant harm from an injury inflicted by a parent/guardian, caregiver or other adult. The injury may be inflicted intentionally, or be the consequence of physical punishment or the physically aggressive treatment of a child. Physical injury and significant harm to a child can also result from neglect by a parent/guardian, caregiver or other adult. The injury may take the form of bruises, cuts, burns or fractures, poisoning, internal injuries, shaking injuries or strangulation.

Sexual abuse: When a person uses power or authority over a child, or inducements such as money or special attention, to involve the child in sexual activity. It includes a wide range of sexual behaviour from inappropriate touching/fondling of a child or exposing a child to pornography, to having sex with a child.

Emotional and psychological abuse: Involves continuing behaviour by adults towards children, which erodes social competence or self-esteem over time. It occurs when a person engages in inappropriate behaviours, such as rejecting, ignoring, threatening or verbally abusing a child, or allowing others to do so⁵.

Racial, cultural and religious abuse: Conduct that demonstrates contempt, ridicule, hatred or negativity towards a child because of their race, culture or religion⁶.

Neglect: Refer to definition below.

Exposure to domestic/family violence: When children and young people witness or experience the chronic, repeated domination, coercion, intimidation and victimisation of one person by another through physical, sexual and/or emotional means within intimate relationships⁷.

Child FIRST - A Victorian community-based intake and referral service linked with Family Services which ensures that vulnerable children, young people and their families are effectively linked to relevant services, including Child Protection (www.cyf.vic.gov.au/family-services/child-first).

Child sex offender - Someone who sexually abuses children, and who may or may not have prior convictions.

Child protection - The term used to describe the whole-of-community approach to the prevention of harm to children. It includes strategic action for early intervention, for the protection of those considered most vulnerable and for responses to all forms of abuse.

Child Protection Service (also referred to as Child Protection) - The statutory child protection service provided by the Victorian Department of Human Services, to protect children and young people at risk of abuse and neglect. This service also works closely with Family Services (including Child FIRST) to support the assessment and engagement of vulnerable children and families in community-based services (www.cyf.vic.gov.au/child-protection-family-services/home).

Code of conduct - A set of rules or practices that establish a standard of behaviour to be followed by individuals and organisations. A code of conduct defines how individuals should behave towards each other, and towards other organisations and individuals in the community (refer to Trikki Kidz Service's Code of Conduct Policy).

Disclosure (in the context of this policy) – A statement that a child or person makes to another person that describes or reveals abuse.

Discrimination – treating a person less favourably than others in similar circumstances because of a personal attribute that has no relevance to the situation.

Age discrimination - Discrimination on the basis of age (regardless of age) or on the basis of age-specific characteristics or characteristics generally associated with a person of a particular age.

Disability discrimination - Discrimination on the basis of physical, intellectual, psychiatric, sensory, neurological or learning disability, physical disfigurement, disorder, illness or disease that affects thought processes, perception of reality, emotions or judgement, or results in disturbed behaviour, and presence in body of organisms causing or capable of causing disease or illness (e.g., HIV virus).

Racial discrimination - Discrimination on the basis of race, colour, descent or national or ethnic origin and in some circumstances, immigrant status.

Sex discrimination – Discrimination on the basis of sex, marital or relationship status, pregnancy or potential pregnancy, breastfeeding, family responsibilities, sexual orientation, gender identity or intersex status.

Sexual harassment - any form of unwanted, unwelcome or uninvited sexual behaviour that is offensive, humiliating or embarrassing.

Domestic/family violence - The repeated use of violent, threatening, coercive or controlling behaviour by an individual against a family member(s) or someone with who they have or have had an intimate relationship, including carers.

Duty of care - A common law concept that refers to the responsibilities of organisations to provide people with an adequate level of protection against harm and all reasonable foreseeable risk of injury. In the context of this policy, duty of care refers to the responsibility Trikki Kidz Pty Ltd has to provide its clients with an adequate level of care and protection against foreseeable harm and injury.

Maltreatment (in the context of this policy) - Physical and/or emotional mistreatment, and/or lack of care of a child or person. Examples include sexual abuse, the witnessing of family violence and any non-accidental injury.

Mandatory reporting - The legal obligation of certain professionals and community members to report when they believe, on reasonable grounds, that a child is in need of protection from harm. A broad range of professional groups are identified in the *Child, Youth and Families Act 2005* as 'mandatory reporters'. Section 182 of the Act lists those who are mandated to report.

Neglect - The failure to provide a child with the basic necessities of life, such as food, clothing, shelter, medical attention or supervision, to the extent that the child's health and development is, or is likely to be, significantly harmed (Victorian Department of Human Services).

Negligence - Doing, or failing to do something that a reasonable person would, or would not do in a certain situation, and which causes another person damage, injury or loss as a result.

Offender or Perpetrator - A person who mistreats and/or harms a child or person.

Reasonable grounds - A person may form a belief on reasonable grounds that another person is in need of protection after becoming aware that their health, safety or wellbeing is at risk and the client's parents/guardians are unwilling or unable to protect them. There may be reasonable grounds for forming such a belief if:

- a client states that they have been physically or sexually abused;
- a client states that they know someone who has been physically or sexually abused (sometimes they may be referring to themselves);
- someone who knows the client states they have been physically or sexually abused;
- a client shows signs of being physically or sexually abused⁸;
- the person is aware of persistent family violence or parental substance misuse, psychiatric illness or intellectual disability that is impacting on the client's safety, stability or development;
- the person observes signs or indicators of abuse, including non-accidental or unexplained injury, persistent neglect, poor care or lack of appropriate supervision; or
- A client's actions or behaviour may place them at risk of significant harm and the parents/guardians are unwilling or unable to protect the child.

Voluntary (non-mandated) notification - A notification to the Child Protection Service by a person who believes that another person is in need of protection, where the notification is made out of moral obligation, rather than legislative obligation. The person making the notification is not expected to prove the abuse, and the law protects the anonymity of the person making the notification.

Policy

- Trikki Kidz Pty Ltd takes proactive steps to prevent the occurrence of abuse and neglect in its services and to its clients. This includes supporting the safety and security of people affected by family violence.
- Physical and sexual assault are crimes against the person. Staff should be aware that many clients, including children, young people and people with a disability, are at greater risk of physical and sexual assault than the general population.
- Trikki Kidz Pty Ltd has a moral, ethical and legal responsibility to ensure that all clients are safe in their care, and will provide training, resources, information and guidance to support this. Trikki Kidz Pty Ltd is committed to:
 - ensuring that the health, safety and wellbeing of clients at the service is protected at all times;

- fulfilling its duty of care obligations under the law by protecting clients from any reasonable, foreseeable risk of injury or harm;
- ensuring that all staff, students and volunteers caring for clients at the service act in the best interests of the client and take all reasonable steps to ensure the client's safety and wellbeing at all times;
- supporting the rights of all clients to feel safe, and be safe, at all times;
- developing and maintaining a culture in which clients feel valued, respected and cared for;
- encouraging active participation from parents/guardians and families at the service, and ensuring that best practice is based on a partnership approach with shared responsibility for clients' health, safety, wellbeing and development; and
- Ensuring it is proactive in educating clients of their individual rights by including personal safety education programs within Trikki Kidz Pty Ltd.

Procedures

Prevention

- Management will:
 - ensure Trikki Kidz Pty Ltd employs skilled staff who respect the rights of people with disability, are aware of current policies and legislation pertaining to abuse and neglect and will support people and their families or guardians to access complaint mechanisms and raise any concerns they have about services;
 - ensure all staff, volunteers and contractors undergo criminal history screening as per Trikki Kidz Service's *Human Resources Policy and Procedure*;
 - provide a safe physical environment for the delivery of services;
 - ensure volunteers, students, parents, guardians and other visitors are not left with sole supervision of individual clients or groups of clients and that adequate staff-client ratios are maintained at all times; and
 - Identify and provide appropriate resources and training to assist educators, staff, contractors, visitors, volunteers and students to implement this policy.
- Management (or delegates) will:
 - identify the potential for abuse at Trikki Kidz Pty Ltd and develop and implement effective prevention strategies in consultation with other staff;
 - identify and implement appropriate programs and practices to support the principles of a child-safe organisation in consultation with other staff;
 - co-operate with other services and/or professionals in the best interests of clients;
 - ensure that families are made aware of support services available to them (such as Child FIRST), and of the assistance these services can provide; and
 - Ensure clients are advised of Trikki Kidz Service's obligations and requirements in relation to reporting allegations of assault at their initial contact with Trikki Kidz Pty Ltd.

- Management (or delegates) are also responsible for:
 - ensuring educators, staff, contractors, volunteers and students undertake appropriate training and education on child protection, including recognising the signs and symptoms of child abuse, knowing how to respond, and understanding processes for reporting and managing concerns/incidents;
 - identifying the potential for and signs of abuse at Trikki Kidz Pty Ltd , and developing and implementing effective prevention strategies in consultation with the Nominated Supervisor and educators/staff; and
 - Ensuring all equipment and materials used at Trikki Kidz Pty Ltd meet relevant safety standards.

- Management (or delegates) are responsible for:
 - keeping up to date and complying with any relevant changes in legislation and practices in relation to this policy;
 - undertake appropriate training and education on child protection, including recognising the signs and symptoms of child abuse, knowing how to respond, and understanding processes for reporting and managing concerns/incidents;
 - protecting the rights of clients and encouraging their participation in decision-making; and
 - Maintaining confidentiality at all times.

- Allegations of abuse should always be treated seriously. The client’s feelings about themselves may be influenced by initial reactions to their allegation. If abuse is disclosed, or a staff member becomes aware of abuse, a helpful response may include:
 - telling the person that you believe them;
 - making it clear that whatever has happened is not their fault;
 - reassuring the person who disclosed the abuse that they did the right thing;
 - telling the person that some people do wrong things and that the perpetrator is responsible for the abuse; and
 - Doing everything possible to listen carefully to and reassure the person, including explaining the actions you will take next.

- When an allegation is made, or a staff member becomes aware of abuse, staff should immediately assess the situation to ensure a safe environment. Once safety is established, the first priority is to care for the client, and they must be given maximum support and assistance.

- Where a client or other Trikki Kidz Pty Ltd stakeholder is subject to any form of verbal or emotional abuse (including racism, discrimination or cultural abuse) from another client, Trikki Kidz Pty Ltd staff will consider terminating the perpetrator’s service provision in accordance with Trikki Kidz Service’s *Rights and Responsibilities Policy and Procedure*.

- Any verbal, racism, discrimination or cultural abuse perpetrated by a staff member towards clients or other Trikki Kidz Pty Ltd stakeholders will be dealt with in accordance with the Disciplinary Action provisions in Trikki Kidz Service’s *Human Resources Policy and Procedure*.

Responding to Physical Abuse or Neglect

First response

- If the victim requires immediate medical attention, a medical practitioner or ambulance should be called, or the victim conveyed to the nearest hospital emergency department.
- Where a staff member is the alleged perpetrator of physical or sexual assault, any medical practitioner called should be independent to Trikki Kidz Pty Ltd.
- The staff member who first becomes aware of the allegation or incident must report it as soon as practicable to the most senior staff member in the work area.
- The most senior staff member in the work area present at the time the allegation is made is responsible for reporting the allegation of assault to the Police.
- The report must be made as soon as practicable, once immediate safety and medical needs are met.
- The staff member who first becomes aware of the allegation must be available to assist the Police with any investigation.
- All allegations or assaults must be reported to management immediately, or as soon as practicable.
- After reporting to the Police, every attempt must be made to ensure the safety of the victim and to prevent any further contact between the victim and the alleged perpetrator.

Compulsory reporting to Police

- Management (or delegates) must make a report to Child Protection as soon as is practicable after forming a belief, on reasonable grounds, that:
 - a client is in need of protection from significant harm as a result of physical injury or sexual abuse; and
 - The client's parents/guardians are unwilling or unable to protect them.
- Mandatory reporters must report the abuse/neglect to:
 - Police, by calling 000, if the offence requires immediate police attention; or
 - Child Protection authorities, if they suspect, on reasonable grounds, that a child is suffering abuse or neglect, or wish to discuss their concerns about a child.
- Where the client:
 - is a statutory child protection client;
 - resides in out-of-home care;
 - resides in a residential service directly managed by the Department of Health and Human Services, such as youth justice custodial Trikki Kidz Pty Ltd , youth justice residential units, secure welfare, or disability accommodation services;
 - receives direct service and supports by a registered disability service provider; or
 - has a disability and is receiving in-home or community-based services and the allegation is against a staff member of either the Department or Trikki Kidz Pty Ltd ;

And the incident is reportable under the *Department of Health and Human Services' Critical Client Incident Management Instruction* and involves allegation of an assault of a:

- client by a staff member or volunteer;
- client by a client;
- client by a visitor, family member, other non-staff member or member of the community; or
- staff member, visitor, other non-staff member or member of the community by a client;

The allegation of assault must be reported to the police, whether or not the client has consented to the matter being reported. The client may choose not to participate in the police investigation.

Advising parties involved of Police report

- In relation to a victim of assault, the staff member or volunteer who first becomes aware of the allegation must advise the person that the allegation will be reported to the police.
- In relation to an alleged perpetrator, staff should consult with police as to whether the person should be told of the report to police. It is important that any steps taken do not undermine action that police may instigate.

Dealing with the Police

- Where an immediate police response is required, call 000.
- The phone call will result in the allocation of the appropriate response unit, which may be a Sexual Offence and Child Abuse Unit / Sexual Offences and Child Abuse Investigation Team (SOCAU/SOCIT) (Vic) for the area, or a general duties police unit. In NSW the Director or delegate should phone the Child Protection Helpline on 132 111.
- If the client is under the age of 18 years, a parent, guardian or independent person must be present if they are going to give a statement.
- At the time of contact the Police must be advised if the client has a cognitive disability or mental illness and needs support of an independent third person during interview or when a statement is being taken. Cognitive disability can include intellectual disability, acquired brain injury and dementia.
- Where the client uses an alternative form of communication, such as symbols, signs or facilitated communication, an independent third person can usually assist the client to communicate with the police. It is the responsibility of the Police to contact the independent third person.

Contact the local Centre against Sexual Assault

- Centre Against Sexual Assault (CASAs) operate throughout Victoria and provide counselling, advocacy, support and information to adults, young people and children who have experienced sexual assault, whether they were children or adults when the assault was perpetrated. The 24 hour Sexual Assault Crisis Line can be contacted on 1800 806 292 from anywhere in the state and a duty worker will respond.
- In instances of alleged sexual assault, where the client consents, the most senior staff member in the work area should contact the local CASA at the same time the Police are informed of the allegation.
- The CASA should always be involved unless the client does not want contact with this service. Where the allegation is of sexual assault and the client is examined by a forensic medical officer or forensic nurse examiner, staff must ensure that the client is offered the assistance and support of a counsellor-advocate from the CASA.
- If the client is a person with a disability who does not have the capacity to consent, consent should be obtained from the person's guardian, where possible.
- CASA services are free and confidential to all victims/survivors of recent and past sexual assaults regardless of gender and include:
 - immediate crisis support including crisis intervention, provision of information, counselling, advocacy, liaison with the department on child protection matters, police, forensic and other medical personnel, and coordination of support
 - follow-up, longer-term counselling, advocacy and support
 - information regarding options and rights within the legal system
 - information regarding medical options, including follow-up medical treatment
 - assistance to negotiate the management of sexually transmitted infections and/or pregnancy arising from the assault
 - assistance in the management of other practical consequences of the assault such as emergency housing and compensation
 - Support and information to non-offending family members and support people.
- In addition to the above activities, CASAs also provide community education, training and specialist consultation services to relevant individuals and services to facilitate meeting the broader needs and concerns of victim/survivors of sexual assault. CASA can also arrange culturally-specific services for victims from culturally and linguistically diverse communities.

Forensic medical examination

- In some instances, the police may suggest that the Victorian Institute of Forensic Medicine (VIFM) be contacted to provide a forensic medical officer, free of charge, to examine the victim. The VIFM provides clinical services and medical advice in the investigation of violent crimes and other offences.
- The examination of people who have been sexually assaulted is a specialised area, and the institute provides a 24-hour service for attendance when requested by police or hospital staff. In this instance, the forensic medical officer or forensic nurse examiner will:
 - assess and treat any immediate medical needs;
 - undertake tests for sexually transmitted infections and pregnancy, if appropriate; and
 - Collect evidence for use in the investigation and possible prosecution.

- Medical needs are a priority in cases of recent sexual assault (within 72 hours). Often victims/survivors do not report assaults immediately, so time will often have been lost that may have an adverse impact on the victim/survivor's health or the gathering of evidence. For adults, such an examination will often take place at a sexual assault crisis care unit.
- For children (under 18 years) the Victorian Forensic Paediatric Medical Service (VFPMS) should be contacted. Forensic services to children will typically be provided through the Gatehouse Trikki Kidz Pty Ltd (Royal Children's Hospital), South East Trikki Kidz Pty Ltd Against Sexual Assault (SECASA at Monash Medical Trikki Kidz Pty Ltd) in the metropolitan area or the nearest crisis care unit in divisional areas.
- In relation to physical assault, forensic medical assessment of physical injuries may provide the only objective evidence of events. Injuries should be documented accurately and interpreted by medical officers with forensic training. The VFPMS will provide this service to children.

Assisting the police

- The police should be assisted in conducting their investigation. The investigation may involve the police taking photographs of any physical injuries. The police may need the carer/worker's assistance to explain this procedure to the client.
- In relation to preserving evidence of sexual assault, it is helpful to:
 - encourage the victim not to shower or change, or, if the victim feels they must shower or change, ask them to put the clothing they were wearing at the time of the assault in bags, which should be sealed, labelled and secured and
 - Where possible, lock the door to the room or restrict access to the area where the assault occurred so any physical evidence inside that area remains undisturbed.
- It is not necessary for a victim to decide immediately about whether to be involved in a police investigation and/or prosecution. People may be distraught in the immediate aftermath of an assault and sometimes change their minds later. Some evidence, however, will only be present in the immediate period following assault. Forensic evidence collected at this time will assist police investigation, should the victim wish to proceed at a later stage.

Where a client is the alleged victim

- Where a client is the alleged victim of an assault, Trikki Kidz Pty Ltd staff must assist them to make an informed decision whether to participate in the police investigation. Staff should advise the client that the matter has been referred to the Police, which the Police may investigate the incident and may want to interview the client and take a statement. The client may choose whether or not to participate in the police investigation.
- Clients with a cognitive disability or a mental illness must have an independent third person present during any interview. The role of the independent third person is to facilitate communication, ensure that the client understands his or her rights, and to support the client.
- Police are responsible for arranging the independent third person. Trikki Kidz Pty Ltd staff should not act as the independent third person.

- Where the alleged victim is under 18 years of age, he or she must have a parent, guardian or an independent person present when a statement is being taken. The role of the independent person is to provide support to the client, and ensure that their evidence is accurately recorded. If the young person has a cognitive disability, then an independent third person rather than an independent person should be present.
- The police will decide whether or not to proceed with charging.
- If the matter is taken to court, the client will most likely be required to give evidence.

Support and advocacy

- The response by staff to a client's disclosure of assault can be central to the client's ongoing safety and their recovery from the trauma of assault. Following an allegation of assault, it is important to:
 - listen to and support the client;
 - reassure the client that they did the right thing by talking about the assault;
 - ensure the client's, and others', immediate safety, health and wellbeing needs are met such as obtaining medical attention and referral to other specialist/victim support services;
 - ensure the client's specific support needs are addressed including access to communication aids and resources;
 - tell the client what you plan to do next; and
 - With the client's consent, engage family, significant others, an independent key support person and/or advocate to support the client and advocate on their behalf.
- A key support person may include a family member, significant other, or advocate who are independent of the perpetrator and/or service. The role of the key support person is to provide support and advocacy, and ensure client's rights are respected in relation to any subsequent investigation or action taken. A key support person should be someone who preferably knows the client well and has their trust.
- Specialist/victim support services may include crisis care, counselling, advocacy, legal information and advice.
- For clients who are from culturally and linguistically diverse communities or from Aboriginal and Torres Strait Islander communities, staff should consider referring the client to specialist agencies or staff for additional support. It may also be necessary to arrange an interpreter. Appropriate services may include the Aboriginal and Torres Strait Islander Corporation Family Violence Prevention and Legal Service or the Victorian Aboriginal Health Service.
- Where the client uses a language other than English or is deaf, an interpreter of the same sex as the client should be arranged as soon as practicable to interpret for the client, police and other persons involved in the process. Contact the Victorian Interpreting and Translating Service (VITS) on (03) 9280 1955 (24 hours, seven days a week).
- Some victims may be reluctant to speak to an interpreter because they fear that what they say may be passed on to their local community. In this case, it is possible to request a telephone interpreter from another state, or to not disclose the victim's name to the interpreter. When using an interpreter directly, consideration should be given to arranging an interpreter who is not associated with the client or his or her immediate cultural community.

Supporting client through the justice process

- Trikki Kidz Pty Ltd will support clients through the justice process, including police investigation, prosecution and crimes compensation processes as appropriate. This may include:
 - ensuring the client has access to appropriate communication aids and tools to facilitate disclosures and the provision of evidence;
 - ensuring the client has access to a key support person of their choosing;
 - alerting police to the need for an independent third person or independent person and the client's particular communication support needs, and the need for timely interviews to facilitate the recall of information;
 - facilitating arrangements with police for interviews and examination of evidence; and
 - Facilitating arrangements with specialist support services.
- Under no circumstances should anyone but the Police interview the client about the allegation.

Where a client is the alleged perpetrator

- Staff must consult with Police about whether to inform the client of the report to Police. The police may want to interview the client and take a statement. Clients with a cognitive disability must have an independent third person present during the interview, and this will be arranged by police. Where the client is under the age of eighteen years, an independent person must be present during the police interview.
- Staff must contact the service most directly responsible for the client's care who will ensure that the client has legal representation and is assisted during the investigation and hearing.
- Under no circumstances should anyone but the Police interview the client about the allegation. It is acknowledged however that some discussion with the client may be required to establish safety and a basic understanding of what has occurred.

Notification of next of kin or guardian – all clients

- If the alleged perpetrator is the client's next of kin or legal guardian, the staff member must ensure that the immediate needs of the client and an appropriate planned response are undertaken.
- The Director must notify the client's next of kin or guardian where:
 - the client is under 18 years old;
 - The client is over 18 years old and consents to their next of kin or guardian being contacted. If the client is unable to make an informed decision regarding contact and the client does not have an appointed guardian, the Trikki Kidz Pty Ltd Coordinator should contact the next of kin as appropriate;
 - the client has a legal guardian;
 - The client is on a guardianship to Secretary order
- The Director must explain to the next of kin or guardian: the nature of the allegation; the standard procedure for reporting allegations to the Police; that the client may choose whether or not to participate in the Police investigation; and any action taken by staff since reporting the allegation.

- If the client is a child or young person who does not wish their next of kin or guardian to be notified, a decision in relation to notification will need to consider factors including the client's age and capacity, where they are living and their best interests. If necessary, legal advice should be sought, and if a decision is taken not to notify the next of kin or guardian, this must be clearly documented and placed on the client's file.

Ongoing support

- Irrespective of gender, victims of sexual assault frequently experience negative outcomes including dissociation, posttraumatic stress disorder, depression and anxiety. Victims of physical assault also frequently experience shock, numbness, fear, depression and anxiety. In recognition of this, after an allegation of abuse, additional support and/or a review of supports provided to the client may be required.
- A quality of support review must also be undertaken by the Director for clients who are victims or alleged perpetrators of an assault. Agreed actions for the client's immediate and ongoing needs must be recorded on the client's care plan. This must include:
 - steps being taken to assure the client's safety and wellbeing in the future
 - treatment or counselling the client may access to address their safety and wellbeing
 - modifications in the way services are provided (for example, same gender care or placement)
 - how best to support the client through any action the client takes to seek justice or redress including making a report to Police
 - Any ongoing risk management strategy required where this is deemed appropriate.

External Reporting

- The Director must report any allegation or assault to the Department of Health and Human Services, and when doing so, should refer to the Department's *Critical Client Incident Management Instruction* to determine when a report is required and how to complete the report.
- The Department has established a protocol for the provision of client incident reports relating to allegations of staff to client assault or unexplained injuries within disability services to the Disability Services Commissioner for independent monitoring, review and advice on client specific issues and trends.
- The Department also has an established protocol with the Commission for Children and Young People for the provision of client incident reports for children in out of home care. The Commission monitors critical incidents reports to identify any emerging or recurring themes, trends and issues.
- The NSW Government regards all NDIS registered providers delivering disability services in NSW as subject to the mandatory reporting requirements prescribed under the *Children and Young Persons (Care and Protection) Act 1998 (NSW)*. The NDIS Act also permits NDIS registered providers to report and respond to actual or potential risk to NDIS participants, and comply with relevant reporting requirements under the NSW Act. Specifically, reports are to be made to the Child Protection Helpline on 132 111 (TTY 1800 212 936).

Staff and client debrief and support

- After a serious and traumatic incident, it is likely that high levels of stress will be experienced by those connected with the incident.
- In relation to a sexual assault, the local CASA can provide assistance with debriefing and secondary consultation.
- General arrangements to support staff may include allocating a safe place for retreat, giving staff the option of being immediately and temporarily relieved of their duties, providing communication with families and offering to organise transport home.
- General arrangements to support clients may include allocating a safe place for retreat and communicating with families.
- Clients have a right to complain about Trikki Kidz Pty Ltd and they and their key support person/advocate should be alerted to Trikki Kidz Service's *Feedback, Compliments and Complaints Policy and Procedure* and external complaints bodies.

Where a staff member is the alleged perpetrator

- After reporting to the Police, management must be immediately notified of the report.
- Depending on the nature of the allegation, the Director's response regarding the alleged perpetrator should comply with Trikki Kidz Service's *Human Resources Policy and Procedure*. Responses include redirecting the staff member to alternate duties that do not involve direct client care, or standing the staff member down.

Where a staff member is the alleged victim

- Allegations or assaults where a Trikki Kidz Pty Ltd staff member is the alleged victim should be dealt with in accordance with Trikki Kidz Service's *Incident Management Policy and Procedure*.

Monitoring and Review

- Trikki Kidz Service's service delivery and satisfaction surveys will assess:
 - client and other stakeholder awareness of their rights and the extent to which they feel able and supported to exercise them;
 - client and other stakeholder satisfaction with Trikki Kidz Service's complaints processes; and
 - The extent to which clients feel safe and protected in their dealings with Trikki Kidz Pty Ltd.
- Trikki Kidz Service's *Continuous Improvement Plan* will be used to record and monitor progress of any improvements identified.
- This Policy and Procedure will be reviewed at least annually by Trikki Kidz Service's management and incorporate client and other stakeholder feedback.

Freedom from Abuse, Neglect and Exploitation

Purpose

Trikki Kidz Pty Ltd affirms the right of all people to live their lives free from neglect, abuse and exploitation. We recognise a duty of care to ensure that the rights of our customers are respected, their wellbeing safe guarded and that they are not exposed to any form of abuse, neglect or exploitation while accessing any of our services.

The purpose of this policy is to protect and promote the human rights of our customers and to create a service environment that identifies and responds to allegations or observations of abuse, neglect or exploitation of the people receiving services and supports from Trikki Kidz Pty Ltd.

Scope

This policy applies to Trikki Kidz Pty Ltd Personnel and Customers and is inclusive of Trikki Kidz Pty Ltd delivered offsite or in partnership with other agencies.

