

**Staff**

**Manual**

**as at January 2020**

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# INTRODUCTION

## General introduction

It is not possible for the Staff Manual to cover all aspects of the operation and administration of **[#INSERT NAME OF PRACTICE]** (**Practice**). However, in respect of those issues dealt with in it, the Staff Manual sets out how all employees are to conduct themselves and the processes which are to be followed. Employees must comply with the policies and procedures contained in this Staff Manual.

Employees must comply with the Staff Manual as amended from time to time. Where there is an inconsistency between the Staff Manual and an employee’s letter of appointment or individual employment agreement, the letter of appointment or individual employment agreement prevails to the extent of any inconsistency. The Staff Manual also forms part of the Practice’s Quality Assurance System and should be read in conjunction with APES 320 (Quality Control of the Firm) of the CPA Australia Members’ Handbook as amended from time to time.

To meet the changing environment in which the Practice operates, it will be necessary to amend the Staff Manual from time to time. The Practice will give employees notice of any substantial changes to the Staff Manual, and employees will be required to follow the changed policies and procedures.

The contents of the Staff Manual are confidential and should not be disclosed or discussed outside the Practice without the Practice’s prior consent in writing, or unless otherwise required by law.

## The Practice’s history

**[#INSERT DETAILS]**

## The Practice’s objectives

**[#INSERT DETAILS]**

## Administrative structure

The Practice’s administration systems and the people responsible are set out in the table below. Employees should raise any concerns about areas of administration with:

### initially, the employee’s supervisor;

### if the employee’s supervisor cannot resolve the matter, with the specified person responsible in the table below:

|  | AREA OF ADMINISTRATION | PERSON RESPONSIBLE |
| --- | --- | --- |
| 1. | Finance:  A. Debtors  B. Creditors and Payment of Accounts  C. Customer Evaluation  D. Internal Financial Data:   Budgets   Monthly reports  E. Insurances  F. Financial Computer Systems | **[#SPECIFY POSITIONS HERE RATHER THAN PARTICULAR EMPLOYEES. e.g. ‘The Staff Partner’, ‘The Office Manager’]** |
| 2. | Office  A. Technology:   Computer System   Telephone System   Office Equipment  B. Consumables:   Stationery   Amenities  C. Motor Vehicles |  |
| 3. | Business Development  A. Marketing:   Advertising   Public Relations   Functions   Circulars  B. Training and Development |  |
| 4. | People  A. Recruitment and Selection  B. Salaries  C. Discrimination and Sexual/Racial Harassment | Please refer to the complaints processes set out in the Practice’s equal employment opportunity policy in this Staff Manual. |
| 5. | Quality Assurance  A. Quality Manager |  |

## Performance of duties

Employees’ duties are set out in their letters of appointment (which constitute their employment agreement with the practice) and include any other reasonable duties advised by the Practice from time to time.

Whenever employees experience difficulty in understanding or performing any aspect of their duties they should seek assistance from:

### their supervisor

### if their supervisor is not available, another employee with a similar level of authority to their supervisor or

### if neither their supervisor nor an employee with a similar level of authority is available, another employee more experienced than themselves.

All employees should perform their duties and represent the Practice in a professional and courteous manner.

Employees must at all times act in the best interests of, and promote the interests of, the Practice.

Employees should behave professionally towards clients at all times. Behaving professionally towards clients is generally a matter of common sense. It includes being polite when dealing with clients (whether in person, on the phone, or via written communications, including email). It also includes refraining from speaking critically about, or defaming the Practice’s clients.

Employees should maintain an awareness of the services offered by the Practice. Employees should be alert to opportunities to ‘add value’ to the Practice’s clients by suggesting additional services offered by the Practice where appropriate.

Employees should reply promptly to any client enquiries. Employees are to address clients formally (for example, Mr, Ms, Mrs, Madam or Sir) unless invited to do otherwise by the client.

All employees represent the Practice, both during and outside working hours. Employees should not at any time engage in conduct which could damage or discredit the Practice’s reputation. If any employee’s out-of-work conduct has a relevant connection with their employment, or is contrary to the Practice’s interests, the Practice may take disciplinary action to address an employee’s out-of-work conduct.

If an employee knows or suspects that a client:

### (a) is dissatisfied with the Practice’s services or

### (b) is reluctant to provide information necessary for the Practice to supply services,

the employee should report the matter as soon as possible to their supervisor, or to their supervisor’s manager where appropriate.

## General obligations and conditions of employment

***#Optional:*** *There is no legal requirement in NZ for provisions relating to jury service, parental leave, flexible work requests , or family violence entitlements, to be outlined in writing. Including these descriptions will provide some helpful guidance for staff, but it should be reviewed regularly to ensure any changes to legislation are taken into account.*

Jury service

If an employee receives notification of prospective jury service, they should notify their supervisor as soon as possible after receiving the notice. Unless otherwise agreed, the employee must provide their supervisor with a copy of the notice, as well as any indication the employee has received from the court about the possible length of the jury service.

The employee must discuss the matter with their supervisor before completing any court documentation and before attending court as requested in the notification. Jury service is an important civic duty. However, an employee may be excused from attending jury service in limited circumstances where it would cause undue hardship or serious to inconvenience them, or to someone else (such as their employer). If the absence of the employee would cause serious inconvenience to the Practice, the employee may be provided with a letter to attach to the court documentation setting out the reasons why the employee’s absence would cause serious inconvenience to the Practice.

[#Employees (other than casual employees) who participate in jury service are required to provide the Practice with proof of any payments made to them in respect of jury service. If this requirement is met, the Practice will pay the difference between the employee’s ordinary pay (excluding overtime and other allowances) and the payment from the court for the first ten days of the employee’s absence on jury duty. If the employee fails to provide the requested evidence, the employee will not be entitled to payment from the Practice. No payment will be made to casual employees.] *[#Optional – there is no requirement to pay employees (or make top-up payments) while an employee is on jury service.]*

OR

[#Employees will not be paid while on leave for jury service.]

**Parental Leave**

Subject to the requirements of the *Parental Leave and Employment Protection Act 1987*, employees are entitled to paid and unpaid parental leave.

Upon return to work, an employee is entitled to return:

### to the position they held immediately before commencing parental leave or

### if the original position no longer exists - to an available position for which the employee is qualified and suited nearest in status and pay to the pre-parental leave position.

Absence on parental leave does not interrupt an employee’s continuity of service, but entitlements such as annual leave, long service leave and personal, sick leave and bereavement do not accrue during the unpaid parental leave period. Any period of unpaid parental leave does not count towards the length of the employee’s continuous service.

*Primary carer leave*

As at 1 January 2020, an employee is entitled to take up to 22 weeks of paid parental leave if the employee is a ‘primary carer’ and if the employee has worked for the Practice for at least an average of 10 hours per week for the six months immediately preceding the expected date of delivery of the child, or the assumption of responsibility for the care of a child.

The entitlement to paid parental leave will increase to 26 weeks from 1 July 2020.

Under the Act, a primary carer is:

### a female biological mother who is pregnant or has given birth to a child;

### the spouse or partner of the biological mother if the spouse or partner has succeeded to all or part of the biological mother’s entitlement to a parental leave payment (if the biological mother dies or the spouse or partner become the sole guardian of the child); or if the biological mother has transferred all or part of her entitlement to that spouse or partner

### a person other than the biological mother or her spouse or partner, who assumes primary responsibility for the day-to-day care of a child under 6 years of age, other than as a foster carer or on any other temporary basis (e.g. a grandparent).

*Negotiated carer leave*

Under the Act, primary carers who are not eligible for primary carer leave may request a period of leave from the Practice to enable them to receive parental leave payments.

In order to be eligible for negotiated carer leave, the employee must be a primary carer and must have been employed (by either the Practice or an entity other than the Practice) for at least an average of 10 hours per week over any of the 26 of the 52 weeks immediately preceding the date of the delivery of the child, or the date on which the employee becomes the primary carer.

Where a child is to be born to the employee or to the employee’s spouse or partner, the request must be made at least three months before the expected date of delivery or, in any other case, at least 14 days prior to the date on which the employee intends to become the primary carer in respect of the child.

The request must be in writing and must state:

1. the employee’s name
2. the date of the request
3. that the request is made under Part 3A of the *Parental Leave and Employment Protection Act 1987*
4. the proposed date on which the employee wishes to begin negotiated carer leave and the proposed duration of the leave
5. that the employee will be the primary carer in respect of the child during the specified period and will, if the request is approved, be entitled to receive parental leave payments under the Act for that period.

In the request, the employee must also explain, in the employee’s view, what changes, if any the employer may need to make to the Practice’s arrangements if the employee’s request is approved.

