



Chisholm

ASSESSMENT GUIDE

CHC50413 - Diploma of Youth Work **CHC52015 – Diploma of Community Services**

CHCLEG003 – Manage Legal and Ethical Compliance

TAFE VICTORIA

1300 244 746 chisholm.edu.au

On campus | Online | Workplace | International

ASSESSMENT REQUIREMENTS

Please read all assessment instructions to ensure you fully understand the requirements outlined in each task.

To achieve competence in the unit/s a learner must meet requirements for all assessment tasks listed before a result of competency can be awarded. Where competency is not achieved your assessor will provide feedback and request further evidence as needed.

If this course is undertaken at a Diploma level or above you must first be assessed as competent in the required unit/s. Only once you have achieved competence can the assessor award you a grade or mark against the entire unit/s.

It is important that you clearly understand all the requirements of assessment. If you have difficulty with the assessment terms or the steps to follow please speak to your Assessor/Instructor prior to commencing the task/s. Your Assessor will provide additional information to ensure all aspects of the tasks are clear.

RE-ASSESSMENT

If you do not achieve the required standard to achieve competence, you will be given the opportunity to be re-assessed by the assessor and the requirement for additional evidence will be outlined. Arrangements will be made on an individual basis to ensure the process is valid, fair and reliable.

ASSESSMENT APPEALS

A student who is dissatisfied with the outcome of his/her assessment should first discuss their concerns with the teacher/assessor and/or program coordinator in the associated business area. If the issue is not resolved, the student may appeal the decision(s) by following the Complaints and Appeals process as outlined in the Chisholm Student Guide.

ASSESSMENT METHODS

You will be required to undertake a range of assessment tasks to establish competence for the unit/s you are undertaking. It is important to understand the types of assessment you may be required to complete as part of the evidence gathering process.

Please see below the range of assessment methods that are used at Chisholm to ensure competency is appropriately measured and valid, reliable and fair assessment judgements are made.

The assessor will provide all required information about the assessment process and conditions prior to the assessment taking place.

- 1. Compliance Questions**
- 2. Compliance Questions**
- 3. Report – strategic response & policy development**

Please note, where additional questioning has taken place to determine competency and understanding this must be recorded as evidence to support the assessment judgement.

ASSESSMENTS

The following assessments will be used to collect evidence of the knowledge and skills you have gained from your Learning Program. You will be required to demonstrate your ability to perform to the standard required in the workplace, as specified within the identified unit/s of competency.

The table below indicates the methods of assessment that will be used to establish competence for this unit/s and the expected timeline.

Assessment Tasks	Week
1: Questioning – Compliance Questions	See LAG for details
2: Questioning – Compliance Questions	See LAG for details
3: Report – Strategic response & policy development	See LAG for details

1. QUESTIONING

STUDENT INSTRUCTIONS

You will be provided with a series of questions related to the Manage Legal and Ethical Compliance. The questions are used to assess your level of knowledge in relation to various aspects of this unit.

It is important that you read each question carefully prior to starting the assessment and seek clarification if any question is unclear. Please note your assessor can only provide more information to clarify the intent of the question, not provide details of the required answer.

Word count: Where there is a word limit it is important to be aware of this parameter although regardless of the word count all criteria must be covered to the required standard.

- You are required to complete 6 questions.
- This task will require you to successfully answer all questions to be deemed satisfactory.
- All questions are short answer.
- Each response must cover the criteria related to the unit of competency.
- Your assessor will mark your assessment; the results will be available in Moodle.
- ALL answers must be submitted on Moodle by the due date in pdf format.

Most questions will ask for a brief summary or description. A brief summary or description involves a student showing their understanding of that particular aspect and providing the response in their own words, that would align with industry practices. There is no word count for a brief summary or description, however it must show a clear understanding of subject matter.

Learners undertaking this assessment will need access to the following:

- Computer/Laptop with internet access (Chisholm provides access to computers in the library)
- Microsoft office 365 (Word processing) Chisholm provides this to all students who are enrolled at Chisholm free of charge and can be downloaded on to personal devices.
- Access to online learning platform (Moodle) Chisholm provides access to all online platforms

ASSESSMENT FORMATTING GUIDELINES

The below guidelines are required for students, as it is part of the foundation skills needed to show evidence that the learner can prepare reports in line with workplace procedures.