Definitions

Customer: Trikki Kidz Pty Ltd is committed to be a customer centric organisation. Our broad definition of customer means we are inclusive of all people who interact or engage with us, either externally or internally. Our customers include consumers, clients, participants, patients, carers, the community, stakeholders, partners, staff, volunteers and members.

Trikki Kidz Pty Ltd Personnel: All employees (whether employed full-time, part-time, fixed term or on a casual basis), volunteers, students, contractors and sub-contractors performing work on behalf of Trikki Kidz Pty Ltd.

Abuse is the one-off or persistent violation of an individual's human or civil rights, through the act or actions of another person or persons. Types of abuse may include:

Physical abuse – any non-accidental physical harm to a child or adult, such as inflicting pain of any sort, punching, hitting, slapping, burning, suffocating, or assault with a weapon; or the use of physical restraint that is not approved in the person's Behaviour Support Plan

Sexual abuse – any sexual contact with, or grooming of, a person under the age of 16, or with a person over 16 who is unable to understand, has not given consent, or is threatened, coerced or forced to engage in sexual activity of any sort

Psychological or emotional abuse – verbal communication or behaviour that is threatening, demeaning, humiliating, intimidating, or exclusionary; or which denies another person their cultural or spiritual needs or preferences

Chemical/pharmacological abuse – intentional poisoning or the misuse of a person's medications, including the withholding of medication, over-medicating or the failure to follow instructions; or the use of chemical restraint that is not approved in the person's Behaviour Support Plan

Financial abuse – the illegal or improper use of a person's finances, property or other resources (also see 'exploitation' below)

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Legal or civil abuse – denial of access to justice or legal systems as required, or the refusal of informal or formal advocacy support requested by a client (or their carer) Neglect is a failure to provide the necessary care, aid or guidance to dependent adults or children by those responsible for their care, which may cause physical, mental or emotional harm. Exploitation is taking advantage of a person’s vulnerability to use them, or their resources, for another’s profit or advantage (also see ‘financial abuse’ above).

Contact Officer

Business owner or Service Manager

References/Relevant legislation

National:

- Australian Human Rights Commission Act 1986
- Age Discrimination Act 2004
- Disability Discrimination Act 1992
- Racial Discrimination Act 1975
- Sex Discrimination Act 1984
- Aged Care Act 1997

Victoria:

- Equal Opportunity Act 2010
- Racial and Religious Tolerance Act 2001
- Charter of Human Rights and Responsibilities Act 2006
- Disability Act 2006
- Victorian Child Safe Standards 2016

Related Policies/Documents

Trikki Kidz Pty Ltd policies and procedures that support the Freedom from Abuse, Neglect and Exploitation Policy:

- Freedom from Abuse, Neglect and Exploitation Procedure
- Child Safe Policy
- Child at Risk Procedure
- Pre-employment security screening Policy
- Recruitment Policy and Procedure
- Professional Development Policy
- Supervision Policy and Procedure
- Open Disclosure Policy

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Informing the customer of their rights and responsibilities

Trikki Kidz Pty Ltd staff have responsibility to:

- Provide or ensure a customer has received a copy of the Trikki Kidz Pty Ltd Rights and Responsibilities brochure on or before the customer's first appointment.
- Explain and confirm with customers and/or responsible others, their rights and responsibilities.
- Ensure that the customer has understood the information provided before proceeding with the service provision
- Record in the customers file that the customer information has been provided and explained.

Copies of the Customer Rights and Responsibilities brochure are available via post or can be requested when seeing a staff member.

Advocacy

Advocacy can play an important role in assisting customers, their careers, families and people important to the customer. Trikki Kidz Pty Ltd staff are to include advocacy information in the rights and responsibilities discussion with customers. Individual staff can advocate on behalf of individual or groups of customers to assist with access to external services or act in a support role within service delivery. Advocacy can also be in the form of a carer or responsible other who supports and assists a Trikki Kidz Pty Ltd customer in their care process. When a complaint or dispute cannot be resolved by the staff member, it is to be escalated to the manager or business owner to implement the customer dispute resolution process.

Refusal and withdrawal of customer service

The partnership between the service provider and the customer involves respecting the right of the customer to choose to participate or withdraw at any stage of treatment, service intervention or to accept advice.

Customers who refuse a service, or who choose to withdraw from a service, may reapply at any time or in accordance with funding and service requirements.

Trikki Kidz Pty Ltd in some circumstances may determine that it is not in the best interest to provide a service. If this is to be the recommended course of action this is to be confirmed through consultation with the manager or business owner. If this course of action is taken customers are to be provided with information about the dispute resolution process.

Restrictive access to services

Trikki Kidz Pty Ltd in some circumstances may determine that it is in the best interest of a customer to restrict or temporarily withdraw services. Where this takes place, the customer will be fully informed of the reasons. The decision to restrict or temporarily withdraw a service is made in consultation with the team leader and confirmed by the relevant line manager. In the event of a decision to temporarily refuse or restrict a service, the customer is to be provided with information outlining when and under what circumstances a service will be reinstated and this decision is to be fully documented in the customer's health record. Other relevant information to support and empower the customer during this process is to be provided.

References or Related Documents

Trikki Kidz Pty Ltd acknowledges the following charters and human rights statements:

- Client Services Charter (The Department of Health & Human Services, Victoria), 2011
- Home and Community Care Statement of Rights and Responsibilities, 2015
- United Nations Convention on the Rights of the Child, 1989
- United Nations Declaration on the Rights of the Indigenous Peoples, 2007
- United Nations Convention of the Rights of Persons with Disabilities, 2006
- The Australian Charter of Healthcare Rights, 2008
- Mental health statement of rights and responsibilities, 2012

This procedure references the following legislation:

National:

- Australian Human Rights Commission Act 1986
- Age Discrimination Act 2004
- Disability Discrimination Act 1992
- Racial Discrimination Act 1975
- Sex Discrimination Act 1984
- [Charter of Care Recipients' Rights and Responsibilities – Home Care](#). Aged Care Act 1997, Schedule 2 User Rights Principles 2014 (amended on 27 February 2017)

Victoria:

- Equal Opportunity Act 2010
- Racial and Religious Tolerance Act 2001
- Charter of Human Rights and Responsibilities Act 2006
- Disability Act 2006

- Victorian Child Safe Standards

Personnel Employment

Purpose

To provide guidance in conducting orientation for new Trikki Kidz Pty Ltd employees, relocating or returning employees, contracted employees, volunteers and external parties using Trikki Kidz Pty Ltd facilities

Recognising that the people employed and otherwise engaged in Trikki Kidz Pty Ltd are its most important resource, the director/business owner is responsible for all matters pertaining to the recruitment and management of staff and volunteers, in the expectation that they will be managed in a sound, fair, respectful and legal manner consistent with best practice in Human Resource Management.

Responsibility

As an Employer, Trikki Kidz Pty Ltd is responsible for:

- Ensuring that all employees are orientated in line with this procedure.

Managers and Supervisors are responsible for:

- Informing employees, volunteers and students on placement about the requirement to participate in and complete an orientation within noted timeframes.

Line Manager is responsible for:

- Ensuring there is an effective orientation in place which includes Work Health and Safety.
- Ensuring all employees under their management complete their orientation within timeframes noted on checklists and as per procedure.
- Ensuring evidence of completion is documented and maintained locally, and that a copy of the Orientation Checklist is kept within the employees file.

Employees, volunteers, students on placement are responsible for:

- Actively participating in and completing the orientation relevant to them and their circumstances i.e. new employee/relocating employee.
- Following reasonable directions in respect to safety procedures whilst working at Trikki Kidz Pty Ltd.

Procedure details

1. Purpose of an Orientation

The purpose of an orientation is to provide the following:

- Introduction to the Trikki Kidz Pty Ltd organisation and culture
- Provide an understanding of the organisation

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- Communicate Trikki Kidz Service's expectations
- Assist with understanding the roles, responsibilities and requirements
- Familiarisation with relevant policies and procedures
- Site specific emergency procedures
- Manual handling and infection control procedures (as appropriate)
- Hazard and incident reporting procedures
- Site specific hazards
- Role requirements
- Meeting key personnel

2. Orientation Process

Orientations are to be commenced either prior to or on the first day a person commences/recommences work for Trikki Kidz Pty Ltd , conducts work on an Trikki Kidz Pty Ltd site, for an Trikki Kidz Pty Ltd program or relocates to a different Trikki Kidz Pty Ltd site/program. The line manager will use the Orientation Checklist to ensure all items are completed, within the relevant time frames.

The Orientation Checklist has been divided into:

- 'Day 1' - by end of day one
- 'Week 1' - by end week one
- 'Month 1' - by the end of one month

The relevant line manager is responsible for ensuring that sufficient time is allocated for the employee, volunteer or student to carry out the requirements of the orientation.

Once the orientation is completed, it is to be saved locally and a copy is to be given to the employee.

At the three-month probation review interview the line manager will confirm that the orientation process has been completed within the required time frames and that evidence has been sent to People & Culture.

For returning or relocating employees/volunteers, those that are working from a different location on a regular basis or for other persons requiring a site-specific orientation, the 'Day 1' section must be completed on the first day attending the new site.

The relevant line manager is to arrange for a suitable person to carry out the orientation on the site.

NOTE* A physical walk through of site is required when completing the 'Day 1' section with the employee, volunteer or student. All items in this section must be addressed.

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External parties using Trikki Kidz Pty Ltd facilities orientation

The relevant Trikki Kidz Pty Ltd personnel will ensure that external parties using Trikki Kidz Pty Ltd facilities are orientated to site and are familiar with the site emergency procedures.

Definitions

Contracted employees: may conduct office based or outreach work, and/or projects. They may work independently within Trikki Kidz Pty Ltd sites.

Relocating employees / volunteers: may be persons who are moving permanently to work at another Trikki Kidz Pty Ltd site or will be working occasionally or temporarily at another Trikki Kidz Pty Ltd site.

Returning employees / volunteers: may be persons who are returning after extended absence at site or program. E.g. sick leave, parental leave, long service leave.

Returning personnel will be required to complete relevant sections of the Trikki Kidz Pty Ltd Orientation.

External parties using a Trikki Kidz Pty Ltd facility: are organisations or people that use Trikki Kidz Pty Ltd facilities to conduct meetings, counselling sessions, training etc.

Visitors: are people who are escorted by a Trikki Kidz Pty Ltd employee while they are on a Trikki Kidz Pty Ltd site. Visitors do not require an orientation.

Scope

Director/business owner

Contact Officer

Director/business owner

References/Relevant legislation

Equal Opportunity Act 2010

Fair Work Act 2009

National Employment Standards

Relevant Awards and Agreements

Occupational Health and Safety Act 2004

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Related Policies/Documents

Recruitment Policy

Diversity and Equal Employment Opportunity at EACH Policy and Procedures

Managing Underperformance Policy

Corrective Action and Discipline Policy

Grievances and Appeals Policy

Professional Development Policy

Supervision Policy

Bullying and Harassment Policy

Performance Appraisal Policy

Pre-Employment Security Screening Policy

Recruitment and Induction Policy

Scope of Practice and Credentialing Policy

Pre-employment Security Screening Policy

Implementation Procedures

The Director/business owner shall ensure that:

1. Employment of staff is based on a job analysis which is reflected in an appropriate job description for the position
2. Staff have an up to date and relevant position description which accurately reflects Trikki Kidz Service's expectations of the person.
3. Judgements of the suitability of existing or new staff is based on merit with due regard to relevant qualifications and/or position related performance.
4. Employees and volunteer's rights to personal dignity, safety, and the rights to ethical position-related dissent and to an approved and fair internal grievance process is maintained.
5. Staff in all positions undertake a regular performance review. Such a review shall be based on recognised performance review and management systems or processes and offer management and staff a process for addressing any issues that may arise.
6. Staff can pursue professional development relevant to their positions and within budgeted parameters. Such opportunities will be related to individual performance reviews with terms and conditions.
7. Staff have the right to join a relevant professional or industrial association and to have access to the services of that association as these relate to the workplace and related conditions.
8. The termination of staff employment complies with recognised and legislated Industrial Relations practices.

Consumer Engagement

Purpose

The development of structural and systematic processes of engagement with the community and consumers ensures that the Director:

- maintains avenues through which community/consumers have input to planning and other decision-making processes;
- receives direct feedback from community / consumers on the quality and relevance of services; and
- Has processes through which information dissemination, consultation and accountability to the community/consumers is able to be readily implemented.

To develop governance level systems and processes whereby community / consumer input can be obtained on a range of matters determined by the Director.

Scope

Director/business owner

Definitions

Communities: are groups of people who have interests in the development of accessible, effective and efficient services that best meet their needs; they may be defined as geographic communities, or communities of interest which have similar needs or shared concerns and interests.

Consumers: are current or potential users of services. This includes children, women and men, people living with a disability, people from diverse cultural and religious experiences, socioeconomic status and social circumstances, sexual orientations health or other well-being needs.

Nominee: is a consumer, carer or community member who is nominated by and accountable to an organisation of consumers, carers or community members. The term 'representative' is linked to the democratic process. They are not accountable in the way a representative is but as a consequence of personal experience, skills or other position or links in the community or group(s) are able to provide insight and valuable comment on the matters being considered.

Representative: is the term used to describe somebody who is representative of or has links to a group(s). Hence, they are there to represent the formal views of a group and report back to that group.

Contact Officer

Director/business owner

Related Policies/Documents

Consumer, Carer, Community Remuneration Procedure

Consumer, Carer, Community Consultation Policy

EACH Consumer, Carer, Community Consultation Procedure

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Implementation Procedures

Guidelines

1. The Director/business owner will, from time to time, establish sub-committees, working parties or reference groups (from here on referred to as 'reference groups') to address questions or issues on which it seeks targeted community / consumer input.
2. Membership of such reference groups will be invited by, and accountable to, the Board and shall reflect the specific purposes for which they are established. Members will be selected for their ability to provide broad, non-partisan input; members shall not represent a personal agenda or narrow focus which may create a conflict of interest or bias to the purpose of the reference group.
3. Community / Consumer Reference groups will have written Terms of Reference including:
 - purpose and specific aims and objectives of the group;
 - membership and chairing;
 - support to be provided to the group;
 - meeting processes of the group, including indicative activities and limitations;
 - reporting requirements and accountability;
 - tenure; and
 - the types of participation being requested (see 4 below)
4. Types of participation refers to a continuum of involvement which goes from simple information-giving through to community / consumer control, as indicated in the following table:
 - Information - communication of information or decisions of the organisation; education about services provided or processes;
 - Consultation - conduct of forums, focus groups or meetings to gauge reaction to proposals; feedback obtained is used to influence subsequent policy, planning or decisions;
 - Partnership - involving consumers, carers, representatives or community nominees in the formulation of planning, policy or decisions affecting service development or delivery;
 - Delegation - handing control to a board of community / consumer representatives or nominees within a specified framework; ensuring the decisions and outcomes are fully independent (e.g. evaluation study or service report);
 - Control - handing control of an issue back to the electorate of Trikki Kidz Pty Ltd members or to consumers of particular services; (e.g. elections of Directors).

The outcomes or recommendations of established reference groups shall be reported to the Director for consideration. The Board shall provide feedback to the reference group and its members on the action(s) taken because of the input from the Reference group.

Indicative purposes for which Community/Consumer Reference groups could be established include:

- To investigate and report on accessibility and consumer-friendliness of specific services or physical amenities of Trikki Kidz Pty Ltd
- To provide feedback on the consumer experience of service pathways
- To assist in the planning and development of consumer reference groups
- To assist in the planning and development of the annual report
- To provide input into committees
- To gauge community/consumer/membership responses to key issues such as Trikki Kidz Service's image and reputation, marketing and strategic direction
- To inform community/members on key policy directions affecting the future of health care

Communication

Purpose

The purpose of this Policy is to outline Trikki Kidz Service's commitment to seeking the informed consent of our customers before any service is given to the customer, even those services considered low risk or not harmful.

Involving customers in decisions about their care and well-being acknowledges their personal worth and individuality as well as their responsibility in managing their own health and wellbeing.

A person gives informed consent if they:

- Have capacity to give informed consent to the treatment proposed
- Have been given adequate information to enable the person to make an informed decision
- Have been given a reasonable opportunity to make the decision
- Have given consent freely without undue pressure or coercion by any other person
- Have not withdrawn consent or indicated any intention to withdraw consent.

Capacity

The person seeking informed consent must presume that the other person has the capacity to give informed consent.

This means that everyone must be presumed to have capacity to make decisions about their treatment.

Procedures for obtaining the consent of a person whose capacity to give consent is or may be impaired or limited is set out in the Trikki Kidz Pty Ltd Informed *Consent Procedure*

Adequate information

A person has been given adequate information to make an informed decision if:

- They have been explained the proposed treatment, including the purpose, type, method and likely duration of the treatment
- They have been explained the advantages and disadvantages of the treatment including information about the associated discomforts, risks and common or expected side effects of the treatment
- They have been explained any beneficial alternative treatments that are reasonably available, including any information about the advantages and disadvantages of these alternatives
- They have received answers to any relevant questions that the person has asked and any other relevant information that is likely to influence the person's decision
- The information has been provided in a form that is accessible to the person

Reasonable opportunity

A person has been given a reasonable opportunity to make a decision if:

- The person has been given a reasonable period of time to consider the matters involved in the decision
- The person has been given a reasonable opportunity to discuss the decision with the health care professional proposing the treatment
- The person has been given a reasonable amount of support to make the decision
- The person has been given a reasonable opportunity to seek any other advice or assistance in relation to the decision.

Given consent freely without undue pressure or coercion

Informed consent must be freely given. A person must not feel they have to give informed consent simply because the health care professional believes it is necessary for their treatment or in their best interests or to please a family member or carer.

Have not withdrawn consent

A person can withdraw consent at any time:

- Verbally or in writing
- Before the treatment starts or during a course of treatment
- If they say or indicate by their behaviour that they do not consent to the treatment.

Scope

This policy applies to all Trikki Kidz Pty Ltd Personnel and Customers.

Definitions

Customer: Trikki Kidz Pty Ltd is committed to be a customer centric organisation. Our broad definition of customer means we are inclusive of all people who interact or engage with us, either externally or internally. Our customers include consumers, clients, participants, patients, carers, the community, stakeholders, partners, staff, volunteers and members.

EACH Personnel: All employees (whether employed full-time, part-time, fixed term or on a casual basis), volunteers, students, contractors and sub-contractors performing work on behalf of EACH.

Informed consent: in a health care setting, is the procedure whereby consumers consent to, or refuse, an intervention based on information provided by a health care professional regarding the nature of potential risks (consequence and likelihood) of the proposed intervention.

Contact Officer

The Business Owner or Service Manager

References/Relevant legislation***National***

- Family Law Act 1975

Victoria

- Medical Treatment Act, 1988
- Mental Health Act, 2014
- The Children, Youth and Families Act 2005
- The Child Wellbeing and Safety Act 2005

Related Policies/Documents

- Trikki Kidz Pty Ltd Privacy Policy
- Trikki Kidz Pty Ltd Information Security Policy
- Trikki Kidz Pty Ltd Child Safe Policy
- Trikki Kidz Pty Ltd Ethics Policy
- Trikki Kidz Pty Ltd Freedom from Abuse and Neglect Policy

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Version 1

Reviewed:

Next review:

DISPUTES AND GRIEVANCES

Purpose and Scope

The purpose of this policy and procedure is to set out the steps Trikki Kidz Pty Ltd staff are required to take in regards to disputes and grievances.

Legislation, regulations and standards relevant to this policy and procedure include:

- *Human Services Standards (Vic) – Human Resources*
- *NSW Disability Services Standards – Service Management*

Documents relevant to this policy include:

- *Trikki Kidz Service’s Staff Code of Conduct*
- *Trikki Kidz Service’s Equity, Anti-Discrimination and Workplace Harassment Policy and Procedure*

Disputes and grievances raised by Trikki Kidz Pty Ltd staff, volunteers and contractors would generally be dealt with under this policy and procedure, however, from time to time staff may raise issues or provide feedback that is best dealt with under Trikki Kidz Service’s *Feedback, Complaints and Dispute Resolution Policy and Procedure* (see Part 2 of this manual).

This policy and procedure applies to all Trikki Kidz Pty Ltd management, staff, contractors and volunteers.

Definitions

Dispute – a disagreement or argument that can arise from discrimination, harassment or any other behaviour between staff members or between the organisation and a staff member.

Grievance - a formal complaint lodged by one staff member against another or against the organisation.

Sexual harassment - any form of unwanted, unwelcome or uninvited sexual behaviour that is offensive, humiliating or embarrassing.

Workplace harassment - repeated behaviour, other than behaviour amounting to sexual harassment, of one employee or group of staff members that is unwelcome, unsolicited and considered to be offensive, intimidating, humiliating or threatening by another staff member.

Policy

- Trikki Kidz Pty Ltd is committed to maintaining positive working relationships between its employees and management. Disputes and grievances should be addressed within the organisation in a timely and confidential manner.

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Procedure

General

- Problems can arise from the behaviour, action or decisions of management or other staff.
- Disputes and grievances must be treated by all parties with the utmost confidentiality, and the complainant must not be victimised.
- All grievances must be taken seriously and investigated in an impartial manner.

Disputes

- Staff should attempt to resolve disputes with the other person involved before lodging a grievance.
- If attempts to resolve the dispute fail, staff must discuss the matter with their supervisor.
- The supervisor will mediate and seek an acceptable compromise for both parties.
- Where staff are employed, if the dispute involves their supervisor, the staff member must discuss the matter with management or a delegate.
- Issues of sexual harassment or discrimination should be brought to the notice of management.

Formally lodging grievances

- If a dispute cannot be resolved, the staff member should lodge a grievance in writing to management.
- This should detail:
 - description of the decision/s or behaviour/s that are the subject of the dispute;
 - the manner in which the decision or behaviour has adversely affected the staff member;
 - the time and date of the decision/s or behaviour/s;
 - names of witnesses;
 - attempts made to resolve the dispute; and
 - The action the staff member deems necessary to resolve the grievance.

Investigating grievances

- Once a formal grievance is lodged, the Director or delegate will investigate the matter within five working days.
- If a Director has a conflict of interest in the matter, an alternative member of management or appropriate delegate will conduct the investigation.
- The following parties will be interviewed:
 - the employee who lodged the grievance;
 - the employee against whom the grievance has been lodged;
 - any witnesses; and
 - The relevant supervisor(s).

Resolving grievances

- Where necessary, the Director will:
 - appoint an independent mediator to help resolve disputes; and
 - Encourage support person, union or professional association representation and involvement in dispute resolution procedures.
- If the investigation reveals that the grievance is valid, and depending on the nature of the complaint and its seriousness, the employee against whom the grievance was lodged may be:
 - required to apologise to the employee who lodged the grievance;
 - given a written warning, counselling, transfer or demotion; or
 - Dismissal.
- If the grievance cannot be substantiated because of a lack of evidence, the organisation may:
 - remind all employees of their obligations under the Code of Conduct and Trikki Kidz Service's *Equity, Anti-Discrimination and Workplace Harassment Policy and Procedure*;
 - ask all employees to undertake training in negotiation skills and dispute resolution;
 - Ask supervisors to identify potential conflicts among their employees and offer counselling.
- If the grievance is found to be a frivolous claim, and depending on the seriousness of the allegations, the employee making the complaint may be:
 - asked to undertake counselling;
 - make a written apology to the employee complained about;
 - given a written warning, transfer or demotion; or
 - Dismissed.
- Staff have the right to appeal decisions relating to disputes. Appeals should be directed in writing to the Director for a final decision to be made. Staff who successfully appeal will have the outcome and actions reassessed for appropriateness. Staff who are not successful in their appeal will have the original decision reconfirmed.

Monitoring and Review

- This policy and procedure will be reviewed at least annually by Trikki Kidz Service's management and incorporate staff (where applicable), client and other stakeholder feedback.
- Trikki Kidz Service's *Continuous Improvement Plan* will be used to record and monitor progress of any improvements identified and where relevant feed into Trikki Kidz Service's service planning and delivery processes.

CLIENTS, FAMILIES AND CARERS

Trikki Kidz Service's Clients, Families and Carers Policies and Procedures describe how it delivers services and protects the rights of its clients, their families and carers.

They should be read alongside the Governance and Management Policies and Procedures set out in Part 1, which cover the ways Trikki Kidz Pty Ltd carries out its operational, legal and financial responsibilities.

Purpose

Trikki Kidz Pty Ltd is committed to working in partnership with Aboriginal and/or Torres Strait Islander Peoples in all aspects of the services it provides.

The purpose of this procedure is to support all Trikki Kidz Pty Ltd personnel, with guidelines to engage in a respectful manner with Aboriginal and/or Torres Strait Islanders and Communities.

Trikki Kidz Pty Ltd is committed to ongoing reconciliation action and respectful engagement with Aboriginal and/or Torres Strait Islander Peoples through:

- Public acknowledgment of our journey towards reconciliation, including recognition of the past injustices, mistreatment and failure that has occurred and to ongoing understanding, respect and value of the cultural beliefs of Aboriginal and/or Torres Strait Islander Peoples.
- Recognition of the strengths and richness that Aboriginal and/or Torres Strait Islander Peoples contribute to this country and their resilience in surviving, despite the effects of dispossession, removal from their lands and overall threat to their culture, language and Communities.
- Advocacy towards recognition of Aboriginal and/or Torres Strait Islander Nations as the First Peoples of Australia and participation in Federal, State and local initiatives that work towards healing for past injustices and reconciliation with all Australian people.
- Public recognition of Aboriginal and/or Torres Strait Islander Peoples as the Traditional Owners and Custodians of the Land from which Trikki Kidz Pty Ltd operates by paying our respects to the People whose Country we are on, prior to our meetings, workshops and public events.
- Partnering with Local Elders, community-controlled organizations and community members to address the ongoing inequities experienced by Aboriginal and/or Torres Strait Islander Peoples in health, education, employment and housing.
- The delivery of culturally appropriate and accessible services, provided by personnel who have access to cultural training and reflective practice, education, resources and insight from Aboriginal and/or Torres Strait Islander Peoples local to the service area.
- Support and advocacy for Aboriginal and/or Torres Strait Islander Peoples to access training and employment opportunities through Trikki Kidz Pty Ltd and partner organizations.

Responsibility

This procedure applies to all Trikki Kidz Pty Ltd personnel:

It is the Service Manager or Business Owner's responsibility to ensure their personnel are informed of the commitment by Trikki Kidz Pty Ltd to recognize Aboriginal and/or Torres Strait Islander Peoples as the First Nations Peoples of Australia. Because of this recognition Trikki Kidz Pty Ltd has committed to respectful engagement, increased priority access and the provision of a culturally safe and supportive environment for Aboriginal and/or Torres Strait Islander Peoples including all customers, personnel and visitors.

Procedure Details

Definitions

Aboriginal or Torres Strait Islander Community Member/Individual: Trikki Kidz Pty Ltd accepts the self-identification of any individual who identifies themselves as being of Aboriginal and/or Torres Strait Islander descent. It is not the role of any Trikki Kidz Pty Ltd personnel member to question a person's Aboriginality, particularly not based on a person's skin colour or appearance.

The formal definitions below apply to anyone who is seeking identification as an *Aboriginal and/or Torres Strait Islander within their own Community or in relation to specific funded services and programs provided by Aboriginal Controlled Community Organizations*.