The Practice will either allow of refuse the request within one month of receiving it. The practice may refuse the request if it cannot be accommodated on one or more of the following grounds:

1. inability to reorganise work among existing staff
2. inability to recruit additional staff
3. detrimental impact on quality
4. detrimental impact on performance
5. planned structural changes
6. burden of additional costs
7. detrimental effect on ability to meet customer demand.

*Partner’s / Paternity Leave*

An employee may take (unpaid) partner’s leave if the employee is:

1. the spouse or partner of the primary carer in respect of a child; and
2. assumes or intends to assume responsibility for the care of that child; and
3. has worked for the Practice for at least an average of 10 hours per week for 6 months immediately prior.

Partner’s leave must be taken in one continuous period not exceeding:

1. 2 weeks, if the employee has been employed by the Practice for at least an average of 10 hours a week over the immediately preceding 12 months; or
2. 1 week, if the employee has been employed by the Practice for at least an average of 10 hours a week over the immediately preceding 6 months.

*Extended leave*

In addition, there is an entitlement to extended unpaid parental leave if:

1. the employee:
   1. is the primary carer in respect of a child; or
   2. is the spouse or partner of the primary carer in respect of a child and assumes or intends to assume responsibility for the care of that child; and
2. the employee has:
   1. been working for the Practice for at least ten days per week for the immediately preceding 6 months (in which case the maximum duration of extended leave is 26 weeks); or
   2. been working for the Practice for at least ten days per week for the immediately preceding 12 months (in which case the maximum duration of extended leave is 52 weeks).

Any primary carer leave taken by the employee (up to 22 weeks, increasing to 26 weeks from 1 July 2020) reduces the period of extended leave to which a primary carer or their spouse or partner are entitled (so the combined period of primary carer leave and extended leave cannot exceed 26 or 52 weeks (as applicable) in total). The one or two weeks of partner’s leave is not included in the 26 or 52 week extended leave period.

The maximum combined period of extended leave may be shared between the employee and that employee’s spouse or partner provided that, neither the employee nor the employee’s spouse or partner total period of extended leave exceeds the amount that that person is individually entitled to, and the total period formed by adding together all periods of extended leave taken by both the employee and their partner or spouse does not exceed the maximum combined period of extended leave.

The period of extended leave may be taken consecutively or concurrently, with any period of primary carer or partner’s leave.

*Notice requirements*

Every employee who intends to take parental leave must give written notice to the Practice, stating certain matters specified in the Act, including the proposed date on which the parental leave is to begin and its duration. The notice should be given three months prior to the expected date of delivery and must be accompanied by a doctor’s certificate.

If an employee intends to be the primary carer in respect of a child to whom the employee or the employee’s spouse did not give birth, the notice must include a statement by the employee that the employee will be the primary carer and be given at least 14 days before the employee intends to become the primary carer in respect of the child and also be accompanied by evidence required under regulations.

**Requesting flexible working arrangements**

Employees have the right to request flexible working arrangements.

All requests for flexible working arrangements should be made in writing stating the employee’s name, and date, that the request is made under Part 6AA of the *Employment Relations Act 2000*. The request must also specify the nature of the flexibility sought, the date it would take effect, and what changes (if any) the employee thinks the employer may need to make in order to accommodate their request. Employeescan do this by completingthe Request for Flexible Working Arrangements form which is included in the Office Forms section of this Manual.

The Practicewill give consideration to the employee’s request and will only refuse a request if it cannot be accommodated on the business grounds specified in the Act*.* If the Practice does refuse the employee’s request it will provide the employee with reasons for its decision.

**Family violence entitlements**

After six months’ continuous employment, employees who are affected by family violence (regardless of when the family violence occurred) have the right under the *Employment Relations Act 2000* to get paid family violence leave, to ask for short-term (up to two months) flexible working, and to not be treated badly at work because they might be affected by family violence. These entitlements are designed to help you deal with the effects of family violence, for example, to get help from a family violence support service, move house, go to court, or to support your children.

Family violence means all forms of violence in family and intimate relationships. Family violence can be physical, sexual or psychological abuse. Someone is affected by family violence if either they have experienced family violence themselves, or a child who has experienced family violence lives with them, even if it’s not all the time.

If the Practice requests proof, both parties should act in good faith. That means being open, honest and quick to respond. The *Employment Relations Act 2000* does not state what kind of proof is required. The Practice understands that getting proof may not be simple, given the nature of family violence. Some examples of proof that might be provided include:

### letter or email about what’s going on and how it affects the employee from either a support organisation (for example, a domestic violence support service or Oranga Tamariki) or a support person

### a report from a doctor or nurse

### a report from a school

### a declaration (a letter of evidence witnessed by an authorised person like a justice of the peace

### any court or police documents about the family violence.

### If you are or have been affected by family violence and wish to access any of your entitlements, please contact your supervisor (or another senior member of the Practice if you are not comfortable discussing the issue with your supervisor), who will then advise you of the requirement for any formal request, notice, or forms to be completed. All matters will be dealt with discreetly.

**#*End optional text***

**Break entitlements**

*Requirements as at 1 January 2020*

The Practice and each employee should negotiate and agree as to when the employee takes their breaks, taking into account the nature of the work. In the absence of any such agreement, the default rest and break structure specified in the *Employment Relations Act 2000*, as set out below, will apply.

|  |  |  |  |
| --- | --- | --- | --- |
| **Work Period** | **Rest Break** | **Meal Break** | **When during work period\*** |
| *Between 2 and 4 hours* | One 10-minute paid rest break | - | Middle |
| *Between 4 and 6 hours* | One 10-minute paid rest break | One 30-minute meal break | *Rest:* One third  *Meal:* Two thirds |
| *Between 6 and 8 hours* | Two 10-minute paid rest breaks | One 30-minute meal break | *Rest:* Halfway between start and meal  *Meal:* Middle  *Rest:* Halfway between meal and end |
| *Over 8 hours:* |  |  |  |
| *8 hours work period* | Two 10-minute paid rest breaks | One 30-minute meal break | *Rest:* Halfway between start and meal  *Meal:* Middle  *Rest:* Halfway between meal and end |
| *Subsequent period between 2 and 4 hours* | One 10-minute paid rest break | - | Middle |
| *Subsequent period between 4 and 6 hours* | One 10-minute paid rest break | One 30-minute meal break | *Rest:* One third  *Meal:* Two thirds |
| *Subsequent period between 6 and 8 hours* | Two 10-minute paid rest breaks | One 30-minute meal break | *Rest:* Halfway between start and meal  *Meal:* Middle  *Rest:* Halfway between meal and end |

*\* as far as reasonably practicable, and except as otherwise agreed between the employee and employer.*

The exemptions from these requirements apply only in relation to continuity of essential services. In no other case may the parties agree to forgo rest and meal breaks in return for compensation.

Reimbursement of expenses

The Practice will reimburse employees for pre-approved expenses properly incurred by employees in the proper performance of their duties. Reimbursement will be subject to employees providing the Practice with receipts or other evidence of payment and of the purpose of each expense, in a form reasonably required by the Practice. Employees will also be required to complete the Expense Reimbursement Form which is included in the Office Forms section of this Manual.

Travel

Reasonable travelling expenses, where incurred in the performance of an employee’s duties, will be reimbursed, provided that all claims are made on the appropriate form, signed by the appropriate supervisor and supported with the necessary substantiating documentation. The payment of expenses is at all times subject to the prior authorisation of, and at the discretion of, the Practice.

Employees should arrange travel and accommodation through the Practice’s preferred travel supplier prior to departure.

Generally air travel will be by economy class, with a carrier chosen by the Practice.

Dress and conduct

Employees are expected to observe a standard of dress, personal appearance and grooming fitting for employees of a professional organisation, subject to the necessary requirements of the duties of each employee’s position.

The Practice may, on occasion, provide alcoholic beverages which are available for consumption at the workplace or elsewhere during work-related social functions, for example at a Christmas party or client lunch. Employees remain at all times responsible for their decision to drink alcoholic beverages on such occasions, and undertake to act responsibly at all times during these occasions.

Employees represent the Practice, both during and outside working hours. Employees should not at any time engage in conduct which could damage or discredit the Practice’s reputation, including during work-related social functions. The conduct of an employee during a work-related social function or after hours may result in the Practice taking disciplinary action against an employee up to and including dismissal, for example, where the conduct of the employee reflects badly on the business or reputation of the Practice.

Pay-roll processing

Pay-roll processing is conducted by the accounts department or such other authorised representative of the Practice. For those employees who may be entitled to overtime payments or other overtime allowances, work outside normal rostered hours is only to be performed if authorised in advance by the employee’s supervisor.

Change of address

Each employee’s current address is required for the purpose of issuing group certificates. In addition, it may be necessary for the Practice to contact an employee or their next of kin, for example, in the event of an unexplained absence or emergency. For this reason all employees are required to keep the Practice updated in relation to changes to their address or personal telephone number, as well as the contact details of their next of kin.