Please ensure your assessment is submitted according to the following;

- All assessments must be in Microsoft Word format.
- APA formatting; [You can use this link to access downloaded preformatted APA style word template](#)
- APA Referencing; [You can use this link to see how to use APA referencing tool in Microsoft Word](#)
- Your name student ID and unit name to the left of the page (use the header)
- Numbering on each page included in bottom right corner (use the footer)

For Written question assessments: Write the question in bold (as a heading) and supply your response under each question.

Assessment 1 - Questioning – Compliance Questions												
UNIT/S OF COMPETENCY – Code	CHCLEG003	Title	Manage Legal and Ethical Compliance									
Student Name		Student Number										
Student Signature		Assessment Date										
Assessment Location	At home in own time	Assessment Time/ Duration	3 hours									
Q1: In your own words please provide your understanding of each of the following a) Define compliance (What does it mean) b) What is meant by Compliance Culture? c) What is meant by Compliance failure? d) What is a Compliance program?			MR	FER								
<table border="1"> <tr> <td>a) Define compliance (What does it mean)</td> <td></td> </tr> <tr> <td>b) What is meant by Compliance Culture?</td> <td></td> </tr> <tr> <td>c) What is meant by Compliance failure?</td> <td></td> </tr> <tr> <td>d) What is a Compliance program?</td> <td></td> </tr> </table>			a) Define compliance (What does it mean)		b) What is meant by Compliance Culture?		c) What is meant by Compliance failure?		d) What is a Compliance program?			
a) Define compliance (What does it mean)												
b) What is meant by Compliance Culture?												
c) What is meant by Compliance failure?												
d) What is a Compliance program?												
Q2: Research and summarise your understanding of each point below a) Children in the workplace b) Codes of conduct/codes of practice c) Complaints management d) Continuing professional education e) Discrimination f) Dignity of risk g) Duty of care			MR	FER								

a) Children in the workplace				
b) Codes of conduct/codes of practice				
c) Complaints management				
d) Continuing professional education				
e) Discrimination				
f) Dignity of risk				
g) Duty of care				
Q3: What are the legal responsibilities of managers?			MR	FER
Q4: Explain the following in your own words:			MR	FER
a) Universal declaration of human rights				
b) Relationship between human needs and human rights.				
c) Provide a brief summary of your understanding of two (2) Australian frameworks used in the workplace in relation to Human Rights in community services organisations.				
a) Universal declaration of human rights				
b) Relationship between human needs and human rights				
c) Human rights frameworks	1			
	2			
Q5: Provide two (2) rights and responsibilities of the following people:			MR	FER
▪ Workers				
▪ Employers				
▪ Client/Consumers				

<table border="1"> <tr> <td>Worker Rights</td> <td></td> </tr> <tr> <td>Worker Responsibilities</td> <td></td> </tr> <tr> <td>Employer Rights</td> <td></td> </tr> <tr> <td>Employer Responsibilities</td> <td></td> </tr> <tr> <td>Consumer Rights</td> <td></td> </tr> <tr> <td>Consumer Responsibilities</td> <td></td> </tr> </table>		Worker Rights		Worker Responsibilities		Employer Rights		Employer Responsibilities		Consumer Rights		Consumer Responsibilities			
Worker Rights															
Worker Responsibilities															
Employer Rights															
Employer Responsibilities															
Consumer Rights															
Consumer Responsibilities															
Q6: What is industrial relations legislation and how does it relate to the Community Services sector?		MR	FER												
Assessor Feedback															
Assessor note: Please ensure all above criteria have been met to a satisfactory standard. Where not, additional evidence must be obtained and recorded to meet assessment criteria. All additional evidence must be clearly documented.															
Assessor Name															
Assessor Signature		Date													
Assessment Task Result (Please tick appropriate Assessment Result)		MR <input type="checkbox"/>	FER <input type="checkbox"/>												
Marking Scheme	Competency based <input checked="" type="checkbox"/>														

2. QUESTIONING

STUDENT INSTRUCTIONS

You will be provided with a series of questions related to the Manage Legal and Ethical Compliance. The questions are used to assess your level of knowledge in relation to various aspects of this unit.

It is important that you read each question carefully prior to starting the assessment and seek clarification if any question is unclear. Please note your assessor can only provide more information to clarify the intent of the question, not provide details of the required answer.