This is important for Trikki Kidz Pty Ltd personnel to be aware of when making any referrals. In Australia today, there are three legal definitions that determine whether a person is Indigenous. The individual must:

- Be of Aboriginal or Torres Strait Islander descent;
- identify as an Aboriginal or Torres Strait Islander Person;
- Be recognized as an Aboriginal or Torres Strait Islander by other Aboriginal or Torres Strait Islander Peoples.

Aboriginal or Torres Strait Islander Elder: An individual who has been widely recognized by the Aboriginal and/or Torres Strait Islander Community for their wisdom and leadership. They may be recognized as having ancestral connection with the specific area or be from another Clan or Nations' group and living in the local area.

Aboriginal or Torres Strait Islander Community Controlled Organization: An Aboriginal Community Controlled service can be:

- an incorporated Aboriginal organization;
- initiated by a local Aboriginal Community;
- based in a local Aboriginal Community;
- governed by an Aboriginal body which is elected by the local Aboriginal Community;
- Delivering holistic and culturally appropriate services to the Community which controls it.

By definition organizations controlled by Government to any extent are excluded.

<http://www.naccho.org.au/about/aboriginal-health/definitions>

Acknowledgement of the Custodians and Traditional Owners of the Land and Water:

An Aboriginal or Torres Strait Islander cultural practice which is ancient in origin. This has been increasingly adopted within the broader Australian community to demonstrate respect for Aboriginal and/or Torres Strait Islander Peoples, past and present, who identify as the original inhabitants or custodians of a specific area, site or location. An Acknowledgement of Country can be delivered by anyone.

Artwork: Includes but is not limited to painting, sculpture, carving, mosaic and other creative means.

Welcome to Country: An ancient cultural practice that can **only** be carried out by an Aboriginal and/or Torres Strait Islander Elder who is widely recognized as having ancestral connection with the Country you are meeting on.

Community: Refers to an Aboriginal and Torres Strait Islander community when written with capital "C" in the middle of a sentence.

Customer: Trikki Kidz Pty Ltd is committed to be a customer centric organization. Our broad definition of customer means we are inclusive of all people who interact or engage with us, either externally or internally. Our customers include consumers, clients, participants, patients, carers, the community, stakeholders, partners, staff, volunteers and members.

Trikki Kidz Pty Ltd Personnel: All employees (whether employed full-time, part-time, fixed term or on a casual basis), volunteers, students, contractors and sub-contractors performing work on behalf of Trikki Kidz Pty Ltd.

Manager: An employee who has responsibility for the overall provision of services within a specific portfolio or group of tasks. A manager may have responsibility for the provision of services of other employees (direct reports) and accounts for the employees' conditions of employment and performance.

Respectful language and communication

Respectful use of language in communication with Community or about Aboriginal and/or Torres Strait Islander Peoples, underpins the Trikki Kidz Pty Ltd engagement strategy.

Addressing a Community member

Trikki Kidz Pty Ltd personnel should always ask an Aboriginal or Torres Strait Islander individual how they would like to be addressed. This question recognizes that some Community members prefer to be addressed in full, by their first name or as *Aunty or Uncle* if they are an Elder.

Identifying Aboriginal and/or Torres Strait Islander Peoples in documentation

First Nations Peoples of Australia will be identified in full as Aboriginal and/or Torres Strait Islander Peoples. This terminology recognizes that Aboriginal is not inclusive of Torres Strait Islander Peoples and that both population groups are of equal importance the inclusion of and/or recognizes that some people identify with one or both population groups according to their ancestry.

Both terms, Peoples and Nations, will be referenced as plural as this is a respectful recognition that we are referring to multiple specific population groups. The only exception to this would be when advised by an Elder or Community member at a specific time to use one or the other term. In all cases a capital letter will be used for the words People, Community,

Elder, Aunt, Uncle, and Country where these follow the descriptive reference; Aboriginal and/or Torres Strait Islander.

Documentation referring to Aboriginal and/or Torres Strait Islanders should where possible identify both groups. Where this is not appropriate the use of the singular reference, *Aboriginal Peoples*, should be preceded by an explanation of this decision.

Example: For the remainder of this document the term 'Aboriginal' will refer inclusively to all Aboriginal and/or Torres Strait Islander Peoples

It is always a preference to include both population groups as this is more respectful.

When referring to Aboriginal and/or Torres Strait Islander Peoples and other people living in Australia it is important to identify the latter group as Non-Aboriginal Australians, rather than 'Australians' as this can suggest the Aboriginal and/or Torres Strait Islander Peoples are not Australian. This is of particular sensitivity when referring to historical events.

The terms indigenous or aborigine/aboriginal *will not be used* as they are generally understood to refer more generally to First Nations population groups across any country or region.

Community terms such as Koori, Mob, and Murri etc. *will not be used* by Trikki Kidz Pty Ltd personnel.

The only exceptions would be Trikki Kidz Pty Ltd personnel who are Aboriginal or Torres Strait Islander Community members themselves as they are free to use whatever terms are appropriate to them.

Welcome and Acknowledgement of Country

In consultation with Aboriginal and/or Torres Strait Islander Community Trikki Kidz Pty Ltd has developed a policy and procedure outlining respectful delivery of an Acknowledgement of Country and when and how to arrange for a Welcome to Country.

Trikki Kidz Pty Ltd management are responsible for ensuring all personnel are familiar with this policy and procedure and implement the Welcome to Country or Acknowledgement as required.

Where the Traditional Owners have not been identified a respectful statement acknowledging Aboriginal and/or Torres Strait Islander Peoples has been included as an alternative. Wherever the specific Traditional Owners have been identified personnel are requested to read that statement for a respectful acknowledgement.

Signage

All Trikki Kidz Pty Ltd sites, websites, emails and documents will display an acknowledgement statement recognizing Aboriginal and/or Torres Strait Islander Peoples as the Traditional Owners and Custodians of the Land.

Trikki Kidz Pty Ltd will:

- prioritize needs and access for Aboriginal and/or Torres Strait Islander Peoples to all services within Trikki Kidz Pty Ltd within the specific eligibility criteria associated with the service needed, as applied to all priority access population groups;
- work to reduce barriers to access through ongoing dialogue between services and the Aboriginal and/or Torres Strait Islander Peoples;
- develop and maintain a culturally appropriate, relevant and friendly service through consultation and ongoing communication;
- Exercise flexibility during the intake process, appointment scheduling and service provision when working with Aboriginal and/or Torres Strait Islander Peoples. Any failure to attend appointments will not result in reduced priority of access and will be followed up with the Community member for support and a better understanding of any barriers or concerns that may be contributing to missed appointments.

Working in partnership / consumer consultation

Trikki Kidz Pty Ltd is committed to building partnerships through effective engagement with Aboriginal and/or Torres Strait Islander Peoples. This engagement is supported by:

- commitment to long-term collaborative relationships accepting shared responsibility for strengthening the foundations for health and well-being;
- ongoing advocacy for a human rights-based approach to Aboriginal and/or Torres Strait Islander Peoples' capacity building, including health, education, housing, economic development and welfare;
- engaging the Aboriginal and/or Torres Strait Islander Community in activities and processes which provide advice and assist in planning and delivery of services;
- development of formal protocols and networks to ensure Community inclusion in all aspects of the development and review of services for Aboriginal and/or Torres Strait Islander Peoples;
- Collaborating with Aboriginal and/or Torres Strait Islander Peoples to advocate for funding and development of Aboriginal and/or Torres Strait Islander Peoples specific services to meet identified and changing needs of the Community.

Personnel Recruitment and cultural support

Trikki Kidz Pty Ltd People and Culture will encourage opportunities for traineeships and targeted employment to recruit, support and retain Aboriginal and/or Torres Strait Islander Peoples.

Cultural support includes the recognition of special leave that specifically identifies recognition that an Aboriginal or Torres Strait Islander personnel member may need to take Extended leave to participate in 'Sorry Business' (bereavement and mourning) or cultural events.

Trikki Kidz Pty Ltd also supports Aboriginal and/or Torres Strait Islander personnel to receive fully paid cultural leave to participate in a NAIDOC week event or any other significant cultural event where they are required to undertake ceremonial and/or cultural responsibilities.

Establishing cultural safety with Trikki Kidz Pty Ltd personnel

Trikki Kidz Pty Ltd is committed to increasing its personnel capacity through access to Community facilitated training, where possible, to provide knowledge and insight into the history, culture, strengths and ongoing challenges including racism and discrimination experienced by Aboriginal and/or Torres Strait Islander Peoples.

Increasing cultural sensitive capacity with personnel includes reflective practice and understanding of the individual's own values, belief systems, behaviors and way of living. This self-reflection leads to a greater understanding of how our own bias can create barriers to providing a safe and culturally sensitive environment for another population group.

Trikki Kidz Pty Ltd believes it is essential that all personnel and particularly those engaging directly with the local Aboriginal and/or Torres Strait Islander Peoples have a basic level of culturally sensitive practice and a sound understanding of the key initiatives at the local level.

Trikki Kidz Pty Ltd personnel are not expected to be experts in Aboriginal or Torres Strait Islander culture; instead they are expected to gain an understanding of the differences between cultures and an understanding of how these impact on an individual's health and wellbeing and delivery of services and programs in a safe and culturally appropriate manner.

In consultation with local Aboriginal and/or Torres Strait Islander Communities, Trikki Kidz Pty Ltd will implement a range of organizational training opportunities that will build a workforce that is able to deliver services in a culturally safe and competent manner, and address the cultural needs of the Aboriginal and/or Torres Strait Islander Peoples through recruitment, ongoing professional development, supervision and personnel management.

References or related documents

Australian Charter of Healthcare Rights
Koolin Balit; Victorian Government Strategic Directions for Aboriginal Health 2012–2022
National Aboriginal and/or Torres Strait Islander Health Plan 2013-2023
National Indigenous Reform Agreement, COAG Intergovernmental Agreement on Federal Financial Relations, 2012
Victorian Aboriginal Health Wellbeing & Safety Strategic Plan 2016
Victorian Department of Human Services Standards & Evidence Guide 2015

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Access and inclusion for Cultural and linguistically

Purpose

The purpose of this document is to give clear procedural guidelines on how Trikki Kidz Pty Ltd personnel, volunteers, students and contractors are expected to engage with culturally and linguistically diverse customers, colleagues and communities.

Trikki Kidz Pty Ltd recognises that the cultural context in which we operate is constantly changing and that the communities we provide services to are made up of people from many different lands, races and cultures speaking a diverse number of languages and dialects and that they observe a range of cultural practices and beliefs.

Trikki Kidz Pty Ltd acknowledges that responding to cultural and linguistic diversity means upholding the rights of people of diverse cultural backgrounds and minority groups within our communities, understanding and respecting the diversity of cultural practices and beliefs.

We are committed to working in partnership with the leaders and community members of these diverse population groups to increase our understanding of their rich cultural backgrounds, beliefs and practices. We will work together with the community and the organisations who are engaged with them to achieve better health, wellbeing, social and economic outcomes.

Responsibility

This procedure applies to all Trikki Kidz Pty Ltd personnel.

It is the Business Owner and Service Manager's responsibility to ensure Trikki Kidz Pty Ltd personnel are informed of the Trikki Kidz Pty Ltd commitment to work in a respectful and inclusive manner towards all people.

Procedure details

Definitions

Asylum Seeker: Refer to the definition of refugee below.

Culturally and Linguistically Diverse Communities:

- Culturally and linguistically diverse is a broad and inclusive descriptor for communities with diverse language, ethnic background, nationality, dress, traditions, food, societal structures, art and religious beliefs.
- 'CALD' is the acronym often used by government and community agencies as a contemporary descriptor for ethnic communities. Trikki Kidz Pty Ltd personnel will refer to any related population in a more specific manner: e.g. people with a first language other than English, families or individuals originating from *Country-name*.

- People who are generally defined as those from culturally and linguistically diverse communities are those people born overseas, in countries other than those classified by the Australian Bureau of Statistics (ABS) as “main English speaking countries”. The set of main English speaking countries other than Australia used by the ABS comprises Canada, the Republic of Ireland, New Zealand, South Africa, the United Kingdom, (England, Scotland, Wales and Northern Ireland) and the United States of America.

Customer: Trikki Kidz Pty Ltd is committed to be a customer-centric organisation. Our broad definition of customer means we are inclusive of all people who interact or engage with us, either externally or internally. Our customers include consumers, clients, participants, patients, carers, the community, stakeholders, partners, Trikki Kidz Pty Ltd Personnel, volunteers and members.

Trikki Kidz Pty Ltd Personnel: All employees, (whether employed full-time, part-time, fixed term or on a casual basis), volunteers, students, contractors and sub-contractors performing work on behalf of Trikki Kidz Pty Ltd.

Manager: An employee who has responsibility for the overall provision of services within a specific portfolio or group of tasks. A manager may have responsibility for the provision of services of other employees (direct reports) and accounts for the employees’ conditions of employment and performance.

Interpreter: Refers to a person who can assist communication through the translation of speech (orally or into sign language), between two or more people who do not share a common language.

Residency Status: residency requirements may be met if customers live in Australia and:

- Are an Australian citizen OR
- Hold a Permanent Visa OR
- Hold a Protected Special Category Visa. I.e. Were in Australia on a Special Category Visa on 26 February 2001 or had been in Australia for at least 12 months in the 2 years immediately before 26 February 2001 and returned to Australia after that day.

Refugee: This term applies to ‘Someone who has left his or her own country and cannot return to it, owing to a well-founded fear of being persecuted for reasons of race, religion, nationality membership of a particular social group or political opinion’. (United Nations 1951)

This term includes any individual who may have entered Australia as:

- Humanitarian program entrant – individuals who are assessed and selected overseas and granted permanent protection. This also includes people who enter with a valid entry visa by plane, who subsequently successfully apply for protection under the terms of the international refugee convention and people who enter without a valid visa (typically by boat) who are granted protection, which may be temporary.
- Asylum seekers who arrive by boat or plane with or without a valid visa. These people subsequently apply for asylum under the terms of the international refugee convention. Asylum seekers living in the community may be in community detention, on a bridging visa or temporary protection visa.
-

Trikki Kidz Pty Ltd prioritises customers according to need and therefore, does not discriminate on the basis of migration status.

Note: Australian Government definitions for migration options for the population groups identified above can be subject to frequent policy changes. For current definitions check the Australian

Government Department of Immigration and Border Protection website:

<https://www.border.gov.au/>

Respectful and Inclusive Language and Service Access Practices

Informed Consent

Charter of Human Rights and Responsibilities Act 2006

‘...consent must be voluntary, and the person concerned must have been given sufficient information for an informed decision to be made. This would include information such as the nature of the person’s condition and the treatment options available, including explanations of possible risks, side effects and benefits of the treatment.’

As an organisation Trikki Kidz Pty Ltd must meet the *National Safety and Quality Health Standards* requirement for obtaining informed consent from a customer or their carer. This is not only a fundamental right of any service recipient, it is also a moral and ethical obligation for all personnel prior to the provision of service, treatment or sharing of any information. The principle of informed consent is based on the notion that treatment cannot be initiated without the customer’s permission.

Trikki Kidz Pty Ltd personnel are therefore required when working with any individual or family where English is not their first language, to take appropriate steps to address language needs, including use of an interpreter. Where an interpreter is not available, it is necessary to explain in a manner which is able to be understood by the customer, depending on their individual circumstances, before any consent is requested, why Trikki Kidz Pty Ltd as the service provider considers the customer’s participation in the health care decision is important or needed. This must also include information about the risks and benefits of their therapeutic or treatment options or understand the program or activity they are being offered.

Using an Interpreter

Trikki Kidz Pty Ltd personnel are required to use a professional interpreting service for the following:

- Whenever informed consent is required
- When requested by care recipients and/or their families
- Whenever treatment or care plans are being developed or reviewed

In the context of working with a person who does not speak or read English, it is a requirement of Trikki Kidz Pty Ltd personnel to identify an appropriate process for the translation of information whether that is verbal, visual or written. E.g. a person who speaks a specific language other than English who has been formally qualified to provide verbal translation for their specific language.

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Trikki Kidz Pty Ltd personnel are required, wherever possible, when arranging for the interpretation of information to do this through the use of a formally recognised interpreter provider, appropriate to the language needs of the client. Formally trained and accredited interpreters are required to adhere to ethical and privacy related regulations that ensure greater confidentiality of the information shared.

Trikki Kidz Pty Ltd personnel are advised not to make assumptions regarding the language needs of the individual as many population groups have more than one dialect or completely different languages between one location and another. E.g. people who have arrived from the country of Burma may speak one or more of the following languages, depending on which state they originate from: Chin Mizo, Haka Chin, Haka Tedium, Karen, Rohingya and some will also speak Burmese. It is also important to be aware that while an individual may speak a particular language or dialect, this does not necessarily mean they can read the same language.

The individual funding and service agreements across Trikki Kidz Pty Ltd programs commonly have particular interpreter guidelines and preferred providers associated with their funding. It is the responsibility of service area management and Trikki Kidz Pty Ltd personnel to be familiar with these specific requirements and how to access these to ensure accredited interpreters are used wherever possible.

Considerations for selecting an appropriate interpreter should include:

- Same gender interpreter as the customer, especially if translation of gender sensitive medical assessment, treatment or procedures might be required
- Some language or dialect groups, especially those from small populations who are now living in the same local area may prefer an interstate phone interpreter. This can provide a greater degree of privacy for the client
- Family or community members should only be used to interpret information in urgent circumstances, as the nature of the conversation's content may not be appropriate to be shared among people who are known to each other. This is especially important with regards to sensitive gender related or age-related matters. Children should not be asked to interpret for parents.
- Beware of the ethical implications, privacy issues and potential for grave misunderstanding in using bilingual Trikki Kidz Pty Ltd personnel, family members or friends to communicate on behalf of care recipients.
- *Google* translate, or other similar software programs can be useful in an emergency or as an interim while more specific information is being developed. However, it should be noted that not all English words or concepts easily translate across the diverse global languages in existence

Addressing a Person from a Culturally Diverse Background

Where possible, ask the individual how they wish to be addressed and, if working with a family group, identify who is the person with authority to speak for the group. While this may not always

Be appropriate depending on the nature or type of the contact, respect for family structure, culture and tradition is very important.

Where the situation requires individuals to be able to speak for themselves it can be helpful to explain this process and how it will assist meeting the needs of the group or individual.

When individuals request the use of their name, practicing pronunciation and using this person's name is one of the most respectful steps you can take towards building a relationship with them. Avoidance of their name altogether for fear of mispronunciation is a barrier to the inclusive and welcoming principle that Trikki Kidz Pty Ltd is committed to demonstrating.

Not all people have a first and last name type structure that is common in Australia. E.g. some of the recent arrival people from Burma have one name that is made up of several parts. In this instance, for the development of Trikki Kidz Pty Ltd and other client software registration processes it is important to follow what has been identified on the individual's Medicare card. This will ensure consistency with government identification and client registration purposes for any future referrals.

Respectful Language and Terminology

Trikki Kidz Pty Ltd personnel are encouraged to use inclusive language. This refers to language that avoids the use of certain expressions or words that might be considered to exclude particular groups of people.

Use the following as a guide:

- Avoid the use of acronyms used to describe people who do not speak English as their preferred language such as CALD (culturally and linguistically diverse), NESB (non-English speaking background) and ESL (English as a second language). These privilege English as a reference point and may imply that any language that is not English is limiting.

Instead, use terms that are more inclusive and respectful of Australia's rich linguistic heritages, such as people for whom English is a second language.

- Avoiding undue emphasis on racial and ethnic 'differences', i.e. only referring to the individual's ethnic or racial background if it is relevant to the issue or discussion.

The use of generic terms and expressions is ideal. For example, use of the term 'Australian' can be highly inclusive, provided it is intended to include all communities and individuals.

Use phrases that refer to a person or group's background or origin, e.g. 'Australian of Irish background', 'Australians of Chilean descent'.

Use a qualifier in conjunction with the noun Australian, e.g. 'Vietnamese-born Australian', 'Iraqi-Arabic-speaking Australian', 'Jewish Australians', etc.

It should be noted that some Australians prefer not to be identified through origin or descent at all and, when known, this preference should be respected.

- Avoid the promotion of 'racial or ethnic invisibility', e.g. the use of umbrella terms such as 'Asians'. These references ignore multiple ethnicities within each of the groups. Instead, refer to people from Indonesia, Thailand, etc.
- Avoid stereotyping, e.g. making positive or negative generalisations about members of a particular racial, ethnic or national group in ways that detract from people's fundamental humanity and individuality.
- Avoid the use of derogatory labelling, offensive humour and ethnic and racial slurs, e.g. the use of terms whose main function is to set aside some groups from an implied mainstream by stressing their eccentricity or undesirability, or by attempting to be divisive through language by suggesting a 'them and us' mentality. The use of terms like 'ethnics' or 'ethnic Australians' can imply a distinction that is divisive, whereas 'ethnic and racial groups' is a more straightforward and descriptive usage.
- Avoid 'positive'/patronising comments based on stereotypes, such as, 'You speak such good English!'
- Use terms that are inclusive such as 'first name' and 'family name', rather than 'Christian name' and 'surname'
- Avoid referring to people by their migration status, such as 'former refugee', 'humanitarian entrant' or 'former humanitarian entrant', 'new arrival', etc.

Service Access

Trikki Kidz Pty Ltd is committed to providing service to all population groups irrespective of race, religion, politics, age, disability, gender and sexuality. We create accessible services that consider geographical disadvantage, disability, financial hardship, cultural background and language barriers.

All customers must be informed of their right to access professional interpreting services at any time and of the availability of telephone interpreting services.

Trikki Kidz Pty Ltd personnel are encouraged to:

- Conduct the entry and orientation program in the preferred language of customers and their families through an interpreter as required.
- Use professional translators to translate all documents requiring the consent of care recipients such as care plans, as well as other documents as required.
- Provide information about services, including health and personal care procedures, in the preferred language of customers.
- Ensure care recipients and their representatives have access to internal and external complaint mechanisms and quality improvement systems in their preferred language.
- Communicate the organisation's planning objectives to care recipients and their families in their preferred language and offer a variety of ways to provide feedback e.g. written comment, interviews and group discussion.

Increasing Workforce Capacity

Recruitment

Recruitment opportunities should include active promotion to multilingual applicants especially in service or program areas where it can reasonably be expected that customers will present with diverse language requirements. Contact Trikki Kidz Pty Ltd for support to target advertising for particular groups and translation or interpreting needs.

It is appropriate to use the language skills of unaccredited bilingual Trikki Kidz Pty Ltd personnel for social communication translation with customers or their careers.

Professional Development

The following list of considerations do not replace ongoing professional development specific to diverse population groups but are included as reminders of the unconscious behaviour and values that we sometimes hold and that can create barriers in engagement with people from diverse population groups.

Trikki Kidz Pty Ltd personnel should be aware of:

- Their own cultural influences
- Not judging other people's behaviour and beliefs according to the standards of their own culture
- Making assumptions about cultural influences and applying generalisations to individuals
- Understanding that the behaviour and beliefs of people within each culture are as diverse as the behaviours and beliefs between cultures
- The varying extent and speed to which people adopt practices of their new country and retain those from their cultural background. This can also vary within one family
- Individual choice and difference and that not all people will identify with their cultural, traditional or religious backgrounds
- The nature of culture itself as a fluid entity, undergoing transformations as a result of globalisation, migration and the diaspora influence
- Accessing increased knowledge about different cultural practices and issues through cultural background information sessions and/or resources and cultural awareness training

References or related Documents

National

- Australian Human Rights Commission Act 1986 (Cth)
- Racial Discrimination Act 1975
- Victorian Charter of Human Rights and Responsibilities 2006
- United Nations Declaration on the Rights of Indigenous People
- Australia Charter of Healthcare Rights

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- Commonwealth Centre for Cultural Diversity in Ageing <http://www.culturaldiversity.com.au/>

Victoria

- Equal Opportunity Act 2010
- Racial and Religious Tolerance Act 2001
- Charter of Human Rights and Responsibilities Act 2006

Related Policies/Documents

- Customer Rights and Responsibilities Policy and Procedure
- Consumer Feedback and Complaint Policy and Procedure

Valuable resources can be found at:

- Foundation House for Survivors of Torture and Trauma www.foundationhouse.org.au/
- Eastern Health Transcultural Services www.easternhealth.org.au/site/item/152-cue-cards-in-community-languages

Access and Inclusion for GLBTIQ people

Purpose

The purpose of this document is to give clear procedural guidelines on how Trikki Kidz Pty Ltd personnel, engage with GLBTIQ individuals and communities.

Trikki Kidz Pty Ltd is committed to improving the health and wellbeing of all GLBTIQ people. While most GLBTIQ people live fulfilling and healthy lives, research indicates that as a population group, Australia's GLBTIQ community has poorer health and wellbeing compared with the total population. Trikki Kidz Pty Ltd is committed to reducing the stigma and discrimination that GLBTIQ people may experience in their everyday lives.

Responsibility

The procedure applies to all Trikki Kidz Pty Ltd personnel.

Procedure details

Definitions

Customer: Trikki Kidz Pty Ltd is committed to be a customer centric organisation. Our broad definition of customer means we are inclusive of all people who interact or engage with us, either externally or internally. Our customers include consumers, clients, participants, patients, carers, the community, stakeholders, partners, staff, volunteers and members.

Trikki Kidz Pty Ltd Personnel: All employees (whether employed full-time, part-time, fixed term or on a casual basis), volunteers, students, contractors and sub-contractors performing work on behalf of Trikki Kidz Pty Ltd.

GLBTIQ:

Gay: A person whose primary emotional and sexual attraction is towards people of the same sex. The term is most commonly applied to men, although some women use this term.

Lesbian: A woman whose primary emotional and sexual attraction is towards other women.

Bisexual: A person who is sexually and emotionally attracted to people of both sexes.

Trans: A person who does not identify with the gender assigned at birth.

Gender non-Binary Gender: Describes a person who does not identify as either male or female.

Transgender: An inclusive 'umbrella' term describing those whose gender identity is different to the gender they were assigned at birth.

Trans Man: Someone who was born with female appearance and assigned female gender at birth but identifies as male.

Trans Woman: Someone who was born with male appearance and assigned male gender at birth but identifies as female.

Intersex: People who are born with physical sex characteristics that don't fit medical norms for female or male bodies. This may include variations in chromosomes, hormones, reproductive organs or genitals. Having an intersex body should not be considered a medical condition or something that needs to be corrected. Intersex people have a diversity of bodies and identities.

Queer: An umbrella term that includes a range of alternative sexual and gender identities, including gay, lesbian, bisexual and transgender.

People should always be addressed as the gender they identify with, regardless of where they are with their transition.

Respectful and Inclusive Language and Practices

Language that discriminates against people on the basis of their sexual orientation and gender identity is unacceptable. The enduring bias in society against people who identify as gay, lesbian, bisexual, trans, intersex or queer (GLBTIQ) can result in these individuals feeling invisible, marginalised or inferior to others. This bias means that people who identify as lesbian, gay, bisexual, Trans, intersex or queer often experience direct and/or indirect discrimination through the language and actions of others.

Words and phrases that are likely to offend, that are negative or derogatory, use of terms identified with particular characteristics or that are unacceptable will not be used by Trikki Kidz Pty Ltd personnel.