## Practice motor vehicles

*[#Note: This provision should be reviewed for relevance/consistency with the Practice’s vehicle policies and practices (if any)]*

The Practice may make available to Practice employees, contractors and work experience staff (**Persons**) from time to time company motor vehicles for use on work-related business (**Practice Motor Vehicles**).

The use of Practice Motor Vehicles is, where possible, to be booked in advance through the Practice’s vehicle booking system. **[#INSERT DETAILS OF ANY PARTICULAR PRACTICE SYSTEM HERE]**

Practice Motor Vehicles remain at all times the property of the Practice.

All Persons driving a Practice Motor Vehicle must:

### be in possession of a current, valid driver’s licence, and must not drive a Practice Motor Vehicle if not licensed or authorised to drive it

### observe all relevant traffic laws and regulations

### drive in a manner which is safe and responsible in respect of themselves, any passengers and the general public

### not drive or permit the driving of a Practice Motor Vehicle by a person under the influence of alcohol or drugs. This means having a zero breath and blood alcohol level (notwithstanding that there are legal limits for breath and blood alcohol), and not being under the influence of prescription or recreational drugs

### show courtesy and consideration to all other road users

### not authorise or allow any other person to drive the Practice Motor Vehicle without the written authorisation of the Practice

### not drive or permit the driving of a Practice Motor Vehicle in a careless, reckless or dangerous manner

### be at least 21 years of age

### comply with the provisions of all statutes, rules and regulations in respect of the use or driving of a Practice Motor Vehicle. Persons are responsible for the consequences of any breaches of those statutes, rules and regulations during the period employees have the use of a Practice Motor Vehicle, including any speeding fines, parking tickets, penalties or claims.

In the event a Person’s driver’s licence is suspended or cancelled, or a Person is disqualified from driving, a Person must not drive a Practice Motor Vehicle under any circumstances.

It is the responsibility of any Person driving a Practice Motor Vehicle to ensure before use that:

### a current registration sticker is in place

### tyre pressures are correct

### water, oil, battery and fuel levels are correct

### all items in the vehicle are secure.

If any Person using a Practice Motor Vehicle detects or suspects any problem or defect in relation to a Practice Motor Vehicle, the problem or defect must be reported immediately to that Person’s supervisor. If requested, the Person must complete any requested documentation in respect of the suspected problem or defect. If any Practice Motor Vehicle appears unroadworthy, it should not be used.

The Person driving a Practice Motor Vehicle at the time that the fuel tanks becomes less than a quarter full is required to refill the fuel tank with the appropriate fuel at a service station approved by the Practice or at which the Practice has a fuel account.

Whenever a Person leaves a Practice Motor Vehicle unattended, the Person must ensure that the vehicle has been properly locked and secured and, if possible, protected from the weather.

If Persons are involved in an accident, they must stop to see if anyone is hurt, and provide assistance. If someone is hurt, the Persons should seek appropriate medical attention for them (such as by calling an ambulance), and tell a police officer about the accident as soon as possible and no later than 24 hours after the accident. The Practice should be notified about the accident at the earliest opportunity.

If no one is injured, but damage is caused to the Practice Motor Vehicle or to any other person’s vehicle or property, the Practice must be advised immediately. Persons must give their name, address and vehicle registration (and, if asked, the name and address of the owner of the Practice Motor Vehicle) as soon as possible but no later than 48 hours after the accident to:

1. the owner or driver of any other vehicle that has been damaged
2. the owner of any property that has been damaged.

If Persons cannot locate these people, they must tell a police officer as soon as possible and no later than 60 hours after the accident.

Persons should take care not to admit liability to either the Police or the owner of any other vehicle or property damaged in the accident.

An accident/incident report form must also be completed and forwarded to the Person’s supervisor at the earliest possible opportunity.

The Practice takes no responsibility whatsoever for any fines, infringements or penalties incurred by Persons driving Practice Motor Vehicles. The payment of fines and penalties incurred by Persons will be the responsibility of the Persons driving the Practice Motor Vehicle at the time the fine or penalty is incurred. Unless otherwise notified, the fine or penalty will be the responsibility of the Person who originally booked the Practice Motor Vehicle. If this cannot be determined, the custodian of the Practice Motor Vehicle will be responsible until such time as the Person driving the Practice Motor Vehicle at the time the fine or penalty was incurred is identified.

## Practice motor vehicle insurance and liability

If insurance cover is provided for loss or damage to the Practice Motor Vehicle then the Practice’s insurer may bring, defend or settle any legal proceedings in its sole discretion. The Practice’s insurer shall have the sole conduct of any proceedings. Any such proceedings shall be brought or defended in the driver’s name.

In the event that a Person is involved in and is deemed to have caused an accident by the Practice’s insurer, the Practice will bear the cost of the insurance excess unless the accident results from the Reckless or Illegal Actions of a Person. ‘**Reckless or Illegal Actions**’ that may invalidate the insurance policy include:

### driving a vehicle when the driver has a blood alcohol content in excess of the legal limit

### driving a vehicle while not licensed or authorised to drive it

### driving a vehicle in an unsafe condition

### using the vehicle in a trial, race, test or contest or

### driving a vehicle in breach of traffic laws or regulations.

If a Person is using a Practice Motor Vehicle for work-related purposes and due to Reckless or Illegal Actions of the Person the Practice is exposed to liability, directly or indirectly due to the use of the motor vehicle, the Person agrees to indemnify the Practice for any liability for which the Practice is not covered by insurance.

Persons must ensure that if they are involved in a motor vehicle accident in a Practice Motor Vehicle, or if a Practice Motor Vehicle is stolen or otherwise damaged, that they do not breach or invalidate any insurance cover and, in addition, must:

### report the accident or theft immediately to the Practice so that the insurer (and in the case of theft, the police) can be notified

### not admit liability for any accident, or make any attempt to settle or compromise any claims

### not make any statements to the Practice or its insurer which are not truthful and frank

### provide any assistance to the Practice or its insurer as requested to enable the Practice and its insurer to defend or bring any claim in relation to the accident or theft

### deliver to the Practice immediately upon receipt every summons, complaint or paper in relation to an accident or theft.

Practice Motor Vehicles are not to be used for personal use without the Practice’s prior consent. If a Person is using a Practice Motor Vehicle for personal use (whether the motor vehicle is part of their remuneration package entitlements or not), the Person agrees to indemnify the Practice for any liability incurred directly or indirectly due to the Person’s personal use of the motor vehicle which the Practice is not otherwise covered for by insurance.

## Mobile telephones

If an employee is provided with a mobile telephone:

### the mobile telephone is provided so that the employee can properly perform their work-related duties. During any period in which the employee is unable, or not required to perform their duties, the employee may be required to return the mobile telephone to the Practice

### the employee will use the mobile telephone for business purposes only [#please consider in accordance with Practice policy]

### the Practice will pay for reasonable work-related costs associated with the mobile telephone. Employees will reimburse the Practice for the costs of all personal phone calls, text messages and ‘PXT’ messages associated with the mobile telephone

### it is the employee’s responsibility to ensure the mobile telephone is fitted with a charged battery in working condition

### it is the employee’s responsibility to advise the Practice of any problems or defects which the employee detects or suspects in relation to the mobile telephone

### the employee will maintain and take care of the mobile telephone and return it immediately (in good working condition) to the Practice upon request

### the employee’s use of the mobile phone may be monitored to ensure that it is being used in accordance with the employee’s employment obligations to the Practice.

The mobile phone and mobile phone number remains at all time the property of the Practice.

## Charge accounts

No employees are to make private purchases on Practice accounts, unless, on each occasion:

### prior authorisation has been granted to the employee by the Practice

### an official order form has been completed by the employee and approved by the Practice

### a written authorisation or other agreement in the terms of the following clause has been agreed to between the employee and the Practice.

On each occasion employees are permitted to make private purchases on Practice accounts, those purchases must be paid for by employees by the end of the next pay period. Unless alternative arrangements are discussed and agreed in writing between the employee and the Practice, employees will be required to authorise the Practice in writing to deduct from their pay, the amount attributable to the particular private purchase.

## Personal telephone calls

Employees are encouraged to limit personal telephone calls during work hours. Making or receiving personal calls during work breaks is acceptable.

The Practice discourages the receipt of personal telephone calls at work other than in cases of genuine emergency. Employees are to discourage their friends or family from contacting them at work, other than during breaks or in cases of emergency.

## Appropriate internet and email usage

The Practice provides employees with access to computer systems, email and the internet to assist with the performance of their duties. All computer systems and data belong to the Practice and may only be used for authorised purposes.

Because of the opportunity for misuse of these resources, the Practice’s rules for the proper use of its computer systems, internet and email resources are set out in the email and internet policy in section 4 of this Staff Manual.