- You are required to complete 9 questions.
- This task will require you to successfully answer all questions to be deemed satisfactory.
- All questions are short answer.
- Each response must cover the criteria related to the unit of competency.
- Your assessor will mark your assessment; the results will be available in Moodle.
- ALL answers must be submitted on Moodle by the due date in pdf format.

Most questions will ask for a brief summary or description. A brief summary or description involves a student showing their understanding of that particular aspect and providing the response in their own words, that would align with industry practices. There is no word count for a brief summary or description, however it must show a clear understanding of subject matter.

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ASSESSMENT FORMATTING GUIDELINES

The below guidelines are required for students, as it is part of the foundation skills needed to show evidence that the learner can prepare reports in line with workplace procedures.

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- Numbering on each page included in bottom right corner (use the footer)

For Written question assessments: Write the question in bold (as a heading) and supply your response under each question.

Assessment 2 - Questioning – Compliance Questions 2																			
UNIT/S OF COMPETENCY – Code	CHCLEG003	Title	Manage Legal and Ethical Compliance																
Student Name			Student Number																
Student Signature			Assessment Date																
Assessment Location	At home in own time		Assessment Time/ Duration	3 hours															
Q1: Please provide a brief description of the following: a) Informed consent b) Mandatory reporting c) Practice standards d) Practitioner/client boundaries e) Privacy, confidentiality and disclosure f) Policy frameworks g) Records management				MR	FER														
<table border="1"> <tbody> <tr><td>a) Informed consent</td><td></td></tr> <tr><td>b) Mandatory reporting</td><td></td></tr> <tr><td>c) Practices standards</td><td></td></tr> <tr><td>d) Practitioner/client boundaries</td><td></td></tr> <tr><td>e) Privacy, confidentiality and disclosure</td><td></td></tr> <tr><td>f) Policy frameworks</td><td></td></tr> <tr><td>g) Records management</td><td></td></tr> </tbody> </table>				a) Informed consent		b) Mandatory reporting		c) Practices standards		d) Practitioner/client boundaries		e) Privacy, confidentiality and disclosure		f) Policy frameworks		g) Records management			
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e) Privacy, confidentiality and disclosure																			
f) Policy frameworks																			
g) Records management																			
Q2: List at least 4 key workplace practices that are prohibited by law				MR	FER														
<table border="1"> <tbody> <tr><td>Workplace practice 1</td><td></td></tr> <tr><td>Workplace practice 2</td><td></td></tr> <tr><td>Workplace practice 3</td><td></td></tr> <tr><td>Workplace practice 4</td><td></td></tr> </tbody> </table>				Workplace practice 1		Workplace practice 2		Workplace practice 3		Workplace practice 4									
Workplace practice 1																			
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Q3: List 3 potential consequences of non-compliance				MR	FER														
<table border="1"> <tbody> <tr><td>Consequence 1</td><td></td></tr> </tbody> </table>				Consequence 1															
Consequence 1																			

Consequence 2			
Consequence 3			
Q4: What key licences / checks and associated mandatory training and certification requirements would you need in the community services sector		MR	FER
Key licences/ Checks			
Mandatory training			
Q5: What insurances are required, including public liability and workers compensation? Why is it important to have?		MR	FER
Insurances required			
Importance of having the insurances			
Q6: What is Accreditation? Outline your understanding of the 'requirements' for accreditation?		MR	FER
What is accreditation?			
Requirements for accreditation			
Q7: Provide two (2) examples of techniques for monitoring compliance.		MR	FER
Compliance monitoring technique 1			
Compliance monitoring technique 2			
Q8: Describe the functions and procedures of regulatory authorities related to the ethical frameworks in the community welfare sector?		MR	FER
Q9: How would you model ethical behaviour in the workplace?		MR	FER

Assessor Feedback			
Assessor note: Please ensure all above criteria have been met to a satisfactory standard. Where not, additional evidence must be obtained and recorded to meet assessment criteria. All additional evidence must be clearly documented.			
Assessor Name			
Assessor Signature		Date	
Assessment Task Result (Please tick appropriate Assessment Result)		MR <input type="checkbox"/>	FER <input type="checkbox"/>
Marking Scheme	Competency based <input checked="" type="checkbox"/>		

3. REPORT

STUDENT INSTRUCTIONS

You are required to complete a Report as part of the assessment process to achieve competence in the associated unit. Your assessor will provide clear guidelines for the task including all criteria that must be covered and any specific tasks that must be carried out or evidence that must be submitted. This evidence may be gathered over time in a range of situations.