Trikki Kidz Pty Ltd personnel will:

- Ensure the language used to refer to person's gender identity is accurate and appropriate. Acceptable terms such as gay, lesbian, bisexual and Trans, intersex or queer should only be used when the individual uses one or more of these to identify themselves. Trikki Kidz Pty Ltd personnel should always address an individual by their preferred name and where required according to the gender they identify with.
- Avoid creating invisibility. GLBTIQ people are often rendered invisible in conversation, in public discourse and cultural and media representation. Across all media, heterosexual orientation tends to be represented as 'better', more morally correct or as the only sexual orientation. Language that reinforces the assumption that all personal relationships are heterosexual denies the reality of same-sex relationships.
- The following terms are recommended for respectful language:

▪ Partner/significant other	<i>instead of</i>	husband/wife
▪ All people	<i>instead of</i>	men, women, girls & boys
▪ Siblings	<i>instead of</i>	sister and brother
▪ Family of choice/ People important to you	<i>instead of</i>	family of origin
▪ Parents	<i>instead of</i>	mother and father

- When collecting sex/gender information for a personal record, the preferred approach is to collect and use gender information which is defined as the 'person's personal and social identity' and individuals should be given the option to select: M (Male), F (Female) or X (Other)

Avoid Using Generics

Generics are nouns and pronouns intended to be used for both women and men. Linguistically, however, some generics are also male-specific, which can create ambiguity. Traditionally, the word man was generically used to mean human being or person but, over the years, it has come to mean only male persons. The generic use of man causes ambiguity that can be avoided by using gender-neutral generics. Similarly, the use of him, his and him for an unspecified gender is not gender-neutral. Below are some suggested alternative approaches.

- They/their ***instead of*** she/he

The singular use of they is most acceptable when used to refer to gender-indefinite antecedents like any, anyone, each, every, everybody, everyone, nobody, no one, someone and somebody.

- Any/their ***instead of*** his/her
- Avoid using gendered adjectives where gender is irrelevant (e.g., "lady doctor", "woman lawyer" and "male nurse")

Service Access

Trikki Kidz Pty Ltd is committed to providing accessible and appropriate services to all people taking into consideration an individual's race, religion, politics, age, disability, sexual orientation or gender diversity. We also aim to create accessible services that consider geographical disadvantage, language needs and financial hardship.

Trikki Kidz Pty Ltd personnel are encouraged to:

- Assess their own unconscious bias to ensure that all customers receive the highest standard of care
- Encourage customers to access the complaints and feedback mechanism

References or related documents***National***

- Australian Human Rights Commission Act 1986 (Commonwealth)
- Sex Discrimination Act 1984
- Victorian Charter of Human Rights and Responsibilities 2006
- Australia Charter of Healthcare Rights

Victoria

- Equal Opportunity Act 2010
- Charter of Human Rights and Responsibilities Act 2006

Related Policies/Documents

- Customer Rights and Responsibilities Policy and Procedure
- Consumer Feedback and Complaint Policy and Procedure

PHYSICAL ACCESSIBILITY POLICY AND PROCEDURE

Purpose and Scope

The purpose of this policy and procedure is to ensure that Trikki Kidz Pty Ltd provides a physically accessible service environment that is responsive to its clients' support and communication needs.

Legislation, regulations and standards relevant to this policy and procedure include:

- *Occupational Health and Safety Act 2004 (Vic)*
- *Occupational Health and Safety Regulations 2007 (Vic)*
- *Occupational Health and Safety Amendment Regulations 2014 (Vic)*
- *Work Health and Safety Act 2011 (NSW)*
- *Work Health and Safety Regulation 2011 (NSW)*
- *Accident Compensation Act 1985, as amended 2007*
- *National Quality Standards*
 - *Disability (Access to Premises - Buildings) Standards 2010*
 - *AS/NZS 4804:2001 and 4801:2001 Occupational Health and Safety Systems*
- *Human Services Standards (Vic) – Risk Management*
 - *Human Services Standards (Vic) – Wellbeing*

Organisational documents relevant to this policy and procedure include:

- *Trikki Kidz Pty Ltd Occupational Health and Safety Policy and Procedure*
 - *Trikki Kidz Pty Ltd Occupational Health and Safety Improvement Register*
 - *Trikki Kidz Pty Ltd Service Access Policy and Procedure*
 - *Trikki Kidz Service's Feedback, Compliments and Complaints Policy and Procedure*
 - *Trikki Kidz Pty Ltd Incident Management Policy and Procedure*

This policy and procedure applies to all staff, volunteers and contractors. It should be read in conjunction with Trikki Kidz Service's *Occupational Health and Safety Policy and Procedure*.

Policy

- Trikki Kidz Pty Ltd ensures that its services are physically accessible and safe. It takes a continuous improvement approach to ensuring ongoing accessibility for all staff, clients and other stakeholders.

Procedures

- Information for clients, including Trikki Kidz Service's website, signage and client information, will be provided in a variety of formats such as different languages, Easy English, face-to-face or phone explanation by staff, and the use of interpreters and advocates. Specific formats provided will be responsive to demand data (see Trikki Kidz Service's *Service Access Policy and Procedure*) and individual client needs.
- Trikki Kidz Pty Ltd will provide suitable client resources to accommodate the local population. This will take into account cultural backgrounds, disabilities, age and developmental stage where appropriate. Any premises signage will also be consistent with local population requirements.

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- Where physical access issues are identified, management will consider how the premises might be modified to accommodate a person's needs. Where reasonable, the Director will ensure permanent modifications are made.
- Where clients or stakeholders are unhappy with any aspect of the service's accessibility, they will be directed to Trikki Kidz Service's *Feedback, Compliments and Complaints Policy and Procedure*.
- To maximise the physical access of Trikki Kidz Service's services, premises and service provision will take into account:
 - wheelchair accessibility such as ramped access to the premises;
 - how Trikki Kidz Service's premises can be made welcoming and comfortable;
 - proximity to public transport; and
 - Phone service reliability during advertised opening hours.

Entry and exit

- Entries and exits will be clearly lit, slip-resistant, signposted and clearly
- Marked.
- Appropriate entries and exits will be available for mobile equipment, such as wheelchairs.
- Aisles and walkways will be at least 600mm wide, free of furniture and other obstacles, and where necessary clearly marked with yellow lines.
- Staircases will be guarded with upper and lower rails, with a handrail on at least one side.
- Power-operated doors and gates will have safety features to prevent people being struck or trapped. They will also be suitably signposted, to warn of potential hazards.

Work areas

- Staff will maintain good housekeeping practices and a tidy workplace at all times to reduce the risk of injury from slips and trips.
- Work areas will have enough space to allow someone to move about freely without strain or injury, and evacuate quickly in case of emergency.
- Where noise, heat or manual tasks are involved, a larger work will be provided where possible.

Floors and other surfaces

- Floors will be slip resistant and free of any hazards, such as cables and loose tiles, which can cause slips or trips.
- Carpet will be used in office areas and where staff are undertaking static standing work.

Lighting and ventilation

- The Director will ensure there is sufficient light to enable staff to perform tasks without straining their eyes or adopting awkward postures. Additional lighting will be used at places of particular risk.
- Internal workplaces will be properly ventilated with windows and doors, fans or air-conditioning.

Extreme temperatures

- The service environment temperature will be maintained between 20°C and 26°C.
- Staff, clients and other stakeholders should report conditions that are too hot or too cold to management.

Noise

- Equipment must not produce noise that exceeds the maximum noise level recommended by the Standards Association of Australia or as specified in local laws.
- If noise causes discomfort, staff, clients and other stakeholders should report the problem to the Director (or delegate).

Personal facilities

- Trikki Kidz Pty Ltd will provide clean, safe and accessible toilets, drinking water, washing and eating facilities, and secure storage for personal items.

Specific types of work

- Where management, clients or other stakeholders are working or undertaking activities outdoors, they will have access to shelter for eating meals and taking breaks, and to protect themselves in adverse weather conditions. They will also be given personal protective equipment (PPE) for protection against the sun.
- Working alone or remotely increases the risk of any job, particularly exposure to violence and poor access to emergency services. Staff who are required to work alone will be provided with appropriate communication systems and other safety equipment.

Reporting

- Incidents relating to physical accessibility should be reported in accordance with Trikki Kidz Service's *Incident Management Policy and Procedure*.

Monitoring and Review

- This policy and procedure will be reviewed at least annually by Trikki Kidz Service's management and incorporate staff (where applicable), client and other stakeholder feedback.
- Trikki Kidz Pty Ltd will undertake an annual accessibility audit of its premises in accordance with its *Internal Review and External Audit Schedule*.
- Trikki Kidz Service's annual service delivery and satisfaction surveys will assess client and other stakeholder satisfaction with Trikki Kidz Service's physical access and service environment.
- Trikki Kidz Service's six-monthly Service Delivery and Planning days and activities will include clients and stakeholders where relevant and assess feedback provided by and to clients and potential clients around access and whether the information provided to clients is appropriate and effective.
- Trikki Kidz Service's *Continuous Improvement Plan* will be used to record and monitor progress of any improvements identified and feed into Trikki Kidz Service's service planning and delivery processes.

OCCUPATIONAL HEALTH AND SAFETY

Purpose and Scope

The purpose of this policy and procedure is to demonstrate Trikki Kidz Service's commitment to:

- providing a workplace that is safe and minimises risks to the health and wellbeing of staff, clients, their families and carers, as well as all other stakeholders; and
- Promoting good occupational health and safety practices which are consistent with legislative requirements.

Legislation, regulations and standards relevant to this policy and procedure include:

- *Occupational Health and Safety Act 2004 (Vic)*
- *Occupational Health and Safety Regulations 2007 (Vic)*
- *Occupational Health and Safety Amendment Regulations 2014 (Vic)*
- *AS/NZS 4804:2001 and 4801:2001 Occupational Health and Safety Systems*
- *Human Services Standards (Vic) – Risk Management*
- *4.1 Fire Risk Management (Departmental Policies and Procedures, Service Agreement Information Kit for Funded Organisations, Victorian Department of Health and Human Services)*
- *4.18 Vulnerable People in Emergencies (Departmental Policies and Procedures, Service Agreement Information Kit for Funded Organisations, Victorian Department of Health and Human Services)*
- *4.19 Emergency Preparedness Policy for Clients and Services (Departmental Policies and Procedures, Service Agreement Information Kit for Funded Organisations, Victorian Department of Health and Human Services)*
- *Work Health and Safety Act 2011 (NSW)*
- *Work Health and Safety Regulation 2011 (NSW)*
- *Accident Compensation Act 1985, as amended 2007*
- *National Quality Standards*

Organisational documents relevant to this policy and procedure include:

- *Trikki Kidz Service's Occupational Health and Safety Improvement Register*
- *Trikki Kidz Service's policies and procedures relating to fire safety and emergency; safety and security; maintenance and management of equipment, furniture, lighting and ventilation; electrical safety; vehicle safety; physical accessibility; chemical use and storage; infection control; medication management and food storage and preparation.*
- *Trikki Kidz Service's Incident Management Policy and Procedure*
- *Trikki Kidz Service's Emergency Management Plan*

This policy and procedure applies to all stakeholders of the organisation, including clients, families and carers, advocates, staff, volunteers, contractors, other service providers, government agencies and members of the community.

Definitions

Workplace – any place where work is carried out on behalf of Trikki Kidz Pty Ltd.

Duty of care - A common law concept that refers to the responsibilities of organisations to provide people with an adequate level of protection against harm and all reasonable foreseeable risk of injury. In the context of this policy, duty of care refers to the responsibility of Trikki Kidz Service’s staff to provide clients, students, volunteers, contractors and anyone visiting the service with an adequate level of care and protection against reasonable foreseeable harm and injury.

Material safety data sheet - Provides employees and emergency personnel with safety procedures for working with toxic or dangerous materials. The data sheet includes all relevant information about the material such as physical properties (e.g. melting/boiling point, toxicity and reactivity), health effects, first aid requirements and safe handling procedures (e.g. personal protective equipment, safe storage/disposal and management of spills).

Policy

- The health and safety of all of Trikki Kidz Service’s stakeholders is of paramount importance.
- Occupational Health and Safety (OH&S) is the responsibility of all Trikki Kidz Pty Ltd stakeholders – management, employees, volunteers, contractors, clients, families, carers and visitors.
- Trikki Kidz Pty Ltd staff and volunteers are not expected to carry out work that is unsafe, and service users are not expected to tolerate unsafe work practices or service environments.
- Trikki Kidz Pty Ltd will take all reasonable steps to ensure the health, safety and wellbeing of employees, clients, parents, families, guardians, students, volunteers, contractors and visitors, as well as a safe and healthy environment.

Procedures

- All issues regarding OH&S must be reported to the Director (or delegate). The Director (or delegate) will address or respond to the issue or nominate a suitable staff representative to do so. The Director (or delegate) will track progress and outcomes in Trikki Kidz Service’s *Occupational Health and Safety Improvement Register* and refer any relevant items for inclusion in Trikki Kidz Service’s *Continuous Improvement Plan*.
- OH&S matters are to be reported to management on a quarterly basis.
- Upon commencement, all staff will undergo Induction, which will include general and task-specific OH&S training where appropriate.
- Management is responsible for ensuring Trikki Kidz Pty Ltd meets its obligations under OH&S legislation by diligently understanding the nature of the services provided by Trikki Kidz Pty Ltd and the associated hazards. Management must ensure appropriate resources are allocated to control any identified risk.

Responsibilities of Trikki Kidz Service’s Director

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- Provide and maintain a workplace that is safe and without risks to employees' health. This responsibility extends to contractors for routine tasks over which Trikki Kidz Pty Ltd has management. For contractors completing non-routine tasks, Trikki Kidz Pty Ltd must ensure that Trikki Kidz Service's daily operations and layout do not pose unreasonable risks. This includes ensuring that:
 - there are safe systems of work;
 - all plant and equipment provided for use by staff, including machinery, appliances and tools etc., are safe and meet relevant safety standards;
 - substances and plant and equipment are used, handled, and stored safely;
 - material safety data sheets are supplied for all chemicals kept and/or used at the service (refer to www.ohsinecservices.org.au);
 - there are adequate welfare facilities e.g. first aid and dining facilities etc.;
 - there is appropriate information, instruction, training and supervision for all employees, clients, parents, families, guardians, volunteers, students, contractors and any members of the public who are at the workplace at any time;
 - ensuring there is a systematic risk management approach to the management of workplace hazards, including:
 - hazards and risks to health and safety are identified, assessed and eliminated or, if it is not possible to remove the hazard/risk completely, effectively controlled; and
 - Measures employed to eliminate/control hazards and risks to health and safety are monitored and evaluated regularly.

- Implement an effective OH&S program that includes managing key sector risks such as manual handling, occupational assault and stress. As a minimum, this should contain:
 - specifically designated staff to be responsible for OH&S functions and activities;
 - documented OH&S policies and procedures, including safe work procedures and emergency procedures;
 - appropriate training and information in health and safety for all staff;
 - an established incident reporting and investigation process, including hazard identification and control mechanisms;
 - appropriate consultative procedures, and
 - Monitoring and review processes.

- Ensure other individuals, such as clients, families and visitors, are not exposed to health and safety risks arising from Trikki Kidz Service's activities.

- Consult with employees about OH&S matters that will, or will likely, affect employees directly, including identifying hazards; making decisions on how to manage and control health and safety risks; making decisions on health and safety procedures; and proposed changes at Trikki Kidz Pty Ltd that may impact on health and safety.

- Notify Worksafe Victoria or Safe Work NSW as appropriate about serious workplace incidents, and preserve the site of an incident.

- Hold appropriate licenses, registrations and permits, where required by the *Occupational Health and Safety Act 2004 (Vic)* and *Workplace Injury Management and Workers Compensation Act 1998 (NSW)*.

- Make every reasonable effort to resolve OH&S issues with employees or their representatives within a reasonable timeframe.

- Not discriminate against employees who are involved in health and safety negotiations.
- Allow access to an authorised representative of a staff member who is acting within his/her powers under the *Occupational Health and Safety Act 2004 (Vic)* and *Workplace Injury Management and Workers Compensation Act 1998 (NSW)*.
- Produce OH&S documentation as required by inspectors and answer any questions that an inspector asks.
- Not obstruct, mislead or intimidate an inspector who is performing his/her duties.
- Ensure regular safety audits of indoor and outdoor environments; all equipment, including emergency equipment; playgrounds and fixed equipment in outdoor environments; cleaning services; horticultural maintenance; and pest control.
- Monitor the conditions of the workplace and the health of employees.
- Protect other individuals from risks arising from Trikki Kidz Service's activities, including holding an open day or a working bee etc., or any activity that is ancillary to the operation of the service e.g. contractors cleaning the premises after hours.
- Provide adequate instruction to staff in safe work procedures and inform them of known hazards to their health and wellbeing that are associated with the work they perform.
- Ensure all plant, equipment and furniture are maintained in a safe condition.
- Develop procedures to guide the safe use of harmful substances, such as chemicals, in the workplace.
- Ensure OH&S accountability is included in all position descriptions.
- Allocate adequate resources to implement this policy.
- Display this policy in a prominent location at Trikki Kidz Pty Ltd.
- Ensure the physical environment at Trikki Kidz Pty Ltd is safe, secure and free from hazards.
- Implement and practice emergency and evacuation procedures.
- Implement and review this policy in consultation with all staff.
- When developing an occupational health and safety program, refer to AS4801 and AS4804.
- Identify and provide appropriate resources, induction and training to assist staff, contractors, visitors, volunteers and students to implement this policy and ensure they are kept informed of any relevant changes in legislation and practices in relation to this policy.

Responsibilities of Trikki Kidz Service's Occupational Health and Safety Officer (if one is full-time employed - otherwise responsibilities of management)

- Ensure all staff are aware of this policy and are supported to implement it in Trikki Kidz Pty Ltd.
- Ensure all equipment and materials used at Trikki Kidz Pty Ltd meet relevant safety standards.
- Where children are being transported, ensure child restraints comply with current legislation.
- Implement and practice emergency and evacuation procedures.
- Implement and review this policy in consultation with the all staff, contractors, clients, parents, families and guardians.
- Identify and provide appropriate resources and training to assist staff, contractors, visitors, volunteers and students to implement this policy.
- Keep up to date and comply with any relevant changes in legislation and practices in relation to this policy.

Responsibilities of Trikki Kidz Pty Ltd staff (where applicable)

- Take care of their own safety and the safety of others who may be affected by their actions.
- Cooperate with reasonable OH&S actions taken by Trikki Kidz Pty Ltd , including:
 - following OH&S rules and guidelines;
 - helping ensure housekeeping is of the standard set out in Trikki Kidz Pty Ltd policies;
 - attending OH&S training as required;
 - reporting OH&S incidents in line with Trikki Kidz Service's *Incident Management Policy and Procedure*;
 - cooperating with OH&S investigations;
 - encouraging good OH&S practices with fellow employees and others attending the service;
 - assisting management with tasks relating to OH&S, such as conducting OH&S inspections during working hours;
 - not interfering with safety equipment provided by Trikki Kidz Pty Ltd ;
 - practising emergency and evacuation procedures;
 - ensuring Trikki Kidz Service's physical environment is safe, secure and free from hazards; and
 - Maintaining a clean environment daily, and removing tripping/slipping hazards as soon as these become apparent.

- Where children are being transported, ensure child restraints comply with current legislation.
- Implement and review this policy.
- At the direction of qualified staff, ensure regular safety audits of:
 - indoor and outdoor environments;
 - all equipment, playgrounds and fixed equipment in outdoor environments; and
 - Horticultural maintenance.
- Ensure all cupboards and rooms are labelled accordingly, including those that contain chemicals and first aid kits, and that child-proof locks are installed on doors and cupboards where contents may be harmful.

Responsibilities of students on placements, volunteers, contractors, clients, families, parents and guardians

- Be familiar with this policy.
- Cooperate with reasonable OH&S rules and practices implemented by Trikki Kidz Pty Ltd, including providing all relevant personal information and allowing relevant risk assessments to be undertaken.
- Not act recklessly or placing the health and safety of others at risk.
- Ensure their actions or failure to act do not put themselves or Trikki Kidz Service's workers at risk.

Monitoring and Review

- This policy and procedure will be reviewed at least annually by Trikki Kidz Service's management and incorporate staff (where applicable), client and other stakeholder feedback.
- Trikki Kidz Service's *Continuous Improvement Plan* will be used to record and monitor progress of any improvements identified and where relevant feed into Trikki Kidz Service's service planning and delivery processes.

FIRE SAFETY AND EMERGENCY

Purpose and Scope

The purpose of this policy and procedure is to ensure the safety of staff, clients and other stakeholders during emergencies such as a fire or other emergencies.

Legislation, regulations and standards relevant to this policy and procedure include:

- *Occupational Health and Safety Act 2004 (Vic)*
- *Occupational Health and Safety Regulations 2007 (Vic)*
- *Occupational Health and Safety Amendment Regulations 2014 (Vic)*
- *Work Health and Safety Act 2011 (NSW)*
- *Work Health and Safety Regulation 2011 (NSW)*
- *Accident Compensation Act 1985, as amended 2007*
- *National Quality Standards*
 - *AS/NZS 4804:2001 and 4801:2001 Occupational Health and Safety Systems*
 - *Human Services Standards (Vic) – Risk Management*
- *4.1 Fire Risk Management, 4.18 Vulnerable People in Emergencies and 4.19 Emergency Preparedness Policy for Clients and Services (Departmental Policies, Procedures and Initiative, Service Agreement Information Kit for Funded Organisations, Victorian Department of Health and Human Services)*
- *Dangerous Goods (Storage and Handling) Regulations 2012*
- *Australian Standard AS3745 – 2010*
- *Australian Standard AS4083 – 2010AS 2444 Portable fire extinguishers and fire blankets – Selection and location*
- *AS/NZS 1841.1 Portable fire extinguishers – General requirements*
- *AS 2441 Installation of fire hose reels*
- *AS 1670.1 Fire detection, warning, control and intercom systems – System design, installation and commissioning – Fire*
- *AS 1851 Routine service of fire protection systems and equipment*
- *AS 2419.1 Fire hydrant installations – System design, installation and commissioning*
- *AS 2118.4 Automatic fire sprinkler systems – Sprinkler protection for accommodation buildings not exceeding four storeys in height*
- *AS 2118.1 Automatic fire sprinkler systems – General systems*
- *AS 2941 Fixed fire protection installations – Pump set systems*
- *AS 5062 Fire protection for mobile and transportable equipment*

Organisational documents relevant to this policy and procedure include:

- *Trikki Kidz Pty Ltd Occupational Health and Safety Policy and Procedure*
- *Trikki Kidz Pty Ltd Occupational Health and Safety Improvement Register*
- *Trikki Kidz Pty Ltd Incident Management Policy and Procedure*
- *Trikki Kidz Pty Ltd Emergency Evacuation Plans*
- *Trikki Kidz Pty Ltd Emergency Plan*

This policy and procedure applies to all staff, volunteers and contractors. It should be read in conjunction with Trikki Kidz Service's *Occupational Health and Safety Policy and Procedure*.

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Definitions

Vulnerable person - someone living in the community who is:

- frail, and/or physically or cognitively impaired; and
- Unable to comprehend warnings and directions and/or respond in an emergency situation⁹.

Policy

- The health and safety of all of Trikki Kidz Service's stakeholders is of paramount importance. Trikki Kidz Pty Ltd is committed to the implementation of clear and effective fire safety and emergency procedures.
- Protecting clients from fire risk is an important part of Trikki Kidz Service's care. Trikki Kidz Pty Ltd complies with all laws and mandatory standards relating to fire protection, health and general safety that apply to any premises the service owns or operates, irrespective of whether the relevant regulatory requirements place the obligation on the owner or occupier of those premises.
- For services other than in the client's home, Trikki Kidz Pty Ltd is required to ensure that the people in its care are appropriately protected from fire risk. This includes in relation to Trikki Kidz Service's premises, operational readiness and client placement.
- Services funded to provide personal care, support and case management services to people living in the community have a key role in relation to the safety and welfare of clients. Trikki Kidz Pty Ltd will support clients to improve their safety and resilience through promoting personal emergency planning.

Procedures

Trikki Kidz Service's Premises

- Trikki Kidz Service's premises meet relevant building local laws, regulations or legislation in force at the time of construction, including provisions that apply retrospectively (for example, requirement for smoke alarms). Any subsequent building works shall meet the relevant building approval provisions at the corresponding time.

Operational Readiness

- Management will ensure that appropriate operational readiness measures are developed, implemented and reviewed. This includes (but is not limited to):
 - holding a current fire risk audit that is less than 5 years old;
 - fire emergency management and evacuation procedures;
 - training of staff to implement the procedures developed;
 - maintenance of all the fire safety systems and any deviations through an alternative solution; and
 - Holding or having access to a current Fire Safety Handbook.
- Trikki Kidz Pty Ltd will prepare for, respond to and recover from emergencies in accordance with the 'all hazards' approach. This includes, but is not limited to, fire, bushfire, flood, relocation, evacuation and prolonged service interruption.
- In the event of an emergency, Trikki Kidz Pty Ltd will ensure essential services are maintained as far as is practicable.

Supporting client emergency readiness

- Trikki Kidz Pty Ltd will actively work to improve the safety of vulnerable people in emergencies through encouraging and supporting clients (who meet the definition of a vulnerable person) to undertake personal emergency planning. Where there is recognised bushfire risk, specific bushfire planning will be undertaken in addition to basic personal emergency planning.
- Trikki Kidz Pty Ltd will screen clients to identify people who should be listed on a Vulnerable Persons Register (VPR) meet the definition of a vulnerable person **and** cannot identify personal or community support networks to help them in an emergency. Trikki Kidz Pty Ltd will obtain informed consent from identified people and enter and maintain their information on VPRs in accordance with the Department of Health and Human Services' *Vulnerable People in Emergencies Policy 2005*.
- Any fire incidents and false alarm reports will be lodged with the Department of Health and Human Services in accordance with Trikki Kidz Service's *Incident Management Policy and Procedure*.
- Where relevant, Trikki Kidz Pty Ltd will also comply with the Department of Health and Human Services' *Emergency Preparedness Policy for Clients and Services*, noting that it does not currently provide services that are in scope of this policy.

Emergency Plans

- The Director will prepare, test and annually review an *Emergency Plan* for the service, covering:
 - emergency contact details for key staff who have specific roles or responsibilities under the emergency plan, for example, fire wardens, floor wardens and first aid officers;
 - contact details for local emergency services, for example police, fire brigade and the poison information centre;
 - a description of the mechanisms for alerting people at the workplace to an emergency or possible emergency, for example sirens or bell alarms;
 - evacuation procedures including arrangements for assisting any people with hearing, vision or mobility impairment;
 - a map of Trikki Kidz Service's workplace/s, illustrating the location of fire protection equipment, emergency exits and assembly points;
 - testing of emergency procedures, including the frequency of testing; and
 - Information, training and instruction to relevant staff in relation to implementing the emergency procedures.

- Trikki Kidz Service's *Emergency Plan*, or a summary of key elements of the plan, will be readily accessible by staff and on display in Trikki Kidz Service's premises.

- Trikki Kidz Service's *Emergency Plan* must be implemented in an emergency. Directions from emergency services workers must also be complied with.

- Management will review Trikki Kidz Service's *Emergency Plan* at least annually and:
 - when there are changes to the workplace such as re-location or refurbishments;
 - when there are changes in the number or composition of staff including an increase in the use of temporary contractors;
 - when new activities have been introduced; and
 - After the plan has been tested.

- Management will prepare and regularly review premises *Emergency Evacuation Plans* for how people should evacuate the premises and where they should assemble if there is an emergency.