It is every employee’s responsibility to ensure that computer systems and internet and email facilities are used responsibly and in accordance with this policy.

## Lateness for work

Any absence or late arrival due to illness, injury or any other reason, and the expected duration of leave must be personally reported to the employee’s supervisor as soon as practicable (and prior to the employee’s normal starting time wherever possible). If the employee is unable to do this personally, they should ask someone to telephone on their behalf.

Subsequent to this, the employee must keep the Practice regularly informed of their progress.

Wherever possible the employee should make dental, medical, or other personal appointments outside their normal working hours.

It is essential that the employee is ready to commence work at their normal commencement time as other employees and the Practice depend upon the employee and their contribution.

## Property of the Practice

It is the responsibility of employees to ensure that any Practice property in their custody or possession is kept secure and maintained.

Practice property must not under any circumstances be abused, damaged or destroyed by employees, and employees must not permit others to abuse, damage or destroy Practice property.

Any employee found abusing, damaging or destroying Practice property, or permitting someone else to do so, may be subject to disciplinary procedures, up to and including termination of employment.

It is the responsibility of each employee to ensure that any Practice property in their possession is used only according to product specifications or instructions. Employees agree to indemnify the Practice for any loss or damage occurring to Practice property in employees’ possession if the loss or damage occurs otherwise than in accordance with product specifications or instructions.

As provided for in individual letters of appointment or employment agreements, employees also authorise the Practice to deduct from any sum payable to employees on termination of employment, any amount attributable to damaged or destroyed Practice property.

## Security

Entry to the Practice’s premises **[#during and/or outside of normal business hours]** will be by way of **[security access card / keys]**.

It is the responsibility of every Practice employee to ensure that this **[#access card/key]** is kept in safe custody. It must be returned on demand.

If building access **[#cards/keys]** are lost or misplaced, a supervisor or Practice Manager must be notified immediately so that the **[#card/key]** can be cancelled.

## Car parking

Due to the limited availability of car parking spaces, it is not possible to allocate a car parking space to all Practice employees. For this reason, only a certain number of employees may be allocated a car parking space. Allocation of car parking spaces is at the discretion of the Practice, and (except as otherwise provided in an employment agreement) any allocation may be changed or withdrawn at any time on notification to the individual affected. Employees who are required to use their vehicle in the course of performing their work duties may be given preference for parking spaces.

Any employee who has an allocated parking space must advise their supervisor if they are going to be absent from the office for one or several days so that the parking space may be utilized by another employee on a temporary basis.

Under no circumstances should an employee who does not have an allocated car parking space park their vehicle in the Practice’s car park, unless prior authorisation has been granted.

## Annual review

The Practice will endeavour to formally review each employee’s conduct, capacity and performance annually. However, the Practice encourages employees to raise any query or concern regarding their employment soon after the query or concern arises, and not await an annual review.

The Practice will also endeavour to formally review employees’ terms and conditions of employment at least annually. Any increases in remuneration or benefits will be at the Practice’s discretion.

There is an Employee Appraisal Sheet included in the Office Forms section of this Manual.

## Termination of employment

General

Except in cases involving summary termination for serious misconduct or other cause, if the Practice dismisses an employee (other than casual employees), the Practice will provide the employee with notice of termination (or payment in lieu) in accordance with the employee’s letter of appointment or individual employment agreement.

Counselling and disciplinary processes

It will be sometimes necessary for employees to be counselled or disciplined with regard to their conduct or performance.

A failure to improve in accordance with counselling or prior warnings may result in a warning, further warning or dismissal.

Counselling and disciplinary processes may be combined with other meetings such as an employee’s annual review.

Redundancy

Redundancy may arise where any employee’s position is no longer required by the Practice. In the event that an employee’s employment is terminated for redundancy, the employee will be given the notice set out in their letter of appointment or individual employment agreement, or pay in lieu of such notice (except in the limited exceptional circumstances outlined in the employee’s letter of appointment or individual employment agreement that provide when that notice will be waived), but will not be entitled to any compensation for redundancy or any redundancy entitlements unless their letter of appointment or individual employment agreement states otherwise.

**References**

Written references are not provided by the Practice.

Following termination of employment and upon request, all employees will be issued with a simple statement of service setting out:

### the name and address of the employee

### the duration and periods of the employee’s employment with the Practice

### the position held by the employee at the time of termination, and any other positions held during the employee’s employment with the Practice

### the location at which the employee performed their duties

### a general statement of the tasks and duties performed by the employee for the Practice, and any specific responsibilities held

### the contact person at the Practice who is available to confirm the content of the simple statement of service.

Employees may choose to issue personal references for other employees. However, employees must not do so on Practice letterhead, nor in any capacity as a representative of the Practice. The Practice takes no responsibility for any personal references that its employees may choose to provide in respect of other employees. The Practice recommends that employees treat references, especially written references, with a degree of caution in the current climate of litigation.

## Smoke-free environment

Under the *Smoke-free Environments Act 1990*, all workplaces are required to be smoke-free. The Practice operates a smoke-free work environment. Employees are prohibited from smoking in or about the Practice’s premises.

Smoking is also prohibited in any of the Practice’s Motor Vehicles and in or around any of the Practice’s client’s premises.

## Quality assurance system

The Practice’s Quality Assurance System is to be complied with by all employees. If for any reason an employee does not think that it is appropriate or possible to comply with the Quality Assurance System in the particular circumstances, they should consult their supervisor in the first instance.

A hard copy of the Quality Assurance System documentation is located **[#INSERT WHERE HARD COPY KEPT- e.g. ‘in the Managing Partner’s office’]**. The Quality Assurance System documentation can also be accessed on the Practice’s computer network.

## Work for employees and family

The Practice may accept instructions to perform work for employees and their families. Depending on the type and the complexity of work required in each particular case, the Practice may be willing to reduce the costs for employees and members of their immediate family.

In all cases in which instructions are received from other employees or their immediate family members, the professional employee/s who will be performing the services must consult with their supervisor prior to accepting any instructions, to determine the terms and conditions under which the services will be performed, as well as the estimated fee.

# EQUAL OPPORTUNITY, DISCRIMINATION, BULLYING AND HARASSMENT POLICY

## Introduction

All employees are required to familiarise themselves with the following policy and ensure that they conduct themselves in compliance with its terms. The reasoning for this is two-fold:

### the Practice wishes to ensure that all persons have an opportunity to fully participate in the Practice’s workforce, including by giving prospective and current employees the opportunity to make choices regarding their careers and by making fair and reasonable decisions based on merit

### by acting contrary to the principles set out in this policy and anti-discrimination legislation, both the Practice and individual employees can be liable for acts of discrimination and harassment against prospective and fellow employees, and clients.

The Practice is an equal opportunity employer. The underlying principle of equal employment opportunity is the notion of merit. It is on this basis that the Practice undertakes to make appointments and promotions. This means that the Practice aims to ensure that prospective and current employees are not subject to detrimental treatment on the basis of irrelevant attributes or characteristics.

The Practice is also committed to fostering a work environment which is free from sexual harassment, racial harassment, bullying and discrimination.

The prevention of discrimination and harassment is important because, as well as the obvious risk of litigation:

### work performance can suffer as a result of these behaviours creating an intimidating and hostile work environment

### the detrimental effects on work output are seldom limited to one person and are often spread across a section or work unit

### service delivery to clients may subsequently be negatively affected

### the health of people subjected to discriminatory behaviours, bullying, racial harassment and sexual harassment may suffer, resulting in increased sick leave or compensation claims as well as personal duress to the individuals concerned

### such behaviours may result in employees resigning. This incurs a loss of the investment made in those people and it may lead to increased recruitment and retraining costs.

The Practice requires its employees to comply with the terms of this policy in order for the Practice to achieve its goal that:

(a) employees treat each other with respect and trust

(b) employees are able to work in an environment free from discrimination, bullying and harassment

(c) the Practice is protected against vicarious liability for the actions of its employees

(d) the Practice’s policy of equal employment opportunity is practised as well as preached.

## Discrimination

Discrimination in employment is prohibited under the *Human Rights Act 1993* and the *Employment Relations Act 2000*.

*The Human Rights Act 1993* also applies to the provisions of goods and services. To this extent, this policy applies equally to the Practice and its employees’ dealings with clients. In other words, both the Practice and individual employees can be liable for acts of discrimination against clients that the Practice and its employees may deal with in the course of employment.

Generally speaking, discrimination occurs when a person is treated less favourably than another person is or would be treated in the same or similar circumstances on the basis of one of the prohibited grounds of discrimination. The grounds upon which legislation prohibits discrimination against someone (either directly or indirectly) are sex, marital status, religious belief, ethical belief, colour, race, ethnic or national origins, disability, age, political opinion, employment status, family status, and sexual orientation.