It is important that you read, understand and complete all aspects of this assessment as all parts are specific to the criteria set out in the unit requirements.

Assessment Instructions:

This assessment will:

- be conducted in learners own independent study time
- require some independent research to be undertaken
- need to be uploaded to the assessment submission portal on Chisholm online platform (Moodle) no later than 12am on the assessment due date/or as advised by your Assessor
- be conducted and assessed by the unit educator
- be assessed against the knowledge criteria outlined in the training package.

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- Your name student ID and unit name to the left of the page (use the header)
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For Reports: Ensure you use as a heading and subheadings in your report: [You can use this link to see how to structure APA headings](#)

Assessment 3 – Report – Strategic response & policy development			
UNIT/S OF COMPETENCY – Code	CHCLEG003	Title	Manage legal and ethical compliance
Student Name		Student Number	
Student Signature		Submission Date	
<p>Description of report:</p> <p>This report will focus on your ability to analyse and identify breaches of compliance that have occurred within an organisation. The report provides an opportunity for you to demonstrate your ability to develop a strategic response to three compliance breaches that have occurred. This report includes the development of best practice policy and a short report discussing ethical responsibilities.</p> <p>Report Part 1:</p> <p>Strategic response to breach/s of compliance.</p> <p>You are required to watch and analyse the following documentaries:</p> <p>Documentary 1 - Corners, F. (Director). (2014). In Our Care [Documentary].</p> <p>Documentary 2 - Corners, F. (Director). (2016). Australia's Shame [Documentary].</p> <p>Documentary 3 - Besser, L. (2018, August 16). Broken Homes. Retrieved from ABC Besser, L. (2018, August 16). Broken Homes. Retrieved from ABC (additional resource)</p> <p>You will use the examples featured in each of the three (3) documentaries to develop strategic responses. Your RESPONSE is to be directed at peers to inform them of best practice as outlined.</p> <p>Your strategic response must clearly cover the below a Report criterion.</p> <p>Report Part 2:</p> <p>Develop two (2) policies and procedures that would address identified breach/s and better support legal and ethical compliance.</p> <p>You will identify two (2) of the breaches highlighted in any of the 3 documentaries to form the basis of your policies and procedures.</p> <p>Report Part 3:</p> <p>Write a short report on ethical responsibilities with awareness of compliance.</p> <p>This assessment has been designed to assess students' knowledge and their ability to manage legal and ethical compliance requirements in an organisational setting.</p> <p>May be completed in question answer format.</p> <p>Examples of policies and procedures are provided in Appendix 1.</p> <p>Assessment will take place in learners independent study time with support from the unit assessor. Each learner must exhibit an acceptable knowledge base, performance skill and ability to performance the required task deemed for this unit.</p> <p>Within the portfolio, the student is required to satisfactorily demonstrate required skills and cover the required information.</p>			
Portfolio Item	Assessment Criteria	✓	Assessor Comments

			*Assessor to tick criteria that is satisfactorily covered
R1 Strategic response to breach of compliance.	R1.1 Identify 1 breach of compliance for each of the case studies: Disability sector (In our care) Youth Justice (Australia's shame) Child protection (Broken Homes).		
	R1.2 Identify and document the appropriate legal compliance requirements that deal with each breach within each sector.		
	R1.3 Discuss the risks associated with the breach of compliance (I.e., to clients) and possible penalties and consequences of non-compliance for employers and /or employees.		
	R1.4 Identify the legal bodies a worker may engage for advice regarding the breaches of compliance (one for each sector).		
R2. Develop and document policies and procedures in readily accessible formats	R2.1 Identify breach/s being addressed in order to develop policies and codes of conduct into workplace practices.		
	R2.2 Develop a minimum of 2 policies and procedures to address identified compliance breaches that exist and will better support legal and ethical practice.		
	R2.3 What are responsibilities of staff, clients and different people relating to these policies and procedures including its distribution?		
	R2.4 Identify how the client information will be recorded and kept in accordance with privacy requirements.		
R3. Identify ethical responsibilities	R3.1 Evaluate and identify the responsibilities of companies/organisations/government departments to: staff, Clients; and community Can include themes of ethical practice, boundaries, privacy, confidentiality and disclosure		
	R3.2		