- The *Emergency Evacuation Plans* will be displayed prominently in Trikki Kidz Service's premises. Each Plan will clearly indicate its current location, where the exits are and where the assembly area is.

- The Director (or delegate) will practice emergency and evacuation procedures with all staff (where applicable) at least every six months.

Fire Emergency

- Management will ensure that fire equipment is installed, suitable for risks specific to Trikki Kidz Service's workplace and readily available in accordance with the relevant Australian Standards.
- Management will have signage installed within Trikki Kidz Service's premises so people can find fire equipment quickly and identify what type of fire it can be used on.
- Emergency exits will be kept unlocked, unblocked and all exit signs will be maintained and kept illuminated.
- Fire extinguishers will be placed away from heat sources and regularly maintained.
- All staff (where applicable) will be trained in how to use fire equipment and know what type of fire extinguishers to use for different types of fires.
- Management will ensure fire equipment is regularly tested by Trikki Kidz Service's local fire authority or fire equipment supplier in accordance with Trikki Kidz Service's *Internal Review and External Audit Schedule*.
- Staff will ensure that no source of ignition is introduced to a confined space, if there is a likelihood of fire or explosion in that space.
- If the maintenance or repair of any structure or plant used for the storage or handling of dangerous goods involves the use of welding, cutting or other processes that generate heat or introduce ignition sources, management will ensure that the risk of a fire or explosion involving the dangerous goods is eliminated, or reduced so far as is reasonably practicable if it cannot be eliminated.
- For services provided to a client in their own primary residence (whether leased or owned by the client), Trikki Kidz Pty Ltd expects that the client (and where appropriate, the owner of the premises) will have responsibility for their own fire safety and ensure that the premises meet all relevant building local laws and regulations or legislation.

Monitoring and Review

- This policy and procedure will be reviewed at least annually by Trikki Kidz Service's management and incorporate staff (where applicable), client and other stakeholder feedback.
- Trikki Kidz Service's *Continuous Improvement Plan* will be used to record and monitor progress of any improvements identified and where relevant feed into Trikki Kidz Service's service planning and delivery processes.

FOOD STORAGE AND PREPARATION

Purpose and Scope

The purpose of this policy and procedure is to ensure that Trikki Kidz Pty Ltd management (or delegates) prepare and store food to ensure it does not become unsafe or unsuitable for consumption.

Legislation, regulations and standards relevant to this policy and procedure include:

- *Occupational Health and Safety Act 2004 (Vic)*
- *Occupational Health and Safety Regulations 2007 (Vic)*
- *Occupational Health and Safety Amendment Regulations 2014 (Vic)*
- *Work Health and Safety Act 2011 (NSW)*
- *Work Health and Safety Regulation 2011 (NSW)*
- *Accident Compensation Act 1985, as amended 2007*
- *National Quality Standards*
 - *AS/NZS 4804:2001 and 4801:2001 Occupational Health and Safety Systems*
- *Human Services Standards (Vic) – Risk Management*
- *Australia New Zealand Food Standards Code*
- *Safe Food Australia - A Guide to the Food Safety Standards*

Organisational documents relevant to this policy and procedure include:

- *Trikki Kidz Pty Ltd Occupational Health and Safety Policy and Procedure*
 - *Trikki Kidz Pty Ltd Occupational Health and Safety Improvement Register*
 - *Trikki Kidz Pty Ltd Incident Management Policy and Procedure*

This policy and procedure applies to management, all delegates (where applicable), staff (where applicable), volunteers and contractors. It should be read in conjunction with Trikki Kidz Service's *Occupational Health and Safety Policy and Procedure*.

Policy

- High standards of hygiene and product protection will be maintained in relation to food handling throughout all program and services of the Volunteer Association, in accordance with all relevant regulations, acts and standards.

Procedures

- Management (or delegates) should observe any practice by any other person that they believe to be in conflict with general hygiene standards and act immediately, in order to rectify the problem.
- Management (or delegates) are expected to report to work each day in clean clothing.
- Hair should be clean, tidy and secured in place. Appropriate hair covering must be worn if hair is longer than shoulder length.

- Clean gloves must be worn at all times while preparing food and should be changed regularly. Gloves should not be used when handling money.
- Tongs or other appropriate utensils must be used in handling food where gloves are not appropriate.
- Smoking, eating and drinking is not allowed in areas where food is stored, prepared or served.
- Hands must be kept clean and must be washed regularly with soap and hot water, or approved hand sanitisation gel, especially;
 - when entering a food handling area;
 - before touching any cooked or prepared food and after handling raw food;
 - after using the toilet;
 - after having a cigarette;
 - after handling garbage or cleaning equipment and chemicals;
 - after using a handkerchief or tissue or stifling a sneeze or cough;
 - after handling money;
 - before resuming work after any break or change in work area;
 - After touching hair, face or other parts of the body.
- Staff involved in food preparation should report the following to management:
 - any skin irritations (eczema, dermatitis etc.) especially on the hands;
 - any stomach complaints or bowel conditions;
 - feeling generally unwell;
 - any changes in health which may affect their ability to perform duties; and
 - All cuts, scratches and wounds which may contaminate food.
- The Director (or delegate) will reallocate duties if necessary.
- Any director (or delegate) involved in food preparation and storage must familiarise themselves and comply with the *Australia New Zealand Food Standards Code* and *Safe Food Australia - A Guide to the Food Safety Standards*.

Temperature Control

- Management (or delegates) must ensure that the temperature of potentially hazardous food is either at 5°C or colder or at 60°C or hotter when it is received, served, transported or stored.
- The following are examples of potentially hazardous foods:
 - raw and cooked meat or foods containing meat, such as casseroles, curries and lasagne;
 - dairy products, for example, milk, custard and dairy based desserts;
 - seafood;
 - processed fruits and vegetables, for example, salads;
 - cooked rice and pasta;
 - foods containing eggs, beans, nuts or other protein rich foods, such as quiche and soy products; and
 - Foods that contain these foods, such as sandwiches and rolls.

- Management (or delegates) do not have to keep potentially hazardous food at any specified temperature when preparing it because that would be impractical, but they must keep the processing or preparation time as short as possible so that bacteria do not get a chance to multiply to dangerous levels or form toxins.
- Previously cooked and cooled potentially hazardous food must be reheated rapidly to 60°C or hotter. Ideally, food should be reheated to 60°C within a maximum of two hours to minimise the amount of time that food is at temperatures that favour the growth of bacteria or formation of toxins.
- Potentially hazardous foods should be cooled to 5°C or colder as quickly as possible. There may be food poisoning bacteria in the food even though it has been cooked. Faster cooling times limit the time when these bacteria are able to grow or form toxins.
- Food must be cooled from 60°C to 21°C in a maximum of two hours and from 21°C to 5°C within a further maximum period of four hours.
- To chill food quickly, divide it into smaller portions in shallow containers, taking care not to contaminate the food in the process.

Reporting

- Incidents relating to infection control or infectious diseases should be reported in accordance with Trikki Kidz Service's *Incident Management Policy and Procedure*.

Monitoring and Review

- This policy and procedure will be reviewed at least annually by Trikki Kidz Service's management and incorporate staff (where applicable), client and other stakeholder feedback.
- Trikki Kidz Service's *Continuous Improvement Plan* will be used to record and monitor progress of any improvements identified and where relevant feed into Trikki Kidz Service's service planning and delivery processes.

CHEMICAL USE AND STORAGE

Purpose and Scope

Incidents involving chemicals and fuels can result in explosions or fire, causing death or serious injury, as well as large-scale damage to property and the surrounding environment. Unsafe use can also cause cancer, poisoning, burns, blindness and other serious health problems. The purpose of this policy and procedure is to ensure the safety of staff, clients and other stakeholders when handling and storing chemicals.

Legislation, regulations and standards relevant to this policy and procedure include:

- *Occupational Health and Safety Act 2004 (Vic)*
- *Occupational Health and Safety Regulations 2007 (Vic)*
- *Dangerous Goods Act 1985*
- *Occupational Health and Safety Amendment Regulations 2014 (Vic)*
- *Work Health and Safety Act 2011 (NSW)*
- *Work Health and Safety Regulation 2011 (NSW)*
- *Accident Compensation Act 1985, as amended 2007*
- *National Quality Standards*
 - *AS/NZS 4804:2001 and 4801:2001 Occupational Health and Safety Systems*
 - *Human Services Standards (Vic) – Risk Management*
- *Dangerous Goods (Storage and Handling) Regulations 2012*
 - *Code of practice for the storage and handling of dangerous goods 2013*
 - *Australian Dangerous Goods Code 7th Edition (ADG7 Code)*
 - *Australian Standard 1319:1994 Safety Signs for the Occupational Environment*
 - *Australian Standard 1345:1995 Identification of the Contents of Piping, Conduits and Ducts*
 - *Hazardous Substances Information System (HSIS): <http://hsis.safeworkaustralia.gov.au/>*

Organisational documents relevant to this policy and procedure include:

- *Trikki Kidz Pty Ltd Occupational Health and Safety Policy and Procedure*
- *Trikki Kidz Pty Ltd Occupational Health and Safety Improvement Register*
- *Trikki Kidz Pty Ltd Incident Management Policy and Procedure*
- *Trikki Kidz Pty Ltd Chemical Register*
- *Trikki Kidz Pty Ltd Safe Work Procedures*
- *Trikki Kidz Pty Ltd Guidance Sheet: Restricted Chemicals*

This policy and procedure applies to all staff, volunteers and contractors. It should be read in conjunction with Trikki Kidz Service's *Occupational Health and Safety Policy and Procedure*.

Policy

- The health and safety of all Trikki Kidz Service's stakeholders is of paramount importance. Trikki Kidz Pty Ltd is committed to ensuring that when chemicals are introduced onto Trikki Kidz Service's premises that they are recorded, handled and disposed of appropriately.
- Workplace chemicals and fuels can be classified as dangerous goods, hazardous substances or both.

Procedures

Identify Dangerous Goods and Hazardous Substances

- Management will ensure that all dangerous goods and hazardous substances are identified and clearly labelled or signed within the workplace.

Establish/Review a Chemical Register

- Management will ensure details of all dangerous goods and hazardous substances stored or handled in the workplace are entered into a *Chemical Register*.
- The *Chemical Register* is to be reviewed when new or additional quantities of chemicals are introduced into the workplace, or when risk controls have changed, or are no longer effective.

Handling Dangerous Goods

- Management will ensure Safe Work Procedures (SWP) specific to the handling of dangerous goods and hazardous substances stored in the workplace are developed and implemented.

Obtaining Material Safety Data Sheets

- Management will ensure a hard copy collection of current Material Safety Data Sheets (MSDSs) and Safety Data Sheets (SDSs) from manufacturers and suppliers is maintained. The MSDSs and SDSs obtained for each chemical must be the authorised version prepared by the manufacturer.
- The *Chemical Register* and associated MSDSs and SDSs are to be kept by the Director in a suitable location which is known and accessible to all employees in the workplace, as well as any other person who is likely to be exposed to the dangerous goods or hazardous substances.

Labelling

- Management will ensure that all dangerous goods and hazardous substance storage containers are clearly labelled. The label on the container in which the dangerous good or hazardous substance is supplied must remain intact, legible and unaltered. The date of receipt of a hazardous substance should be marked on the original container to allow for monitoring of the age of the chemical and promote the use of older materials first.
- Containers with unknown substances in them should be labelled 'CAUTION DO NOT USE: UNKNOWN SUBSTANCE' and then disposed of appropriately.

Risk and Hazard Management

- In accordance with Trikki Kidz Service's *Risk Management Policy and Procedure*, the Director will implement a risk management process regarding chemical use and storage. They will actively identify hazards, implement risk controls to eliminate or reduce the risks associated with these hazards, and review and if necessary revise these risk controls on a monthly basis.

Emergency procedures

- The Director will ensure that appropriate emergency management provisions are available for use in the event of a chemical emergency. The emergency management provisions may include:
 - spill kits or containment equipment;
 - safe work procedures for spills or release of chemicals;
 - fire blankets/extinguishers;
 - first aid kits;
 - eye wash stations/eye wash kits/emergency showers;
 - emergency shutdown procedures for equipment;
 - appropriate numbers of trained emergency wardens and first aiders; and
 - Appropriately displayed emergency contact details.

Health Surveillance

- The Director will regularly refer to current MSDSs and SDSs to determine the health surveillance requirements for any employees exposed to hazardous substances in the workplace.

Restricted Chemicals

- Management will develop a *Guidance Sheet: Restricted Chemicals* that will provide a list of restricted substances not permitted in Trikki Kidz Pty Ltd workplaces at any time.

Storage

- Management will ensure that storage of chemicals is conducted in accordance with the *Code of practice for the storage and handling of dangerous goods 2013*.
- Storage quantities should be kept to a minimum to cater for demand and excessive storage for long periods should be avoided.

Signage

- Management will ensure that if the workplace is storing dangerous goods exceeding minor storage quantities, placards are provided as a visual warning.
- Management will ensure that all purpose-built cupboards, cabinets and refrigerators for storing chemicals are labelled to indicate the type and class of chemicals being stored in them. Additional warning signs may also be required, such as "DO NOT USE TO STORE FOOD".

Chemical Waste and Disposal of Chemicals

- Management will ensure that chemical waste is properly packaged, labelled and stored in suitable designated areas whilst awaiting collection. Labelling must include at a minimum the product identifier, workplace details and a hazard pictogram consistent with the correct classification of the chemical (if relevant).
- The Director will ensure dangerous goods, hazardous substances and chemical waste are disposed of as per the *Code of practice for the storage and handling of dangerous goods 2013*.

Consultation, Information and Training

- The Director will ensure that arrangements are in place for consultation with employees in relation to chemical management. Consultation should occur in relation to:
 - the introduction of new chemicals to the workplace;
 - the identification and assessment of risks associated with chemicals at the workplace;
 - decisions about control measures to be implemented; and
 - Induction and training requirements.
- Hazard identification and incident reporting relating to chemicals should be carried out in accordance with Trikki Kidz Service's *Incident Management Policy and Procedure*.

Monitoring and Review

- This policy and procedure will be reviewed at least annually by Trikki Kidz Service's management and incorporate staff (where applicable), client and other stakeholder feedback.
- Trikki Kidz Service's *Continuous Improvement Plan* will be used to record and monitor progress of any improvements identified and where relevant feed into Trikki Kidz Service's service planning and delivery processes.

Workplace Health and Safety Issue Resolution

Purpose

The purpose of this procedure is to provide guidance in resolving a workplace health and safety (WHS) issue.

Responsibilities

This procedure applies to all Trikki Kidz Pty Ltd personnel.

Definitions

Manager: An employee who has responsibility for the overall provision of services within a specific portfolio or group of tasks. A manager may have responsibility for the provision of services of other employees (direct reports) and accounts for the employees' conditions of employment and performance.

Trikki Kidz Pty Ltd personnel: All employees (whether employed full-time, part-time, fixed term or on a casual basis), volunteers, students, contractors and sub-contractors performing work on behalf of Trikki Kidz Pty Ltd.

Procedure details**Reporting a WHS Issue**

A WHS issue refers to an activity that appears to be a contravention of the WHS/OHS Act.

In the event an employee raises a WHS issue for resolution the following should be undertaken:

- Report the issue, in writing, to their Manager
- If the matter has not been addressed as soon as is reasonably practical, then the employee should report the issue to their designated work group WHS Representative

Resolving a WHS Issue

As soon as reasonably practical after the WHS issue is reported, the relevant people should meet to resolve the issue, taking into account the following:

- The number and location of employees affected by the issue
- Whether appropriate temporary measures are possible or desirable
- The time that may pass prior to the issue being resolved
- Who is responsible for overseeing any agreed action(s) as necessary to resolve the issue

The outcome of the meeting should be documented and communicated to all relevant designated work group employees.

Unresolved WHS Issue

In the event the issue is not resolved to the satisfaction of the designated work group and their WHS Representative, the following process should be conducted:

- Contact Trikki Kidz Service's Service Manager to assist with resolving the issue
- If after all the above processes have been conducted, then a Worksafe inspector may be contacted to assist with resolving the issue

References or related Documents

- Victoria Occupational Health and Safety Act 2004
- Workplace Health and Safety Representative Function document

Health, Safety and Wellbeing

Purpose

Trikki Kidz Pty Ltd recognises its moral and legal responsibility to provide a safe and healthy work environment for Trikki Kidz Pty Ltd personnel, clients and visitors to sites. This commitment extends to ensuring that operations do not place the local community at risk of injury, illness, or property damage.

Our Health and Safety objective is to actively work towards elimination of injuries, fatalities and promoting wellbeing.

The purpose is to be achieved by meeting and striving to exceed relevant Workplace Health and Safety Acts and regulations.

Scope

The policy applies to all Trikki Kidz Pty Ltd personnel, while they are carrying out work for or on behalf of Trikki Kidz Pty Ltd, or in a workplace or while they are present in any building, facility, or grounds owned, occupied or managed by Trikki Kidz Pty Ltd irrespective of their employment relationship with Trikki Kidz Pty Ltd.

Visitors to Trikki Kidz Pty Ltd sites are requested to cooperate and follow reasonable directions in respect of this policy and related procedures as given to them by Trikki Kidz Pty Ltd personnel.

Trikki Kidz Pty Ltd aims to undertake the following:

- Identify and reduce the risk of activities that may cause injury, illness, property or environmental damage.
- Comply with current workplace health and safety legislation in all relevant jurisdictions.
- Consult with employees and their representatives in matters relating to workplace health and safety.
- Actively promote workplace health and safety and wellbeing risk management strategies.
- Regularly review our workplace health and safety management system to maintain its effectiveness.
- Maintain records relating to workplace health and safety management.
- Provide relevant training to ensure employees are competent to conduct their tasks.
- Provide adequate resources to ensure the health, safety and wellbeing of our people.
- Provide appropriate supervision to ensure work is conducted in a safe and healthy manner.
- Consult with Trikki Kidz Pty Ltd personnel on Workplace Health, Safety and Wellbeing issues.

Definitions

Contractor: A contractor is a person (other than a Trikki Kidz Pty Ltd employee) engaged to perform work for, or on behalf of Trikki Kidz Pty Ltd.

Customer: Trikki Kidz Pty Ltd is committed to being a customer centric organisation. Our broad definition of customer means we are inclusive of all people who interact or engage with us, either externally or internally. Our customers include consumers, clients, participants, patients, carers, the community, stakeholders, partners, staff, volunteers and members.

Trikki Kidz Pty Ltd Personnel: All employees (whether employed full-time, part-time, fixed term or on a casual basis), volunteers, students, contractors and sub-contractors performing work on behalf of Trikki Kidz Pty Ltd.

Workplace: A workplace legally means any place where work is performed, including any place where a worker goes or is likely to be while at work.

1. Contact Officer

For any issues of interpretation or resolution in relation to this policy contact the business owner on 0427 734 115 or email – trudy@trikkikidz.com.au

2. References/Relevant Legislation

The content of this Workplace Health, Safety and Wellbeing policy has been aligned with key elements from:

- Occupational Health and Safety Act 2004.

Services provided by other States/Territories would be aligned with relevant legislation and regulations.

3. Related Policies/Documents

- Risk Management Policy
- Risk Management Procedure

Implementation Procedures

All Trikki Kidz Pty Ltd personnel will be made aware of this policy during orientation, and have any changes communicated to them.

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Risk Management

Purpose

Trikki Kidz Pty Ltd is committed to the timely identification of risk and effective implementation of risk controls and risk management strategies. This commitment will assist Trikki Kidz Pty Ltd to identify potential threats to the successful achievement of our objectives and allow for additional measures to be taken to ensure our personnel and clients receive safe and great support.

Legislation, regulations and standards relevant to this policy and procedure include:

- *AS/NZS 31000:2009 Risk Management Principles and Guidelines*
- *Human Services Standards (Vic) – Risk Management*

Organisational documents relevant to this policy and procedure include:

- *Trikki Kidz Service’s Risk Register*
- *All Trikki Kidz Pty Ltd Risk Management and Treatment Plans*
- *Trikki Kidz Service’s Continuous Improvement Policy and Procedure*
- *Trikki Kidz Service’s Continuous Improvement Plan*

Incident management and Occupational Health and Safety are dealt with in separate policies and procedures specific to these areas.

Policy

- Trikki Kidz Pty Ltd takes its responsibility to identify and manage all types of organisational risks - including compliance, financial, safety and health, environmental, and operational risks - very seriously.
- Trikki Kidz Pty Ltd is committed to creating an organisation that is proactive in identifying, evaluating and mitigating risks and risk management is incorporated into all areas of its operations.
- Trikki Kidz Service’s management is ultimately responsible for identifying and managing risks that impact Trikki Kidz Pty Ltd. However, Trikki Kidz Pty Ltd expects all staff (where applicable) to act responsibly to minimise risks to themselves and others, and report hazards and other risks as soon as they are noticed.
- Trikki Kidz Service’s approach to risk management, including its Risk Management Model and Principles, is aligned with *Australian and New Zealand Standard AS/NZS 31000:2009 (Risk Management Principles and Guidelines)*.

Risk management:

- is part of the decision-making within Trikki Kidz Pty Ltd business operations that assists with making informed choices, prioritising actions and distinguishing between alternate options
- Supports Trikki Kidz Service’s focus on achieving continuous improvement
- Is undertaken continuously and implemented in a systematic, timely and structured way that is responsive to change. Trikki Kidz Service’s business environment is dynamic, and few risks remain constant

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Procedures

- The Risk Management Model below (Figure 1) underpins Trikki Kidz Service’s approach to risk management. It integrates Risk Management Principles and the Risk Management Process.
- Trikki Kidz Service’s approach to risk management is based on the following principles:
 - Risk management must:
 - Align with Trikki Kidz Service’s Vision and Mission;
 - Be embedded within its operations, processes and systems;
 - Have clear accountability, ownership and governance;
 - Be systematic, transparent and consistently applied;
 - Include effective consultation and communication;
 - Consider the context (both the internal and external environment);
 - Support evidence-based decision-making; and
 - Facilitate continual improvement.
- Trikki Kidz Service’s Risk Management Model consists of the following steps:
 1. **Identify:** Identify the risk events that may prevent or delay the achievement of Trikki Kidz Service’s strategic goals and objectives.
 2. **Analyse:** Outline the causes, impacts and existing treatments in order to assess the consequence and likelihood of the risk and determine the risk rating.
 3. **Treat:** Implement existing and future treatments to prevent or mitigate the risk.
 4. **Monitor:** Continually monitor and evaluate the risks and treatments to maintain the effectiveness and appropriateness of Trikki Kidz Service’s risk management.
 5. **Report:** Provide regular reports and updates in order to assure Trikki Kidz Pty Ltd and its stakeholders that risks are being appropriately managed and treated.
- Trikki Kidz Service’s management is responsible for monitoring and reviewing the organisation’s risk management practices, including the ongoing development, implementation, review and improvement of Trikki Kidz Service’s Risk Management Model.
- Management is also responsible for:
 - supporting the ongoing implementation of risk management in all areas of Trikki Kidz Service’s operations;
 - the identification, analysis, treatment, monitoring and reporting of risks in their relevant areas of responsibility;
 - ensuring staff understand their risk management responsibilities; and
 - Fostering a positive risk-aware culture within their area of responsibility.
- Management will develop, implement and monitor Risk Management Plans and Risk Treatment Plans for the following:
 - financial and asset management;
 - service delivery and client and occupational health and safety;
 - environmentally responsible practice;
 - working with people with disability;
 - working with children;
 - business continuity and disaster management and recovery; and
 - Fire safety, building and equipment maintenance, security systems.

- Management will review the Risk Management Plans on a quarterly basis and report on risks. Identified risks will be tracked using Trikki Kidz Service's *Risk Register*.
- Reports on action taken to mitigate high risks will form part of the Director's quarterly report.
- All staff are responsible for managing risk within their areas of influence.
- Upon commencement, all staff will undergo Induction, which will include risk management training.
- Where staff are employed, Annual Performance Reviews will assess staff awareness of this policy and procedure and their roles and responsibilities in respect to risk management. Additional on-the-job and formal training will be provided where required. This will also be monitored informally by management.
- Management will ensure that all necessary insurance policies are in place to protect Trikki Kidz Pty Ltd as an organisation (as well as the director, staff, volunteers, clients, contractors and visitors).
- Management will foster a risk aware service culture by including risk awareness and identification on agendas for staff meetings (where applicable).

Monitoring and Review

- This policy and procedure will be reviewed at least three-yearly by Trikki Kidz Service's management and incorporate staff (where applicable), client and other stakeholder feedback.
- Trikki Kidz Service's *Continuous Improvement Plan* will be used to record and monitor progress of any improvements identified and where relevant feed into Trikki Kidz Service's service planning and delivery processes.



Definitions

Risk is any internal or external situation or event that has the potential to have a negative impact by causing harm to people associated with the organisation, preventing the organisation from successfully achieving its outcomes and delivering its services, reducing the organisation's viability or damaging its reputation.

Enterprise Risk Management: Enterprise risk management (ERM) is a framework, method and process used to manage risks and seize opportunities related to the achievement of organisational

Risk treatment - A measure, work process or system that eliminates a risk, or if this is not possible, reduces the risk so far as is reasonably practicable.

Objectives. ERM provides structure for risk management, involving identification of relevant events or circumstances where negative outcomes may occur, assessing them in terms of likelihood and outcome, identifying the controls that are in place and determining a response strategy to strengthen the controls.

Risk Appetite: The level of risk that Trikki Kidz Pty Ltd is willing to take in order to execute a strategy.

Risk assessment - a process for developing knowledge and understanding about hazards and risks so that sound decisions can be made about the control of risk. Risk assessments assist in determining:

- what levels of harm can occur;
- how harm can occur; and
- The likelihood that harm will occur.

Customer: Trikki Kidz Pty Ltd is committed to be a customer centric organisation. Our broad definition of customer means we are inclusive of all people who interact or engage with us, either externally or internally. Our customers include consumers, clients, participants, patients, carers, the community, stakeholders, partners, staff, volunteers and members.

Trikki Kidz Pty Ltd Personnel: All employees (whether employed full-time, part-time, fixed term or on a casual basis), volunteers, students, contractors and sub-contractors performing work on behalf of Trikki Kidz Pty Ltd.

Procedure Details

There are two components to the Trikki Kidz Pty Ltd Risk Management Procedure.