## What is discrimination?

Direct discrimination occurs when someone is treated less favourably than another person would be treated in the same or similar circumstances on the basis of one of the prohibited grounds listed above. For example:

*Two employees perform the same job and have similar qualifications and experience. One is a male with no family responsibilities. The other is a female with family responsibilities. A development opportunity arises and is given to the male on the basis that, as a male with no family responsibilities, he is presumed to be more reliable and will be able to work longer hours.*

Other examples of treating someone less favourably on the basis of an attribute they possess or by an act involving a distinction, exclusion or preference, include:

### judging someone on their political or religious beliefs rather than their work performance

### using stereotypes or assumptions to guide decision-making about a person’s career

### undermining a person’s authority because of their race, gender or sexual preference

### making offensive jokes or comments about another worker’s racial or ethnic background, gender, sexual preference, age, disability or physical appearance or

### denying further training to employees on the basis of impairment.

Indirect discrimination occurs when a requirement is imposed:

### with which a person with the attribute does not or is not able to comply

### with which a higher proportion of people without the attribute comply or are able to comply

### that is not reasonable.

It may initially appear that the requirement is fair because the same rules are applied to everyone, but a closer look at the effect of the requirement being imposed will show that some people are disproportionately affected by the requirement.

*An employer requires all employees to wear a uniform that includes a cap. This is not a requirement for any safety or hygiene reason, but is done for appearance only. Whilst the requirement appears not to be discriminatory, because everyone must comply, the requirement may be indirectly discriminatory against persons who are required by religious or cultural beliefs to wear particular headdresses.*

If an employee believes that they have been treated less favourably because of a personal attribute which is not a requirement of their position, the employee should raise their concerns in accordance with the complaints mechanisms set out in this policy.

Do not ignore discrimination thinking that it will just go away.

## Sexual harassment

*The Human Rights Act 1993* makes sexual harassment unlawful in a range of contexts including in employment, and in relation to making an application for employment.

Sexual harassment is essentially unwelcome sexual attention or unwelcome conduct of a sexual nature. It encompasses situations where a person is subjected to unsolicited and unwelcome sexual conduct by another person. It may take the form of unwelcome touching or physical contact, remarks with sexual connotations, requests for sexual favours, leering or display of offensive material.

Sexual harassment will not be tolerated by the Practice under any circumstances.

**More specifically, sexual harassment in employment occurs when an employer or their representative:**

### makes a request of an employee for sexual intercourse, sexual contact, or other form of sexual activity which contains an implied or overt promise of preferential treatment or an implied or overt threat of detrimental treatment in the employee’s employment (or about the present or future employment status of the employee) or

### uses language (whether written or spoken), visual material, or physical behaviour of a sexual nature to subject any other person to behaviour that —

* 1. Is unwelcome or offensive to that person
  2. Is either repeated, or of such a significant nature, that it has a detrimental effect on that employee's employment, job performance, or job satisfaction.

An employee may also be sexually harassed in their employment if they are subjected to the behaviour outlined above by a co-worker, customer or client of the employer. In those circumstances, the employee may make a complaint about that behaviour to their employer or to a representative of the employer. The employer or their representative must inquire into the facts, and if they are satisfied that the behaviour took place, they must take whatever steps are practicable to prevent any repetition of such a request or of such behaviour.

Examples of conduct which could amount to sexual harassment include:

### kissing, attempts at sexual intercourse or overt sexual conduct

### sexually explicit conversations or references to sexual activity

### gender based insults, teasing or taunting

### intrusive questions of a sexual nature

### proposals of marriage or declarations of love or

### innuendos and crude jokes.

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

Sexual harassment does not need to be repeated. A single act of sexual harassment is sufficient to give rise to a complaint.

If an employee is unsure whether particular conduct or actions would amount to sexual harassment, a good rule of thumb is that it is best to refrain from such conduct or actions.

## Racial harassment

The *Human Rights Act 1993* also makes racial harassment unlawful in a range of contexts including in employment, and in relation to making an application for employment. Like sexual harassment, racial harassment is a ground upon which an employee can raise a personal grievance.

An employee is racially harassed in their employment if the employee's employer or the employer’s representative uses language (whether written or spoken), or visual material, or physical behaviour that:

### expresses hostility against, or brings into contempt or ridicule, the employee on the ground of the race, colour, or ethnic or national origins of the employee

### is hurtful or offensive to the employee (whether or not that is conveyed to the employer or representative)

### has, either by its nature or through repetition, a detrimental effect on the employee's employment, job performance, or job satisfaction.

As for sexual harassment, an employee may also be racially harassed in their employment if they are subjected to the behaviour outlined above by a co-worker, customer or client of the employer. In those circumstances, the employee may make a complaint about the behaviour to their employer or to a representative of the employer. The employer or their representative must inquire into the facts, and if they are satisfied that the behaviour took place, they must take whatever steps are practicable to prevent any repetition of such a request or of such behaviour.

## Bullying

Employers have obligations to ensure the health and safety of employees under the *Health and Safety at Work Act 2015.*

Bullying has the potential to harm the health and safety of employees. Consequently, the Practice is serious about minimising the risk of bullying occurring in the workplace.

All employees are expected to abide by legislation, codes, regulations, rules and standards of the workplace relating to bullying.

Generally, a person is subjected to workplace bullying if they are subjected to **repeated behaviour** (other than behaviour amounting to sexual harassment) by a person, including the person’s employer or a co-worker or a group of co-workers of the person that:

### is unreasonable

### that can lead to physical or psychological harm (as this creates a risk to health and safety).

Bullying often occurs to gain power, control or dominance over another person, or to cause fear or distress. Bullying can include direct personal attacks and indirect (task-related) attacks. Some examples of behaviour which, if they occur repeatedly, may amount to bullying include:

### verbally abusing a person

### repeated threats of dismissal or other severe punishment for no reason

### constant ridicule and being put down

### leaving offensive messages on email or the telephone

### sabotaging a person’s work, for example, by deliberately withholding or supplying incorrect information, hiding documents or equipment, not passing on messages and getting a person into trouble in other ways

### maliciously excluding and isolating a person from workplace activities

### persistent and unjustified criticisms, often about petty, irrelevant or insignificant matters

### humiliating a person through gestures, sarcasm, criticism and insults, often in front of other people;

### racial sledging

### spreading gossip or false, malicious rumours about a person with an intent to cause the person harm.

Bullying does **not** include:

### occasional instances of forgetfulness, rudeness or tactlessness

### setting high performance standards because of quality or safety

### giving constructive feedback or peer review

### differences in opinion or personality clashes that do not escalate into bullying, harassment or violence

### requiring reasonable instructions to be carried out

### reasonable management action taken in a reasonable way by a person’s employer in connection with the person’s employment, for example, conducting disciplinary action or managing unsatisfactory performance or

### a single incident of unreasonable behaviour. However, whilst a single incident will not amount to bullying, it is still unacceptable (and may in any event amount to misconduct or serious misconduct).

## Consequences of breaching this policy

If an employee engages in unlawfully discriminatory behaviour, the Human Rights Review Tribunal could hold that person personally liable for their behaviour and they may be liable to pay damages to a complainant. The Practice, as an employer, is also at risk of being held vicariously responsible for the employee’s conduct by the Tribunal, or at risk of a personal grievance claim from an employee complainant in cases of discrimination, harassment or bullying.

WorkSafe NZ may also investigate a bullying complaint and, in extreme cases, could prosecute the bully concerned for breaching their health and safety obligations.

If an employee engages in discrimination, sexual or racial harassment or bullying there may also be serious consequences for their ongoing employment. The Practice will not tolerate behaviour of this kind. If it occurs, it may result in disciplinary action against the relevant employee or employees. Such action will depend upon the circumstances but may involve a warning, counselling, or dismissal.

## What can an employee do if they believe they have been bullied, harassed or discriminated against?

Allegations of bullying, or sexual or racial discrimination or harassment will be treated seriously by the Practice. A written complaint is not required, although it can help the Practice to better understand the matters which an employee believes the Practice needs to investigate and/or the actions which the Practice may need to consider taking.

If an employee believes that they have been the subject of unlawful discrimination, sexual or racial harassment or bullying, the Practice encourages the employee to take steps immediately to address the matter in accordance with the paths set out below. The situation may not improve if the employee does not promptly bring the matter to the Practice’s attention. By not objecting to the conduct, the person responsible may continue the behaviour, perhaps not understanding how it is making the employee feel. In investigating any such complaints the Practice is likely to have to disclose to the alleged perpetrator who has made the complaint against him or her. However, the Practice will use its best endeavours to ensure that no parties to a complaint are victimised.

There are a number of ways that an employee can take action to deal with a complaint.

**Internal complaints procedure:**

### If the employee feels it is safe to do so, the employee may choose to approach the person who is perpetrating the behaviour with a view to discussing the concerns with them and asking them to cease their behaviour.