	<p>Explain how you would manage the following:</p> <ul style="list-style-type: none"> ▪ Legal responsibilities and liabilities of managers in each of the documentaries. ▪ Codes of practice and conduct. ▪ Discrimination, dignity of risk and duty of care <p>Work health and safety</p>		
	<p>R3.3</p> <p>Identify and document your own ethical behaviour in your workplace</p>		
R4. Knowledge and awareness of compliance	<p>R4.1</p> <p>Explain how you would evaluate non-compliance on a regular basis and strategies to implement modification to work practices.</p>		
	<p>R4.2</p> <p>What are the steps in managing compliance and ethical practice internally and external practice and service delivery.</p>		
	<p>R4.3</p> <p>Explain how you would share and update your peers and colleagues with information and knowledge?</p>		
	<p>R4.4</p> <p>Explain how you would proactively engage in workplace reviews and improvements on an ongoing basis?</p>		
Assessor Feedback			
<p>Assessor note: Please ensure all above criteria have been met to a satisfactory standard. Where not, additional evidence must be obtained and recorded to meet assessment criteria. All additional evidence must be clearly documented.</p>			
Assessor Name			
Assessor Signature		Date	
Assessment Task Result (Please tick appropriate Assessment Result)		MR <input type="checkbox"/>	FER <input type="checkbox"/>
Marking Scheme	Competency based <input checked="" type="checkbox"/>		

Appendix 1 – Policies and Procedures

CASS PRIVACY STATEMENT

Policy The organisation is committed to a privacy statement that safeguards the privacy of client and, for organisations with an annual turnover of \$3 million or more, complies with its obligations under the *Privacy Act 1998*.

Definition A privacy statement is a document that declares the intentions of the organisation in relation to client information and data, how personal information is stored, how clients can access this information and the purposes for which personal information is used and disclosed.

Procedure

The organisation's privacy statement should include sections on the following areas:

- data collection
- data storage
- data use
- data disclosure
- access by an individual.

Data collection

This area states why the organisation needs to collect personal information. For example, "The organisation collects your personal information to ensure we provide you with the most appropriate assistance. The information is collected in a fair, legal and transparent way."

Data storage

This section needs to state how the organisation will store the personal information collected. For example, "Information collected by the organisation while you are accessing our services will be kept in a personal file. Files are stored in a secure location within the premises".

Data use

This area requires a statement about how the organisation will use the information collected. For example, "The organisation will only use the personal information collected for the purposes for which it was collected, or other purposes that are agreed to between the organisation and the client. Additional purposes may be required to comply with legislation. If this is the case, the organisation will communicate to the client that this has occurred."

Data disclosure

Data disclosure refers to making your information available to another party. For example, "The organisation undertakes to disclose your data only under the following circumstances:

- where required by law

- with your consent
- where permitted by law”.

Access by an individual

This area states how an individual can access their own personal information from the organisation. For example, “The organisation provides you with access to your information. The organisation undertakes to ensure access is:

- convenient
- without reasonable delay
- without cost”.

To assist the organisation in this process, the organisation can access examples of privacy statements on this CD-ROM.

For further information, contact The Office of Privacy Commissioner on the toll free number 1300 363 992 or 1800 620 241 (for hearing impaired only, no voice calls).

You can also email the commission at privacy@privacy.gov.au or access the website address at <http://www.privacy.gov.au>

CASS CODE OF CONDUCT

Policy Employees and Management Committee members adhere to the organisation's Code of Conduct which reflects the behaviour expected and is designed to encourage integrity and professionalism.

Definitions A **Code of Conduct** is a set of rules, regulations and guidelines which employees are expected to observe during their employment.

Procedure

Code of Conduct philosophy

The organisation prides itself on the professionalism and ability of its employees and Management Committee to meet community 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 employees, Management Committee and community members are treated in a manner that reflects the mission, culture and legal obligations of the organisation.

Compliance

- All employees and Management Committee members are expected to:
 - observe all policies, procedures, rules and regulations at all times
 - comply with all 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 community members and other employees
 - adhere to the *Workplace Health and Safety Policy and Procedure*
 - maintain the confidentiality of the organisation's operations in relation to service activities, confidential documentation and work practices during and after their employment
 - take reasonable steps to ensure their own health, safety and welfare in the workplace, as well as that of other employees and community members. Employees are expected to make themselves familiar with their workplace health and safety obligations.