- Local Level Risk Management
- Enterprise Level Risk Management

Local Level Risk Management		
1	Identification of risk	Responsibility
1.1	Risks faced by Trikki Kidz Pty Ltd clients or personnel are identified through a variety of means including (but not limited to): <ul style="list-style-type: none"> • Client assessments • Home visit risk assessment • Internal audits • Incidents and complaints • Team discussions 	All Trikki Kidz Pty Ltd Personnel
2	Reporting of risk	
2.1	Risks are escalated through the appropriate channel to be addressed by the relevant Trikki Kidz Pty Ltd Director.	All Trikki Kidz Pty Ltd Personnel
3	Managing local risks	
3.1	The identification of controls and strategies to address local level risks is completed on an individual risk basis, with support from the appropriate leadership.	Director
3.2	Documentation is completed within the appropriate database. At times this may be a consumer record, for other risks it may be RiskMan.	All Trikki Kidz Pty Ltd Personnel
4	Communication and consultation regarding risks	
4.1	Communication with local teams regarding relevant risks occurs at local meetings.	Director
4.2	Escalation of locally identified risks can occur at any time via RiskMan or (where means of escalation is not clear) via the Trikki Kidz Pty Ltd Program Lead – Quality & Risk.	Program Lead – Quality & Risk

Enterprise Level Risk Management		
1	Identification of Risk	Responsibility
1.1	The Trikki Kidz Pty Ltd Risk Rating Matrix and Risk Analysis Worksheets are stored centrally for all relevant personnel to access.	Director
1.2	An Organisation Risk Register is maintained as an overview of the current status which is analysed by the Director.	Director
1.3	Trikki Kidz Pty Ltd uses an organisation-specific Risk Rating Matrix to rate the risks identified. A modified matrix is available with lowered tolerances to suit the analysis of program or service specific risks.	Director
1.4	The Trikki Kidz Pty Ltd Director approves an annual 'Risk Appetite' review which articulates not only the current exposure risk of the organisation but also the appetite for risk exposure in the context of business development.	Director
1.5	The methodology of risk management is built into the Trikki Kidz Pty Ltd Work Health & Safety (WHS) and incident management policies and procedures. The review processes and reporting structure of the Trikki Kidz Pty Ltd quality systems support any opportunities for risk minimisation identified during WHS or incident investigations being reported directly through to the Trikki Kidz Pty Ltd Continuous Improvement Plan.	Director
2	<i>Risk review schedule</i>	
2.1	All Trikki Kidz Pty Ltd risks are reviewed in depth on an annual basis in line with an agreed review schedule. Review schedules are amended as needed with additional reviews scheduled as risks change or new risks are identified.	Director
3	<i>Establishing the context of risk</i>	
3.1	The risks to which Trikki Kidz Pty Ltd is exposed are initially established in terms of a 'Risk Category', for example 'Financial', followed by a description of the sub-risks. All risks are described simply and clearly in terms of what could possibly happen. For example, "Inability to remain financially viable".	Director
4	<i>Risk factors</i>	
4.1	The factors contributing to a risk are identified and described. This includes all events that could have a negative effect on the achievement of objectives, regardless of the likelihood of occurrence. <ul style="list-style-type: none"> On occasion these will sound inflammatory – that's fine, they need to be worst case scenario statements. 	Director and Service Managers
5	<i>Possible effects</i>	
5.1	The possible effects are what could happen as a result of the identified risk. It is essential to clearly articulate all possible effects. <ul style="list-style-type: none"> What are all the things that could happen in relation to this risk? 	Director and Service Managers
6	<i>Rating the baseline risk score</i>	
6.1	The inherent score is the analysis of how bad this event would be if it really did occur. <ul style="list-style-type: none"> What the outcome could be if the things we've described actually happened. 	Director and Service Managers

7	Key controls	
7.1	<p>Trikki Kidz Pty Ltd has systems and processes in place to both optimise business functions and reduce the risk of negative outcomes for the business, our clients and our teams. Controls are not listed if they are 'projects', 'intentions', 'plans' etc. Controls are only listed which are:</p> <ul style="list-style-type: none"> • Current activities or systems • Happening in real operations 	<i>Director and Service Managers</i>
8	Rating the assessed risk score (accounting for controls)	
8.1	The Trikki Kidz Pty Ltd Risk Matrix is then used to work out the impact of the risk given we have the above controls in place.	<i>Director and Service Managers</i>
8.2	The acceptability of the assessed risk score will vary for different risks depending on the organisation's risk appetite on that topic. For example, while Trikki Kidz Pty Ltd are expanding into new business areas we may be willing to take higher financial or operational risks than we would during times where growth is not a key priority.	
9	Risk management strategies	
9.1	<p>Areas where the control of the risk factors and possible effects is either non-existent, weak or has potential to be strengthened are targeted with risk management strategies. Many of these actions will align to work already underway.</p> <p>These strategies are activities that:</p> <ul style="list-style-type: none"> • we intend to do within the near future • we are already working on <p>We would hope that when complete, these strategies will strengthen our controls and potentially reduce the risk rating.</p>	<i>Director and Service Managers</i>
9.2	<p>Risk management strategies are designed using the hierarchy of control with actions aiming to:</p> <ul style="list-style-type: none"> • Eliminate the situation so it cannot happen • Change the way we do it, so it works in a better way <p>Less effective strategies can be things such as:</p> <ul style="list-style-type: none"> • Training staff or writing a policy • Fixing the resulting problem, but not addressing the cause 	<i>Director and Service Managers</i>
9.3	<p>Many risk management strategies directly align to the Trikki Kidz Pty Ltd Strategic Plan.</p> <p>Risk management strategies which are not already articulated on the Trikki Kidz Pty Ltd Strategic Plan are documented on the Trikki Kidz Pty Ltd Continuous Improvement Plan for the purpose of tracking implementation schedules.</p>	<i>Director and Service Managers</i>

References or Related Documents

- Trikki Kidz Pty Ltd Risk Rating Matrix
- Trikki Kidz Pty Ltd Risk Analysis Worksheet
- Risk Management Policy
- Work Health Safety Policy
- Work Health Safety Procedure
- Incident Management Policy
- Incident Management Procedure

Incident Management

Purpose

The purpose of this policy is to ensure consistent and appropriate management of incidents in conjunction with legislative, regulatory and funding body requirements. Trikki Kidz Pty Ltd seeks to protect and promote the health, safety and well-being of consumers, personnel and the public.

Incident management is an organisation wide safety approach with clear points of accountability at every step of the process.

A defined incident recording and reporting process is maintained at Trikki Kidz Pty Ltd to ensure timely reporting and management of incidents through the lines of management. Incident reports are recorded as per departmental guidelines, collated and presented for review, to support analysis and risk management processes.

It is the responsibility of the relevant manager to ensure that incidents are reviewed, investigated if required and appropriate actions taken to prevent a recurrence, or in the case of a near miss, a potential occurrence. The Trikki Kidz Pty Ltd Business Owner and Service Manager are made aware of incidents that result in medical treatment and/or lost time injuries.

Risk minimisation and learning from errors will be achieved within a proactive, fair and just culture where mistakes and untoward incidents or near misses are identified quickly and acted on in a positive and constructive manner. The good-faith reporting of an incident or a potential incident (near miss) via the incident reporting system will not cause disciplinary action unless the actual or potential incident was the result of his/her criminal act, intentional act, repetitive error or gross misconduct.

Trikki Kidz Pty Ltd is committed to achieving positive health and wellbeing outcomes for all customers, visitors and Trikki Kidz Pty Ltd personnel. To support this aim, the reporting of any adverse outcomes in service delivery and workplace activity is the responsibility of all Trikki Kidz Pty Ltd personnel.

Trikki Kidz Pty Ltd promotes blame free incident reporting to create a just and positive culture of safety so Trikki Kidz Pty Ltd personnel are encouraged and supported to report any incident or near miss whether they are consumer or personnel related.

Trikki Kidz Pty Ltd promotes the Australian Open Disclosure Framework and is committed to the open discussion of incidents with the customer, their family, carers and other support persons. See the Trikki Kidz Pty Ltd Open Disclosure policy and procedure for more information.

Legislation, regulations and standards relevant to this policy and procedure include:

- *Occupational Health and Safety Act 2004 (Vic)*
- *Occupational Health and Safety Regulations 2007 (Vic)*
- *AS/NZS 4804:2001 and 4801:2001 - Occupational Health and Safety Systems*
- *Human Services Standards (Vic) – Risk Management*
- *4.3. Incident Reporting (Service Agreement Information Kit for Funded Organisations)*

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- *Critical Client Incident Reporting – Human Services (Victorian Department of Health and Human Services)*
- *Critical Client Incident Management Instruction (Victorian Department of Health and Human Services)*
- *Work Health and Safety Act 2011 (NSW)*
- *Work Health and Safety Regulation 2011 (NSW)*

Responsibility

All Trikki Kidz Pty Ltd personnel are required to report and manage incidents as defined in this procedure and associated policy.

Incident review and investigation

All incidents are to be screened to determine the level of reviewer investigation required. All incidents are to be analysed to ensure that the possibility of recurrence or further risk is minimised, preventative action is identified, and lessons learnt are shared. Trikki Kidz Pty Ltd personnel will fully co-operate with incident investigations regardless of whether this is performed by Trikki Kidz Pty Ltd or an external body.

External notifications

Trikki Kidz Pty Ltd has a requirement to notify certain regulatory bodies should specific incidents occur. These notifications should be made within the timeframe specified for the class of incident and jurisdiction, by a person of appropriate seniority in the organisation.

Review and analysis

Data is reviewed to establish trends and impact and to identify potential areas for improvement in service delivery, staff training and induction or workplace hazard identification. This information is reported to the Executive Team, Business Owner and Service Managers.

Scope

Trikki Kidz Pty Ltd personnel are required to report and manage incidents as defined in associated procedures including Work Health and Safety, Emergency Management and Business Continuity plan.

Policy

- Trikki Kidz Pty Ltd is committed to providing a safe workplace for all staff, clients and other stakeholders and to establishing a formal process to report and investigate all workplace accidents, incidents and near miss occurrences. This includes identifying contributing factors and making the necessary recommendations to prevent a recurrence.
- Trikki Kidz Pty Ltd staff will respond to any incident or injury immediately and apply first aid as appropriate to each situation. An Incident Report will be completed once the person's health, safety and wellbeing have been responded to.

Procedures

Management responsibilities

- Management must ensure Trikki Kidz Pty Ltd meets its OH&S and Incident Management responsibilities. This includes taking reasonable steps to:
 - acquire and keep up-to-date knowledge of OH&S matters including legislative requirement for reporting incidents;
 - understand the nature of Trikki Kidz Service's operations and the hazards and risks associated with those operations;
 - ensure Trikki Kidz Pty Ltd has appropriate resources and processes to eliminate or minimise risks to health and safety from work carried out;
 - ensure that Trikki Kidz Pty Ltd has appropriate resources for the management of incidents;
 - ensure Trikki Kidz Pty Ltd has appropriate processes for receiving and considering information regarding incidents, hazards and risks and responding in a timely way to that information; and
 - Ensure Trikki Kidz Pty Ltd has, and implements, processes for complying with its incident reporting duties and obligations.

Staff responsibilities

- All management and staff (where applicable) are responsible for:
 - reporting accidents, incidents or near misses to management as soon as practicable;
 - taking reasonable care for their own health and safety, and reasonable care that their acts or omissions do not adversely affect the health and safety of others; and
 - Complying with reasonable instructions that are given by supervisors and managers in order for Trikki Kidz Pty Ltd to comply with its obligations and responsibilities.
- Upon commencement, all staff will undergo Induction, which will include training in mitigating and responding to incidents. Those responsible for investigating any accident, incident or near miss as part of their role will be trained in these requirements.

Responding to Incidents

- Assess the situation and check for danger.
- Remove the person from danger if it is safe to do so.
- Call Emergency Services (dial 000) if required.
- Attend to the immediate needs of the person/s involved. Apply or refer to a First Aid Officer to apply First Aid treatment if required.
- Assess the situation and ensure no others are at risk of harm.
- Do not alter the scene (unless necessary to reduce risk of further harm or damage).
- Notify relevant emergency contacts by telephone as soon as practicable should the person need medical treatment.

- Should the person not need medical treatment, notify the parent, family member or carer when they arrive to collect the person.

Reporting Incidents

- All notifiable incidents and near misses must be reported to the management (or delegate) as soon as practicable and within 24 hours through completion of a *Trikki Kidz Pty Ltd Incident Record form*.
- Where an incident results in an injury to a staff member, this must be recorded in Trikki Kidz Service's *Register of Injuries*. The register should be completed by the injured staff member or by someone on their behalf. The register will record:
 - the name of the staff member;
 - the person's occupation or job title;
 - the time and date of the injury;
 - the person's exact location at the time of the injury;
 - the names of witnesses, if any, to the injury;
 - the date on which the entry in the register is made;
 - The name of the person making the entry.
- **If an incident involves potential, suspected, alleged or actual harm, abuse, neglect or criminal activity, it must be reported as per Trikki Kidz Service's *Protecting Clients from Harm Policy and Procedure* and referred to management immediately.**

Notifiable Incidents

- If an incident is Notifiable (or it is not certain whether it is Notifiable) it must be reported to management immediately. Information required includes the:
 - name and address of the person giving notice;
 - date and time of the event;
 - place where the event happened;
 - apparent cause;
 - nature and extent of the damage;
 - work that was being carried out at the time of the incident; and
 - Name and contact details of any injured or affected parties.
- Management will inform (depending on the state where the incident has taken place):
 - the Victorian or New South Wales Police Service and/or other relevant authorities;
 - Worksafe Victoria or Worksafe NSW, by phone immediately after becoming aware of the incident and in writing within 48 hours;
 - the Victorian Department of Health and Human Services, using its *Client Incident Report form*¹⁰;
 - where applicable, the NSW Ombudsman, and
 - Trikki Kidz Service's management.

- If the incident involved the death of a client with disability, the Director will also inform:
 - the Victorian or New South Wales Police Services or the relevant state Coroner; and
 - the Victorian Department of Health and Human Services, using its *Client Incident Report form*, within 1 working day (only if the death was in unusual circumstances), or the NSW ADHC, using its *Client Death Notification form*, within 48 hours¹¹.
- When reporting to the Department of Health and Human Services, the Director should refer to the Department's *Critical Client Incident Management Instruction* to determine when a report is required and how to complete the report.
- The person with management or control of the workplace must ensure, so far as reasonably practicable, that the site where the incident occurred is not disturbed until either WorkSafe Victoria or SafeWork NSW as relevant or management advice that the area is no longer required to be preserved.
- Management will track progress and outcomes of accidents, incidents and near misses in Trikki Kidz Service's *Incident Register* and refer any relevant items for inclusion in Trikki Kidz Service's *Continuous Improvement Plan*.
- Accidents, incidents and near misses are to be reported by management quarterly as part of OH&S reporting.

Investigating and Resolving Incidents

- Management will work with WorkSafe Victoria/SafeWork NSW and/or other relevant authorities to investigate the incident.
- Management or a nominated representative will:
 - commence investigations immediately upon receiving a completed Incident Report and, where a staff member is injured, involve them in the investigation;
 - implement the most effective controls practicable that do not introduce other hazards, and monitor and review these;
 - consult with staff who are, or are likely to be, directly affected;
 - provide information and feedback to management; and
 - Track all relevant information in Trikki Kidz Service's *Incident Register*.
- The *Incident Register* will include:
 - a summary of the incident;
 - any hazards identified;
 - corrective action or controls implemented;
 - consultation with and feedback provided by all involved in the incident; and
 - Outcomes of review of corrective actions or controls implemented.
- Upon completion of the investigation the Director must finalise the relevant *Incident Record form* and record the outcomes in the *Incident Register*.
- The completed Incident Report should be stored on the relevant staff members or client's file.

Debrief and Support

- For all persons involved in an accident, incident or near miss, if required, the Director must:
 - facilitate an informal debrief amongst supervisors, colleagues or peers; and
 - Ensure appropriate support and access to counselling is made available.
- For information regarding Workers Compensation, see Trikki Kidz Service's *Human Resources Policy and Procedure*.

Procedure 2

There are five key principles of the Trikki Kidz Pty Ltd Incident Management procedure:

1. Optimal immediate incident management

Immediate action to protect the health and safety of those involved when an incident occurs, or a hazard is identified.

2. Incident reporting

Incident reports are recorded in the organisational incident reporting system, Trikki Kidz Pty Ltd has a requirement to notify certain regulatory bodies should specific incidents occur. These notifications should be made within the timeframe specified for the class of incident and jurisdiction, by a person of appropriate seniority in the organisation.

3. Incident review and investigation

All incidents are to be screened to determine the level of reviewer investigation required. The possibility of recurrence or further risk is minimised, preventative action is identified, and lessons learnt are shared.

4. Reporting of trends

Data is reviewed to establish trends and impact and to identify potential areas for improvement in service delivery, Trikki Kidz Pty Ltd personnel training and induction or workplace hazard identification.

5. Learning and Action

Corrective actions and opportunities to reduce the likelihood or consequence of individual incidents or trends are identified, documented and implemented in appropriate timeframes.

1.1	Optimal immediate incident management	Responsibility
i.	<p>Immediate action when an incident or near miss occurs or a hazard is identified takes priority over administrative reporting.</p> <p>Immediate emergency assistance is sought relevant to the event. This may include:</p> <ul style="list-style-type: none"> ● Make sure everyone in the area is safe ● 000 call ● First aid / care of the individual/s involved ● Repair of system/area (or coordination of this) 	<p>Trikki Kidz Pty Ltd Personnel</p>

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1.2	Optimal immediate incident management	
i.	<p>Supporting those who are managing the incident:</p> <ul style="list-style-type: none"> • Reducing interruption • Providing back-up supports • Re-deployment of resources • Communicate with the relevant personnel and customers regarding the incident • Assist with incident reporting and analysis post the event • 	Most appropriate Trikki Kidz Pty Ltd personnel present during the incident
2.1	Incident reporting	
i.	As soon as practical the manager is informed.	
ii.	The Trikki Kidz Pty Ltd Personnel present during the incident is responsible for completing the report within 24 hours of the incident occurring. Assistance of the Business Owner or Service Manager may be required.	Trikki Kidz Pty Ltd Personnel
iii.	<p>Provide detailed information in the incident report to assist with further review and management of the incident.</p> <ul style="list-style-type: none"> • Only factual information that does not attribute blame is documented in the incident report • Be objective, avoid opinions or attributing fault • Detail what actually occurred immediately prior to, during and after the incident <p>Note: Incident reports with insufficient information will be returned to the employee entering the incident for completion.</p>	Trikki Kidz Pty Ltd Personnel
iv.	Various government departments require notification of all major incidents involving customers and residents of funded services. Also, the relevant state Worksafe authority requires notification of incidents involving each personnel.	Service manager
3.1	Incident review and investigation	
i.	Identification of the severity of the incident takes place using the DHHS Incident Reporting Guidelines.	Trikki Kidz Pty Ltd Personnel
ii.	<p>The investigation of all incidents is conducted with an emphasis on understanding how and why the incident occurred, not on allocating blame.</p> <p>The aim is to support employees to achieve effective incident management and harm minimisation.</p>	All Trikki Kidz Pty Ltd Personnel

iii.	<p>The Business Owner or Service Manager are to review the incident report to ensure it is appropriately classified, the severity rating assessed, and all details have been completed.</p> <p>The manager will, where possible:</p> <ul style="list-style-type: none"> • Follow up with the individual/s involved. • Enquire after their welfare and to assess whether further assistance should be sought, such as debriefing or medical assessment. <p>The manager is also to complete an initial review or investigation to identify any recommendations in respect to reducing the likelihood of further or repeated incidents.</p>	Service Manager
iv.	<p>Incidents rated as 1 and 2 are reviewed by the Business Owner to assist in identification of cases where a formal investigation may be beneficial.</p> <p>Formal investigation may be a Complex Case Review, or a Root Cause Analysis.</p>	Business Owner
v.	<p>Commissioning of a Complex Case Review or Root Cause Analysis is required prior to commencement.</p>	Business Owner
4.1 Reporting of trends		
i.	<p>The Trikki Kidz Pty Ltd incident management monitoring is completed by the Business Owner and Service Manager.</p>	Business Owner and Service Manager
ii.	<p>The Business owner and Service Manager support the analysis and response to incidents. This assists Trikki Kidz Pty Ltd understanding trends, issues and improvements.</p>	Business Owner and Service Manager
iii.	<p>Reporting of incidents are analysed by the manager and then the Business Owner and Service Manager. They are collated and discussed annually in a working group including staff members and consumers.</p>	Business Owner and Service Manager, staff members and consumers
5.1 Learning and Action		
i.	<p>Actions resulting from investigations of incidents are recorded and tracked on an incident register.</p>	Service Manager

ii.	Identification of opportunities to improve safety or service delivery practices are also documented.	Service Manager
iii.	All actions are delegated and scheduled appropriately. Ongoing review is undertaken until actions are addressed.	Service Manager
iv.	Monitoring of serious incidents and organisational trends is monitored by the Business Owner and Service Managers.	Business Owner and Service Managers

Definitions

Incident: An unplanned event that results in harm to Trikki Kidz Pty Ltd personnel, consumers and/or the general public, damage to property or loss to process.

Accident - an unforeseen event that causes damage to property, injury or death.

Near miss: An incident that had the potential to cause harm but didn't due to timely intervention, luck or chance.

Notifiable Incident: An incident that must be reported to a state authority or funding body within a defined time frame. For example, an incident must be immediately reported within 48 hours to Worksafe if it has resulted in a death or a serious injury.

Incident Investigation: A formal process of collecting information to ascertain facts.

Hazard – a situation that has the potential to harm a person (cause death, illness or injury) or environment or damage property.

Hazard identification - A process that involves identifying all foreseeable hazards in the workplace and understanding the possible harm that each hazard may cause.

Hazard management - A structured process of hazard identification, risk assessment and control, aimed at providing safe and healthy conditions for employees, contractors and visitors while on the premises.

Harm - Includes death, or injury, illness (physical or psychological) or disease that may be suffered by a person as a consequence of exposure to a hazard.

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Serious injury or illness - an injury or illness requiring a person to have:

- immediate treatment as an inpatient in a hospital; or
- immediate treatment for:
 - the amputation of any part of his or her body;
 - a serious head injury;
 - a serious eye injury;
 - a serious burn;
 - the separation of his or her skin from an underlying tissue (e.g. de-gloving or scalping);
 - a spinal injury;
 - the loss of a bodily function;
 - serious lacerations;
- medical treatment within 48 hours of exposure to a substance;
- Any infection where a person's work is a significant contributing factor. This includes any infection related to carrying out work:
 - with microorganisms;
 - that involves providing treatment or care to a person;
 - that involves contact with human blood or body substances; or
 - That involves handling or contact with animals, animal hides, skins, wool or hair, animal carcasses or animal waste products.

Dangerous incident (including 'near misses') - an incident that exposes any person to a serious risk resulting from an immediate or imminent exposure to:

- an uncontrolled escape, spillage or leakage of a substance;
- an uncontrolled implosion, explosion or fire;
- an uncontrolled escape of gas or steam;
- an uncontrolled escape of a pressurised substance;
- electric shock;
- the fall or release from a height of any plant, substance or thing;
- the collapse, overturning, failure or malfunction of, or damage to, any plant that is required to be authorised for use in accordance with OH&S regulations;
- the collapse or partial collapse of a structure;
- the collapse or failure of an excavation or of any shoring supporting an excavation;
- the inrush of water, mud or gas in workings, in an underground excavation or tunnel; or
- The interruption of the main system of ventilation in an underground excavation or tunnel.

A dangerous incident includes both immediate serious risks to health or safety, and also a risk from an immediate exposure to a substance which is likely to create a serious risk to health or safety in the future, for example asbestos or hazardous chemicals.

Trikki Kidz Pty Ltd Personnel: All employees (whether employed full-time, part-time, fixed term or on a casual basis), volunteers, students, contractors and sub-contractors performing work on behalf of Trikki Kidz Pty Ltd.

Contact Officer

The Business Owner and Service Manager are to be contacted in relation to interpretation of this policy.

References/Relevant legislation

- Victorian Occupational Health and Safety Act 2004
- Health Services Act 2016
- Victorian Health Incident Management Policy, Department of Health 2011
- Victorian Clinical Governance Policy Framework, Department of Human Services 2008
- Client Incident Management Instruction, Department of Health and Human Services June 2016

References or Related Documents

- Incident Management Policy
- Complex Case Review Template
- WHS Risk Management Policy
- Victoria Occupational Safety Act 2004

Monitoring and Review

- This policy and procedure will be reviewed at least annually by Trikki Kidz Service's management and incorporate staff, client and other stakeholder feedback.
- Trikki Kidz Service's *Continuous Improvement Plan* will be used to record and monitor progress of any improvements identified and where relevant feed into Trikki Kidz Service's service planning and delivery processes.

Collection Use and Sharing of Personal and Sensitive Information

Purpose

Trikki Kidz Pty Ltd is committed to protecting the privacy of our customers. Confidentiality of personal information provides a secure and safe environment for the provision of quality care and service to our customer. Trikki Kidz Pty Ltd is required by law to protect personal information and comply with commonwealth and state legislation in this regard.

Trikki Kidz Pty Ltd recognises the importance of developing integrated models of care and service delivery. Information sharing between service providers both within the organisation and outside the organisation is highly regarded.

This procedure aims to establish an environment where personal information is managed and used to its greatest advantage, whilst maintaining a focus on the privacy of our customers.

Responsibility

The Service Manager is responsible for providing guidance and training to Trikki Kidz Pty Ltd personnel regarding the application of this procedure.

The Business Owner is responsible for ensuring that all new employees, volunteers, students on placement and contractors have signed the *Privacy, Confidentiality and Security agreement* before commencement of duties.

Management are responsible for monitoring their personnel completion of privacy training.

All Trikki Kidz Pty Ltd personnel who access personal and sensitive information through their role at Trikki Kidz Pty Ltd have a responsibility to record, access and use personal and sensitive information to the benefit of our customers and the organisation, and to maintain the confidentiality of that information and to remind others of this obligation.

Procedure details

Definitions

Customer: Trikki Kidz Pty Ltd is committed to being a customer centric organisation. Our broad definition of customer means we are inclusive of all people who interact or engage with us, either externally or internally. Our customers include consumers, clients, participants, patients, carers, the community, stakeholders, partners, staff, volunteers and members.

Trikki Kidz Pty Ltd Personnel: All employees (whether employed full-time, part-time, fixed term or on a casual basis), volunteers, students, contractors and sub-contractors performing work on behalf of Trikki Kidz Pty Ltd.

Use of health information is when the health information is communicated within the same legal entity, e.g. organisations with multiple programs and/or sites such Trikki Kidz Pty Ltd.

Disclosure is the communication of health information to another legal entity, such as Trikki Kidz Pty Ltd disclosing health information to a general practitioner.

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Trikki Kidz Pty Ltd Personnel Orientation and Training

Privacy training forms a part of the organisation's induction training package. New employee's complete orientation training at the commencement of their employment with Trikki Kidz Pty Ltd. A refresher training for ongoing personnel is scheduled by the Business Owner.

Notification of Collection

When collecting personal and sensitive information from a customer, Trikki Kidz Pty Ltd is legally required to inform the individual of certain details including the organisation's contact details, the purpose of collection, the individual's right to access health information, and the usual disclosures.

The collection notice also advises customers that personnel who are involved in their care, support and treatment will access their personal information, and that this may be shared within Trikki Kidz Pty Ltd. To ensure continuity, efficiency and effectiveness of our care, it is essential that service providers collaborate and share information about their shared customers where this facilitates their service provision.

The *Privacy Policy* can be accessed by customers who require additional information about Trikki Kidz Service's. Handling of their personal information (a printed copy should be made available on request).

Programs that have specific information sharing practices in place, must ensure that the customer is advised of these at the time of commencement with the program. This additional, program specific information should be included in the program's collection notice.

Consent to collect information

Australian law requires Trikki Kidz Pty Ltd personnel to obtain customer consent to collect their health information. Consent to collect information is informed through the notification of collection and may be express or implied.

If a customer does not consent to collection of their personal information, the services that can be offered to them may be limited. This is a program or service specific decision that is made by management and personnel of each program.

Consent to Share/Disclose information

The customer's explicit consent must be obtained before personal and sensitive information is disclosed to others, consent is located within the service agreement.