### Alternatively, the employee may approach their supervisor to report the matter and to ask for assistance. If the employee does not feel comfortable approaching their supervisor, then they may choose to approach another senior employee to report the matter.

### Every complaint reported to the Practice will be treated seriously and investigated promptly.

### Disciplinary action may be taken against employees who are found to have unlawfully harassed or discriminated against, or bullied, other employees.

**External complaints procedure:**

### If the complaint cannot be resolved directly by the parties, either the employee or the Practice may refer the problem to the Ministry of Business, Innovation and Employment for mediation (whether or not the employee has raised the matter as a personal grievance (see below)).

### If the employee raises a personal grievance and the matter is not resolved at mediation, the employee may choose to pursue their personal grievance in the Employment Relations Authority.

### If the employee believes that they have a personal grievance, they must raise a grievance with the Practice within 90 days beginning with the date of the alleged action giving rise to the grievance, or coming to the employee’s notice, whichever is the later.

### If the employee raises the grievance out of time and the Practice does not consent to waive the time limit, the employee can apply to the Employment Relations Authority for leave to pursue the grievance on the grounds that the employee’s delay in raising the grievance was caused by exceptional circumstances.

### Alternatively, if the employee believes that they have been the subject of unlawful discrimination or sexual/racial harassment (i.e. not bullying), they may at any time lodge a complaint with the Human Rights Commission. It is likely that the Commission would convene a mediation as a first step to try to resolve the complaint. If the complaint is not resolved, it may be dealt with through more formal legal processes.

### The employee must make a choice between taking their claim for unlawful discrimination or sexual/racial harassment to the Employment Relations Authority or to the Human Rights Commission as they cannot do both.

Organisations

For more information about bullying refer to WorkSafe’s guide [Bullying at Work: Advice for Workers](https://worksafe.govt.nz/the-toolshed/tools/bullying-prevention-toolbox/)*.*

For more information about raising and resolving personal grievances, employees can contact the Ministry of Business, Innovation and Employment on 0800 20 90 20 or visit <http://employment.govt.nz/er/solvingproblems/index.asp>.

Employees can contact the Human Rights Commission on its Infoline service (free phone 0800 496 877), email: [infoline@hrc.co.nz](mailto:infoline@hrc.co.nz), fill out an online complaint form, or write to the Human Rights Commission, PO 6751, Wellesley St, Auckland. Further information is available on the Commission’s [website](http://www.hrc.co.nz/).

# WORK HEALTH AND SAFETY POLICY

## General

The Practice must take all reasonably practicable steps to ensure the health and safety of its workers, and visitors in connection with the Practice’s operations, in accordance with the *Health and Safety at Work Act 2015*.

Workers also have obligations to to take reasonable care for their own health and safety, and to take reasonable care that their acts or omissions do not adversely affect the health and safety of other persons. Workers must also comply, so far as they are reasonably able, with any reasonable instructions given by the Practice relating to health and safety, and cooperate with any reasonable health and safety policies and procedures of the Practice. Each employee is personally responsible for working in a safe manner and co-operating with each other to ensure work health and safety. The co-operation of all employees to adhere to safe work practices and observe safety rules and regulations at all times is vital for the success of the Practice’s commitment to health and safety.

A failure by a worker to comply with their duties and obligations under the *Health and Safety at Work Act 2015* may be investigated by WorkSafe and if WorkSafe finds that there has been a breach, the worker may be prosecuted.

All employees must abide by the *Health and Safety at Work Act 2015*, codes, regulations, rules and the Practice’s Work Health and Safety Policy, which is set out below. All employees must read this policy and raise any concerns they have with their supervisor immediately upon commencing employment.

Any breach of this policy, or an employee’s obligations of health and safety towards themselves or others may result in disciplinary action being taken against employees, up to and including dismissal.

If any employee has any concern or query regarding work health and safety, they should notify the Practice’s designated health safety officer or their Supervisor as soon as possible so that the issue can be considered without delay.

## Safety rules and regulations

Employees must report all accidents and near misses immediately to the designated health and safety officer or their supervisor. An [accident report](#ACCIDENT_REPORT) (in the Incident Report Form below) must be completed as soon as possible following the accident or near miss.

Employees must keep their immediate work areas and amenities clean and tidy. Clean up anything which could cause a person to trip or fall. Check stability of tables and chairs.

Running and horse play within the workplace is strictly forbidden.

Any protective clothing provided or required to be worn by the Practice must be worn.

Presenting at the workplace in an intoxicated state is strictly forbidden.

Employees must follow directions from the designated health and safety officer and their supervisor in relation to health and safety matters.

Any employee with a suggestion or comment regarding health and safety should raise the issue with the designated health and safety officer or their supervisor as soon as possible so that the matter can be considered and addressed as appropriate.

## Security and fire safety procedures

**[#INSERT DETAILS OR REFER TO LOCATION OF INSTRUCTION CARD OF THE RELEVANT PROCEDURES FOR THE PRACTICE’S PREMISES]**

# EMAIL AND INTERNET POLICY

The Practice sets out the rules for the proper use of its computer systems, internet and email resources as follows. Because of the opportunity for misuse of these resources, the Practice believes that it is necessary to set down some basic rules.

It is every employee’s responsibility to ensure that computer systems and Internet and email facilities are used responsibly and in accordance with this policy.

## Introduction

All users of the Practice’s computer systems, email and Internet facilities (including employees), consultants, contractors, work experience students and other authorised users (**Practice Users**), are responsible for using computer systems, email and Internet facilities in a professional, ethical and lawful manner. Practice Users are provided with access to computer systems, email and the Internet to assist with the performance of their duties. All computer systems and data belong to the Practice and may only be used for authorised purposes.

All of the Practice’s Users are required to comply with this policy.

The objectives of this policy are to:

### set out the responsibilities associated with the use of Internet and e-mail via the Practice’s systems, for the benefit of all who use it

### minimise the risks associated with improper use of the Internet and e-mail.

## What does this policy cover?

This policy covers access and use of the following:

(a) accessing the Internet

(b) internal e-mail (sent or received)

(c) external e-mail (sent or received).

Breaches of this policy may lead to disciplinary action, up to and including termination of employment.

## Email protocol and guidelines for email use

Practice Users will be allocated a password to access the Practice’s network and e-mail facilities. This password is not to be disclosed to any other person/s. The system administrator will be the only other party with knowledge of user login information. Practice Users must treat login and password details with the same care that they would their bank account PIN number.

All communications sent via external e-mail must contain the standard disclaimer provided by the Practice in relation to the content of the e-mail message or attachments.

Practice Users may send ‘personal email’, that is, non-work related e-mails provided that:

### only minimal periods of e-mail access (that is read, sent, or forwarded) during office hours, and only during designated breaks or rest periods or after hours

### all guidelines set out in this policy are complied with.

Email at the Practice:

### is not private – it belongs to the Practice

### can be monitored and read at any time by the Practice

### uses the Practice’s name and address and therefore may give the impression that the sender is speaking with the authority of the Practice (even though this may not be the case and the Practice may not have authorised this)

### can in certain circumstances be inspected by parties outside of the Practice, for example, in the event of litigation.

The following activities are strictly prohibited:

(a) sending, receiving, displaying, printing or otherwise disseminating material that is fraudulent, illegal, embarrassing, offensive, sexually explicit, obscene, intimidating, defamatory, or that would amount to bullying or harassment

(b) using the Practice’s Internet resources for unauthorised commercial or personal advertisements, solicitations, promotions, political material or any other similar use unless it is expressly authorised by your supervisor or partner

(c) accessing the Internet other than through the Practice’s security system, for example, accessing the Internet directly by modem is strictly prohibited

(d) allowing external access to your computer via a modem

(e) subscribing to mailing lists, sending unsolicited email messages and participating in chain letters

(f) sending email using somebody else’s email address unless such use is expressly authorised

(g) violating the intellectual property rights of others, such as breaching copyrights by copying graphics or text material, or using other licensed software without proper authorisation.

Breaches of any of the above guidelines may result in disciplinary action being taken against Practice Users ranging from the withdrawal of system access to dismissal.

All external e-mail (other than ‘personal e-mail’) must be conducted in accordance with the following protocol:

(a) client-related emails should only be sent after supervisor/partner authorisation or sign off has been obtained (as appropriate)

(b) a hard copy of all outgoing e-mail messages containing accounting advice or substantial accounting commentary must be signed by the appropriate partner or other person with authority prior to the e-mail being sent

(c) a hard copy of all outgoing e-mail messages must be placed on the client’s file

(d) all e-mails received must be printed and stored on the relevant file.

## Internet protocol

Accessing web sites which contain material that is illegal, embarrassing, sexually explicit, obscene, intimidating, defamatory, racist or sexist, or that are generally inappropriate or offensive, is strictly prohibited.