Employee and Management Committee 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 Committee members **should not**:
 - discriminate against another employee or community member 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 employees and community members
- steal, damage or destroy property belonging to the organisation, its employees or community members
- work intoxicated or under the influence of controlled or illegal substances
- bring controlled or illegal substances to the workplace
- smoke on the organisation's premises or in its motor vehicles
- accept benefits or gifts which give rise to a real or apparent conflict of interest.

Dress code

- Employees and Management Committee members **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)
 - consult with the Manager or Program Supervisor if unsure of the type of clothing appropriate to their position.
- Employees who deliberately breach this dress code may receive disciplinary action.

Privacy and confidentiality

- Securely store personal information provided by a client or employee.
- Take reasonable steps to ensure this material is kept secure against:
 - loss
 - unauthorised access
 - use
 - modification or disclosure
 - misuse.
- Use personal information only for the purposes for which it was collected. Do not disclose personal information to another party unless the individual is aware of, or has consented to, the disclosure.
- Keep information about all service provision confidential within the organisation. Do not disclose information associated either directly or indirectly, to the organisation to external parties unless authorised by the Manager or Program Supervisor.

Dealing with aggressive behaviour

- Employees are expected to provide high standards of service provision but the organisation does not accept any form of aggressive, threatening or abusive behaviour towards its employees by community members.
- If an employee is unable to calm the person and/or believes the situation places them or other employees in danger, they should notify the Manager or their Program Supervisor.

Use of computers, telephones, facsimiles

- Unauthorised access and use of confidential information can severely damage the reputation of the organisation and undermine personal privacy.
- Employees and Management Committee members **should**:
 - use communication and information devices for officially approved purposes only
 - use these communication and information devices for limited personal use, as long this use does not interfere with their daily duties
 - not share their password/s with another employee or share another employee's password/s.

Use of the Internet and email

- Internet and email are provided to employees and Management Committee members for genuine work-related purposes.
- Employees and Management Committee members **should**:
 - limit personal use to a minimum. The organisation may monitor use and call upon employees to explain their use.
 - comply with copyright regulations when using the Internet or email.
- Employees and Management Committee members **should not**:
 - divulge personal or confidential information via the Internet or email
 - use the Internet to access websites or send emails of an explicit sexual nature or in any manner that breaches the *Equity, Anti-Discrimination and Workplace Harassment Policy and Procedure*.
- While the privacy of all employees 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 the *Equity, Anti-Discrimination and Workplace Harassment Policy and Procedure*.

CASS EQUITY, ANTI-DISCRIMINATION AND WORKPLACE HARASSMENT

Policy The organisation is an equal opportunity employer and its employees are expected to conform to equity and anti-discrimination guidelines.

Definitions **Discrimination** occurs when someone is treated less favourably than another in similar circumstances because of a personal attribute that has no relevance to the situation.

Equity allows all employees to be treated fairly and without discrimination.

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

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

Procedure

Equity and anti-discrimination philosophy

- The organisation strives to provide a positive working environment in which all employees 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.
- 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
 - terminations.

Compliance

- Employees must neither be discriminated against nor discriminate, treat unfairly or unlawfully another employee 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
 - association with or relation to a person with any of the above attributes.

Harassment

- Employees should not be subject to, or engage in unlawful harassment or discrimination against another employee or community member in a manner which is unwanted, intimidating or offensive.
- Forms of harassment include:
 - sexual harassment
 - homosexual and transgender vilification
 - HIV/AIDS vilification
 - racial vilification.
- Sexual harassment includes:
 - unwanted attention or touching
 - sexual propositions
 - leering or staring
 - offensive language
 - displaying nude images
 - persistent requests for dates
 - crude or offensive jokes.
- Harassment will not be tolerated and disciplinary action will be taken against those responsible.

Inclusive language

- When writing internal or external documents, 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 EEO

- All breaches of EEO will be taken seriously.
- Complaints will be dealt with promptly and in accordance with relevant State and Federal legislation.
- All complaints will remain confidential.

Employees who feel that they are victims of discrimination or harassment:

- Approach the Manager to discuss appropriate actions or options.
- Lodge a formal complaint or grievance which will be dealt with by the Manager.

Chisholm