There are limited circumstances in which information can be disclosed without the customer's consent. These circumstances include when disclosure:

- Is otherwise required or authorised by law
- Will prevent or lessen a serious and imminent threat to somebody's life or health
- Is reasonably necessary for a law enforcement function
- Is required by Trikki Kidz Service's professional indemnity policy

A decision to disclose without consent is a serious ethical and legal matter and is generally made in consultation with the Business Owner and Service Manager.

In such circumstances, only the minimum amount of information necessary is disclosed.

Disclosure of information for notifiable disease and statutory reporting purposes does not require the explicit consent of the customer. Customer are advised that data are used for this purpose at the commencement of their engagement with Trikki Kidz Pty Ltd .

Details of all disclosure must be documented in the case notes of the customer 's record.

Programs operating under specific legislation requiring information disclosure are required to develop and implement formal procedures regarding information disclosure.

A *Service Agreement* form with consent to share should be signed by the customer before information is shared with a third party (unless the disclosure forms a part of the privacy collection notice).

Disclosure of information to Child Protection (request from Child Protection)

Where the Secretary of the Victorian Department of Health and Human Services (or their equivalent in other states and territories) has responsibilities towards a child subject to a Protection order, and where information is required to enable appropriate planning for the child's care and protection, the Secretary may compel some other professionals to disclose information relevant to the protection and development of the child (Section 196 *Children, Youth and Families Act 2005* Vic, and relevant state or territory legislation).

It is important to obtain written advice from the Child Protection worker stating that the worker is authorised by the Secretary of the Department of Health and Human Services to compel you (the Trikki Kidz Pty Ltd personnel member) to disclose the requested information. This written advice should be filed in the customer's record and a case note made detailing the information that was disclosed to the Child Protection worker. The caller needs to be authenticated by calling them back on the number provided and noting how the telephone is answered. If there is any doubt that the enquirer is not who they claim to be (i.e. a Child Protection worker), then no information can be released, and the enquiry is referred to the Privacy Officer.

Capacity of Young People to Consent to Collection and Information Sharing

The *Privacy Act 1988* and other Australian health information laws do not prescribe an age at which a young person is assumed to have the capacity to make decisions on his or her own behalf regarding their personal information. As a general principle, an individual under the age of 18 has capacity to consent when they have sufficient understanding and maturity to understand what is being proposed. In some circumstances, it may be appropriate for a parent or guardian to consent on behalf of a young person, for example, if the child is young or lacks the maturity or understanding to do so themselves.

Anonymity

Under the Privacy Act 1988, an individual has the right not to identify themselves when accessing services from Trikki Kidz Pty Ltd if this is practical for the type of service being accessed. Most programs require collection of personal information as this enables us to provide the most appropriate care, support and/or treatment. If a customer does elect not to disclose their identity, the level or type of service that Trikki Kidz Pty Ltd can offer may be limited. This is a program or service specific decision that is made by management and personnel of each program.

Issues to consider when determining if a person choosing not to identify himself or herself can access a program, include whether:

- Identification is a requirement of the funding body (for example Medicare)
- The provision of the service requires the individual to be identified
- The provision of the service could be improved if the individual was known
- There will be an increase in cost or time involved in providing the service
- There will be an increased risk to the organisation or agency in providing the service anonymously or pseudonymously, for example in the event of legal proceedings

Use of personal information

The notification of collection advises customers that Trikki Kidz Pty Ltd personnel who are involved in their care, support and treatment will access their personal information, and that this may be shared within Trikki Kidz Pty Ltd. To ensure continuity, efficiency and effectiveness of our care, it is essential that service providers collaborate and share information about their shared customers where this facilitates their service provision.

Collection of Personal and Sensitive Information

When personal and sensitive information is collected from customer, this must be directly related to the provision of health and other care services or is essential to the quality and effective administration of services. Information mandated by funding bodies and Trikki Kidz Pty Ltd is considered to meet these requirements.

When personal and sensitive information is collected, personnel should consider the circumstances of the data collection:

- Are the physical surroundings appropriate for collecting personal and sensitive information?
- Is the information collected in a respectful, lawful and non-intrusive way?

Wherever possible, information is collected directly from the individual rather than from a third party. If information about an individual has been obtained from a third party, the name of the third party or the organisation from which the information was obtained should be provided to the individual unless the information was provided in confidence.

Collection of unsolicited personal information

Unsolicited personal information is information received by Trikki Kidz Pty Ltd where personnel have taken no active step to collect the information. Unsolicited information may be received from other health professionals, lawyers and customer themselves.

Upon receipt of unsolicited information, personnel must decide whether they could have collected that information according to 'Collection' above. That is, is the information directly related to the provision of service, or is it essential to the quality and effective administration of the service being provided?

- If the information could not have been collected, the information should not be incorporated into the customer's file
- If the information could have been collected, the information should be retained in the customer's file

Information that should not be retained in the customer file should either be returned to the customer or sender or destroyed securely if this is appropriate.

References or related Documents

Documents

- Service Agreement
- Consent to Share within service agreement

Legislation

Commonwealth:

- Privacy Act 1988
- Freedom of Information Act 1982

Victoria:

- Health Records Act 2001
- Privacy and Data Protection Act 2014
- Freedom of Information Act 1982
- Mental Health Act 2014
- Children Youth and Families Act 2005

RECORDS AND INFORMATION MANAGEMENT

Purpose and Scope

The purpose of this policy and procedure is to provide direction to Trikki Kidz Pty Ltd staff on the creation and management of information and records and to clarify staff responsibilities.

Legislation, regulations and standards relevant to this policy and procedure include:

- *Privacy Act 1988 (Cwth)*
- *Information Privacy Act 2000 (Vic)*
- *Public Records Act 1973 (Vic)*
- *Freedom of Information Act 1982 (Vic)*
- *State Records Act 1998 (NSW)*
- *Privacy and Personal Information Protection Act 1998 (NSW)*
- *Health Privacy Principles in the Health Records Information Privacy Act 2002 (NSW)*
- *Freedom of Information Act 1989 (NSW)*
- *AS ISO 15489 Australian Standard on Records Management*
- *Human Services Standards (Vic) – Information Management*
- *3.6.2. Record Keeping (Terms and Conditions, Service Agreement Information Kit for Funded Organisations, Victorian Department of Health and Human Services)*
- *Record Retention Guide for Organizations Funded Under the Service Agreement 2016 (Department of Health and Human Services)*

Documents relevant to this policy and procedure include:

- *Trikki Kidz Service’s Privacy and Confidentiality Policy and Procedure*
- *Trikki Kidz Service’s Key Register*
- *Trikki Kidz Service’s Internal Review and External Audit Schedule*

This policy and procedure applies to all:

- Trikki Kidz Pty Ltd management, staff, contractors and volunteers;
- aspects of Trikki Kidz Service’s business; and
- Business information created and received.

This policy and procedure covers:

- information and records in all formats, including documents, email, voice messages, memoranda, minutes, audio-visual materials and business system data;
- all applications used to create, manage and store information and records, including Trikki Kidz Service’s client and financial management systems, email, websites, social media applications, databases and business information systems; and
- Information and records created for Trikki Kidz Pty Ltd and managed in-house and off-site.

Definitions

Information - Knowledge communicated or received. The result of processing, gathering, manipulating and organising data in a way that adds to the knowledge of the receiver.

Information management - supports effective and efficient management of information and is concerned with the creation, production, collection, organisation, storage, retrieval and dissemination of information resources that may be in any format and available from internal or external sources.

Record - recorded information in any form (including data in a computer system) that is required to be kept as evidence of the activities or operations of the organisation. Records include:

- part of a record and a copy of a record;
- anything on which there is writing;
- anything on which there are marks, figures, symbols or perforations having a meaning for persons qualified to interpret them;
- anything from which sounds, images or writings can be reproduced with or without the aid of anything else; or
- A map, plan, drawing or photograph.¹²

Records Management - the efficient and systematic control of the creation, receipt, maintenance, use and disposal of records, including processes for capturing and maintaining evidence of and information about business activities and transactions in the form of records.

Policy

- Trikki Kidz Service's information and records are a corporate asset, vital both for ongoing operations and also in providing valuable evidence of business decisions, activities and transactions.
- A well maintained records management system supports the delivery of quality client services.
- Recordkeeping processes underpin Trikki Kidz Service's day-to-day actions and it has an ongoing commitment to continuous improvement in this area.
- Trikki Kidz Pty Ltd is committed to establishing and maintaining information and records management practices that meet its business needs, accountability requirements and stakeholder expectations.

Procedures

- Records include all documentation retained in hard copy and electronically by Trikki Kidz Pty Ltd in relation to its organisational arrangements, services, clients and staff.
- All information, in paper copy, electronic or any other format, created by Trikki Kidz Pty Ltd staff in the course of their employment, or that is accessed by staff on Trikki Kidz Service's equipment, is the property of Trikki Kidz Pty Ltd.

- All documents and electronic records that contain private and confidential information about clients, staff, Trikki Kidz Pty Ltd or Trikki Kidz Pty Ltd as an organisation, will be retained in locked cabinets with access restricted to management (or delegates).
- No information or any form of media (such as USB drives) relating to Trikki Kidz Service's work may be taken from the premises without the prior permission of management (or delegates).
- Records are to be retained and disposed of in accordance with:
 - The Victorian Department of Health and Human Services' *Record Retention Guide for Organisations Funded Under the Service Agreement*; and
 - (Where applicable) the *Functional Retention and Disposal Authority: FA306* issued to ADHC, NSW.
- Records which may be required for the federal Royal Commission into Institutional Responses to Child Sexual Abuse must not be destroyed even if there is a disposal authorisation in place.
- Where retention timeframes for a specific record conflict between the above regulations, the longer timeframe will be used.
- Management (or delegates) have access to client information held in files on a 'need to know' basis. Access to information should be provided to authorised staff for legitimate business purposes only. Information is to be treated in the strictest of confidence and is not to be divulged unless for legitimate and legally permissible purposes.
- Use of records by management (or delegates) is monitored and file audits are undertaken to ensure files are complete, up-to-date, and procedures are being followed (see Trikki Kidz Service's *Internal Review and External Audit Schedule*).

Sharing corporate information within Trikki Kidz Pty Ltd

- Information and records are a corporate resource to which all staff may have access, except where the nature of the information requires restriction. Access restrictions should not be imposed unnecessarily but should protect:
 - individual staff and client privacy; and
 - Sensitive material such as security classified or material with dissemination limiting markings, for example 'Commercial in Confidence'.

Storage and Security

- Electronic records are stored securely with backup and disaster recovery systems in place. The greatest level of care is taken for client-related records.
- Both of these systems are password protected and restricted to specific users.
- All Trikki Kidz Pty Ltd computers have password protection.
- Corporate records must not be maintained in email folders, shared folders, personal drives or external storage media as these lack the necessary functionality to protect business information and records over time. Records created when using social media applications or mobile devices may need to be captured into Trikki Kidz Service's CMS or financial system.

- Client files should not be taken from Trikki Kidz Pty Ltd for any reason. If necessary, records should be moved securely in a non-transparent container (for example, a locked briefcase).
- Hard copy files are kept in locked filing cabinets in secure, lockable areas with access limited only to authorised staff.
- Hard copy files are kept in secure location that are regularly maintained and cleaned, with pest management programs in place, and kept free from water, dampness and mould. They should be stored away from direct sunlight, heat and risk of fire.
- Staff are expected to lock unattended computers and maintain a 'clean desk' policy.
- Regular physical access and digital access internal audits will be undertaken in accordance with Trikki Kidz Service's *Internal Review and External Audit Schedule*.
- Once information can be destroyed it is placed in a secure bag to be collected by a secure destruction company for shredding.
- Trikki Kidz Pty Ltd keys are not marked as, or in any other way be identifiable as, Trikki Kidz Service's keys. All keys will have an inscribed number, and be documented to have been provided to a particular staff member in a *Key Register*, which will be maintained by management.
- Keys for items such as Trikki Kidz Service's secure filing cabinets are stored in a lockable box and are available to authorised staff when they need to access files from the secure cabinet. Access to these keys is through Trikki Kidz Service's management (or delegates).
- In compliance with state and Commonwealth legislation, staff must maintain the physical privacy of personal information and organisational records. The use and storage of consent and release forms support the collection and release of specific information.

Freedom of Information

- Trikki Kidz Pty Ltd will provide clients and government agencies access to records in accordance with any applicable legislation, including Freedom of Information legislation.

Monitoring and Review

- This policy and procedure will be reviewed at least annually by Trikki Kidz Service's management and incorporate staff, client and other stakeholder feedback.
- Trikki Kidz Service's *Continuous Improvement Plan* will be used to record and monitor progress of any improvements identified and where relevant feed into Trikki Kidz Service's service planning and delivery processes.
- Trikki Kidz Service's feedback collection mechanisms, such as staff and client satisfaction surveys, will assess:
 - satisfaction with Trikki Kidz Service's records and information management and privacy and confidentiality processes;
 - whether stakeholders have received adequate information about privacy and confidentiality including how their records will be stored and disposed of and how they can access and change them; and

The extent to which clients and their supporters feel their privacy and confidentiality has been protected

PRIVACY AND CONFIDENTIALITY

Purpose and Scope

The purpose of this policy and procedure is to set out staff responsibilities relating to collecting, using, protecting and releasing personal information in compliance with privacy legislation.

Legislation, regulations and standards relevant to this policy and procedure include:

- *Privacy Act 1988 (Cwth)*
- *Freedom of Information Act 1982 (Cwth)*
- *Freedom of Information Act 1982 (Vic)*
- *Information Privacy Act 2000 (Vic)*
- *Privacy and Data Protection Act 2014 (Vic)*
- *Public Records Act 1973 (Vic)*
- *Health Records Act 2001 (Vic)*
- *Disability Act 2006 (Vic)*
- *Children, Youth and Families Act 2005 (Vic)*
- *Charter of Human Rights and Responsibilities Act 2006 (Vic)*
- *Human Services Standards (Vic) – Information Management*
- *3.17. Privacy, Data Protection and Protected Disclosures (Terms and Conditions, Service Agreement Information Kit for Funded Organisations, Victorian Department of Health and Human Services)*
- *Privacy and Personal Information Protection Act 1998 (NSW)*
- *Health Privacy Principles in the Health Records and Information Privacy Act 2002 (NSW)*
- *Freedom of Information Act 1989 (NSW)*

Documents relevant to this policy and procedure include:

- *Trikki Kidz Service’s general Privacy and Confidentiality Policy and Procedure*
- *Trikki Kidz Pty Ltd Records and Information Management Policy and Procedure*
- *Trikki Kidz Pty Ltd Continuous Improvement Plan*
- *Trikki Kidz Pty Ltd Permission Slip*
- *Trikki Kidz Pty Ltd Declaration of Confidentiality*
- *Trikki Kidz Pty Ltd Handbook*
- *Trikki Kidz Pty Ltd Privacy Statement*
- *Trikki Kidz Pty Ltd Privacy Audit Form*

This policy and procedure applies to all:

- Trikki Kidz Pty Ltd staff, contractors and volunteers;
- aspects of Trikki Kidz Service’s business; and
- Staff and client personal and health information.

This policy and procedure should be read in conjunction with Trikki Kidz Service’s *Records and Information Management Policy and Procedure*. It incorporates the policies and procedures set out in Trikki Kidz Service’s general *Privacy and Confidentiality Policy and Procedure*.

Trikki Kidz Pty Ltd Pty.Ltd Policy and Procedure Version 1	Reviewed: Next review:
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Definitions

Personal information - Recorded information (including images) or opinion, whether true or not, about a living individual whose identity can reasonably be ascertained.

Sensitive information - Information or an opinion about an individual's racial or ethnic origin, political opinions, membership of a political party, religious beliefs or affiliations, philosophical beliefs, membership of a professional or trade association, membership of a trade union, sexual preference or practices, or criminal record. This is also considered to be personal information.

Health information - Any information or an opinion about the physical, mental or psychological health or ability (at any time) of an individual.

Policy

- Privacy and confidentiality are of paramount importance to Trikki Kidz Pty Ltd.
- Trikki Kidz Pty Ltd recognises the importance of protecting the personal information of individuals. Clients' right to privacy and confidentiality is recognised, respected and protected in all aspects of their contact with Trikki Kidz Pty Ltd. All clients have the right to decide who has access to their personal information.
- Trikki Kidz Pty Ltd will collect, use and disclose information in accordance with relevant state and Federal privacy legislation.
- Management (or delegates) are responsible for upholding Trikki Kidz Service's privacy and confidentiality responsibilities. Trikki Kidz Pty Ltd will operate at all times in accordance with the requirements state and federal legislation.
- Trikki Kidz Pty Ltd will only collect information necessary for safe and effective service delivery. It will only use information collected for the purpose it was collected, and secure it appropriately.
- Information related to clients will not be released to other individuals or services without informed consent from the client or their representative, or in exceptional circumstances.

Procedures

Trikki Kidz Pty Ltd Responsibilities

Management is responsible for:

- Ensuring Trikki Kidz Pty Ltd complies with the requirements of the Privacy Principles as outlined in the *Health Records Act 2001*, the *Information Privacy Act 2000* and, where applicable, the *Privacy Act 1988* by developing, reviewing and implementing processes and practices that identify:
 - what information Trikki Kidz Pty Ltd collects about individuals, and the source of the information;
 - why and how Trikki Kidz Pty Ltd collects, uses and discloses the information;
 - who will have access to the information;
 - Risks in relation to the collection, storage, use, disclosure or disposal of and access to personal and health information collected by Trikki Kidz Pty Ltd.
- Immediately notify the relevant state government agency if they become aware of a breach or possible breach of privacy legislation.
- Ensuring clients or their parents and guardians know why information is being collected and how it will be protected, used, disclosed and disposed of.
- Providing adequate and appropriate secure storage for personal information collected by the service (see Trikki Kidz Service's *Records and Information Management Policy*).
- Developing procedures that will protect personal information from unauthorised access.
- Ensuring the appropriate use of images of clients, including being aware of cultural sensitivities and the need for some images to be treated with special care.
- Ensuring all employees and volunteers are provided with a copy of this policy and procedure.
- Ensuring all parents and guardians are provided with the service's easy-to-read *Privacy Statement* and informed that a copy of the complete policy is available on request.
- Ensuring Trikki Kidz Service's *Privacy Statement* is prominently displayed at the service and included in Trikki Kidz Service's Handbook, and that a copy of this policy and procedure is available on request.
- Establishing procedures to be implemented if parents or guardians request that their child's image is *not* to be taken, published or recorded, or when a child requests that their photo *not* be taken.
- Ensuring Trikki Kidz Service's arrangements for maintaining privacy and confidentiality are reviewed annually through a privacy audit.

Management (or delegates) are also responsible for:

- Assistance in implementing this policy and procedure.
- Reading and following this *Privacy and Confidentiality Policy and Procedure*.
- Ensuring management (or delegates) are provided a copy of this policy and procedure and that they complete Trikki Kidz Service's *Declaration of Confidentiality*.
- Ensuring all signed *Declarations of Confidentiality* are retained on the relevant staff record.
- Ensuring all staff maintain up-to-date understanding of their privacy and confidentiality responsibilities through formal induction and ongoing training and team meetings.
- Ensuring improvements identified in this area, including through staff and client feedback, are actioned through Trikki Kidz Service's *Continuous Improvement Plan*.
- Monitoring staff knowledge and application of confidentiality and privacy principles on-the-job and through yearly Performance Reviews.
- Providing additional on-the-job and formal training to staff where required.
- Obtaining informed and voluntary consent from clients or their parents or guardians, in order to take photographs or videos.

Trikki Kidz Pty Ltd staff are responsible for:

- Reading and following this *Privacy and Confidentiality Policy and Procedure*.
- Ensuring they are aware of their responsibilities in relation to the collection, storage, use, disclosure and disposal of personal and health information.
- Collecting, handling, storing, using, disclosing and disposing of clients' personal and health information in accordance with state and federal legislation and this policy and procedure.
- When collecting personal information from clients or their parent or guardian:
 - confirming Trikki Kidz Service's commitment to maintaining their privacy and confidentiality and the occasions when personal information may need to be released;
 - explaining why information is being collected and how it will be used;
 - explaining clients' right to decline providing information;
 - explaining clients' rights in terms of providing, accessing, updating and using personal information, and giving and withdrawing consent;
 - advising to whom (or the types of individuals or organisations to which) their information may be disclosed;
 - advising the main consequences (if any) for the individual
 - if all or part of the information is not provided;
 - obtaining consent from the client or their parent or guardian, using a *Consent Form* where required;
 - collecting information sensitively and within lawful limits; and
 - Ensuring information is only collected for a specific purpose and limiting the use of the information to the purpose for which it was collected.

- Performing the above activities in a way that is sensitive and caters to the cultural and disability background of the person they are dealing with.
- Where clients or their supporters have difficulty communicating, using either an interpreter or advocacy service to ensure that consent is informed.
- Keeping all client records up-to-date and stored securely.
- Conducting interviews or sensitive conversations with clients in a private room.
- Respecting clients' or their parent or guardians' choices about them being photographed or videoed.

Clients, parents and guardians are responsible for:

- Providing accurate information when requested.
- Maintaining the privacy of any personal or health information provided to them about other individuals, such as contact details.
- Completing all permission forms and returning them to the service in a timely manner.
- Being sensitive and respectful to other clients and guardians who do not want their child to be photographed or videoed.
- Being sensitive and respectful of the privacy of other clients and families in photographs/videos when using and disposing of these photographs/videos.

Client and Family Privacy and Confidentiality

- Trikki Kidz Pty Ltd will only request and retain personal or health information that is necessary to:
 - assess a potential client's eligibility for a service;
 - provide a safe and responsive service;
 - monitor the services provided; and
 - Fulfil contractual requirements to provide non identifying data and statistical information to a funding body.

Personal and Health Information Trikki Kidz Pty Ltd Collects

- | | |
|--|--|
| <ul style="list-style-type: none"> ● Contact details for clients and their parents and guardians. ● Details for emergency contacts and persons authorised to collect clients. ● Clients' health status and medical records. ● Immunisation records. ● Medication records. ● External agency information. | <ul style="list-style-type: none"> ● Incident reports. ● Custodial arrangements. ● Permission / Consent Forms. ● Service delivery intake, assessment, and monitoring and review information. ● Developmental records, plans, portfolios and observations. |
|--|--|

Access

- Client and family information may be accessed by:
 - management (or delegates);
- Individuals have the right to:
 - request access to personal information Trikki Kidz Pty Ltd holds about them, without providing a reason for requesting access;
 - access this information; and
 - Make corrections if they consider the information is not accurate, complete or up to date.
- There are some exceptions set out in the *Information Privacy Act 2000*, where access may be denied in part or in total. Examples of some exemptions are where:
 - the request is frivolous or vexatious;
 - providing access would have an unreasonable impact on the privacy of other individuals;
 - providing access would pose a serious threat to the life or health of any person; and
 - The service is involved in the detection, investigation or remedying of serious improper conduct and providing access would prejudice that.
- If an individual requests access to or the correction of personal information, within a service benchmark of 2 working days (and no more than 45 days after receiving the request), staff will:
 - provide access, or reasons for the denial of access;
 - correct the personal information, or provide reasons for the refusal to correct the personal information; or
 - Provide reasons for the delay in responding to the request for access to or correction of personal information.

Information Storage

- Personal files are kept in a secure filing cabinet in a private room, which is kept locked outside of operational hours. Computerised records are stored safely and secured with a password for access.
- Personal files are available for viewing upon request. Client portfolios are available online and can only be accessed by staff and clients/parents with password access.

Information Disclosure

- Client personal and health information will only be disclosed:
 - for medical treatment or emergency;
 - to outside agencies with the clients' or parent or guardians' permission;
 - with written consent from person/s with lawful authority; or
 - When required by Commonwealth Law, or to fulfil legislative obligations such as mandatory reporting.
- If a staff member is in a situation where they believe that they need to disclose information about a client that they ordinarily would not disclose, they should seek the advice of management before making the disclosure.

Staff Privacy and Confidentiality

Personal and Health Information Trikki Kidz Pty Ltd Collects

<ul style="list-style-type: none"> ● Tax declaration form ● Employment contract ● Personal Details ● Emergency Contact details ● Medical details ● Immunisation details ● Working with Children Check 	<ul style="list-style-type: none"> ● Qualifications ● First Aid, CPR and Anaphylaxis certificates ● Medical History ● Permission forms ● Personal Resume ● Payroll information ● Superannuation details
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Access

This section only applies in the instance where Trikki Kidz Pty Ltd employs staff.

- Staff information may be accessed by Management staff.
- Staff have the right to:
 - request access to personal information Trikki Kidz Pty Ltd holds about them, without providing a reason for requesting access;
 - access this information; and
 - Make corrections if they consider the information is not accurate, complete or up to date.
- There are some exceptions set out in the *Information Privacy Act 2000*, where access may be denied in part or in total. Examples of some exemptions are where:
 - the request is frivolous or vexatious;
 - providing access would have an unreasonable impact on the privacy of other individuals;
 - providing access would pose a serious threat to the life or health of any person; and
 - The service is involved in the detection, investigation or remedying of serious improper conduct and providing access would prejudice that.
- If an individual requests access to or the correction of personal information, within a service benchmark of 2 working days (and no more than 45 days after receiving the request), staff will:
 - provide access, or reasons for the denial of access;
 - correct the personal information, or provide reasons for the refusal to correct the personal information; or
 - Provide reasons for the delay in responding to the request for access to or correction of personal information.

Information Storage

- Staff records are maintained by management (or delegates) in a locked filing cabinet in their office, which is kept locked outside of operational hours. Computerised records are stored safely and secured with a password for access.

Information Disclosure

- Staff personal and health information will only be disclosed:
 - for medical treatment or emergency;
 - with written consent from the staff member; or
 - When required by Commonwealth Law, or to fulfil legislative obligations such as mandatory reporting.

Photographs and Videos

- Photographs and videos are classified as personal information under privacy legislation.
- On employment a permission slip regarding photos, videos and social media is completed by the employee, to ensure management staff are aware of whether the staff member can be photographed and videoed and how this information can be used.

- The purpose of this permission form is to:
 - comply with privacy legislation in relation to all photographs/videos taken at Trikki Kidz Pty Ltd ; and
 - Enable photographs/videos of employees to be taken as part of the programs delivered by Trikki Kidz Pty Ltd, including group photos/videos or photos/videos at special events and excursions.

Privacy Audits

- Trikki Kidz Pty Ltd will conduct annual privacy audits as per its *External Audit and Internal Review Schedule*.
- The audit will be based on Trikki Kidz Service's *Privacy Audit Checklist* and review:
 - what sort of personal information Trikki Kidz Pty Ltd collects, uses, stores and discloses;
 - how Trikki Kidz Pty Ltd safeguards and manages personal information, including how it manages privacy queries and complaints; and
 - How personal information that needs to be updated, destroyed or erased is managed.

Monitoring and Review

- Trikki Kidz Service's annual service delivery and satisfaction surveys will include questions regarding:
 - satisfaction with Trikki Kidz Service's privacy and confidentiality processes;
 - whether stakeholders have received adequate information about privacy and confidentiality; and
 - The extent to which clients and their supporters feel their privacy and confidentiality has been protected.
- Trikki Kidz Service's *Continuous Improvement Plan* will be used to record and monitor progress of any improvements identified.
- This Policy and Procedure will be reviewed at least annually by Trikki Kidz Service's management and incorporate client and other stakeholder feedback.