Accessing Internet chat rooms is strictly prohibited.

Internet ‘surfing’ must only be conducted outside ordinary working hours and during authorised breaks, unless it is for a specific work-related purpose.

Practice Users must not do or say anything online – including on social media websites or blogs – that is capable of bringing the Practice into disrepute or otherwise harming its business or the business of its clients.

Access to the Internet is restricted to Practice Users who have been given express authority and permission by management for the use of the Internet for research purposes. Practice Users with access to the Internet acknowledge that their Internet use may be monitored and that the system administrator may from time to time check the cache folders on their computers to check whether this policy is being complied with.

## System protocol

No Practice Users shall introduce any external data to the Practice’s computer network in any media form whatsoever unless the media has been checked and approved by the system administrator for use on the network. All media is to be virus scanned by the system administrator or a person appointed by the system administrator to carry out such checks.

No Practice Users shall make any changes whatsoever to the structure or setup of their computers operating system or associated applications. Such changes include the alteration of screensavers, background images/wallpapers, sound schemes, desktop folders or shortcuts or physical operating characteristics of their workstation. If any Practice User has difficulty working with certain colours or screen resolutions they should speak to the system administrator to arrange the necessary changes. The Practice's system has been designed and configured for optimal efficiency, any changes to this configuration may adversely affect the operation of the system.

No Practice User is to carry out any form of maintenance or repair to their workstation, software or hardware related, without the consent of the system administrator.

## Software

Any computer software the Practice uses on its computer network is available through agreement with the owners of the software. As such, it is imperative that Practice Users use the software strictly in accordance with the Practice’s directions to ensure that the agreements with the software owners are not breached.

Unauthorised copying of software used on the Practice’s computer network is illegal and no duplicate should be taken.

No Practice User is to use the Practice’s computer network to access or use other software in breach of the rights of the software owners.

No Practice Users should introduce any software, computer discs, computer programmes or CD Rom’s to the Practice’s computer network if they are unsure of the source of that material or whether it is contaminated in any way. Before any software, computer discs, computer programmes or CD Rom’s are introduced to the Practice’s computer network, the Practice’s computer virus protection programme should be applied.

## Practice’s surveillance policy

The Practice may monitor Practice Users’ use of computers and other electronic devices provided to them (such as smart phones), including monitoring email and Internet use. The Practice may also monitor any photocopiers used by Practice Users.

Email surveillance undertaken by the Practice may include, but is not limited to, monitoring and reading email traffic both sent from and received by any email address owned by the Practice or an email address that is accessed from a Practice computer.

Internet surveillance undertaken by the Practice may include, but is not limited to:

### monitoring the Internet sites that are accessed by Practice Users

### monitoring the type of information downloaded from the Internet to any Practice computers or data drives

### monitoring the importing and exporting of any data to or from any Practice computers by any portable media storage device, for example, floppy disks, CDs, USB memory sticks, hard drives or zip drives.

For any issues not covered by this policy, use common sense as the guiding principal. If a Practice User has any queries in respect of Internet or email use, they should direct them to their supervisor.

# PRIVACY POLICY

This policy relates to personal information held by the Practice about employees, contractors, work experience staff, volunteers and candidates for employment only. It does not relate to personal information held in respect of clients.

## Purpose

The *Privacy Act 2003* (**Privacy Act**) and the Information Privacy Principles (**IPPs**) contained within it, govern the way in which the Practice must manage personal information. This Privacy Policy is developed in accordance with the *Privacy Act* and those IPPs and explains how we collect, use, disclose and handle Personal Information.

Personal Information is defined by the *Privacy Act* to mean information about an identifiable individual.

## Collection of personal information

The Practice will only collect Personal Information that is necessary for its functions or activities and generally, the Practice will endeavour to collect this information directly from the individual concerned through the use of its standard forms, over the internet, by telephone, or on submission of an application for employment to the Practice. There may however be some instances where personal information will be collected indirectly because it is unreasonable or impractical to collect it directly from the individual concerned. The Practice will endeavour to notify these instances to an individual affected in advance, or where that is not possible, as soon as reasonably practical after the information has been collected.

## The kind of personal information the Practice may collect

The Practice may collect the following kinds of personal information:

### names, addresses and contact numbers

### educational qualifications

### residency status

### health information directly related to the inherent requirements of the position performed or being applied for

### tax file numbers

### contact details for next of kin/emergency contact

### employment history

### work history

### names of referees and previous employers

### other information relevant to the assessment of an individual’s application for employment.

## Where does the Practice collect personal information?

The Practice may collect personal information from:

### the individual concerned where this is practicable and reasonable

### medical providers with the prior consent of the individual

### from referees provided by individuals or previous employers

### from third parties in relation to credit checks (where the position applied for involves significant financial risk).

## The purposes for which the personal information is collected

The Practice may use the personal information collected for the following purposes:

### to make contact with the individual concerned

### to enable the Practice to properly assess whether an individual is suitable for a position within the organisation

### to ensure that information the Practice has collected and which it holds is accurate, complete and up-to-date

### to ensure that the Practice is complying with work health and safety obligations

### to facilitate various internal accounting and administration procedures.

In addition to these purposes, other uses and disclosures may be conveyed from time to time. The Practice will always take reasonable steps to inform individuals affected about the use and disclosure of personal information if it is not being used for the primary purpose for which it was collected or a directly related purpose, or unless the use or disclosure is required by law or is the subject of an exemption under the *Privacy Act*.

The Practice may distribute personal information within its related corporations or offices for the purposes described above.

## Data quality, access and correction

The Practice will endeavour to take all reasonable steps to ensure that the personal information it uses is up-to-date, complete and accurate. An individual may request access to personal information about that individual and held by the Practice or a copy of this Privacy Policy by contacting the Practice’s then privacy officer (details of the privacy offer as at the date of this Manual set out below):

**[#Insert name, contact number and contact address of the Practice’s privacy officer, or personal responsible for compliance with the requirements of the Privacy Act].**

When the Practice receives written notification of a request for access, it will acknowledge receipt of the request within 14 days and will endeavour to provide the individual making the request with access to the relevant information within 30 days. The Practice may charge a reasonable fee for processing the request in accordance with the *Privacy Act*.

The Practice may decline a request for access to Personal Information in circumstances and on the grounds prescribed by the *Privacy Act*.

Should an individual believe that any of the personal information held is incomplete, inaccurate or not current, the individual should notify the Practice in writing immediately so that the information may be updated.

In the event that the Practice does not agree with a request to amend the personal information it holds, the Practice will note the request for amendment and this will be retained with the personal information concerned.

## Data security

The Practice will take reasonable steps to protect personal information which it holds from misuse, loss and from unauthorised access, modification or disclosure. Personal information that is no longer required will be destroyed or, where appropriate, de-identified.

The Practice may store personal information either physically or electronically in the following ways:

### on electronic databases

### in secure circumstances, including lockable storage with access available only to authorised personnel.

## Updating this privacy policy

The content of this Privacy Policy may be updated from time to time. For more information about privacy in general, contact the Practice’s privacy officer or visit the Office of the Privacy Commissioner’s [website](http://www.privacy.org.nz).

# GENERAL EMPLOYEE GRIEVANCES

## Introduction to grievances and employment relationship problems

For the purposes of this policy, an employment relationship problem includes a personal grievance, a dispute, and any other problem relating to or arising out of an employment relationship, but does not include any problem with the fixing of new terms and conditions of employment.

An employment relationship problem may be about an act, omission, situation or decision by the Practice or a co-worker/co-workers, that the aggrieved employee considers to be unfair, inappropriate or unreasonable.

A personal grievance is any grievance that an employee may have against their employer or former employer because of a claim:

### that they have been unjustifiably dismissed

### that their employment, or one or more conditions of their employment, has been affected to their disadvantage by some unjustifiable action by the employer

### that they have been discriminated against in their employment

### that they have been sexually harassed or racially harassed in their employment

### that they have been subject to duress in their employment in relation to membership or non-membership of a union or employees organisation

### that the employee’s employer has, in relation to the employee –

#### engaged in adverse conduct for a prohibited health and safety reason; or

#### engaged in coercion or inducement in breach of the the *Health and Safety at Work Act* or

### that the employer has failed to comply with a requirement of Part 6A of the *Employment Relations Act 2000*.

If an employee wishes to pursue a personal grievance in relation to any of the above matters, they must raise it with the Practice within 90 days beginning with the date of the alleged action giving rise to the grievance, or coming to the employee’s notice, whichever is the later. For a personal grievance to be raised, the employee must describe their complaint in sufficient detail to enable the Practice to understand the company and what the employee wants the Practice to do to resolve it (i.e. how the complaint may be addressed).