Contractual Agreements

Purpose

Trikki Kidz Pty Ltd creates contracts of service with consumers, employees and clinical staff. The contracts are binding and require best practice and legislature knowledge to maintain them appropriately.

Trikki Kidz Pty Ltd enters into short term contractual obligations with other businesses who provide marketing, accounting and data management services.

Consumers

Consumers and Trikki Kidz Pty Ltd staff members sign the Service Agreement when beginning services. The Service Agreement is a binding contract relating to the rights and responsibilities of the consumer and the services that Trikki Kidz Pty Ltd offer.

Stakeholders

Trikki Kidz Pty Ltd enters into contracts with various stakeholders such as employees, volunteers, contractors and families/carers. These contracts are in line with State and Federal employment guidelines, laws and Acts.

All contracts between staff and Trikki Kidz Pty Ltd are drawn up by RNG Lawyers, who represent Trikki Kidz Pty Ltd in all matters pertaining to staff.

Timeframes

All wages are paid fortnightly, tax and superannuation are directly paid at the same time.

All invoices for services are paid within 14 days.

Contact Officer

The Director/Business Owner is to be contacted with any queries on 0427 734 115 or email trudy@trikkikidz.com.au

References/Relevant legislation

- Equal Employment Opportunity Act (1987):
- <https://www.legislation.gov.au/Details/C2016C00775>

Finance

Purpose

To ensure the appropriate financial management of all organisational resources as set up by the Business Owner.

The Business Owner has developed broad policy statements which set the parameters and ethical standards for the management of the organisation's financial affairs.

The Business Owner is responsible for the day-to-day financial management of the organisation and shall carry out this duty in a manner which shall in no way threaten the financial position of Trikki Kidz Pty Ltd.

Trikki Kidz Pty Ltd will comply with the following:

- Legislative requirements of the Corporations Act 2001 (Cwlth) (Corporations Act) and the applicable Australian Accounting Standards in relation to its financial statements

Trikki Kidz Service's NDIS-specific financial management arrangements.

Legislation, regulations and standards relevant to this policy and procedure include:

- *Human Services Standards (Vic) – Governance*
- *Australian Accounting Standards*
- *Australian Auditing Standards*
- *Australian Equivalents to International Financial Reporting Standards (AIFRS)*
- *The NDIS Terms of Business, Guide to Suitability and VIC/NSW/QLD/TAS Price Guide*
- *3.6.1. Financial Records and 3.7. Assets (Terms and Conditions, Service Agreement Information Kit for Funded Organisations, Victorian Department of Health and Human Services)*
 - *Department of Health and Human Services Fraud and Corruption Control Framework*

Organisational documents relevant to this policy and procedure include:

- Trikki Kidz Service's *Chart of Accounts*
- Trikki Kidz Service's *Insurances Register*
- Trikki Kidz Service's *Asset Register*
- Trikki Kidz Pty Ltd *NDIS Service Agreement Template*

This policy and procedure should be read in conjunction with Trikki Kidz Service's general policies and procedures regarding financial management.

Conflict of Interest

Trikki Kidz Pty Ltd personnel will not use their position to influence the financial management, awarding of contracts or employment of individuals. If there is a known conflict of interest for an individual, they will declare the conflict to the Business Owner or Service Manager and remove themselves from the decision making process.

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Due Diligence

All Trikki Kidz Pty Ltd personnel approving a financial transaction will exercise due diligence which includes analysis of the relevance of the transaction, comparison with budgets, ensuring proper delegation is followed and avoiding wastage. Where possible, they must also ensure that internal service capability is considered prior to sourcing services externally. Due diligence must also be complied with any specific stipulation in the funding agreement with regard to expenditure.

Scope

This policy applies to all Trikki Kidz Pty Ltd personnel in general and particularly to those responsible and accountable for the resources of EACH. These include but not limited to:

- All Administrative personnel dealing with matters covered by this policy and relevant procedures
- Business Owner, Service Managers and the next senior staff member in all programs

Non-compliance with this policy and the respective procedures would be dealt with the corresponding Trikki Kidz Pty Ltd disciplinary process and/or external criminal processes if a criminal offence such as, but not limited to, fraud is committed.

Definitions

Assets - non-consumable items of tangible property (including fixtures) that have a service life greater than one year. Assets can include:

- non-medical equipment;
- equipment or aids to support clients;
- electronic equipment (such as computers);
- furniture; and
- Motor vehicles.

Fraud - dishonest activity causing actual or potential financial loss to any person or entity including theft of money or other property by employees or people external to the entity and where deception is used at the time, immediately before or immediately following the activity. This also includes the deliberate falsification, concealment, destruction or use of falsified documentation used or intended for use for a non-business purpose or the improper use of information or position for financial benefit.

Corruption - dishonest activity in which a director, executive manager, manager, employee or contractor of an entity acts contrary to the interests of the entity and abuses his/her position of trust in order to achieve some personal gain or advantage for him or herself or for another person or entity.

Customer: Trikki Kidz Pty Ltd is committed to being a customer centric organisation. Our broad definition of customer means we are inclusive of all people who interact or engage with us, either externally or internally. Our customers include consumers, clients, participants, patients, carers, the community, stakeholders, partners, staff, volunteers and members.

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KWC Personnel: All employees (whether employed full-time, part-time, fixed term or on a casual basis), volunteers, students, contractors and sub-contractors performing work on behalf of Trikki Kidz Pty Ltd.

Financial Framework and Structure: Trikki Kidz Pty Ltd, in line with Accounting Standards, maintains accrual based financial records

General ledger: A general ledger contains all the accounts for recording transactions relating to the organisation's assets, liabilities, owners' equity, revenue, and expenses

Chart of Accounts: These are the account codes which holds revenue, expenses, assets and liabilities transactional details in the General ledger

Business Unit: Sub-activities within a program for example, where funding may be necessarily tagged with a number

Activity: Sub-activity code to identify specific project

Budgeting: It is the responsibility of the Business Manager to research and develop the overall Annual operating budget for Trikki Kidz Pty Ltd.

Auditing: Trikki Kidz Service's financial controls and processes must be tested by independent internal auditors to identify and address weaknesses in the system

Archiving and Destruction of Financial Records: File/Record destruction can only occur within the legislative guidelines of the Office of Public Records and with the approval of the Business Owner Following Audit, all financial records are sealed and stored in a safe and secure place for a period of 7 years from the end of the period to which they relate

Client Service Agreements: Individualised funding under National Disability Insurance Scheme (NDIS) or other fee for service programs are entered into between Trikki Kidz Pty Ltd and/or funder/client

Statutory/Compliance reporting: Detailed annual financial reports of income and expenditure. These reports will be prepared in accordance with both Australian and International financial reporting standards and in a manner to satisfy General Reporting entity requirements

Policy

- Trikki Kidz Pty Ltd will maintain financial management and accounting systems that:
 - are transparent and accountable;
 - allow for the keeping of full and accurate records;
 - allow budgeting and reporting on an accrual basis;
 - meet applicable Australian Accounting Standards; and
 - Are consistent with the financial compliance and reporting requirements for any of the organisation's government funding arrangements.
- All financial transactions, including receipts and payments related NDIS service provision, are clearly identifiable and easily tracked within Trikki Kidz Service's financial accounts.

- Trikki Kidz Pty Ltd will:
 - prepare financial statements according to the Australian Accounting Standards; and
 - Have its accounts and records audited in accordance with Australian Auditing Standards.

Procedures

General

- Trikki Kidz Service's management (or a delegate) will use appropriate accounting software to support Trikki Kidz Service's NDIS-specific financial management, subject to professional advice.
- Trikki Kidz Pty Ltd complies with the *Australian Accounting Standards* issued by the Australian Accounting Standards Board. The Financial Controller will keep up-to-date with changes to these standards to ensure compliance.
- Trikki Kidz Service's Financial Controller will maintain a Chart of Accounts for the entire business that ensures a consistent reporting structure, meets budget management needs and conforms with the National Australian Standard Chart of Accounts.
- The Financial Controller will continuously monitor the financial position of the organisation to minimise the risk of fraud and ensure that expenditure complies with the budget, is accounted for correctly, and is properly authorised prior to expenditure being incurred.
- Trikki Kidz Service's Financial Controller will maintain a Register of Bank Accounts for the entire business, containing holding bank details, open and close dates, interest rates, fees, credit and debit card holders and expiry dates for credit cards.
- Expenditure for amounts over \$50.00 must be endorsed by management.
- Access to Internet Banking and EFT transfers is restricted to the Director and controlled by a user ID and password, both of which must remain confidential, and under no circumstances be divulged to anyone else.
- Receipts for all expenditure must be provided to and retained by the Financial Controller (management/director/delegate).
- Management will authorise and make reimbursement payments for staff work-related expenses.
- The Financial Controller (management/director/delegate) will maintain a Petty Cash float of \$250.00. This will be kept in a safe or lockable cabinet. Receipts must accompany all claims for expenditure.

Bank Accounts

- The signatory for Trikki Kidz Service's bank accounts will be Trikki Kidz Service's Director.
- The Director (or delegate) will maintain a Contingency Bank Account for the organisation, to provide cash interest and to deposit:
 - staff accruals;
 - surplus funds;
 - long service leave, sick leave and accumulated annual leave entitlements;
 - assets replacement funds;

- training funds; and
 - Maintenance funds.
- The Director or delegate will ensure that all debts are settled in a timely manner and will not allow ordinary operating expenses to become undischarged debts beyond a three-month period from the time they were incurred.
 - The Director will manage the Contingency Account. It will be reconciled monthly and funds can only be accessed with the signature of the Director.

Assets

- Details of all assets owned by Trikki Kidz Pty Ltd will be recorded in Trikki Kidz Service's *Asset Register*.
- When an asset is sold or otherwise disposed of, the details of the disposal (such as sale proceeds) will be recorded in Trikki Kidz Service's financial records and recorded in the *Asset Register*.
- Where an asset is lost, damaged, or destroyed it will repair or replace the asset if it is still required.
- Asset depreciation will be recorded in accordance with *Australian Accounting Standards*.

Insurances

- Management is responsible for ensuring all people and equipment associated with Trikki Kidz Service's operations are covered by relevant insurances.
- Management will maintain an Insurances Register, noting the type of insurance, the name and number of the policy, the annual premium and expiry date of the current policy.
- Management will ensure that costs of insurance reflect the market situation and that policies are renewed no less than 14 days before expiry.

Budget processes

- Management will prepare an annual itemised budget for Trikki Kidz Pty Ltd for the forthcoming financial year in consultation with Trikki Kidz Service's independent accountant, by no later than July of the financial year.
- The budget will be developed based on analysis of the current and previous year's income and expenditure, taking into consideration any known changes to funding arrangements.
- The Director (or delegate) will collaborate with an independent accountant to set annual budgets for the programs under their control, according to the available funding. These budgets will be submitted to management for approval by February each year.
- All monies received by the organisation must be recorded.
- The Director will prepare a quarterly report of expenditure against the budget.

- The Director (or delegate) will prepare Financial Statements for submission to funding bodies at required intervals as specified in any funding contracts. These will be endorsed by an independent accountant prior to submission where required.
- The Director (or delegate) will conduct a financial reconciliation annually in consultation with the independent accountant and prepare a Financial Report for management.
- The Financial Report will include:
 - Profit & Loss year to date;
 - Balance Sheet for the year to date;
 - General Ledger for the year to date; and
 - Budget vs. Actual for the year to date.
- Each financial year management will appoint a qualified auditor to audit Trikki Kidz Service's accounts, as required by professional standards.
- Trikki Kidz Service's Independent Accountant and management will jointly ensure all necessary documents and records required by the auditor are made available in a timely manner and are accurate and complete when presented.
- In each new financial year, management will ensure that the previous year's financials are documented, archived and labelled.
- Other specific areas of financial management, such as Asset Management and Payroll, will be managed in accordance with Trikki Kidz Service's general policies and procedures for these areas.

Reporting

- Trikki Kidz Pty Ltd will comply with the *Australian Equivalents to International Financial Reporting Standards (AIFRS)*.

Fraud and Corruption Control

- Trikki Kidz Pty Ltd fraud and corruption prevention activities include:
 - Trikki Kidz Service's management will raise general awareness amongst staff (where applicable) about what fraudulent practices are, identifying potential fraud, how to report fraud and to make it very clear that fraudulent practices within Trikki Kidz Pty Ltd will not be tolerated;
 - Trikki Kidz Service's employment screening processes (see *Human Resources Policy and Procedure*); and
 - Staff training.
- Where a Director, staff member, client or other stakeholder identifies an instance of suspected fraud or corruption, an initial report must be made to:
 - the Director (unless that person may be implicated);
 - the Manager, Corporate Integrity, Independent Broad-based Anti-corruption Commission (IBAC) (phone 1300 735 135 or online at www.ibac.vic.gov.au); or
 - Victoria Police.

- In accordance with the Department of Health and Human Services' *Fraud and Corruption Control Framework*, Trikki Kidz Pty Ltd will report suspected fraud and corruption within the organisation to the Department of Health and Human Services' Corporate Integrity Unit (phone 03 9096 8529 or email corporate.integrity@dhhs.vic.gov.au).
- All reports of fraud or corruption should be treated in confidence and referred to management.
- When a report or allegation of fraud or corruption is received, every effort must be made to deal with such reports quickly and decisively.
- The Director (or delegate) will record all reports of actual and suspected fraud or corruption, noting the nature of the report, the time received and remedial actions planned and taken. A copy of these records shall be provided to the Department of Health and Human Services upon their request.
- In examining cases of suspected fraud, management and staff must ensure that their inquiries do not prejudice any subsequent investigation. If in doubt, do not pursue any further investigations and contact the Department of Health and Human Services' Corporate Integrity Unit.
- Confidentiality is a key consideration and all cases should be treated on a need-to-know basis. False rumours and innuendo must be avoided to protect reputations of innocent people. It is also important to avoid alerting any person who may be suspected of fraud, or who is under investigation. This is necessary to minimise the chance of a cover up or of vital evidence being destroyed.
- All discipline or misconduct investigations relating to Trikki Kidz Pty Ltd staff will be conducted in accordance with Trikki Kidz Service's *Human Resources Policy and Procedure*.
- If during the course of a disciplinary investigation it is determined that criminal offences may have been committed, a report is to be made to Victoria Police. To ensure that a criminal investigation is not compromised, clearance may need to be sought from Victoria Police for Trikki Kidz Pty Ltd to: commence a disciplinary investigation; notify the employee of misconduct allegations; interview witnesses to inform a disciplinary investigation; and release information to the employee or their representative for procedural fairness purposes.

National Disability Insurance Scheme (NDIS)

- Trikki Kidz Service's management will ensure that all of Trikki Kidz Service's financial arrangements regarding NDIS service delivery comply with:
 - the *NDIS Act 2013 (Cwth)*, the NDIS Rules, all relevant NDIS guidelines, and all policies issued by the NDIA including the *NDIS Terms of Business* and *Guide to Suitability*; and
 - Any other relevant Commonwealth or State law or other requirements.
- Management will develop pricing structures for Trikki Kidz Service's services that align with the price controls and quoting requirements in place for NDIS supports, in accordance with the *NDIS VIC/NSW/QLD/TAS Price Guide*.
- The Director (or delegate) will maintain full and accurate accounts and financial records of the supports delivered to NDIS participants, along with records of all Service Agreements.
- Trikki Kidz Service's accounts and financial records will be maintained on a regular basis and in such detail that the National Disability Insurance Agency (NDIA) is able to accurately ascertain the quantity, type and duration of support delivered.
- Financial records and accounts relating to NDIS service provision will be retained for a period of no less than 5 years from the date of issue.
- The retention of all records will also comply with all relevant statutes, regulations, by-laws and requirements of any Commonwealth, State or Local Authority.

Service Agreements

- A NDIS Service Agreement will be used to formalise the supports Trikki Kidz Pty Ltd will provide NDIS participants.
- Clients have choice over what level of control they have over their finances and this is reflected in their Service Agreement with Trikki Kidz Pty Ltd.
- Trikki Kidz Pty Ltd will work collaboratively with clients and their supporters to develop their Service Agreement.
- Trikki Kidz Pty Ltd will declare prices to all clients before providing services and include all fees Service Agreements along with detailed information about the supports to be provided. Fees charged will not exceed the price controls set by the NDIA.
- Trikki Kidz Service's Service Agreements will clearly set out the costs to be paid for supports, when delivery of supports is to be performed and the method of payment required. See Trikki Kidz Service's *Assessment, Planning and Review Policy and Procedure* for more information on what the Service Agreement will contain.
- The client must sign the Service Agreement before service delivery can commence.
- Through its invoicing and statement arrangements, Trikki Kidz Pty Ltd will ensure that clients are regularly provided with details of services delivered and the amount charged for those services.

- Service Agreements will be consistent with the NDIS' pricing arrangements, guidelines and the requirements of the *A New Tax System (Goods and Service Tax) Act 1999* regarding the application of the GST.
- Clients, their supporters and other stakeholders have access to Trikki Kidz Service's feedback, compliments and complaints processes to raise issues about financial management of their supports without fear of retribution.

Other payment arrangements

- Where there is no funding requirement for fees to be charged for services rendered, Trikki Kidz Pty Ltd will charge the client on a fee for service basis.
- Where a client has difficulty paying their fees, they are encouraged to discuss this with Trikki Kidz Pty Ltd so that mutually acceptable payment arrangements can be put in place.

Fee Payments

- Accounts are calculated each week and are to be paid weekly.
- Prices charged to NDIS participants will not exceed the price level prescribed for that support in the *NDIS VIC/NSW/QLD/TAS Price Guide*.
- No other charges will be added to the cost of supports provided, including credit card surcharges, additional fees such as 'gap' fees, late payment fees or cancellation fees.
- Receipts will be provided at time of payment and reprints provided upon request.
- Fees are to be paid by cheque, EFTPOS, online, direct bank transfer, Trikki Kidz Pty Ltd pay or credit card, either weekly as supports are provided. Cash will not be kept on Trikki Kidz Service's premises and Trikki Kidz Pty Ltd will not accept cash payments.
- Fee payments can be made directly to Administration staff.
- Statements of services provided will be issued by mail or email at the beginning of each quarter for the supports provided in the previous quarter.
- Trikki Kidz Pty Ltd will submit claims for payment to the NDIA within a reasonable timeframe, and no later than 60 days for the end of the support booking.

Outstanding Accounts

- Where a client's fees are outstanding for more than one week, management (or a delegate) will call them requesting payment.
- Where fees are outstanding for two weeks, provision of supports will be cancelled.

Monitoring and Review

- This policy and procedure will be reviewed at least annually by Trikki Kidz Service's management and incorporate staff (where applicable), client and other stakeholder feedback.
- Annual review this policy and procedure will include:
 - a review if its provisions around client payment arrangements and Trikki Kidz Service's Service Agreements;
 - client file audits, to assess alignment between documented processes and actual practice (Service Agreements, invoices, statements, etc.); and
 - Feedback from people on their satisfaction with their control of their finances.
- Trikki Kidz Service's *Continuous Improvement Plan* will be used to record and monitor progress of any improvements identified and where relevant feed into Trikki Kidz Service's service planning and delivery processes.

Contact Officer

The Business Owner should be contacted for interpretation, resolution and any other matter in relation to this policy

References/Relevant legislation

- [Corporations Act 2001 \(Cth\)](#)
- [A New Tax System \(Goods and Services Tax\) Act 1999 \(Cth\)](#)
- [Income Tax Assessment Act 1936 \(Cth\)](#)
- [Income Tax Assessment Act 1997](#)
- [Taxation Administration Act 1953 \(Cth\)](#)
- [Personal Property and Securities Act 2009 \(Cth\)](#)

Information Management

Purpose

Trikki Kidz Pty Ltd collects personal information, writes case notes, and holds documents of consent and confidential NDIS plans. The organisation is required to keep this information secure and stored correctly in line with Privacy and Confidentiality Legislation.

Consumer Database System

Trikki Kidz Pty Ltd utilises My Practice for all database requirements. This is a cloud-based system that is secure and free from data breaches. My Practice is available to all staff and is web based, it is available for mobile use.

Personal Details

Trikki Kidz Pty Ltd store consumer's personal details within My Practice and in hardcopy. Personal details collected are:

- Name
- Date of birth
- Address
- Phone number
- Email
- NDIS Number
- NDIS Plan dates
- Diagnosis
- Referral
- Risk assessment
- Management plan

Hard copy files include copies of:

- NDIS Plan
- Referral document
- Signed Service Agreement
- Quotes
- Risk assessment
- Management plan

Consent

Trikki Kidz Pty Ltd gain consent to speak with others about the consumer's support, this consent is within the Service Agreement and relates to the privacy and confidentiality policy and procedure.

Trikki Kidz Pty Ltd INTERNAL REVIEW AND EXTERNAL AUDIT SCHEDULE

Focus of Review	Course of Action	Accountability	Timeframes
Governance			
Policies and Procedures	<ul style="list-style-type: none"> Review for effectiveness and currency Merge, develop or repeal policies and procedures 	Management	Between annually and 3-yearly, based on associated risk (each Policy and Procedure sets out its review timing)
Strategic and Operational Plans	<ul style="list-style-type: none"> Management and Staff Planning Days 	Management	Annually; June
Human Resources			
Staff Performance	<ul style="list-style-type: none"> Performance Reviews 	Management	Annually; July
	<ul style="list-style-type: none"> Staff satisfaction surveys 	Management	Annually; September
Alignment of practice with procedures	<ul style="list-style-type: none"> Staff file audits 	Management	Annually; March
Service Quality and Improvement			
Clients	<ul style="list-style-type: none"> Client surveys to assess awareness of their rights and satisfaction levels and obtain suggestions for improvements. 	Management	Annually, September
	<ul style="list-style-type: none"> Self-assessment against the Victorian Human Services Standards 	Management	Annually; March
	<ul style="list-style-type: none"> Certification audit against the Department of Health and Human Services Standards 	Management and External Auditor	3-yearly
	<ul style="list-style-type: none"> Self-assessment against the <i>NDIS Terms of Business</i> and <i>Guide to Suitability</i>. 	Management	Annually; March
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	<ul style="list-style-type: none"> Review Continuous Improvement Plan and Complaints Register for trends and actions taken for continuous improvement 	Management	Quarterly
	<ul style="list-style-type: none"> Service Planning and Delivery days, involving clients and other stakeholders* 	Management	Six-monthly; June and December
	<ul style="list-style-type: none"> Internal privacy audits 	Management	Annually; March
Reporting Accountabilities			
Service Delivery	<ul style="list-style-type: none"> Preparation and submission of reports required under any contractual arrangements 	Management	As per contractual arrangements
Financial	<ul style="list-style-type: none"> Quarterly and End of Financial Year Reporting 	Management	Quarterly (March, June, September and December) and Annually (July)
Risk Management			
Risk Management	<ul style="list-style-type: none"> Review of Risk Management and Risk Treatment Plans 	Management; see <i>Risk Management Policy and Procedure</i> for specific responsibilities	Quarterly
Occupational Health and Safety			
Staff and Client Safety	<ul style="list-style-type: none"> Review of incidents to identify risks and areas for improvement 	Management	Quarterly
	<ul style="list-style-type: none"> Safety compliance audits against documented OH&S procedures, e.g. fire safety, 	- Management -Fire Department -Electrician	Annually; December
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	electrical equipment, threatening behaviours		
	<ul style="list-style-type: none"> Internal and external inspections including physical and digital access audits 	Management	Annually; December
Assets Management			
Assets	<ul style="list-style-type: none"> Review Assets Register Update warranty and depreciation details Audit maintenance schedules for continuing value and usefulness 	Management	Annually, July
Records Management			
Financial and Client Management Systems	<ul style="list-style-type: none"> Random survey of financial accounts and client records against policies and procedures. 	Management	Annually, July
Contractors and Suppliers			
Contractors and Suppliers	<ul style="list-style-type: none"> Review supplier contract details, performance, costs and quality of service 	Management	Annually, July

Notes

- Service Planning and Delivery Days will review Trikki Kidz service's processes regarding:
 - communicating and supporting client rights;
 - protecting clients from harm and restrictive practices;
 - demand for services and the creation, modification or cessation of service offerings;
 - service access and exit processes;
 - barriers to service access;
 - referrals and information sharing; and
 - Service delivery practices including assessment, planning and review.
- Service Planning and Delivery Days will also include:
 - feedback mechanisms to and from stakeholders and whether information provided to stakeholders is appropriate and effective;
 - staff and client file audits; and

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- Review of stakeholder feedback, compliments and complaints.
- All internal reviews and external audits will include participation from staff, clients and other stakeholders and review feedback from them where possible.
- On a quarterly basis, management will review (where deemed necessary, in consultation with staff) Trikki Kidz Service's:
 - Incident Register;
 - Continuous Improvement Plan;
 - Complaints Register; and
 - Risk Management and Risk Treatment Plans.
- Other activities in Trikki Kidz Service's External Audit and Internal Review Schedule are based on a quarterly schedule where possible, as per the following:

March

- Policies and Procedures – reviewed between annually and 3-yearly, based on associated risk.
- Service Performance – reviewed annually (with Certification Audits 3-yearly):
 - Self-Assessment against the Victorian Human Services Standards;
 - Self-Assessment against the NDIS Terms of Business and Guide to Suitability;
 - Client file audits; and
 - Staff file audits.
- Privacy audit (to coincide with review of Trikki Kidz Service's *Privacy and Confidentiality Policy and Procedure*)

June/July

- Service Planning and Delivery Days
- Strategic and Operational Plans (June)
- Financial – Quarterly and Annually (July)
- Staff Performance Reviews (July) (as applicable)

September

- Staff Satisfaction Surveys (as applicable)
- Client Satisfaction Surveys

December

- OH&S Audits and Inspections – December
- Service Planning and Delivery Days

Support Services

Trikki Kidz Pty Ltd is a disability support services provider based in Victoria. Trikki Kidz Service's services include / will include:

- Group and Centre-based activities – such as social outings and group and social activities on Trikki Kidz Service's premises;
- Interpreting and translating - assisting people so that they are able to communicate independently when engaging in essential personal, social or community activities where mainstream translation services are not available;
- Development life skills- such as focus and self-control, communicating with people in a verbal and non-verbal, making connections and engaged on learning;
- Early childhood supports- such as supporting children with their specialist support and therapist for early intervention for their disabilities;
- Exercise physiology/ personal wellbeing – supporting children to build their physical and mental health, in order for them to move with optimal mobility and interact with enhanced confidence and interpersonal skills;
- Assistive products for personal care and safety – provision of products designed to maximise an individual's care and personal safety. Such as beds, pressure mattresses (air-mattresses), bathroom equipment, continence aids and specialised clothing;
- Specialist positive behaviour support for special kids with challenging behaviour;
- Support Coordination – time limited support that focuses on addressing barriers and reducing complexity in the support environment, while assisting the person to connect with supports and build capacity and resilience;
- Community Nursing Care – this includes providing specialist care in the home for those who require a higher level of care and attention;
- Participation in the community – including supported shopping, medical appointments, sporting and recreational events, social activities, visiting or making new friends, travel and transport and building confidence and social skills;
- Assistive products for household tasks – provision of products that assist people with domestic tasks in the home. Such as cooking cleaning, washing and general maintenance;
- Assistance with high intensity daily personal activities to enable people to live as autonomously as possible – such as personal hygiene, dressing, medication assistance; financial management, communication skills and lifestyle mentoring; and

- Assistance with travel and transport – provision of travel arrangements and support for people to access essential services.