If the employee is outside the 90 day period, and the Practice does not consent to waive the time limit, the employee can apply to the Employment Relations Authority for leave to pursue the grievance ‘out of time’ on the grounds that the employee’s delay in raising the grievance was caused by exceptional circumstances.

**Note:** in the case of complaints of unlawful discrimination, or sexual or racial harassment, employees should refer to the complaints mechanisms and information in section 2 of this Staff Manual.

## Procedures for dealing with employee conflict

Direct resolution

If the behaviour of an employee is causing conflict with another employee it is recommended that the employee with the grievance approach the person directly and try to work out a mutual resolution if they feel safe and comfortable doing so. The employee with the concern should tell the person who they feel is acting in an unfair or inappropriate way why they feel that his or her behaviour is unfair or unacceptable, and request that they alter or refrain from their behaviour.

If the employee with the concern is uncomfortable approaching the person directly, then they can refer their concern to their supervisor or another senior member of the Practice in accordance with the following paragraphs.

Referral to supervisor or another senior member of the Practice

If the matter remains unresolved, the employee with the concern should approach their supervisor to seek to resolve the issue.

There are some situations where an employee with a workplace concern may not want to take a complaint to their supervisor, for example, where concern relates to the supervisor, or where there is a personality conflict. In this case, the employee with the concern can refer their complaint to another senior member of the Practice.

If a supervisor is approached to deal with a concern, but considers that it would be improper for them to deal with the matter personally (because, for example, they have a particular relationship with any party alleged to be involved), they may refer the complaint to another senior member of the Practice. The practice may decide to appoint an external investigator.

The supervisor, external investigator or senior member of the Practice (as the case may be – referred to in the remainder of this policy as ‘supervisor’) should fully discuss the aggrieved employee’s concerns, to get a full understanding of the issues. The supervisor has the responsibility to listen, investigate, evaluate and respond to the aggrieved employee.

It may be necessary for the supervisor to talk to other people involved and to impartially hear their side of the story, before taking any steps to seek to resolve the matter.

Following a full consideration of the matter, the supervisor should offer suggestions as to how the dispute can be resolved. For example, a conflict may be resolved by:

### the parties participating in mediation or facilitation

### compromise

### seeking an apology from the party complained about or

### offering a change of working arrangements, if practicable.

All stages of the process should be documented and file notes provided to the parties involved as appropriate.

This process does not seek to restrict an employee from raising a personal grievance in the manner described above if they wish to do so.

## Procedure for dealing with employee/client conflict

Employees should never involve themselves in an argument with a client. At all times, employees must be courteous and professional towards clients.

If an employee is involved in a discussion with a client which becomes heated, or if an employee receives a complaint from a client, they should refer the issue to their supervisor. Becoming involved in an altercation with a client is not acceptable and may result in disciplinary action being taken if the incident is serious enough or if certain behaviour re-occurs.

The Practice may seek to engage an employee and a client in a discussion in an attempt to resolve the matter.

**OFFICE**

**FORMS**

# OFFICE FORMS

## Incident report form

[#Note: in the event that a notifiable event occurs involving one of its employees, the Practice will have additional duties to notify the Ministry of Business, Innovation and Employment]

**INCIDENT REPORT FORM**

Date:

Time of incident:

Employee’s name:

Description of incident:

**Witnesses of incident:**

Name:

Name:

Name:

Name:

**Action taken by employee to treat injury:**

**Was additional medical aid required/sought by the injured employee** (i.e.: doctors’ visits, hospital treatment, etc.). Please indicate the dates and description of additional treatment given as a result of this injury.

**Please specify or describe the bodily location of the injury**

## Application for leave

**APPLICATION FOR LEAVE**

**EMPLOYEE NAME:**

**DATES**

From: To:

**TOTAL NUMBER OF DAYS:**

**REASON FOR LEAVE**

Annual Holiday Bereavement Leave

(relationship to deceased) \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Alternative Holiday Study Leave

Sick Leave (Reason for sick leave (you may be required

to provide supporting evidence)): \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Other:

**EMPLOYEE’S SIGNATURE DATE OF APPLICATION**

**AUTHORISATION:**

**DATE OF AUTHORISATION:**

## Bank account details

**BANK ACCOUNT DETAILS**

|  |  |
| --- | --- |
| SURNAME: | GIVEN NAMES: |
|  |  |
|  |  |
| ACCOUNT 1: | ACCOUNT 2: |
|  |  |
|  |  |
| BANK: | BANK: |
|  |  |
|  |  |
| BRANCH: | BRANCH: |
|  |  |
|  |  |
| ADDRESS: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ | ADDRESS: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |
| BSB - NO: | BSB - NO: |
|  |  |
|  |  |
| A/C NO: | A/C NO: |
|  |  |
|  |  |
| AMOUNT: $ | AMOUNT: $ |
|  |  |
|  |  |

## Employee appraisal sheet\*

**EMPLOYEE APPRAISAL SHEET\***

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
|  | **Unsatisfactory Performance** | **Occasionally performing below job requirements** | **Meeting job requirements** | **Occasionally exceeding job requirements** | **Consistently exceeding job requirements** |
|  | **1** | **2** | **3** | **4** | **5** |
| **PERSONAL CHARACTERISTICS** |  |  |  |  |  |
| Dress |  |  |  |  |  |
| Punctuality |  |  |  |  |  |
| Willing to undertake professional development |  |  |  |  |  |
| Communication skills |  |  |  |  |  |
| Responsible with confidential information |  |  |  |  |  |

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **RELATIONSHIPS** |  |  |  |  |  |
| Relationships with supervisors and managerial employees |  |  |  |  |  |
| Relationships with co-workers |  |  |  |  |  |
| Relationships with persons under their control |  |  |  |  |  |
| Relationships with clients |  |  |  |  |  |

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **SKILLS** |  |  |  |  |  |
| Ability to supervise |  |  |  |  |  |
| Ability to deal with problems |  |  |  |  |  |
| Time management |  |  |  |  |  |
| Able to market themselves |  |  |  |  |  |
| Able to market the Practice |  |  |  |  |  |
| Use of initiative |  |  |  |  |  |
| Able to follow instructions |  |  |  |  |  |
| Able to give instructions to co-workers |  |  |  |  |  |
| Able to handle client concerns |  |  |  |  |  |
| Able to make and write reports |  |  |  |  |  |
| Awareness of current policies and procedures |  |  |  |  |  |

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **TECHNICAL SKILLS** |  |  |  |  |  |
| Word processing |  |  |  |  |  |
| Email |  |  |  |  |  |
| Typing speed/accuracy |  |  |  |  |  |
| Filing |  |  |  |  |  |
| Listening comprehension |  |  |  |  |  |
| Phone manner |  |  |  |  |  |

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **PROFESSIONALISM** |  |  |  |  |  |
| Loyalty to employer |  |  |  |  |  |
| Loyalty to other employees |  |  |  |  |  |
| Willingness to promote the Practice |  |  |  |  |  |
|  |  |  |  |  |  |
| **TOTAL** |  |  |  |  |  |

**\* Delete any items that are not applicable to a particular employee’s position.**

## Travelling expenses claim form

**TRAVELLING EXPENSES CLAIM FORM**

NAME:

DATE:

PURPOSE:

CLIENT NAME:

FILE NUMBER:

TRAVEL BY VEHICLE

VEHICLE ENGINE CAPACITY

TRAVELLING FROM:

TRAVELLING TO:

TOTAL KMS:

CALCULATION OF ALLOWANCE: -

kms X $0 ¢ per km = $

AIR TRAVEL

FLIGHTS FROM:

FLIGHTS TO:

ACCOMMODATION

SIGNATURE OF EMPLOYEE:

 COPY TO BE RETAINED BY EMPLOYEE FOR TAX PURPOSES

## Overtime sheet

**OVERTIME SHEET**

Employee’s Name:

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
| **Day** | **Date** | **Start** | | **Finish** | **TOTAL hours** | | **Authorised** |
| **Monday** |  |  | |  |  | |  |
| **Tuesday** |  |  | |  |  | |  |
| **Wednesday** |  |  | |  |  | |  |
| **Thursday** |  |  | |  |  | |  |
| **Friday** |  |  | |  |  | |  |
| **Saturday** |  |  | |  |  | |  |
| **Sunday** |  |  | |  |  | |  |
|  | | | | | | | |
|  | | | | | | | |
|  | | | | | | | |
| **TOTAL NUMBER OF HOURS** | | |  | | |  | |

## Expense reimbursement form

**EXPENSE REIMBURSEMENT FORM**

NAME:

DATE:

TYPE OF EXPENSE:

(Please tick appropriate box)

 Taxi  Entertainment/Marketing  Other (please specify)

Purpose of Expenditure:

Client Name:

File Number:

Date Expense incurred:

Amount Spent: $

Partner Authorisation:

Date: