

ACCIDENT AND OR INCIDENT (TEAM MEMBER)

POLICY AND PROCEDURE

Policy Statement

Reporting an injury helps to ensure safety issues in the workplace can be addressed to reduce the occurrence of injuries to others. In the long-term, lack of incident notification and reporting does not help promote a safe workplace or prevent future workplace incidents from occurring.

Definitions

Incident: An unplanned, undesired event that hinders completion of a task and may cause injury or other damage. Incidents encompass a broad range of occurrences, from minor inconveniences to severe disruptions, and while they may not always result in harm, they represent deviations from expected or standard operations, warranting investigation and response to prevent future occurrences.

Accident - An occurrence that results in injury to a staff member, contractor, or volunteer, requiring first aid treatment or hospitalisation. May involve equipment damage or any other unexpected adverse event.

Near Miss - An unplanned incident that did not result in any injury or illness however had the potential to do so.

Non-significant Injury - An injury that results in a contractor returning to normal duties in less than seven days.

Significant Injury - An injury that requires a contractor to be off work, or unable to return to their normal duties within seven days.

Procedure

- This procedure ensures that the Director is notified immediately in the event of any accident or incident involving a staff member or contractor. It enables this information to be recorded and actions taken for the prevention of similar accidents and/or incidents. This procedure also enables the recording of near miss situations, again to assist in the prevention of similar incidents.

- Accident and/or incident reporting also allows for the appropriate treatment to be commenced as soon as possible, to facilitate recovery.
- The health and well-being of all persons involved in the incident will be assessed immediately.
- Appropriate emergency aid will be applied including calling emergency services if necessary.
- Once the situation is stable, an incident report form would be completed by the person/s involved in the incident no later than within 24 hours of the incident or the notification of the incident.
- The Director will be alerted as soon as possible.
- Injuries and near misses will be recorded by the Director or Facilitator on the Register of Injuries.
- Any relevant prevention strategies will be implemented immediately.
- An internal investigation of the incident will be completed by a Facilitator, or the Director to determine what occurred, how the incident occurred, including events leading up to the incident, and how the risk/s can be eliminated or managed to prevent a recurrence of the incident in future.
- Supports to the staff member, contractor or volunteer may be ongoing throughout the process and follow up with the affected person/s will occur at 24hr and one week intervals.
- Feedback will actively be sought on the processes implemented to assist with improving the procedure over time.
- A review of the process will take place following resolution.
- All documentation pertaining to incidents, reporting and investigations will be stored in accordance with the Privacy Act.

Relevant Legislation and Policies

- Privacy Act 1988
- Work Health and Safety Act 2011
- Workers Compensation Act 1987 (NSW)
- Workplace Injury Management and Workers Compensation Act 1998 (NSW)
- Civil Liability Act 2002 (NSW)
- NSW Disability Services Standards
- National Standards for Disability Services
- Disability Discrimination Act 1992
- National Disability Insurance Scheme Act 2013
- NDIS Code of Conduct
- NDIS Quality and Safeguarding Framework
- Universal Declaration of Human Rights
- United Nations Convention on The Rights of Persons with Disabilities

ACTIVE SUPPORT

POLICY AND PROCEDURE

Policy Statement

Active Support is a person-centered approach to providing direct support to clients.

The goal of Active Support is to ensure that people with even the most significant disabilities have ongoing, daily support enabling them to be engaged in a variety of life activities and opportunities of their choice. Active Support is a way of working that enables everyone, no matter what their level of intellectual or physical disability, to make choices and participate in meaningful activities and social relationships.

Mypower Foundations embrace and advocate Active Support as a model for providing assistance to people which focuses on making sure they can engage and participate in all areas of life.

This policy should be read in conjunction with the **Person Centred Support** Policy and Procedure.

Definitions

Active Support is a way of providing someone with a disability just the right amount of support. Not too much and not too little. It empowers people with a disability to do things for themselves when possible, rather than a contractor doing it on their behalf.

Procedure

- Active Support instructs Support Professionals to offer evidence-based, effective support, enhancing participation, decision-making, and overall life quality.
- The principle of Active Support is to give the precise amount of aid required, helping those with disabilities to engage in meaningful activities and foster social connections. Support workers can use Active Support with everyone, regardless of their degree of intellectual or physical impairment.
- Just enough assistance should be provided to enable a person to succeed in tasks and allow opportunities for a client to exercise choice and control, no matter how insignificant the task.
- Active Support underscores the inherent rights of those with disabilities, including:
 - a) Dignity
 - b) Autonomy and choice
 - c) Independence
 - d) Complete societal inclusion and participation

- e) Respect for diversity
- f) Acceptance as an integral part of human diversity.
- Active Support is about people with a disability controlling their lives, making choices, and taking part.
- Active Support requires all workers to treat clients and people with dignity and respect, whilst recognising their strengths and abilities.
- The approach enables those with disabilities to develop new skills, access a wider range of opportunities and engage in activities alongside other people, building important relationships and social networks that are part of an ordinary life. These skills give people more control over their own lives.

Responsibility

To facilitate this, Mypower Foundations will sit with the participant, and any persons they wish to invite, in the initial meeting and at other times to discuss the service Mypower Foundations will provide and the processes involved so that they are at all times well informed and their “community” remains informed and involved.

Active Support should be adopted by Support Professionals, at all times and with all clients by applying these principles:

- 1. Every moment has potential** - Any given moment holds potential for a person to be engaged in meaningful activities and relationships.
- 2. Maximise choice and control** - Supporting people to maximise choice in all aspects of their lives.
- 3. Little and often** - Recognising that a person may like to participate in part of an activity, rather than all, and they can take a break and come back to it.
- 4. Graded assistance** - Providing the right type of support to enable a person to successfully engage in meaningful activities and relationships.

Failure to knowingly promote the principles of Active Support is contradictory to the objectives of Mypower Foundations. Failure to do so, may result firstly in directives for further training and support to understand and implement the Active Support principles, and may result in the **Termination of Contract** policy being activated if training and support opportunities are unsuccessful.

Relevant Legislation and Policies

- Privacy Act 1988
- Work Health and Safety Act 2011
- NSW Disability Services Standards
- National Standards for Disability Services

- Disability Discrimination Act 1992
- Disability Services Act (National Standards for Disability Services) Determination 2014
- National Disability Insurance Scheme Act 2013
- NDIS Code of Conduct
- NDIS Quality and Safeguarding Framework
- Universal Declaration of Human Rights
- United Nations Convention on The Rights of Persons with Disabilities

BULLYING AND HARASSMENT

POLICY AND PROCEDURE

Policy Statement

Bullying is an ongoing and deliberate misuse of power in relationships through repeated verbal, physical and/or social behaviour that intends to cause physical, social and/or psychological harm. It can involve an individual or a group misusing their power, or perceived power, over one or more persons who feel unable to stop it from happening. Mypower Foundations recognises that bullying can harm, intimidate or coerce victims and will not tolerate bullying or repeated harassment either by or directed towards its workers.

Definitions

Power In the context of bullying, "power" refers to an individual's or group's capacity to exert control or influence over another. This power can be real or perceived and may be derived from various sources including, but not limited to, hierarchies (e.g., manager over subordinate), physical strength, knowledge, experience, or access to resources. When this power is misused to harm, oppress, or dominate another individual or group, it constitutes bullying.

Bullying is repeated and unreasonable behaviour towards a fellow worker, a client or client's family, or the Director.

Cyberbullying means using technology such as email, mobile phones, chat rooms or networking sites to bully.

Repeated behaviour means that the actions are persistent and repeated.

Unreasonable behaviour means actions that a reasonable person would regard as victimising, humiliating, intimidating, threatening or potentially injurious to another person's physical or mental health and self-esteem.

Harassment is offensive, belittling, threatening, or otherwise unwelcome behaviour directed at someone based on characteristics, such as age, race, disability, gender.

Bullying is not single episodes of social rejection or dislike, single episode acts of nastiness or spite, random acts of aggression or intimidation, mutual arguments, disagreements or fights.

Difference Between Workplace Conflict and Bullying:

Workplace conflict and bullying are distinct in nature and require differentiated approaches:

1. **Workplace Conflict:**

- Refers to disagreements or differences in opinions, values, or interests between individuals or groups in a professional setting.
- These disagreements can be productive and can lead to positive change when addressed constructively.
- Conflicts can be resolved through open communication, negotiation, and understanding.

2. **Bullying:**

- Is a repeated and intentional misuse of power or perceived power to cause harm, intimidate, or oppress an individual or group.
- The actions involved in bullying are deliberate, harmful, and often persist despite the target expressing discomfort or distress.
- Unlike conflicts which might be resolved through open dialogue, bullying requires interventions to address the imbalance of power and protect the target.

It's vital that staff and contractors differentiate between the two. While both can affect the workplace, they demand unique responses. Addressing conflicts as they arise can prevent them from escalating to bullying, but once bullying is identified, swift and comprehensive action is necessary to ensure a safe working environment.

Procedure

1. Examples of bullying include:

- physical, such as hitting, poking, tripping or pushing
- verbal, such as name calling, insults or abuse
- social (covert or hidden), such as lying about someone, spreading rumours, mimicking or deliberately excluding someone
- psychological, such as threatening, manipulating or stalking behaviour
- online, often referred to as cyberbullying, which means using technology such as email, mobile phones, chat rooms or networking sites to bully verbally, socially or psychologically. It can involve sharing of photos which upset or embarrass the person being bullied and taunting or malicious comments. Often people who bully online also bully in person.
- behaviour at work that is physically, mentally or socially threatening. This can include intimidation, threats, exclusion, verbal or physical abuse.

Bullying is not the same as harassment. While harassment can be an element of bullying, harassment can be a one-off conflict or can happen between strangers. Bullying is repeated behaviour that intends to cause physical, social or psychological harm.

2. Anyone who has experienced bullying at a work site used by Mypower Foundations can seek the intervention of the Director who will investigate the action. Should the Director be the victim of bullying, she can ask another employee or contractor to investigate the allegation.

3. Where the investigation concludes that the person responsible for the bullying was an employee or contractor of Mypower Foundations, the Director will determine the best possible resolution and can remove the employee or contractor from the worksite on a temporary or permanent basis, terminate the employee or contractor's contract or dismiss the allegation.
4. Where the investigation concludes that the employee or contractor is a victim of bullying, the Director will determine the best possible resolution and can remove the employee or contractor from the worksite on a temporary or permanent basis, terminate the contract with the client or dismiss the allegation.
5. Notes of the investigation process will be scanned and saved in a private, confidential folder maintained by the Director but not unlocked for ready access.
6. The Director may suggest the victim seek external support such as counselling or therapy to counter the psychological consequences of bullying.
7. Where an employee or contractor or other third-party witnesses bullying of another employee or contractor, client or client's family and the Director is advised, the Director will investigate the action, unless she delegates that authority to another employee or contractor.

Responsibility

The Director has the responsibility to investigate all reports of bullying or to delegate the investigation to an employee or contractor of Mypower Foundations.

Relevant Legislation and Policies

- Privacy Act 1988
- Work Health and Safety Act 2011
- NSW Disability Services Standards
- National Standards for Disability Services
- Disability Discrimination Act 1992
- National Disability Insurance Scheme Act 2013
- NDIS Code of Conduct
- NDIS Quality and Safeguarding Framework
- Universal Declaration of Human Rights
- United Nations Convention on The Rights of Persons with Disabilities
- Human Rights and Equal Opportunity Commission (HREOC) Act 1986
- Racial Discrimination Act 1975
- Racial Hatred Act 1995
- Sex Discrimination Act 1984
- NSW Crimes Act 1900
- Fair Work Act 2009
- Age Discrimination Act 2004
- Australian Human Rights Commission Act 1986

CANCELLATION

POLICY AND PROCEDURE

Policy Statement

Mypower Foundations acknowledges that sometimes in life unexpected things occur which make it difficult for you to come to your appointment. It is our policy that our clients provide 24hrs notice where possible if you are unable to attend your appointment.

If less than 24hrs is provided, a fee of 100% of the agreed service time will be charged.

For our NDIS clients, in accordance with the NDIS Price Guide, late cancellations or failure to attend an appointment will result in 100% of the chargeable hours claimed from the NDIS Plan in line with the latest NDIS Price Guide.

Procedure

- Regular day/s and time/s will be agreed upon at the time of signing your Service Agreement.
- Changes to these day/s and time/s can be altered if a reasonable amount of notice is given by the client, communicated in the way the client is most comfortable with, and the worker is available during the required times.
- If a permanent change to times is required, and the client's regular worker is not available for this, a meeting will be held with the client's facilitator and a new support worker most suited to the client's needs.
- If a client cancels an appointment with 24 hours or more notice, no charge will be applied, and an alternative appointment will be negotiated.
- If a client cancels an appointment with less than 24hr notice, the reason provided will be considered before cancellation fees are applied.
- If a client fails to attend an appointment, contact will be attempted to ascertain a reason.
- For NDIS clients, the cancellation fee will be invoiced via the NDIS portal, the Plan Manager or the customer directly, depending on the style of management of the Plan.
- Cancellations and the reasons for doing so will be documented.

Responsibility

Mypower Foundations' responsibilities

- We will inform you of our policy and your responsibilities.
- We will make an appointment as best suits you at a time that best suits you.
- We will provide you with information about how you can let us know if you can't make your appointment.
- We will apply our policy consistently and fairly.
- We will let you know of any cancellation charges.
- We will allow reasonable time (7 days) to pay the cancellation charges.
- Where there are extenuating circumstances, Mypower Foundations may waive the cancellation fee at our discretion
- Where there are multiple short notice cancellations without reason, Mypower Foundations will endeavour to understand why this is occurring and work with you to develop a support schedule that suits your needs. Should the short notice cancellations continue, Mypower Foundations may cease services.

Client responsibilities

- You will, wherever possible provide at least 24hrs notice when needing to cancel an appointment, unless otherwise agreed upon in your Service Agreement.
- If an appointment is cancelled or not attended with less than 24hrs notice you agree to let us know (where possible) the reasons why.
- Mypower Foundations strives to provide quality service, if you are not happy with the support provided to you please discuss this with your support professional or your facilitator.

Relevant Legislation and Policies

- Privacy Act 1988
- Work Health and Safety Act 2011
- NSW Disability Services Standards
- National Standards for Disability Services
- Disability Discrimination Act 1992
- National Disability Insurance Scheme Act 2013
- NDIS Code of Conduct
- NDIS Cancellation Policy
- NDIS Quality and Safeguarding Framework
- Universal Declaration of Human Rights
- United Nations Convention on The Rights of Persons with Disabilities
- Fair Trading Act 1987
- Anti-Discrimination Act 1977
- Fair Work Act 2009

CHILD SAFETY

POLICY AND PROCEDURE

Policy Statement

Mypower Foundations is committed to providing a safe, respectful, and supportive environment for all children in our care. We understand the importance of actively listening to children and believe that children have the right to express their views, raise concerns, and have them addressed in an appropriate and timely manner. This policy outlines the procedures for receiving, responding to, and resolving complaints made by or on behalf of children in our care.

Definitions

Child: Anyone under the age of 18 years.

Complaint: An expression of dissatisfaction or concern, whether oral or written, made to or about Mypower Foundations, related to our services or the complaint handling process itself, where a response or resolution is expected.

Complainant: A person, group of persons, or organization making a complaint. In the context of this policy, it refers to a child or someone on behalf of a child.

Mandatory Reporting: The legal requirement to report cases of suspected child abuse or neglect to the appropriate authorities as mandated by local laws.

Procedure

1. Receiving Complaints:

- Children are encouraged to speak to a trusted adult if they have any concerns or complaints.
- Parents, guardians, or concerned parties are encouraged to speak on behalf of a child where the child cannot or does not want to speak for themselves.
- Any party may report complaints through any channel the complainant is comfortable with, including in person, via email, or an online reporting form, ensuring accessibility for all.
- All staff and volunteers must be trained to receive complaints from children, showing empathy, understanding, and taking all concerns seriously.

2. Recording Complaints:

- All complaints will be documented in a dedicated Complaints Register maintained by the Director or appointed officer and maintained securely and in accordance with data protection regulations.
- Details will include the nature of the complaint, the date, the person involved, the desired outcome as expressed by the complainant and the actions taken.

3. Assessing & Investigating:

- Complaints will be investigated promptly and impartially.
- The Director or a designated staff member will assess the complaint and determine the nature and severity of the complaint and the appropriate course of action.
- Some complaints may be resolved immediately, while others might require a thorough investigation.
- Immediate protective measures shall be taken if required to ensure the child's safety while the complaint is being investigated.
- If the complaint involves allegations of abuse or harm, appropriate authorities will be notified immediately.
- Trained professionals, experienced in working with children, may conduct interviews with the child involved, ensuring a child-friendly environment and approach.
- Relevant staff members and witnesses may be interviewed, and any pertinent evidence collected.

4. Feedback & Resolution:

- The child (and if applicable, their guardian) will be kept informed about the progress of their complaint.
- Every effort will be made to resolve complaints within a reasonable time frame.
- Appropriate actions will be taken to address the complaint, which may include corrective measures, counselling, or disciplinary actions, as warranted.
- Once resolved, feedback will be provided to the child about the outcome and any actions taken.

5. Reporting to Authorities

- In cases of suspected child abuse or neglect, Mypower Foundations will comply with mandatory reporting requirements and report to the appropriate authorities as mandated by local laws.

5. Appeals:

- If the child or their guardian is not satisfied with the resolution, they have the right to appeal the decision.
- An independent body or person will review the complaint and the resolution to ensure fairness.

6. Continuous Improvement:

- All complaints will be reviewed periodically to identify any recurring issues or trends that may indicate broader concerns within the organization.
- Policies, training, and procedures will be updated as needed based on the feedback from complaint resolutions.

Responsibility:

Board of Directors/Management:

- To ensure that all staff and volunteers are trained on this policy and understand their roles in the complaint handling process.
- To maintain confidentiality and protect the rights and well-being of the complainant throughout the process.
- To report to the appropriate authorities where mandatory reporting is required.
- To review and update this policy periodically, ensuring its effectiveness and relevance.

Staff, Contractors and Volunteers:

- All staff and volunteers are responsible for promptly reporting any complaints or concerns they become aware of.
- They shall cooperate fully with any investigations and adhere to the organization's child protection policies.

Children's responsibilities:

- Children and their families have the right to report complaints and expect that their concerns will be taken seriously and handled confidentially.

External Authorities:

- Mypower Foundations will collaborate with and report to external authorities as required by law when handling complaints that involve suspected child abuse or neglect.

Relevant Legislation and Policies:

- Privacy Act 1988
- Child Protection (Working With Children) Act 2012 (NSW)
- Children's Guardian Act 2019 (NSW)
- United Nations Convention on the Rights of the Child
- United Nations Convention on The Rights of Persons with Disabilities

- Work Health and Safety Act 2011
- National Disability Insurance Scheme Act 2013
- NDIS Code of Conduct
- NDIS Quality and Safeguarding Framework
- the Civil Liability Act 2002 (NSW)
- Child Protection Act 2012
- Working with Children Check Requirements
- Children and Young Persons (Care and Protection) Act 1998
- Ombudsman Act 1974
- Crimes Act 1900
- National Principles for Child Safe Organizations

CHOICE AND CONTROL, POLICY AND PROCEDURE

Policy Statement

In line with the National Disability Standards and the NDIS Practice Standards, Mypower Foundations promotes and respects the legal and human right that is exercised with informed choice and control. Mypower Foundations endeavours to provide support that upholds and respects the freedom of expression, self-determination and decision-making.

This policy supports Mypower Foundations management and contractors to practice and uphold the NDIS Practice Standard 1: Rights and Responsibilities.

Inclusive of:

- Person Centred Support
- Individual Values and Belief
- Privacy and Dignity
- Independence and Informed Choice
- Freedom from Abuse, Neglect, Exploitation and Discrimination.

This policy applies to all staff including permanent and casual, contract workers, temporary agency workers, and volunteers. This policy is owned by the company director.

- Mypower Foundations respects the rights of people with disability in exercising Choice and Control about matters that affect them.
- In collaboration and consultation with people with disability (and other key stakeholders where appropriate) Mypower Foundations will promote and ensure active Choice and Control in relation to the service provided.
- All people with disability are assumed to have capacity to make decisions, exercise choice, and provide informed consent regardless of their disability.
- People are supported to develop their capacity to make independent informed decisions.
- Timely information is provided in appropriate formats to support informed decision-making including people's rights and responsibilities.
- Choice includes smaller decisions about everyday living through to more complex consultation on co-design of service.

- People with a disability have a right to the dignity of risk in decision-making. Each participant is supported to make informed choices about the benefits and risks of the options under consideration.
- Mypower Foundations supports people with disability in a way that is appropriate to their circumstances and cultural needs so as to maximise people's opportunities to make choices and have control over decisions that affect their lives.
- A participant's autonomy is respected, including their right to intimacy and sexual expression.
- Clients are given sufficient time to consider and review their options and seek advice if required, at any stage of support provision, including assessment, planning, provision, review and exit.
- Mypower Foundations recognises the role of family, carers and advocates in representing people's interests and promoting Choice and control in the planning and delivery of supports.

Definitions

Dignity of Risk – autonomy and self-determination used by a person when making decisions, including the choice to take some risks in life.

Informed Consent – voluntary agreement and willing acceptance of a proposition and following action where the person making the decision has appropriate information and capacity to make the decision free of fear or influence.

Procedure

In line with the NSW Disability Services Standards, Mypower Foundations promotes and respects the legal and human right that is exercised with Choice and Control. Mypower Foundations endeavours to provide support that upholds and respects the freedom of expression, self-determination and decision-making.

This procedure supports Mypower Foundations management, staff and contractors to practice and uphold the NDIS Practice Standard 1: Rights and Responsibilities.

Inclusive of:

- Person Centred Support
- Individual Values and Belief
- Privacy and Dignity
- Independence and Informed Choice
- Freedom from Abuse, Neglect, Exploitation and Discrimination.

This procedure explains how Mypower Foundations will implement its policy on Choice and Control.

Planning and support

Choice includes choices about what to eat, what to wear, what to do and other decisions that people make on a daily basis, this is no different for people with disability. Mypower Foundations' clients should be supported to make as many decisions and choices related to a typical life as they wish. Choice for clients of Mypower Foundations includes decision making about which service provider a person might buy services from, where and when.

Information must be provided in formats that the client understands and prefers. For example, is assistive technology required, do materials need to be translated, are there cultural needs to be considered?

Decisions and preferences of the individual will be communicated to relevant staff and contractors so they can tailor services to the individual needs and ensure consistency across each instance of support. Staff and contractors are to ensure that they refer to shift notes and communication books for any prior advice on how to best to support each person to exercise Choice and Control to the degree they wish.

Mypower Foundations staff and contractors must provide support that upholds the clients' right to self-determination and decision making which does not limit or influence outcome of the decision-making process. Individuals may require different types and levels of support to make informed choice, this can sometimes also depend on the situation. Mypower Foundations staff and contractors should seek advice from Management, the client's informal support and in some cases the Office of the Public Guardian when supported decision making is required.

Clients or their legally appointed guardian must provide formal informed consent for life decisions like medical, dental procedures, behaviour support interventions and restrictive practices. Where the decision relates to the use of restrictive practices, the support of a positive behaviour support clinician to oversee the use of restrictive practice and the rules outlined in the NDIS Quality and Safeguard Commission guidelines on the use of restrictive practices must be adhered to.

The client, their legally appointed guardian, must provide informed consent for all financial matters.

Consent is required for **each** and every decision. Consent on one occasion or about one instance does not imply or assure that consent is given for future decisions, occasions or events.

Clients will be informed that they have the right to change their mind and change or retract their consent. If a person chooses to stop using Mypower Foundations services that choice will be respected and supported.

Each individual has a service agreement and an individual plan. Individual preferences are included in all plans when it is developed and reviewed regularly.

Individuals are actively encouraged to use Mypower Foundations' feedback forms or other methods that they are most comfortable with to convey to management any changes to the service or delivery that they desire. Mypower Foundations will respond to the request by arranging a meeting between Mypower Foundations, the participant and any other interested parties. Notes of all meetings between Mypower Foundations and the participant are kept and placed or saved in their file for future reference

Responsibility

Mypower Foundations' management and staff, including contractors and subcontractors are responsible for ensuring that clients are supported to make as many life decisions and daily choices as they wish to, and who they choose to include to help them this may include family, friends and/or advocates.

Mypower Foundations believes that all individuals have a right to sexual expression and all staff are required to maintain a professional relationship with all participants. Staff will respect the individual's autonomy and privacy relating to their sexuality and sexual expression while remaining vigilant for any form of undue influence or abuse.

Mypower Foundations acknowledges the diverse cultural backgrounds of our clients. We endeavor to be culturally responsive, respecting traditional customs, beliefs, and practices that influence choice and control.

Mypower Foundations recognizes the role of assistive technologies in supporting choice and control.

Mypower Foundations will address any concerns about a client's right to choice and control promptly and transparently. Concerns can be raised through Mypower Foundations' complaints procedure.

Mypower Foundations will ensure regular training and upskilling of staff and contractors to ensure best practices in promoting and respecting client choice and control.

The Director of Mypower Foundations is responsible for ensuring staff and contractors have sufficient skills, knowledge and ability to implement procedures.

The Director of Mypower Foundations is responsible for encouraging people with disability, family, friends, carers and advocates to support independent decision making, Choice and Control.

Relevant Legislation and Policies

- Privacy Act 1988
- Work Health and Safety Act 2011
- NSW Disability Services Standards
- National Standards for Disability Services
- Disability Discrimination Act 1992
- National Disability Insurance Scheme Act 2013
- NDIS Code of Conduct
- NDIS Quality and Safeguarding Framework
- Universal Declaration of Human Rights
- United Nations Convention on The Rights of Persons with Disabilities
- Guardianship Act 1987 (NSW)
- Mental Health Act 2007 (NSW)

Review and evaluation

Mypower Foundations will monitor feedback and complaints to identify opportunities to improve Choice and Control for people accessing Mypower Foundations' services.

CODE OF CONDUCT

This Code of Conduct serves as a guideline for ethical, professional, and legal behavior at Mypower Foundations. The Code of Conduct supports Mypower Foundations and its staff, contractors and volunteers in applying the National Disability Standards and the NDIS Practice Standards, in particular Standard 6: Service Management.

This Code applies to all employees, volunteers, contractors, and any other representatives of Mypower Foundations

Mypower Foundations is committed to best practice in all aspects of service delivery. This Code of Conduct supports the people who work with us and empowers people with disability in relation to their rights.

Responsibility

This Code of Conduct outlines Mypower Foundations' expectations for the standards of behaviour and conduct expected from paid staff, contractors, volunteers or business partners. They are expected to be familiar with the Code and use it always. It applies in all circumstances and at all times including when working or otherwise representing Mypower Foundations.

The Code of Conduct supports the Mypower Foundations Contract of Employment or Contract for Services. This Code is owned by the Director.

Respect

- All staff and contractors are expected to conduct themselves in a professional and courteous manner. They must be honest and fair in dealings with people with disability and their families, carers, co-workers, management and the general public.
- Staff and contractors must treat everyone with respect and not discriminate against people based on disability, cultural background, religion, age, gender, sexual orientation, marital status, family status, union membership or non-membership.
- Mypower Foundations recognizes the value of cultural diversity and is committed to fostering cultural competency within our organization. All staff and contractors are expected to understand, appreciate, and respect the varied cultural practices, traditions, and beliefs of those we serve and work with. Every individual has the right to be understood within the context of their own cultural background."
- Staff and contractors should not behave in any way that might offend or embarrass another person.

- Mypower Foundations has zero tolerance for any form of harassment or bullying. All staff, contractors, and volunteers are expected to treat each other and those we serve with utmost respect and dignity. Any behaviour that demeans, intimidates, threatens, or harms another, whether physically, emotionally, or psychologically, will be considered a breach of this Code. It's our collective responsibility to create a safe and inclusive environment for all.
- Staff and contractors should respect company property. This includes use of funds, equipment, technology, records and confidential information.
- They must respect the information of others and keep information confidential while working at Mypower Foundations and afterwards into the future.
- No staff or contractor is to upload, download, use, retrieve or access any materials which are deemed inappropriate and/or offensive. This includes but is not limited to content that is sexual or illegal, copyrighted or defamatory.

Professionalism

- Staff and contractors need to ensure their appearance is neat and tidy.
- personal biases should not influence decisions, and all actions should be in the best interest of clients and the organization
- If a staff member or contractor is late or cannot report for work, they must make all efforts to contact the person with a disability, their family or appropriate other as soon as possible and let the manager know as soon as possible.
- If a staff member or contractor is required to leave the work premises for personal reasons, they should advise the client, their family and any significant others as well as their manager by telephone/text as soon as possible.
- Staff and contractors must not use work time for private gain. They must ensure all personal activities including phone calls and meetings are arranged outside of working hours.
- Managers need to be advised if staff receive a gift. Anything over the value of \$20 must be refused or donated to a registered charity. Staff and contractors must not seek gifts or benefits in relation to your work.
- Staff and contractors must not make any statements to the media or on social media about Mypower Foundations' business. Requests for statements should be referred to the manager

Safety

- Mypower Foundations underscores the significance of consistently reviewing and adhering to our updated safety protocols. The dynamic nature of our work environment demands frequent assessments to ensure the utmost safety of both our staff and clients. Staying updated

and compliant with these protocols is not only a responsibility but a testament to our unwavering commitment to creating a secure and risk-free environment for all.

- At Mypower Foundations, we recognize that the well-being of our team extends beyond just physical safety. Mental and emotional health are equally paramount. In our continuous commitment to holistic safety, we prioritize creating an environment that nurtures and supports the mental and emotional well-being of every individual, acknowledging that a truly safe space is one where both the body and mind are cared for.
- Staff and contractors must not use any form of physical or verbal abuse in the workplace or use inappropriate language in the workplace.
- Exercise and perform all supporting services in a safe and competent manner, with reasonable care and skill according to your role and qualifications. You must not perform work in circumstances where there is a risk to your safety, or which may compromise the physical and psychosocial health, safety or wellbeing of others. Report any workplace risks to the Director as soon as possible.
- Mypower Foundations places a strong emphasis on the continuous professional development of our staff and contractors. We believe that in order to provide the highest quality of service, individuals must remain updated with the latest skills, knowledge, and best practices in their respective fields. All staff and contractors are encouraged to pursue opportunities for learning and growth and to actively participate in relevant training sessions, workshops, and courses. Investing in our professional development not only elevates our service standards but also underscores our commitment to excellence.
- Staff and contractors must not smoke during working hours unless it is during prescribed breaks and within designated areas.
- Provide the agreed supports and services without being under the influence of any alcohol or substances prohibited by law. All staff, contractors and management understand that any provision of service whilst under the influence of any intoxicating substance will be dealt with as a breach of the Code of Conduct.
- Contractors should ensure that they have sufficient skills, knowledge, and ability to meet the requirements
- In the event of a suspected breach, contractors must maintain confidentiality and limit information sharing during grievances and disputes

Leadership and Management

- Mypower Foundations encourages open communication and feedback.
- The Director and Managers should provide regular training resources for staff, contractors and volunteers.
- The Director should ensure team members are familiar with this Code and that they have sufficient skills, knowledge and ability to meet the requirements.

- The Director and supervisors should lead by example and not condone, permit, or fail to report any suspected breaches of the Code.
- In the event of a suspected breach, staff and contractors must maintain confidentiality and limit information sharing during grievances and disputes
- The Director and management will be mindful of the physical and psychosocial health of staff and contractors, implementing risk controls to eliminate or minimise risks
- They should ensure support is available to all parties during an investigation process.

Legal requirements

- All staff and contractors must be truthful in all declarations they make and comply with all laws, policies, procedures, rules, regulations, contracts and all lawful and reasonable directions from Mypower Foundations.
- Any violations of law (including criminal charges or convictions), ethical principles, policies, and this Code of Conduct must be promptly reported to the Director.
- All staff, contractors, and volunteers to strictly adhere to data protection policies and practices. Any handling, storage, and dissemination of personal client information must align with current data protection regulations. Unauthorized access, disclosure, or misuse of this information is unacceptable and will be treated with the highest severity. Our commitment is not just to deliver quality service but to also ensure that the trust placed in us by our clients remains unbroken
- Mypower Foundations must hold a current NDIS Worker's Check report for all current contractors; a current NDIS Worker's Check report is dated no older than three (5) years. This does not apply in the event a staff member or contractor holds a current Police Check. The worker is then required to obtain an NDIS Worker's Check once the Police Check expires.

Breaches

- Staff and contractors who breach this Code or break the law may be subject to disciplinary action including termination of employment or contract for service.
- Any complaints, feedback or grievances can be made following the Complaints and Feedback Policy

Relevant Legislation

- NDIS Code of Conduct
- Children and Young Persons (Care and Protection) Act 1998 (NSW)

- Anti-Discrimination Act 1977 (NSW)
- Work Health and Safety Act 2011 (NSW)
- Privacy and Personal Information Protection Act 1998 (NSW)
- Disability Inclusion Act 2014 (NSW)

COMPLAINTS AND FEEDBACK

POLICY AND PROCEDURE

Policy Statement

Mypower Foundations values complaints and feedback from people with disability, families, carers, service providers, staff, contractors, volunteers and regulators to ensure people are treated fairly when they use our services, or work for Mypower Foundations.

Complaints and feedback are an important source of information and are used to improve our services wherever possible.

This policy supports Mypower Foundations applying the National Standards for Disability Services, in particular Standard 4: Feedback and Complaints, and complies with the requirements under the National Disability Insurance Scheme (Complaints Management and Resolution) Rules 2018

This policy applies to all staff and managers. This policy is owned by the Director.

Definitions

Allegation – a claim that an illegal act has occurred. Allegations are always investigated and sometimes an external authority undertakes the investigation such as the police.

Concern – a notification that a person is worried that something is not working, has gone wrong or is otherwise not as it should be.

Complaint – formal advice that an incident has occurred, something is not working the way it should, something is inappropriate, or someone is at risk. A serious incident process is required for legal and contractual purposes when a complaint is about a serious incident.

Participant – A person with disability who wishes to participate in the NDIS, and who has been first be assessed against the access requirements. NDIS participants should be aware of how to access information about the planning process, supported to actively make decisions about their supports and to work with providers to successfully manage their plan.

Procedure

- In line with the NSW Disability Services Standards, Mypower Foundations promotes and respects the legal and human right that is exercised with Feedback and Complaints. Mypower Foundations endeavours to provide support that upholds and respects the freedom of expression, self-determination and decision-making.
- This procedure supports Mypower Foundations management, staff and contractors to practice and uphold the NDIS Practice Standard 1: Rights and Responsibilities.
- Complaints can be received verbally, in writing (by completing the Feedback Form) or in other way that suits the person making the complaint. Families, carers and advocates can also complain on behalf of the person with disability that they support.
- The Director, or person the Director delegates will be notified about the complaint and will be provided with the Feedback Form (if it has been completed).
- The Director, or person the Director delegates will contact the person lodging the complaint within two working days to discuss the matter. Details of the complaint and any response will be documented. The Director and relevant staff will work with the person lodging the complaint to identify desirable outcomes in an effort to resolve the complaint within three weeks.
- If the complaint is against a staff member, contractor or volunteer, that person will not have contact with the complainant while the complaint is resolved if that is the client's or the family's preference. A person making a complaint will not be disadvantaged for doing so. Their supports will continue where possible. If they choose to engage a different provider all reasonable steps will be taken to ensure that another appropriate provider is identified and support to transition services will be provided if requested.
- Clients, staff, contractors and volunteers will be informed of their right to complain and how to complain when they first engage this service.
- The utmost confidentiality regarding all complaints and the details of complainants will be upheld. Mypower Foundations will respect and protect privacy, ensuring that any information shared in the context of a complaint will remain private and confidential, and will be retained by periods required in line with any legal requirements and for internal review purposes. We prioritize creating a secure environment where individuals feel safe and supported in coming forward with their concerns.
- Clients, staff, contractors and volunteers will be regularly invited to provide feedback about the supports they are receiving.
- Clients, staff, contractors and volunteers will be informed as to how to make a complaint anonymously.
- Anonymous complaints will be valued as crucial feedback. While anonymity may limit Mypower Foundation's ability to investigate or respond directly to the individual, all anonymous complaints will be thoroughly assessed and appropriate actions based on the information

provided. Findings will be incorporated our ongoing improvement efforts. Every complaint is an opportunity for growth, and anonymity will never diminish our commitment to enhancing our services.

- All complaints will be received and treated with respect.
- Every effort to resolve the complaint will be undertaken.
- The Complainant or their representative will be appropriately involved in the resolution of the complaint.
- Complaints will be managed in a timely way.
- The Complainant or their representative will be kept informed of progress of the complaint and proposed resolution
- Clients will be provided with the contact details of the NDIS Commission.
- In the instance a complaint cannot be resolved internally, an external mediator or ombudsman will be nominated to assist with the resolution with the complainants permission.
- The Complainant or their representative will be supported to make a complaint wherever needed.
- Supports will not be discontinued if a client makes a complaint unless at the request of the client.
- Support will be provided to a client who wishes to find an alternative provider.
- Everyone has the right to complain and provide feedback.
- Complaints processes should be sensitive to any cultural requirements.
- Robust complaints processes and systems are an important part of quality service management and help safeguard people with disability.
- Complaints identify risks to people with disability but also visitors and staff and support Mypower Foundations meet its occupational health and safety obligations.
- Complaints identify opportunities for Mypower Foundations to continuously improve its services.
- All team members will collect feedback as they complete their duties and deliver this information to the Director.
- All team members will be informed of the expectations of the NDIS complaints, management and resolution rules.
- All team members will follow the processes when managing or making complaints.
- Management is responsible for ensuring any and all staff, contractors and volunteers are trained as to the relevant Complaints Management System.
- Where there is an incident or accident involving a child, the parent will be notified immediately by the worker and all due processes will be followed.
- The manager will contact police where there is an allegation of a criminal offence, and/or in the matter of mandatory reporting regarding a child, all relevant authorities.
- At least twice a year the Director will analyse complaints data to determine service gaps, issues or trends in practice, procedures or

policies that need to be amended to better safeguard people accessing services and improve services.

Responsibility

All staff, contractors and volunteers are responsible for the implementation of the complaints procedure. This includes encouraging and supporting people accessing Mypower Foundation's services to raise any concerns or complaints they have on any issue.

Management is responsible for ensuring complaints are recorded and actioned.

Management is responsible for communicating with people with disability, family, carers and other key stakeholders during a complaints process.

Relevant Legislation and Policies

- Carers' Recognition Act 2010
- Privacy Act 1988
- Privacy and Personal Information Protection Act 1998 (NSW)
- Work Health and Safety Act 2011
- NSW Disability Services Standards
- National Standards for Disability Services
- NSW Anti-Discrimination Act 1977
- Disability Discrimination Act 1992
- National Disability Insurance Scheme Act 2013
- NDIS Code of Conduct
- NDIS Quality and Safeguarding Framework
- Universal Declaration of Human Rights
- United Nations Convention on The Rights of Persons with Disabilities

CONTINUITY OF SUPPORT POLICY AND PROCEDURE

Policy Statement

The purpose of this Continuity of Support Policy and Procedure is to ensure that Mypower Foundations provides consistent, uninterrupted, and high-quality support to all participants, even in instances of contractor absence, vacancies, or unforeseen disruptions. This policy applies to all staff, contractors, and participants engaged with Mypower Foundations in NSW, Australia, and outlines the measures, roles, and expectations to facilitate seamless support delivery, aligned with participant preferences and regulatory requirements.

Day-to-day operations are managed in an efficient and effective way to avoid disruption and ensure continuity of supports.

In the event of staff or contractor absence or vacancy, a suitably qualified and/or experienced person may be offered to perform the role.

Supports are planned with each participant to meet their specific needs and preferences. These needs and preferences are documented and provided to contractors prior to commencing work with each participant to ensure the participant's experience is consistent with their expressed preferences.

Arrangements are in place to ensure support is provided to the participant without interruption where possible throughout the period of their service agreement. These arrangements are relevant and proportionate to the scope and complexity of supports delivered by Mypower Foundations.

Where changes or interruptions are unavoidable, alternative arrangements are explained and agreed with the participant.

Where applicable, disaster preparedness and planning measures are in place to enable continuation of critical supports before, during and after a disaster.

Definitions:

Contractor: An individual or entity engaged by Mypower Foundations on a contractual basis, rather than as a direct employee, to provide specific services or supports to participants. Contractors operate under agreed terms and conditions stipulated in a formal contract with Mypower Foundations.

Participant: An individual who receives services or supports from Mypower Foundations. Participants might include persons with disabilities or any other individuals deemed eligible for the services offered by the foundation.

Support: Services, assistance, or interventions provided to participants by Mypower Foundations through its staff or contractors. Supports are tailored to meet the individual needs and preferences of each participant, aiming to enhance their wellbeing, independence, and inclusion in the community.

Service Agreement: A formal written agreement between Mypower Foundations and the participant, detailing the specific supports to be provided, the terms of service delivery, the rights and responsibilities of both parties, and other pertinent details. This agreement is established based on the identified needs and preferences of the participant.

Procedure

- The day-to-day operations of Mypower Foundations are managed through a roster that records daily appointments and the staff or contractor assigned to the participant.
- The Facilitator contacts the client to offer supports through a different suitably qualified contractor when the regular contractor becomes unavailable.
- Mypower Foundations has access to a number of contractors to provide backup should the assigned contractor not be able to provide supports. The client is given the option to utilise these supports or make alternative arrangements (such as making up of lost hours through a different day or times).
- If Mypower Foundations does not have a suitable replacement available as requested by the client, the Facilitator will contact the Support Coordinator (if applicable) to organise alternative arrangements if the client is agreeable to this.
- Prior to commencing service, the participant (or their representative) and the Facilitator will discuss and document the exact needs and propose a service plan to the participant.
- The participant (and/or their representative) will be provided with a copy of their service plan and will be required to sign off on the agreement for the commencement of supports.
- Service plans are reviewed and updated in line with the participant's NDIS plan renewal date, or whenever there is a significant change in the participant's needs or preferences. Rosters are updated in real-time to reflect any changes in contractor availability or participant schedules.
- All documents, service plans, personal information and rosters are stored on secure digital storage systems. The systems ensure data encryption, access controls, and backup protocols to guarantee the security and integrity of all stored information.
- Access to service plans and rosters is limited to authorized personnel only. This includes relevant staff members and contractors directly associated with the participant. User roles and permissions are defined to ensure that individuals can only access the information necessary for their roles.

- In situations where physical copies of service plans or rosters are required, they are stored in locked cabinets within a secure environment. Access to these cabinets is restricted to authorized personnel.
- Mypower Foundations retains service plans, rosters, and other relevant documentation for the duration mandated by law. Once this period expires or if a participant discontinues services, their data is securely deleted or destroyed in compliance with the Act's guidelines.

Responsibility

- The Facilitator and staff member or contractor will review these needs and preferences following the first "meet and greet".
- Open communication and forward planning in the interest of continued and uninterrupted support where the participant requires it will be the key principle.

Relevant Legislation and Policies

- Privacy Act 1988
- NSW Anti-Discrimination Act 1977
- NSW Carers (Recognition) Act 2010
- Community Services (Complaints, Reviews, and Monitoring) Act 1993
- Work Health and Safety Act 2011
- NSW Civil Liability Act 2002
- NSW Disability Services Standards
- National Standards for Disability Services
- Disability Discrimination Act 1992
- National Disability Insurance Scheme Act 2013
- NDIS Code of Conduct
- NDIS Quality and Safeguarding Framework
- Universal Declaration of Human Rights
- United Nations Convention on The Rights of Persons with Disabilities

CONTINUOUS IMPROVEMENT POLICY

Policy Statement

This policy supports Mypower Foundations to apply the NDIS Practice Standards, NDIS Code of Conduct, and in particular Standard 6: Service Management.

Mypower Foundations is committed to continuous service improvement. Continuous improvement requires a deliberate and sustained effort and a learning culture. It is results-driven with a focus not only on strengthening service delivery but also on individual outcomes.

This policy guides the design and delivery of services and ensures Mypower Foundations maintains high standards, improves systems and processes, adapts to changing needs and demonstrates organisational improvement.

All staff, whether permanent or casual, contractors, volunteers or business partners, are responsible for monitoring how well Mypower Foundations services and supports are working.

Principles

- Services provided to people with disability and all processes and procedures undertaken by staff are the best they can be.
- Services are regularly reviewed and measured for quality and effectiveness.
- Staff and people with disability are encouraged to provide feedback on how to improve service delivery.
- People with disability should be involved in all decision-making processes that affect them.
- People with disability, family and carers can provide valuable insights about the effectiveness of services, highlight any gaps/or issues that arise and provide ideas for improvements and innovation.
- A learning culture of quality of the organisation ensures all staff, regardless of their role, contribute to service quality and quality management.
- Planning, resource allocation, risk management and reporting are critical for continuous improvement and part of an integrated approach that supports Mypower Foundations' mission and vision.
- Mypower Foundations is committed to innovation, high quality, continuous improvement, contemporary best practice and effectiveness in the provision of supports to people with disability.

Definitions

Continuous Improvement – the ongoing effort to improve services, systems, processes or products to maximise individual outcomes. Evidence-based approaches are used as the organisation adapts to changing needs of the community or people accessing services.

Quality Management – systems and processes used to monitor, review, plan, control and ensure quality of services, supports or products. Sometimes referred to as quality assurance.

Procedure

Planning and Support

Mypower Foundations analyses internal and external environments to understand the broader disability sector and contemporary services. This includes planned engagement with people with disability and other key stakeholders to understand their needs and expectations and ensure a person-centred approach. Key stakeholders can include contractors, families, carers, guardians, advocates and other relevant parties as appropriate.

Mypower Foundations offers a range of ongoing training for its staff to ensure continuous improvement is promoted throughout all team members

Feedback is encouraged by all stakeholders in the form of communication most comfortable for them, including written, verbal, and via structured feedback forms.

Mypower Foundations uses a range of processes to proactively identify and recommend improvement opportunities including:

- Strategic planning.
- Organisational planning.
- Day-to-day service delivery.
- Interaction with each other and with people with disability.
- NDIS directions.

Responsibility

People with disability, families, carers, advocates and all contractors are encouraged to speak up at any time and raise any concerns they have as well as provide their service improvement ideas on organisational processes, procedures and systems.

The Director is responsible for the development of operational plans. The development process should include deliberate effort to identify opportunities for improvement.

The Director is responsible for the development and implementation of the organisational continuous improvement plan.

The Director will ensure contractors are made aware of the NDIS Code of Conduct and its obligation towards human rights, respect, and risk. The Director will direct contractors to complete the NDIS Workers Orientation Module as part of their onboarding process

Reporting

Mypower Foundations involves people with disability and contractors in formal quality evaluations and complying with all legal and contractual reporting requirements. This includes all quality system requirements such as Serious Incident Reporting.

The Continuous Improvement Plan is reviewed yearly, or as needed. Whichever is the former.

Review and evaluation

Mypower Foundations undertakes analysis of data and information to measure and evaluate performance against established goals. This includes regular audit activity to monitor and review performance and compliance with relevant standards and legislation as well as evaluate risks and identify strategies required.

This includes:

- Gap analysis.
- Complaints and feedback (formal or informal) including surveys.
- Accident and serious incident reports.
- National Standards for Disability Services.
- Service or process mapping and audit.
- Service reviews with people with disability.
- Contractors exit interviews.
- Exit interviews for people with disability, families, and carers.
- Understanding of the NDIS Code of Conduct by workers and contractors.

These updates will be implemented by updating policy and procedures as notified to contractors and, where appropriate, distributed to participants.

This procedure explains how Mypower Foundations will implement its policy on Continuous Improvement, ensuring compliance with the NDIS rules and regulations.

Relevant Legislation and Policies

- Privacy Act 1988
- Work Health and Safety Act 2011
- Community Services (Complaints, Reviews, and Monitoring) Act 1993
- NSW Disability Services Standards
- National Standards for Disability Services
- Disability Discrimination Act 1992
- NSW Disability Inclusion Act 2014
- NSW Anti-Discrimination Act 1977
- National Disability Insurance Scheme Act 2013
- NDIS Code of Conduct
- NDIS Quality and Safeguarding Framework
- Universal Declaration of Human Rights
- United Nations Convention on The Rights of Persons with Disabilities

Review and evaluation

Mypower Foundations will monitor feedback and complaints to identify opportunities to improve Choice and Control for people accessing Mypower Foundations' services.

COVID19 AND OTHER CONTAGIOUS ILLNESSES SAFE WORKPLACE

POLICY AND PROCEDURE

Policy Statement

This policy sets out guidelines to keep our workplaces and job sites COVID Safe and minimise the risk of COVID-19 exposure in our workplaces. The policy applies to all contractors, clients, and their families.

Following this policy will provide direction on the actions staff and contractors should take to protect themselves and others from a potential coronavirus infection.

Because of the nature of their disability and medical history, some people with disability are more vulnerable to serious complications if they become ill with COVID-19. Mypower Foundations will adhere to controls imposed by NSW Health and the Federal Government in response to COVID-19 to maintain the Duty of Care owed to clients.

Definitions

COVID19 A highly contagious respiratory disease caused by the SARS-CoV-2 virus. SARS-CoV-2 is thought to spread from person to person through droplets released when an infected person coughs, sneezes, or talks. It may also be spread by touching a surface with the virus on it and then touching one's mouth, nose, or eyes, but this is less common.

Isolation: Refers to the separation of people who have a confirmed infection from healthy people.

Quarantine: Refers to the practice of separating individuals who might have been exposed to COVID-19 and are waiting to see if they develop symptoms, or are confirmed to have contracted Covid-19.

Staff and Contractors should practice **social distancing** where practical by maintaining a greater than usual physical distance (a minimum of one and a half metres) from other people at the work site.

Standard **infection control** guidelines must be followed, including through handwashing, wearing gloves to prevent exposure to bodily fluids, wearing masks.

The Australian Government provides direction on appropriate **masks** as being single use surgical masks, cloth masks with three layers that are washed after use, a headscarf or face covering.

A **Close Contact** is someone who has been close to a person with infectious COVID-19 and might have become infected with the COVID-19 virus.

Procedure

1. Staff and Contractors are expected to take precautions and exercise their Duty of Care to protect themselves, their fellow staff and contractors and their clients and families from potential COVID19 infection.
2. Up to date vaccination for staff, contractors, and clients if medically permissible can help in reducing the transmission and severity of the virus, and is encouraged.
3. Staff and Contractors log their attendance at all work locations to assist in contact tracing if there's a positive COVID-19 case.
4. Staff and Contractors must complete the Supporting People To Stay Infection Free online training at induction, or have previously completed equivalent training and provide proof.
5. Staff and Contractors must wear appropriate PPE (gown, mask, protective eyewear, and gloves) if you:
 - will be exposed to body fluids of a person known to or suspected to be infected with COVID 19 or very contaminated surfaces
 - are caring for someone confirmed or suspected of having COVID-19.

Remove your PPE before leaving the room or the person's home. Wash or sanitise your hands before donning and straight after removing PPE.

6. Contractors need to practice good hygiene rules, including:
 - regular handwashing
 - coughing or sneezing into your elbow or a tissue that is immediately discarded
 - opening windows to ventilate
 - avoid touching their face
 - take leave if cold-like symptoms develop
7. Staff and Contractors must assist clients to use preventative measures such as social distancing, accessing vaccines and testing if symptoms develop.
8. Staff and Contractors are to adhere to NSW Health and the Federal Government's regulations and keep updated with any changes announced by NSW Health. Mypower Foundations will also distribute information announced by NSW Health.

9. Staff and Contractors are to notify the Client/Client's family and the Client's Facilitator if they become unwell and experience any physical symptoms regardless of if they test positive to COVID 19 or not. The client/family are then required to be given the option if they would still like you to attend if you test negative and symptoms are mild.

Mypower Foundations have developed plans for alternative support of clients where contractors develop COVID-19 symptoms or are unable to provide their usual support as they have been directed to self-isolate.

10. If a staff or contractor has completed 7 days of isolation, but is still experiencing symptoms, return to work will be monitored on a case by case basis, in consultation with the staff or contractor and the client .
11. If a staff or contractor suspects that someone in the workplace may have COVID-19 or may have been exposed to COVID-19 they should report it immediately to Mypower Foundations.
12. Where a client receives a positive PCR or RAT COVID-19 test, or displays any physical symptoms of becoming unwell that may indicate a contagious disease, Mypower Foundations must be informed to make any necessary variations to the usual supports provided.
13. Home based supports may continue if the COVID-19 positive person can be isolated from the contractor or full Personal Protective Equipment (PPE) is available
14. During any isolation, Mypower Foundations will maintain contact with the client and provide support to enable communication with the client's social and family network though social media, telephoning or videoconferencing.

Responsibility

Contractors must ensure the appropriate PPE is available when supporting clients. Staff can obtain PPE from the Director.

Staff and Contractors must advise Mypower Foundations and their clients if they have experienced symptoms of COVID-19.

Staff and Contractors are to advise Mypower Foundations if they have received the COVID-19 vaccine and provide a copy of their vaccination certificate.

Mypower Foundations will adhere to controls imposed by NSW Health and the Federal Government in response to COVID-19 that related to categories of contact and required isolation.

Relevant Legislation and Policies

- Privacy Act 1988
- Work Health and Safety Act 2011
- Biosecurity Act 2015
- Public Health Act 2010 (NSW)
- Fair Work Act 2009
- NSW Disability Services Standards
- National Standards for Disability Services
- Disability Discrimination Act 1992
- National Disability Insurance Scheme Act 2013
- NDIS Code of Conduct
- NDIS Quality and Safeguarding Framework
- Universal Declaration of Human Rights
- United Nations Convention on The Rights of Persons with Disabilities
- Public Health (COVID-19 Mandatory Face Coverings) Order (No 4) 2021
- Public Health (COVID-19 Additional Restrictions for Delta Outbreak) Order 2021
- Public Health (COVID-19 Self-Isolation) Order (No 2) 2021

DOCUMENT CONTROL

POLICY AND PROCEDURE

Policy Statement

This procedure will ensure that all records are maintained appropriately and are easily accessible to all relevant persons. It will also ensure that certain records are maintained in a confidential manner when required and addresses the Privacy Act 1988.

Records relating to the health information of clients and how those records are handled, are covered by the Privacy Act 1988 and the Australian Privacy Principles.

Records relating to the contact details, currency of qualifications and personal indemnity insurance is also covered by the Privacy Act 1988 and the Australian Privacy Principles.

Definitions

Confidential Record or Report - A confidential record or report is one that may contain personal and/or financial information about a worker or client, such as medical certificates or reports.

Personal Information of clients will be requested from the client and with their consent, such as medical information, contact details.

Personal Information of contractors will be requested from the contractor before being assigned work and includes verification of qualifications, training and personal indemnity insurance.

Document Lifecycle: The stages a document undergoes from its creation to its eventual archival or disposal

Version Control: The method used to track different versions of documents to ensure the latest version is readily identifiable

Responsibilities

It is the responsibility of the Director to maintain all records. The process may be delegated.

We collect a client's personal information directly from the client and, in some cases, from other people or organisations, with the client's consent. We use the client's personal information to help them provide services to the client.

We collect a contractor's personal information so that we have current contact details and to ensure that all certifications are current. Without the personal information from the staff or contractor, work cannot be assigned.

Only authorized personnel have access to certain sensitive documents. This is maintained using password protection and other digital security measures

Disposing of sensitive or confidential documents when they are no longer needed is completed ensuring those documents are disposed of securely.

Procedure

- Records are identified as those that are generated from policies and procedures.
- Version Control is in place to ensure different versions of documents are tracked
- Regular backups of information are completed daily, and one version weekly is stored securely long term.
- Archived or stored documents can be re-activated and retrieved if required.
- Information can be collected electronically or in hard copy form, to be saved electronically to the individual's file.
- Personal information of clients is collected to ensure we have the current contact details of clients and their stakeholders.
- Personal information of contractors is collected to verify qualifications and training, currency of personal indemnity insurance.
- Qualifications, training and currency of personal indemnity insurance for contractors is collected and retained to ensure appropriate safeguards are available to provide support to the clients of Mypower Foundations.
- Records are stored for up to seven years and archived as required. Health records must be kept for 30 years.
- Records such as Incident Report Forms, Hazard Report Forms and Workplace Inspection Reports are reviewed by management as required periodically.
- Records are reviewed on an annual basis during the WHS Management System Review.

Relevant Legislation and Policies

- Privacy Act 1988
- Health Records and Information Privacy Act 2002 (NSW)
- Australian Privacy Principles

- State Records Act 1998 (NSW)
- Copyright Act 1968
- Work Health and Safety Act 2011
- NSW Disability Services Standards
- National Standards for Disability Services
- Disability Discrimination Act 1992
- National Disability Insurance Scheme Act 2013
- NDIS Code of Conduct
- NDIS Quality and Safeguarding Framework
- Universal Declaration of Human Rights
- United Nations Convention on The Rights of Persons with Disabilities

Review and evaluation

Mypower Foundations will monitor feedback and complaints to identify opportunities to improve Document Control for people accessing Mypower Foundations' services.

DRUG, ALCOHOL AND CIGARETTE SMOKING/VAPING

POLICY AND PROCEDURE

Policy Statement

Mypower Foundations are committed to providing and maintaining a safe working environment - this environment is to be drug, alcohol and tobacco free.

Principles

- Mypower Foundations is committed to the overall health and well-being of its staff and clients.
- Mypower Foundations is committed to supporting employees who admit to having drug, alcohol, or tobacco problems and want to seek help
- Drugs and alcohol have a negative effect on individual's concentration, physical coordination, mental alertness, reaction times and energy levels.
- The inhalation of tobacco by cigarette smoking or vaping increases the risk of preventable death and many chronic diseases.
- This reduction in a person's ability to perform at their maximum potential can have tragic consequences, it is therefore a policy of MyPower Foundations that employees, subcontractors and/or visitors shall not possess, consume or be under the influence or effects of illegal drugs or alcohol whilst performing their duties, or partake in the smoking of cigarettes or vaping whilst on duty with a client.

Definitions

Drug - is a substance that affects the way the body functions. If a drug is classified as 'illegal', this means that it is forbidden by law. Different illegal drugs have different effects on people and these effects are influenced by many factors.

Prescription drug: is a pharmaceutical drug that legally requires a medical prescription to be dispensed.

Over-the-counter (OTC) drugs: These are drugs that can be bought without a prescription. Some OTC drugs can have side effects or interactions that affect job performance

Alcohol: is a liquid produced in making wine, beer and liquors that can cause changes in the behaviour when consumed.

Tobacco: is the general term for any product prepared from the cured leaves of the tobacco plant and can be consumed by smoking cigarettes or pipes, or chewing.

Vaping: is the inhaling of vapour containing nicotine and flavouring by a device designed for this purpose.

Impairment: Any reduction in mental or physical capability due to the influence of drugs, alcohol, or other substances.

Zero-tolerance: A strict non-acceptance of undesired behavior, irrespective of its severity

Procedure

1. Workers and contractors taking medication prescribed by a medical practitioner, that have warnings with regards to possible side effects that may affect a person's performance at work, are responsible for being aware of the hazards that taking this medication may present, assess the risks and ensure that the worker's or others safety is not compromised.
2. Any expected adverse effects should be advised to the Director so that appropriate safe guards can be implemented to ensure the safety of the staff, contractor or clients are not compromised.
3. Consuming tobacco is well recognised by medical experts as having many adverse health consequences and use cannot occur in front of clients. It sets a poor example of maintaining healthy choices and potentially exposing the client to harm. Consuming tobacco also detracts attention from supporting clients, potentially compromising their safety and support.
4. Policy violations will result in immediate action taken by Mypower Foundations, ranging from counselling to employment termination, depending on the severity and frequency of the violation .
5. Confidentiality will be maintained at all times, including for those who choose to report anonymously anyone they suspect of being under the influence of drugs or alcohol. Those who consider they may have difficulty in complying with this policy are invited to speak confidentially with the manager with the view of providing assistance. Any breach of this policy is regarded as a serious safety breach and may incur disciplinary action.

Relevant Legislation and Policies

- Privacy Act 1988
- Tobacco and Other Smoking Products Act
- Poisons and Therapeutic Goods Act 1966 (NSW)
- Road Transport Act 2013 (NSW)
- Work Health and Safety Act 2011
- NSW Disability Services Standards
- National Standards for Disability Services
- Disability Discrimination Act 1992
- National Disability Insurance Scheme Act 2013
- NDIS Code of Conduct
- NDIS Quality and Safeguarding Framework
- Universal Declaration of Human Rights
- United Nations Convention on The Rights of Persons with Disabilities

DUTY OF CARE

POLICY AND PROCEDURE

Policy Statement

'**Duty of care**' is a legal concept that was developed by the courts through their decisions. It refers to an obligation to take reasonable care to protect another from all reasonably foreseeable risk of harm. The greater the risk of harm, and the more serious the possible harm, the higher the standard of care owed.

Definitions

Foreseeable risk of harm is the likelihood of injury or damage that a reasonable person should be able to anticipate in a given set of circumstances.

Standard of care refers to the reasonable degree of *care* a person should provide to another person.

Negligence: The failure to use reasonable care, resulting in damage or injury to another.

Reasonable Person: A hypothetical individual who exercises average care, skill, and judgment in conduct and represents a community standard.

Informed Choice: A decision by a competent individual, who has received the necessary information, who has adequately deliberated and weighed the options, and who has arrived at a decision freely and voluntarily.

Procedure

- You have an obligation to avoid acts or omissions, which could be reasonably foreseen to injure or harm other people. That means that when you are engaged by Mypower Foundations you have a duty of care to clients, client's families, other staff, contractors, the Director and yourself.
- You must aim to provide high quality care to the best of your ability and say if there are any reasons why you may be unable to do so.
- Always act in the best interest of individuals and others that you owe a duty of care to and not act or fail to act in a way that results in harm.
- Sometimes contractors or the Director may feel that there is a conflict between their duty of care and the wishes of the client using the service. Best

interest decisions can only be made for clients who cannot decide matters for themselves at the time a particular decision needs to be taken, whether that is due to their age or disability. Where there is any potential duty of care dilemmas, clear documentation of decisions made and the reasons for those decisions must be recorded.

- Mypower Foundations aims to supporting people to make informed choices. Clear communication with clients and their families is crucial to ensure that they understand the implications of any decisions or actions
- Most of the choices that people make in life naturally involve some element of risk, and the decisions made by people using health and social care are no different. Avoiding risks altogether would constrain their choices and opportunities. Risk is a concept that tends to have negative connotations, but people take considered risks all of the time and gain many positive benefits. Contractors need to consider the impact of taking risks.
- You cannot assume that a person cannot make their own decisions simply because of their condition.
- Discuss your concerns with the client and explain your concerns. If the risk seems great, you could discuss the matter with others involved in their support such as families, other contractors who support that client or the client's facilitator.
- Contractors and staff are encouraged to openly discuss and seek guidance on duty of care dilemmas they face. Diligence should be taken to ensure all workers always act in the best interest of the clients and seek guidance when in doubt.

Responsibility

It is the responsibility of all contractors and the Director to consider the welfare of others, balanced with the impact of taking risks by others such as clients, client's families, other contractors, the Director and themselves.

Everyone has a duty of care, a responsibility, to make sure that they and other people are safe at the worksite whether that be in a home, in a vehicle or out in the community.

Relevant Legislation and Policies

- Privacy Act 1988
- Civil Liability Act 2002 (NSW)
- Work Health and Safety Act 2011
- Guardianship Act 1987 (NSW)
- Mental Health Act 2007 (NSW)
- NSW Disability Services Standards

- National Standards for Disability Services
- Disability Discrimination Act 1992
- National Disability Insurance Scheme Act 2013
- NDIS Code of Conduct
- NDIS Quality and Safeguarding Framework
- Universal Declaration of Human Rights
- United Nations Convention on The Rights of Persons with Disabilities

ELIMINATING RESTRICTIVE PRACTICES

POLICY AND PROCEDURE

Policy Statement

Mypower Foundations recognises, upholds and promoting the rights of people with disability and their right to personal freedom. Mypower Foundations is committed to eliminating restrictive practices.

This policy supports Mypower Foundations to apply the National Disability Standards and the NDIS Practice Standards, in particular Standard 1: Rights. This policy is owned by the manager.

This policy applies to all persons with disability and all staff and contractors. This policy guides all staff and contractors on the standards of practice regarding eliminating the use of restrictive practices. It identifies the need for safeguarding approaches on rare occasions where restrictive practices are required.

The Director is responsible for this policy and is responsible for the procedures and practice required by this policy.

Principles

- The elimination of restrictive practices upholds and promotes the human rights of all people with disability.
- Continued assessment, planning and review of individual supports is required to eliminate the use of restrictive practices.
- Positive behaviour supports are best developed in collaboration with people with disability, family, friends, carers, advocates and other stakeholders.
- People with disability, their families and carers are the natural authorities for their own lives and are in the best place to communicate their choices and decisions.
- People with disability will be supported and any restrictive practices will be the least restrictive as possible, time limited and used only as a last resort where the benefits to the individual outweigh any possible negative effects.
- Any restrictive practices will only be performed under the guidance and training of a qualified behaviour therapist to ensure safety and quality service to the client
- Restrictive practices will not be used as a punishment or for staff/contractor convenience.

- Different service types and approaches may be needed for different people in order to ensure each person has the same opportunities.
- Mypower Foundations is committed to the wellbeing, inclusion, safety and quality of life of people with disability.
- Mypower Foundations will do everything it can to ensure people with disability are safe and treated fairly and respectfully with regard to their wellbeing.

Definitions

Staff - This refers to permanent full-time, part-time and casual employees, contract workers, temporary agency workers, and volunteers.

Informed Consent - Informed consent means a person using appropriate and adequate information can make a decision which they make freely and without unfair pressure or influence. Part of informed consent is that the person also understands the consequences of their decisions.

Restrictive Practices - Any intervention and/or practice used to restrict the rights or freedom of movement of people with disability. This includes seclusion, chemical, mechanical, physical, environmental and psychosocial restrictive practices. The Australian Government considers restrictive practices to be:

- *“8.4 Restrictive practices involve the use of interventions and practices that have the effect of restricting the rights or freedom of movement of a person with disability. These primarily include restraint (chemical, mechanical, social or physical) and seclusion. People with disability who display ‘challenging behaviour’ or ‘behaviours of concern’ may be subjected to restrictive practices in a variety of contexts, including: supported accommodation and group homes; residential aged care facilities; mental health facilities; hospitals; prisons; and schools.” (Australian Law Reform Commission 25/04/2014).*

- *Seclusion - confining a person to a room or physical space, on their own and preventing them from leaving day or night.*
- *Chemical - using medication or a chemical substance for the primary purpose of controlling a person’s behaviour. This does not include prescription medication used to treat illness or disease.*
- *Mechanical - using a device to prevent, restrict or subdue a person’s movement or to control a person’s behaviour. This does not include devices used for therapeutic purposes.*
- *Physical – using physical force to prevent, restrict or subdue a person from moving for the primary purpose of controlling a person’s*

behaviour. This does not include physical assistance or support related to duty of care or in activities of daily living.

- *Environmental - restricting a person's free access to all parts of their environment. Example include physical barriers, locks, limiting use of personal items and limiting social engagement by failing to provide necessary supports.*
- *Psychosocial - using power-control strategies that include but are not limited to requiring a person to stay in one place until told they can leave, directing a person to remain in a particular physical position (e.g. lying down), ignoring, withdrawing privileges or otherwise punishing as a consequence of non-cooperation.*

Procedure

Planning and support

Positive behaviour support plans are to be developed by qualified behavioural therapists to outline the supports the person and relevant stakeholders need to make positive changes and minimise or eliminate the use of restrictive practices. This plan should include strategies to develop the necessary skills and any environmental changes needed.

Mypower Foundations will ensure that staff and contractors are trained by the person's behavioural therapist in the use, implementation and reporting of the plan to the therapist. Staff and contractors will only implement behaviour support plans under the direction of the therapist.

When restrictive practices are required, all stakeholders relevant to the individual will be involved and the informed consent of the person, their family and/or guardian is required for any use, implementation and/or removal of restrictive practice.

Mypower Foundations prioritizes consistent and up-to-date training for all staff and contractors on the "Eliminating Restrictive Practices Policy and Procedure".

- New and Existing staff and contractors are required to take an annual refresher on the policy, addressing updates and any challenges encountered.
- Updated resources and tools will be made available to keep personnel informed on best practices in the field.

Adherence to these trainings is crucial for maintaining the dignity and rights of individuals with disabilities at Mypower Foundations.

Mypower Foundations has implemented a structured system of periodic checks

- A comprehensive annual review will evaluate the policy's effectiveness, identifying areas for improvement and ensuring all guidelines are strictly followed.
- Open channels will be available for staff, contractors, and stakeholders to report any inconsistencies in policy implementation.
- Post-audit, any deviations or non-compliance identified will be promptly addressed, ensuring consistent application of the policy throughout Mypower Foundations.

Mypower Foundations emphasizes transparency and accountability. To ensure that the rights and concerns of people with disabilities, their families, and our staff are recognized and addressed, we have established a robust grievance mechanism:

- Varied communication channels available for submitting concerns related to policy implementation, ensuring easy access and confidentiality.
- Grievances will be taken seriously, reviewed and submitted concerns will be addressed promptly.
- Staff and stakeholders are encouraged to directly communicate their concerns with management, fostering an environment of trust and open dialogue.
- All grievances will receive an initial response within 48 hours, with a commitment to resolving concerns in a timely manner, aiming for a maximum resolution timeframe of 14 days.
- Once a grievance is resolved, feedback will be solicited to continuously improve the process and ensure satisfaction with the resolution.

Responsibilities

All staff and contractors are responsible for the continued identification and reporting of new restrictive practices to the Facilitators.

All staff and contractors must follow the person with disability's positive behaviour support plans and support the elimination of restrictive practices. Staff and contractors are required to undertake mandatory training and take direction from the therapist, the clients and their families.

The Director ensures staff have sufficient skills, knowledge and ability to meet the requirements. The Facilitators are responsible for ensuring staff are properly trained by the therapist so they can meet their responsibilities.

The Facilitators are responsible for ensuring all unplanned restrictive practices are reported to the therapist.

Reporting

If unplanned restrictive practices are applied due to an incident, the incident and the restrictive practice must be reported immediately to the client's Facilitator within 24 hours and on an incident report form. A serious incident report may also be required please refer to the Complaint's Procedure, and the Incident Form, Incident Report Form and Eliminating Restrictive Practices Policy.

Review and evaluation

Mypower Foundations will refer to the behaviour therapist for them to use a positive behaviour support panel to identify, assess, and approve the implementation of or withdrawal of restrictive practices.

Relevant Legislation and Policies

- Privacy Act 1988
- Work Health and Safety Act 2011
- NSW Disability Services Standards
- National Standards for Disability Services
- NSW Disability Inclusion Act 2014
- Disability Discrimination Act 1992
- Children and Young Persons (Care and Protection) Act 1998
- National Disability Insurance Scheme Act 2013
- Mental Health Act 2007 (NSW)
- NDIS Code of Conduct
- NDIS Quality and Safeguarding Framework
- Universal Declaration of Human Rights
- United Nations Convention on The Rights of Persons with Disabilities

EMERGENCY MANAGEMENT

POLICY AND PROCEDURE

Policy Statement

The safety of our workers, visitors and contractors in case of emergency requires controlled movement to ensure everyone's safety and security.

Principles

The purpose of this procedure is to ensure the safety of our workers, visitors and contractors in case of emergency. It outlines procedures for controlled movement of occupants, including evacuation if necessary, from the premises and grounds.

This procedure covers emergency situations until the appropriate emergency service arrives to take control.

Definitions

Emergency - is an event that occurs as a result of an incident that threatens the wellbeing of people or the security of property. An emergency may arise as a result of a safety incident such as a fire, machine fault, gas leak, chemical spill or even an act of nature (storm, flood, wind, bushfire).

Emergency Plan shall include:

- evacuation procedures.
- emergency contact phone numbers; and
- emergency procedures are developed with each client

Emergency Muster Area - An area, isolated from smoke and fire, where employees and visitors are to gather in the case of an emergency.

Procedure

- An emergency plan is developed specific to each client's home in conjunction with the client and (their family).
- Support professionals will offer resources to their clients that are available through Mypower and encourage the development of thorough emergency plans for all circumstances, and review every 2 years with the client to take into account any change in circumstances.
- Emergency situation arises in a client's home.
- Staff / Contractor assesses the situation and telephones for appropriate emergency services if required.
- Staff / Contractor initiates evacuation procedures. Staff, client and any other persons on the premises exits the premises via the nearest safe exit and proceed to the emergency muster area.
- Staff / Contractor will be responsible for the safe exit of the client if safe for the staff / contractor.
- Staff / Contractor briefs emergency services personnel about the emergency.
- All persons remain at the emergency muster area until emergency services arrive and do not return to building or premises until instructed by emergency services staff.
- Emergency plans are created with the clients and their families, and a copy of the plan is kept in a known area
- Staff / Contractor contacts the client's facilitator as soon as practicable, after performing all duties to ensure the safety of the client and the requirements of emergency services.
- Staff / Contractor sends in an incident report within 24hrs of the incident occurring
- Facilitator offers debrief as soon as is practicable after the event is over, and within 24hrs.
- Broad ranging, unfolding emergencies (such as bushfires or floods) that may require preparation / alternative arrangements to support to be made, will be communicated to support professionals through a dedicated channel, and to clients in the form of communication preferred by the client.

Relevant Legislation and Policies

- Work Health and Safety Act 2011
- NSW Disability Services Standards
- National Standards for Disability Services
- Disability Discrimination Act 1992
- National Disability Insurance Scheme Act 2013
- NDIS Code of Conduct
- NDIS Quality and Safeguarding Framework
- United Nations Convention on The Rights of Persons with Disabilities

ENVIRONMENTAL

POLICY AND PROCEDURE

Policy Statement

Our organisation is committed to maintaining and improving its environmental performance. Our aims are to minimise any effect that our activities may have on the environment.

Principles

Mypower Foundations considers the protection of native flora and fauna as a high priority, staff and visitors are expected to respect and avoid disturbing any environment which may cause harm or have a negative environmental impact.

Definitions

Environment - the surroundings or conditions in which a person, animal, or plant lives or operates or the natural world, as a whole or in a particular geographical area, especially as affected by human activity.

Procedure

- To achieve these aims Mypower Foundations will:
- Ensure that all environmental laws, regulations, standards and codes are adhered to as a minimum standard of compliance.
- Take all reasonable steps to prevent pollution and protect the environment.
- Ensure that all reasonable steps to are taken to prevent an incident from occurring.
- Encourage and foster an environmentally aware culture amongst all staff, contractors, clients and families.
- Encourage environmentally sound practices by suppliers of raw material and customers of our services.
- Ensure that all necessary pollution control measures are in place and are regularly checked and maintained to minimise the risk of an environmental incident.
- Ensure that prior to the completion of a contract all contract waste has been removed.

- Foster openness in our response to community concerns and queries about the potential environmental impact of our operational procedures.
- Environmental incidents or concerns are to be reported within 24hrs via an incident report form.
- Mypower Foundations is committed to continual improvement in environmentally sound practices.

Relevant Legislation and Policies

- Work Health and Safety Act 2011
- National Parks and Wildlife Act 1974 (NSW)
- Threatened Species Conservation Act 1995 (NSW)
- Protection of the Environment Operations Act 1997 (NSW):
- Water Management Act 2000 (NSW)
- Environmentally Hazardous Chemicals Act 1985 (NSW)
- Waste Avoidance and Resource Recovery Act 2001 (NSW)
- Biodiversity Conservation Act 2016 (NSW)
- NSW Disability Services Standards
- National Standards for Disability Services
- Disability Discrimination Act 1992
- National Disability Insurance Scheme Act 2013
- Disability Inclusion Act 2014 (NSW)
- NDIS Code of Conduct
- NDIS Quality and Safeguarding Framework
- NDIS Environmental Sustainability Strategy
- United Nations Convention on The Rights of Persons with Disabilities

ACCEPTING AND GIVING GIFTS

POLICY AND PROCEDURE

Policy Statement

Mypower Foundations firmly believes in upholding the highest standards of professional conduct. It is imperative for every member of our organization to maintain clear professional boundaries, consistently demonstrate unwavering integrity, and ensure complete transparency in all relationships and transactions. This not only safeguards our organization's reputation but also strengthens the trust and confidence of those we serve and collaborate with.

The gift policy guides support professionals, facilitators and the director on whether they are allowed to accept gifts both within and outside of the work premises. If a gift is allowed, this policy defines the acceptable value and type of gift permissible to them.

Finally, the gift policy defines under what circumstances a support professional, facilitator or director may accept a gift, on the types of gifts you can accept, the frequency of gift acceptance and identifies critical issues triggered by certain gifts.

The Director will determine in what circumstances it is appropriate to present gifts to clients in appreciation of their business.

Definitions

A **gift** is a thing given willingly to a support professional, facilitator or director without payment; a present.

Alternatively, a **gift** might be a thing given as a present by a support professional, facilitator or director to a client.

Procedure

- Each situation, including the client's and the support professional, facilitator or director's motivations for accepting the gifts, needs to be considered.
- In terms of the monetary value of gifts, all members of the organisation should consider the value in relation to the client's level of wealth and income, particularly given that most clients are in receipt of benefits from the

Department of Social Services as their sole form of income. Given this, any nominal gift with an estimated value that exceeds \$25.00 should be refused.

- Cash should never be accepted from clients as a gift; accepting cash can cause a real or perceived conflict of interest. Any offer of money must be declined, immediately reported to the Director, and the details of the offer noted on the shift notes.
- Any gifts given to the support professional or facilitator should be disclosed to the Director. Any gifts given to the Director should be disclosed to the facilitator working with that client. In both occurrences a note should be made in the client's shift notes.
- Gifts of no more than \$25.00 in value from a client should be accepted no more than twice yearly.
- If you decide it is inappropriate to accept a particular gift, then consider how you can inform the client in a respectful manner.
- Gifts should not be given to clients as a general rule, although giving a thank you gift at the end of the year can be an appropriate way to show appreciation of their business.
- All gifts, regardless of their perceived or actual value must be disclosed and recorded on the gift register kept by Mypower Foundations to ensure transparency, and to monitor the frequency and source of the gifts.
-

Responsibility

In some circumstances, receiving a gift from a client could be seen as unethical; the support professional, facilitator or the Director will need to determine whether accepting the gift might be seen as taking unfair advantage of a professional relationship.

Alternatively, giving a gift to a client may be seen as unethical as it reflects a lack of appropriate boundaries.

Relevant Legislation and Policies

- Privacy Act 1988
- Corporations Act 2001
- Anti-Money Laundering and Counter-Terrorism Financing Act 2006 (Cth)
- NSW Independent Commission Against Corruption Act 1988
- Work Health and Safety Act 2011
- NSW Disability Services Standards
- National Standards for Disability Services

- Disability Discrimination Act 1992
- National Disability Insurance Scheme Act 2013
- NDIS Code of Conduct
- NDIS Quality and Safeguarding Framework
- Universal Declaration of Human Rights
- United Nations Convention on The Rights of Persons with Disabilities

HAZARDOUS SUBSTANCES

POLICY AND PROCEDURE

Policy Statement

The use of hazardous substances must be done in a way that minimises damage to the environment and others.

Principles

It is the responsibility of support professionals to ensure that all hazardous substances they are instructed to use by clients have an MSDS provided.

It is the responsibility of the Director to train contractors in any safety procedures necessary for the use of hazardous substances.

Contractors are to handle hazardous substances as outlined in the relevant MSDS for that substance. If unsure, contractors are to discuss with the manager before working with the substance.

Definitions

Hazardous Substances - Any substance that is listed in "List of Designated Hazardous Substances NOHSC: 10005 (1999)" or one that fits the criteria for hazardous substances set out in "Approved Criteria for Classifying Hazardous Substances NOHSC: 1008 (1999)", published by the NOHS Commission.

Manufacturers have an obligation to determine whether a substance is classified as hazardous before the substance is used or supplied to another person for use at work (WHS Regulation 2012).

Material Safety Data Sheet (MSDS) - This is an information sheet provided by the supplier of the hazardous substance and contains more detailed information than what is found on the substance label. It gives warnings of the risks associated with the hazard, steps to ensure it is handled and stored correctly, and advice to medical personnel if someone reports health problems.

Procedure

- This procedure will ensure that all chemicals and hazardous substances used by Mypower Foundations' support professionals will be identified, assessed, controlled as practicable, and used as per instructions, to minimise risk to other persons and the environment.
- The support professional should use appropriate PPE when using hazardous substances at all times, in accordance with the directions (gloves, goggles, aprons, masks)
- It is the responsibility of support professionals to ensure any substances used at a client's place of residence is identified as to whether it is a hazardous substance. If unsure, the contractor is to contact the Director.
- The MSDS is displayed in a prominent location near the substance
- Contractors are to handle and dispose of substances as per the MSDS, and in accordance with environmental regulations.
- It is the responsibility of the support professional to ensure they do not use chemicals that are past their use-by date.
- Chemical safety rules are known to support professionals where applicable and are listed for access in the policies and procedures file.
- Support professionals are instructed that they are to ask the Director if they are in doubt about any chemical handling process.
- The Director is to assess the risk posed to contractors via the risk assessment process if new chemicals are introduced and inform staff of appropriate control strategies.
- All containers holding hazardous substances at the workplace are to be appropriately labelled.

Emergency Procedure

Emergency Procedures in Case of Accidents Involving Hazardous Substances:

Accidental Spillage:

Immediately alert others in the vicinity of the spill.

- Isolate the area.
- Refer to the Material Safety Data Sheet (MSDS) for specific spillage cleanup instructions.
- Wear appropriate Personal Protective Equipment (PPE) like gloves, safety goggles, and masks.
- Use appropriate absorbent materials to contain and clean up the spill.
- Ensure proper ventilation in the area.
- Dispose of waste according to MSDS instructions and local environmental regulations.
- Clean the area thoroughly after spill cleanup.

Ingestion:

- If someone ingests a hazardous substance, do not induce vomiting unless instructed to do so by medical personnel or the MSDS
- Immediately call emergency services and provide them with information on the ingested substance.
- Rinse the person's mouth with water, but do not let them swallow it.
- Refer to the MSDS for any additional first-aid measures.

Inhalation:

- Move the affected person to fresh air immediately.
- Loosen any tight clothing.
- If the person is not breathing, initiate CPR.
- Call emergency services right away.

Skin Contact:

- Immediately remove any contaminated clothing.
- Rinse the affected skin area thoroughly with plenty of water for at least 15 minutes.
- If irritation persists, seek medical attention.
- Eye Contact:
 - Rinse the eyes cautiously with water for at least 15 minutes. Remove contact lenses if present and easy to do.
 - Protect the unaffected eye.
 - Seek medical attention immediately.
- Emergency Contact Numbers:
 - Always keep a list of emergency contact numbers readily accessible. This should include local emergency services, the nearest poison control center, and the contact number for the chemical supplier or manufacturer.
 - Regularly update the emergency contact list to ensure numbers are current.
- Post-Incident Report:
 - After addressing the immediate emergency, document the incident.
 - Inform the Director and other relevant personnel.
 - Review the incident to determine its cause and implement measures to prevent recurrence.

Note: Always have the MSDS for each hazardous substance readily accessible, and refer to it for specific instructions related to exposure, accidents, and first-aid measures.

Relevant Legislation and Policies

- Privacy Act 1988
- Protection of the Environment Operations Act 1997 (POEO Act)
- Protection of the Environment Operations (Waste) Regulation 2014

- Pesticides Act 1999
- Dangerous Goods (Road and Rail Transport) Act 2008
- Work Health and Safety Act 2011
- NSW Disability Services Standards
- National Standards for Disability Services
- Disability Discrimination Act 1992
- National Disability Insurance Scheme Act 2013
- NDIS Code of Conduct
- NDIS Quality and Safeguarding Framework
- Universal Declaration of Human Rights
- United Nations Convention on The Rights of Persons with Disabilities

INCLUSION

POLICY AND PROCEDURE

Policy Statement

It is the policy of Mypower Foundations to actively promote inclusion of all of our clients within their own environments. We acknowledge and support the right of all humans to participate within all aspects of their community. This policy applies to all clients of the business, including children and their families.

Mypower Foundations' Responsibilities

- Collecting as much relevant information regarding the natural environments of the client as possible
- Collaborating with both the client and relevant people within the environment
- Conducting assessment and intervention wherever possible within the natural environment of the client
- Ensuring that environments important to the client are included in support planning
- Ensure that support strategies are relevant and achievable within the identified environments
- Seek regular feedback from clients and their families to promote continuous improvement
- Where necessary, act as an advocate or support clients in accessing advocacy services to ensure their rights to inclusion are upheld.
- Consider individuals cultural values and commit to sensitivity and understanding of individual's cultural values
- Mypower Foundations commits to ensuring that all its facilities, materials, and communications are accessible to all

Client Responsibilities:

- To provide where possible information about relevant natural environments for the client
- To provide information where possible as to relevant people within the natural environments
- To do their best to engage with identified support strategies
- To inform us if support strategies are proving to be less relevant or too challenging within the natural environment

Definitions

Diversity Policy - is created to promote equality, diversity and inclusion within the community as promoted and supported by Mypower Foundations, for those of all ages, colours, race, ethnic or national origins, sexual orientation, marital and parental status, physical impairment, disability and religious beliefs.

Disability inclusion means understanding the relationship between the way people function and how they participate in society, and making sure everybody has the same opportunities to participate in every aspect of life to the best of their abilities and desires.

Procedure

- Mypower Foundations work with clients in their own homes and out in the community. Mypower Foundations consults with the client, their families and significant others to get a better understanding of what they want, and how we can best support them.
- Mypower Foundations will use documentation such as our service agreement and risk assessments to gather and collect information to assist us to better support clients in their natural environment. These are collected at initial consultation and reviewed as required at a minimum of every 6 months.
- Other Service Providers are invited to share information with the client's permission during initial consultation and throughout the duration of support.
- Mypower Foundations obtain consent for information sharing via the Service Agreement during the initial consultation. Consent is updated as required.
- Mypower Foundations measures outcomes through feedback, consultation with clients, families and other service providers to measure outcomes within the natural environment.

Relevant Legislation and Policies

- Privacy Act 1988
- Anti-Discrimination Act 1977 (NSW)
- Children and Young Persons (Care and Protection) Act 1998
- Age Discrimination Act 2004
- Work Health and Safety Act 2011

- NSW Disability Services Standards
- National Standards for Disability Services
- Disability Discrimination Act 1992
- Disability Inclusion Act 2014 (NSW)
- National Disability Insurance Scheme Act 2013
- Community Services (Complaints, Reviews and Monitoring) Act 1993
- NDIS Code of Conduct
- NDIS Quality and Safeguarding Framework
- Universal Declaration of Human Rights
- United Nations Convention on The Rights of Persons with Disabilities

INDIVIDUAL VALUES AND BELIEFS

POLICY AND PROCEDURE

Policy Statement

Mypower Foundation's Code of Conduct requires that all support professionals and facilitators be able to identify, appreciate and have respect for all cultures, diversity, values and beliefs of participants.

Definitions

Values are stable long-lasting **beliefs** about what is important to a **person**. They become standards by which people order their lives and make their choices. A **belief** will develop into a **value** when the **person's** commitment to it grows and they see it as being important.

Procedure

To achieve this outcome, the following indicators should be demonstrated:

- At the direction of the participant, the culture, diversity, values and beliefs of that participant are identified and sensitively responded to.
- Each participant's right to practice their culture, values and beliefs while accessing supports is supported.
- Open communication between participants and the service provider regarding any observances that the participants want to be honoured or respected is encouraged
- Participants are encouraged to share their experiences and provide suggestions on how Mypower Foundations can better support their values and beliefs.
- Mypower Foundations' support professionals and facilitators will be expected to facilitate the client's participation in their religious and cultural traditions. All staff of Mypower Foundations will value and respect the freedom of religion that Australia permits, and their provision of service is with the understanding of enabling participants to practice their culture, values and beliefs free from prejudice, discrimination or judgement.
- Client information will cover the current ethnic mix of Mypower Foundations' clients to ensure they are aware of the ways to relate to participants in our care. Additionally, if a worker is assigned to a participant they have not previously supported, and if there are issues that the worker is not familiar with, they will be informed of the situation and given information necessary to work well with the participant.

- Additionally, Mypower Foundations will provide notes to support professionals for each client they commence working with to ensure the support professional is aware of the special needs in this area and to ensure that the participants' values and beliefs are accounted for.
- Should there be misunderstandings or disagreements related to cultural practices or beliefs, the Complaints and Feedback policy shall be followed to ensure a quick and satisfactory resolution.

Responsibility

All support professionals and facilitators are expected to be willing to engage in conversations revolving around a participant's cultural practices traditions. These conversations will foster greater cultural appreciation and interest in recognising the importance of cultural celebrations when providing any service within the ethnic community. Religion and practices of these beliefs also plays a significant role in an individual's life.

Support professionals and facilitators should be proactive in their approach, seeking to learn and understand a participant's cultural and religious beliefs even before they engage with them when the information is made available.

Relevant Legislation and Policies

- Privacy Act 1988
- Racial Discrimination Act 1975
- Australian Human Rights Commission Act 1986
- NSW Anti-Discrimination Act 1977
- Multicultural NSW Act 2000
- Work Health and Safety Act 2011
- NSW Disability Services Standards
- National Standards for Disability Services
- Disability Discrimination Act 1992
- National Disability Insurance Scheme Act 2013
- NDIS Code of Conduct
- NDIS Quality and Safeguarding Framework
- Universal Declaration of Human Rights
- United Nations Convention on The Rights of Persons with Disabilities

INVOLVEMENT

POLICY AND PROCEDURE

Policy Statement

Mypower Foundations believes that effective consultation and co-design with our primary stakeholders, especially people with disabilities and their circles of support, is pivotal for the development and refinement of inclusive, responsive, and high-quality services

Mypower Foundations is committed to consulting with people with disability, and their families, friends, carers and advocates about its services, and involving them in decisions about the design and delivery about the services they use.

This policy explains how Mypower Foundations engages, consults, co-designs and communicates with key stakeholders. The principles of this policy also apply to any co-design of services.

This policy supports Mypower Foundations implementing the National Standards for Disability Services Standard 1: Rights and Standard 6: Service Management. It supports implementing the NDIS Practice Standards for Rights and Responsibilities (Person Centred Support) and Provider Governance and Operational Management.

Definitions

Co-design – a voluntary process where stakeholders, such as people with disability, their families and carers, contribute their experience and ideas to design workable, useful services. Co-design can include shared decision making.

Supported decision making – where a person makes a decision by themselves with some level of support or assistance from other people.

Stakeholder Engagement – The process by which organizations involve individuals or groups with an interest in a decision or project. This ensures their perspectives and concerns are considered in decision-making. Activities can include communication, consultation, and collaboration. Stakeholders may include employees, customers, communities, and regulatory bodies.

Procedure

- Support professionals and facilitators are trained and guided to recognise that people with disability have the capacity to determine their own best interests and make decisions that affect their own lives.
- People with disability will be supported to maximise their choice and control over matters that affect them.
- Active decision-making and individual choice are supported for each person we support
- When needed, each person is supported to make informed choices about the benefits and risks of the options under consideration.
- Mypower Foundations acknowledges and respects the role of families, carers and other significant persons in the lives of people with disability.
- With the consent of people with disability, consultation occurs with them and their family or other key stakeholders on decisions that impact them. Feedback from consultations will be acted upon wherever feasible, and outcomes of the consultation will be communicated back to those involved
- People with disability are given opportunities to contribute to the governance of the organisation and have input into policy and processes about their rights and supports.
- People's legal and human rights are understood and incorporated into everyday practice.
- People's culture, language and preferred communication style is respected and supported.
- Information gathered during consultations is confidential unless previously agreed by all parties.
- Information is timely and uses the language, mode of communication and terms suited to the person.
- Consultation occurs across a spectrum of collaboration, co-design, cooperation, and information provision.

Responsibility

Each client guides the development of their service plan including deciding who is involved.

The Director is responsible for ensuring people with disability, family and carers are invited to participate in any development or review of services.

Feedback is regularly sought from clients on the services they receive through various methods, in the way that the individual has indicated is preferable to them., and suggestions for change and improvement are implemented wherever feasible.

Feedback will be reviewed quarterly, with major changes considered during the annual review

The Director is responsible for reviewing feedback and implementing changes.

Relevant Legislation and Policies

- Privacy Act 1988
- Work Health and Safety Act 2011
- NSW Anti-Discrimination Act 1977
- NSW Disability Services Standards
- National Standards for Disability Services
- Disability Discrimination Act 1992
- National Disability Insurance Scheme Act 2013
- NDIS Code of Conduct
- NDIS Quality and Safeguarding Framework
- Australian Human Rights Commission Act 1986
- Universal Declaration of Human Rights
- United Nations Convention on The Rights of Persons with Disabilities

LEAVE – CONTRACTORS AND CASUAL EMPLOYEES

POLICY AND PROCEDURE

Policy Statement

Taking leave is essential. It promotes good physical and mental health in the workplace and improves people's work-life balance, which reduces stress and unscheduled days off. Absenteeism can have a significant impact on any business.

Contractors and casual employees are not entitled to paid leave entitlements however and when a contractor or casual employee needs to take leave, they are encouraged to give the Director sufficient notice to arrange for another staff member to cover their shifts.

Contractors are not employees and do not qualify for employment rights and benefits, such as holiday pay or sick pay. Casual employees receive casual leave loading in place of benefits, such as holiday pay or sick pay.

Definitions

Giving **notice** of the need to take leave means giving the Director and/or the client enough warning of your pending absence to arrange another support professional to meet the obligations of your shift/s.

Being unavailable for work means seeking a **leave** of absence.

Leave can be taken for **holidays, being unwell, needing to attend to a personal obligation.**

Procedure

1. The support professional or facilitator needs to give notice the Director and the client of the need to take leave as a courtesy to the parties, ensuring support of the client is not jeopardised.
2. Notice of the need to take leave needs to be given as soon as the support professional or facilitator becomes aware of the need to take leave.

3. Notice of the need to take leave should be confirmed via the leave request availability in Nightingale
4. Where leave is needed at short notice such as being unwell, it should be communicated via Whatsapp in the client chats that the worker is rostered on with for the day. Facilitators to communicate via Whatsapp office group.
5. If a support professional or facilitator repeatedly takes leave without providing adequate notice, or if their absences start impacting service delivery, the Director may review their contract or employment terms or consider alternative arrangements.
6. The support professional can assist the Director by contacting other support professionals to check on their availability to cover shifts.
7. Where the support professional or facilitator has been unfit to attend work as a result of a serious injury or ongoing illness, the Director may ask for medical certification to confirm the person is now fit to return to work.
8. Support professionals and facilitators should not contact clients whilst on leave.
9. Contractors and casual employees have no entitlement to being paid whilst on leave and for this reason they are encouraged to take out their own insurances.

Responsibility

The support professional or facilitator has a responsibility to inform the facilitator or Director and clients of the need to take leave. If the leave is required urgently or unexpectedly, the person's family should give notice of the leave to the Director.

The support professional or facilitator needs to provide an expected date they will return to duties, after taking a period of leave, to ensure the support of the client is not compromised.

Relevant Legislation and Policies

- Privacy Act 1988
- Work Health and Safety Act 2011
- Fair Work Act 2009
- Independent Contractors Act 2006
- NSW Disability Services Standards
- National Standards for Disability Services
- Disability Discrimination Act 1992
- National Disability Insurance Scheme Act 2013
- NDIS Code of Conduct
- NDIS Quality and Safeguarding Framework
- Universal Declaration of Human Rights
- United Nations Convention on The Rights of Persons with Disabilities

MANUAL HANDLING

POLICY AND PROCEDURE

Policy Statement

Mypower Foundations is committed to providing necessary training, equipment, and support to support professionals and facilitators in ensuring safe manual handling practices.

The objectives of our Manual Handling Policy are to: Maintain a safe and healthy work environment. Reduce the costs of manual handling injuries both to the organisation and individuals. Address any workplace factors which may increase the risk of manual handling injuries.

To ensure that the risk to all members of the organisation from manual handling is controlled and to eliminate the need for people to manually handle items where practicable.

Definitions

Manual Handling - Any action that requires a physical force to be exerted by an individual, such as lifting, pushing, pulling, and carrying.

Risk Assessment - A systematic process of evaluating the potential risks that may be involved in a projected activity or undertaking.

Hazard - A potential source of harm or adverse health effect on a person or persons.
Responsibilities:

Responsibilities

All members of the organisation are responsible for ensuring that all manual handling hazards are identified and controlled.

Members are responsible for following safe manual handling practices and using equipment/tools to minimise risk.

The support professional is responsible for informing the client and the facilitator or director when equipment is faulty, and maintenance is required.

Procedure

- Support professionals and facilitators identify manual handling hazards during the risk assessment process, or by workplace inspections.
- Support professionals and facilitators can also report manual handling hazards on the Hazard Report Form.
- The manual handling activity is assessed using the risk assessment procedure.
- A control strategy is to be developed in consultation between clients, the facilitator and support professional. Where this is not possible, the facilitator will refer to the Director. The control strategy should be implemented as soon as possible. Temporary action may be required until a permanent control is implemented.
- Support professionals and facilitators are informed of the control strategy via the consultation process.
- General manual handling procedures are included during initial consultation.
- Any injuries or near-misses related to manual handling are immediately reported to the facilitator or director and an incident form is completed.

Relevant Legislation and Policies

- Privacy Act 1988
- Work Health and Safety Act 2011
- Work Health and Safety Regulation 2017 (NSW)
- Code of Practice for Manual Handling
- NSW Disability Services Standards
- National Standards for Disability Services
- Disability Discrimination Act 1992
- National Disability Insurance Scheme Act 2013
- NDIS Code of Conduct
- NDIS Quality and Safeguarding Framework
- Universal Declaration of Human Rights
- United Nations Convention on The Rights of Persons with Disabilities

MEDICATION ADMINISTRATION

POLICY AND PROCEDURE

Policy Statement

Each Participant requiring medication should be confident their support professional administers, stores and monitors the effects of their medication and works to prevent errors or incidents.

Mypower Foundations will provide on-line training on assisting with medication to its Support professionals. This training will ensure support professionals are able to support clients and assist them with their medication, provided it is ready for dispensing in a Webster Pack; the prescribed dosage has been separated and identified by an appropriate person or the support professional has access to the original packaging of the medication, labelled with all necessary details.

Medication will not be administered by a support professional on behalf of Mypower Foundations without training.

All support professionals to provide individualized care to the client. Every client's needs and reactions to medications can differ, so personalizing the approach is crucial

Failure to administer medication in accordance with this policy may amount to a breach of the Duty of Care policy. Some medications are only used when needed for a specific situation, such as intermittent chest pain, the common cold, allergies, constipation, or pain.

Definitions

An **appropriate person** is a family member, carer or other authorised person who has been nominated by the client and supports them with decision making or communicating instructions.

Training in medication administration will be provided by a recognised and accredited training provider, confirmed by a valid certificate.

A **Medication Chart** is used to direct how and when drugs are to be administered and as a record of their administration. The Medication Chart will be referred to when administering medication and initialled by the support professional when the administering has been completed. Not every client will have a Medication Chart.

An **Incident Report** is a detailed account written after an adverse or unusual event relating to medication administration, describing what occurred, actions taken, and recommendations for future prevention.

A **Webster Pack** is a system to manage medications, by pre-packing a week's worth of tablets in an easy to administer blister pack, segregated into a board which is in a calendar format, with times of days and dates. Not every client will have a Webster Pack. Webster Packs might also take the form of reusable **Compartmentalised boxes**.

Personal Protective Equipment is any equipment designed to prevent the risk of injury or infection to the client and/or the Contractor when administering medication such as facemasks, gloves, eye protection, hand sanitiser or gowns.

A **PRN** is a Latin term that stands for "pro re nata," which means "as the thing is needed." A client will choose when to take a PRN.

Procedure

- Medication will be provided to the client in accordance with the dosages prescribed by the Webster Pack, Compartmentalised boxes or as instructed by the appropriate person.
- Where medication is being supplied directly from the packet, the support professional will:
 1. Check the medication name aligns with the instructions on the medication chart
 2. Check the expiry date has not passed, in which case the medication should not be administered
 3. Check the name and date of birth on the medication matches the client's name and date of birth
 4. Check the required dosage
 5. Administer the medication in accordance with packet instructions
- The method of administering medication will be prescribed by the instructions on the packet; whilst most medication is administered orally as tablets or elixirs, it can be by drops in the eye/ear/nose, by inhalation or the application of creams or ointments.
- Medication administered vaginally or rectally are absorbed by the body at faster rates than oral medication, however support professionals without suitable qualifications should not administer these forms of medication, as they pose a higher risk to client safety.
- Whilst administering medication personal hygiene is to be implemented by thoroughly washing hands and with the use of any appropriate Personal Protective Equipment.

- In the case of a medication recall, cease giving the medication to the client immediately, seek the advice of the client's Dr and return the medication to a chemist
- A client's right to choice must always be respected, including in the event a client refuses medication. Appropriate advice from the relevant authority such as the client's Dr or Chemist should be sought when this occurs
- After use, medication is to be stored following the packet instructions or following the direction of the appropriate person.
- Unused medication should be stored in its original packet, container or by the instructions of the appropriate person.
- Failure to follow or breaching this policy may amount to a breach of the Duty of Care policy; unintentional breaches may lead to mentoring and further training, however persistent and flagrant breaches may result in Termination of Contract, in accordance with that policy.
- Contingencies that may occur whilst administering medication:
 1. Client's incomplete ingestion of medication
 2. Use of contaminated, out-of-date or discoloured medication
 3. Client displaying physical, behavioural or cognitive changes before or after the administration of medication
 4. Allergic reactions, and
 5. Incorrect administration of the medication.
 6. Medication mix-ups or administering medication to the wrong client.
 7. Client may refuse medication
- Support professionals need to be watchful and identify any side effects or adverse reactions following the administration of medication, such as:
 1. Nausea
 2. Ringing on the ears
 3. Dry mouth
 4. Memory loss
 5. Itching
 6. Blurred vision

Any of these side effects needs to be noted in the shift notes and on the Medication Chart (if applicable). The appropriate person must be informed.

- More severe side effects require immediate assistance and an emergency call for an ambulance; these include changes to a client's:
 1. Airway, such as choking or high-pitched wheezing, otherwise known as stridor
 2. Breathing, such as slowed, fast, noisy, wheezy or absent breathing
 3. Circulation, such as the loss of a pulse or the pulse becoming weak, irregular or rapid, the client appearing flushed or sweaty or their skin showing a bluish discolouration, and

4. Level of consciousness, such as unexpected drowsiness or the loss of consciousness
5. Skin rashes
6. Rhinitis – inflammation of the nasal mucosa or runny nose
7. Diarrhoea
8. Nausea
9. Wheezing
10. Dyspnoea – difficulty breathing
11. Watery eyes

Responsibility

It is the support professional's responsibility to administer medication (if they are suitably trained), complete accompanying documentation such as medication charts, Webster packs or Compartmentalised boxes and later complete a Shift Report confirming administration of medication, incorrect administration, inconsistencies, adverse side effects and other handling contingencies.

It is the support professional's responsibility to monitor the client for adverse reactions following the administration of medication and take appropriate action, such as seeking emergency assistance.

It is the support professional's responsibility to complete an Incident Report should there be any adverse side effects or other unusual consequences or errors.

A client will decide if and when to take PRN.

It is the facilitator's and director's responsibility to ensure support professionals are appropriately trained and that they have access to the necessary resources for safe medication administration.

Relevant Legislation and Policies

- Privacy Act 1988
- Work Health and Safety Act 2011
- Poisons and Therapeutic Goods Act 1966 (NSW)
- Health Records and Information Privacy Act 2002 (NSW)
- Medicines, Poisons and Therapeutic Goods Regulation 2008
- NSW Disability Services Standards
- National Standards for Disability Services
- Disability Discrimination Act 1992
- National Disability Insurance Scheme Act 2013
- NDIS Code of Conduct
- NDIS Quality and Safeguarding Framework
- Universal Declaration of Human Rights

- United Nations Convention on The Rights of Persons with Disabilities
- Public Health Act 2010
- Disability Inclusion Act 2014
- Aged Care Act 1997

MOTOR VEHICLE USE

POLICY AND PROCEDURE

Policy Statement

Mypower Foundations is committed to ensuring that its' clients are able to access the community and be safely transported to activities, appointments and outings.

Contractors and employees are required to use their own vehicles (or vehicles that they have access to) for supporting clients and transporting themselves to and from client shifts. The cost of maintaining, registering and having business use insurance for the vehicle lies with the owner of the vehicle.

Mypower Foundations has a vehicle available for use when supporting clients, fitted with a wheelchair hoist and a standard vehicle with no modifications.

Mypower Foundations is committed to environmental considerations, such as encouraging employees and contractors to use fuel-efficient vehicles or electric/hybrid cars where possible.

Definitions

CTP Insurance (Compulsory Third Party Insurance): A mandatory insurance that compensates people injured or killed in a motor vehicle accident for which you or the person driving your vehicle is at fault.

RMS (Roads and Maritime Services): A state government agency responsible for improving road safety, testing and licensing drivers, and registering and inspecting vehicles

Vehicles used by contractors and employees need to be insured for **business use**. You need **business car Insurance** if you're using your **car** during work hours.

Business use includes commuting to and from work, travelling between different work locations or driving to meet clients and transporting clients.

Ordinary car insurance will only cover you for so-called 'social, domestic and personal use', which includes visiting friends, driving to the shops or taking a day out.

Car insurance for **business use** is different from **commercial car insurance**, which covers people who use their car as an integral part of their job – such as taxi drivers, delivery drivers or driving instructors.

Procedure

While driving vehicles for Mypower Foundations' purposes, contractors and employees must comply with traffic legislation, be conscious of road safety and demonstrate safe driving and other good road safety habits, which includes adhering to speed limits and other road signs at all times.

If driving with a client in the vehicle, and the client becomes disruptive or causes safety concerns while being transported, the employee or contractor should find a safe, legal place to pull over as soon as is practicable. The employee or contractor should exit the vehicle if they feel unsafe to a place where they are still in the line of sight of the client, ensuring appropriate strategies are put in place to keep the client safe from overheating if they remain in the vehicle. The employee or contractor should communicate with the client's facilitator or their family member if it is safe to do so advising of the situation. Once the situation has been resolved, and incident form is required to be filled out and submitted within 24hrs of the incident.

Employees or contractors are expected to promptly inform Mypower Foundations if their driver's license gets suspended or if they receive significant traffic violations

The following actions while driving clients for Mypower Foundations' purposes will be viewed as serious breaches of conduct and termination of contract may be a consequence:

- Drinking or under the influence of drugs while driving.
- Use of a mobile phone or any electronic device unless hands-free while driving, in accordance with local laws
- Driving while disqualified, or not correctly licensed.
- Reckless or dangerous driving causing death or injury.
- Failing to stop after a crash.
- Demerit points leading to suspension of a licence.
- Any actions which warrant suspension of a licence.

Mypower Foundations will pay a travel allowance to the contractor or employee when travelling with a client or in some circumstances, when travelling to or from a client (at the discretion of the director) at a rate per kilometre when using their own vehicle; this claim needs to be included on the client's weekly invoice.

Should the employee or contractor be involved in a motor vehicle accident when travelling with a client, they should:

- Call the police and an ambulance on 000 if there is a serious personal injury.
- Exchange particulars with any other vehicles and drivers involved.
- Advise the Director, family members of the client and the ordinary treating medical practitioner of the client.
- Complete an Incident Report as soon as practical (irrespective of which driver is at fault) and no later than 24hrs after the incident.
- Report the accident to their own motor vehicle insurance company.

Whilst Mypower Foundations has 2 vehicles available to transport clients, contractors and employees will need to provide a five (5) year driving history if requested available for the RMS before being permitted to use that vehicle. Use of

the wheelchair hoist is only permitted when the employee or contractor has had training in its use.

Responsibility

It is the responsibility of the employee or contractor to ensure they:

- Have a current licence whilst driving
- Drive a registered vehicle with CTP insurance
- Have the appropriate insurance for their vehicle, having advised their insurer of the business use of the vehicle
- Have a road-worthy, reliable vehicle
- Can ensure the client travels comfortably and safely
- Maintain a high level of professional conduct when driving with a client
- Drive when fresh and alert
- Pay any fines associated with breaches of their driving performance
- Provide a five (5) year driving history to the Director upon request before driving any vehicle owned by Mypower Foundations.
- That the client wears seat belts and that child seats, if required, are properly fitted and used.
- Regularly perform routine checks on their vehicles, including brakes, tires, lights, and other essential functions to ensure they are in safe working condition.
- Report any malfunctions or concerns about the Mypower Foundations' vehicles immediately to the management

Relevant Legislation and Policies

- Privacy Act 1988
- Work Health and Safety Act 2011
- NSW Disability Services Standards
- National Standards for Disability Services
- Disability Discrimination Act 1992
- National Disability Insurance Scheme Act 2013
- NDIS Code of Conduct
- NDIS Quality and Safeguarding Framework
- Universal Declaration of Human Rights
- United Nations Convention on The Rights of Persons with Disabilities
- Road Transport act 2013
- Road Rules 2014 (NSW):
- Motor Accident Injuries Act 2017
- Child Restraints Guidelines

NDIS QUALITY SAFEGUARDING & WHS MANAGEMENT REVIEW, & CONTINUOUS IMPROVEMENT POLICY AND PROCEDURE

Policy Statement

This policy and procedure are to ensure that the NDIS Quality Safeguarding and WHS management remains an element in Mypower Foundations achieving its goals and remaining in line with relevant legislation.

NDIS Quality Safeguards and WHS policies and procedures are in place to ensure we adhere to our legal requirements and maintain the high quality and safe supports and services for participants and the work health and safety of our workforce.

continuous improvement is a cultural and operational imperative for Mypower Foundations.

Feedback from stakeholders, both internal and external, is valuable and will be actively sought to ensure improvements align with client and staff needs.

Definitions

NDIS Quality Safeguarding and WHS Management System - These include all policies, procedures and activities relating to the NDIS Quality Safeguarding and Workplace health and safety within the organisation.

NDIS Quality Safeguarding ensures supports and services are provided in a safe and competent manner, with care and skill. Mypower Foundations acts with integrity, honesty, and transparency. Mypower Foundations promptly take steps to raise and act on concerns about matters that may impact the quality and safety of supports and services provided to people living with disability.

Stakeholders: Individuals or groups who are affected by or can affect Mypower Foundations' operations, including clients, contractors, suppliers, employees, regulators, etc.

WHS (Work Health and Safety): Pertaining to the safety, health, and welfare of people engaged in work or employment.

Procedure

- The Director will regularly review the NDIS Quality Safeguarding and WHS management system.
- The Director also reviews results of any audits, reports, and risk assessments procedures. Relevant feedback over the past twelve

months may also be used to assist with this process.

- Feedback will be solicited from clients, organisation members, and other stakeholders before the review process. This feedback will be used for practical insights into the effectiveness of existing procedures and areas for improvement
- The Director will review the NDIS Quality Safeguards and WHS Policy, and any legislative changes that may have been introduced over the past twelve months.
- Input of third-party professionals or industry experts will be acquired if necessary during the review process to ensure alignment with industry best practices.
- Revised procedures will be developed or modified as required. New procedures which are required will be implemented, and policies updated and signed off as being revised.
- Contractors and employees will then be informed of any new procedures as soon as practicable but have access to all new procedures through access Nightingale.
- Feedback, incidents reports, emails and case notes will be used to track the effectiveness and impact of any changes made

Responsibility

It is the responsibility of the Director to review the NDIS Quality Safeguarding and WHS management system on an annual basis, and to revise and improve in consultation with the contractors, clients, and other stakeholders. Contractors and employees are responsible for implementing and adhering to any revised or newly introduced procedures.

Relevant Legislation and Policies

- Privacy Act 1988
- Work Health and Safety Act 2011
- NSW Disability Services Standards
- National Standards for Disability Services
- Disability Discrimination Act 1992
- National Disability Insurance Scheme Act 2013
- NDIS Code of Conduct
- NDIS Quality and Safeguarding Framework
- Universal Declaration of Human Rights
- United Nations Convention on The Rights of Persons with Disabilities

NDIS CLIENT ENGAGEMENT

POLICY AND PROCEDURE

Policy Statement

Mypower Foundations is committed to supporting our clients according to the principles of the NDIS and Australian Consumer Law.

This policy applies to employees and contractors. Employees and contractors are expected to be familiar with and apply this policy.

We aim for our client's journey to be a positive experience that embraces the themes of voice, choice and control.

- People with disability have the same rights as other members of Australian society to realise their potential for physical, social, emotional and intellectual development.
- People with disability should be supported to participate in and contribute to social and economic life to the extent of their ability.
- People with disability and their families and carers should have certainty that people with disability will receive the care and support they need over their lifetime.
- People with disability should be supported to exercise choice, including in relation to taking reasonable risks, in the pursuit of their goals and the planning and delivery of their supports.
- People with disability should be supported to receive reasonable and necessary supports, including early intervention supports.
- People with disability have the same right as other members of Australian society to respect for their worth and dignity and to live free from abuse, neglect and exploitation.
- People with disability have the same right as other members of Australian society to pursue any grievance.
- People with disability have the same right as other members of Australian society to be able to determine their own best interests, including the right to exercise choice and control, and to engage as equal partners in decisions that will affect their lives, to the full extent of their capacity.
- People with a disability have the same right as other members of Australian society to have their personal information kept safe and protected and confidentiality maintained.
- People with disability should be supported in all their dealings and communications with the NDIA so that their capacity to exercise choice and control is maximised in a way that is appropriate to their circumstances and cultural needs.
- People with disability should have their privacy and dignity respected
- Reasonable and necessary supports for people with disability should:

1. support people with disability to pursue their goals and maximise their independence.
 2. support people with disability to live independently and to be included in the community as fully participating citizens and
 3. develop and support the capacity of people with disability to undertake activities that enable them to participate in the community and in employment.
- The role of families, carers and other significant persons in the lives of people with disability is to be acknowledged and respected.
 - The role of advocacy in representing the interests of people with disability is to be acknowledged and respected, recognising that advocacy supports people with disability by:
 1. promoting their independence and social and economic participation.
 2. promoting choice and control in the pursuit of their goals and the planning and delivery of their supports and
 3. maximising independent lifestyles of people with disability and their full inclusion in the community.
 - People with disability should be supported to receive supports outside the NDIS and be assisted to coordinate these supports with the supports provided under the NDIS.
 - Innovation, quality, continuous improvement, contemporary best practice and effectiveness in the provision of supports to people with disability are to be promoted.
 - Positive personal and social development of people with disability, including children and young people, is to be promoted.

Procedures

NEW REFERRALS

- Initial contact can be made via a phone call, email, or text (client's preference) to request relevant information. The facilitators will deem that Mypower Foundations has the necessary resources to support the client, based on the information provided. A meeting will occur between the client (their family, advocates, support person if the client chooses), and the potential contractor, or a trial shift will be organised.
- If initial contact is made by a third party such as a support coordinator or other provider, then relevant information is requested from the third party. If Mypower Foundations has the resources available to support the client, further information is requested as well as consent from the client or their guardian.

- Information that is collected at this point
 1. Phone number and email address of the client, information relevant to the client and their goals as written in the Service Agreement.
 2. Any further information (See Service Agreement) is gathered, and suitability and qualifications of the contractor are assessed against the client's needs. If the contractor is not appropriately qualified for certain tasks, this will be discussed with the client and their support people to assess the most appropriate way to provide support.

- Each Service Agreement sets out the support agreed to and all criteria relevant to accessing the support service, including any associated costs. Clients receive a copy of their Service Agreement once it has been completed.
- All duties and obligations of both the participant and the contractor are clearly noted in the Service Agreement. All provisions relating to these duties and obligations are explained to the participant. Mypower Foundations may arrange an interpreter if required.
- If Mypower Foundations do not have the resources to support the client, Mypower Foundations will work with the client to find appropriate support if requested or refer back to the support coordinator if referred by them.
- The Service Agreement is completed by the client or their elected representative (e.g. guardian, Support Coordinator). The Service agreement is returned either by email to the facilitator (before the service commences), or in a different way as discussed with the client. the facilitator will review the agreement once received, and if necessary, contact the client to discuss. The facilitator will work with the client and any relevant parties to ensure the client understands the agreement and assist them where necessary. The Service Agreement will last for the period of their plan, unless significant changes are requested, in which case, a new agreement will be drawn up and signed by the client. Regular check-ins will be conducted by the facilitator (monthly) unless review is requested by the client at an earlier time.
- Mypower Foundations works with other providers to ensure clients have access to the best available supports for their needs. If the client is associated with multiple providers, Mypower Foundations will request written permission from the client to share necessary information with those providers to ensure the best possible service. Where that request is denied by the client, the information will not be sought or shared. Mypower Foundations also works closely with other providers to ensure best practice, and to remain up to date with emerging information and changes regarding practices.
- Informed consent will be sought before any interventions, sharing of personal information, or other significant actions
- All records are kept securely and confidentially, and information updated in a timely manner.
- If working with children, Mypower Foundations supports families to identify their key worker by a discussion either at the time of the initial meeting or shortly after support commences to identify who best supports the child's overall needs

- All new clients receive a Welcome Pack outlining obligations towards the client and their families, and the client's rights and responsibilities whilst participating in the NDIS and with Mypower Foundations
- All new clients are informed in regards to the avenues available to them for complaints and feedback at any stage while receiving supports through Mypower Foundations.
- Mypower Foundations commits to understanding and respecting the cultural and linguistic backgrounds of clients and potentially hiring or consulting with cultural liaison officers when needed.
- As the service is provided, Mypower Foundations monitors the environment in which the support is delivered on a regular basis. Mypower Foundations has policies and procedures relating to feedback, safety, incidents and daily reports to be completed by contractors. In addition to open dialogue and communication with the participant, this documentation aids Mypower Foundations in making reasonable and/or necessary adjustments to the support delivery environment
- Where progress may diverge from expected outcomes and goals, Mypower Foundations' contractors will document this and work with the participant to organise any changes or update the support plan to better suit the achievement of expected outcomes and goals.
- If the client changes their mind, and support has not commenced, the client will be released from their contract immediately, and Mypower Foundations will support the client to find other available supports if requested. If support under the agreement has commenced, 2 weeks' notice is required from the client.

EXITING CLIENTS

- When a person has finished their intervention, we offer them the opportunity to provide feedback and link them with other services should they request assistance.
- If a client changes their mind and wants to change providers, a period of 2 weeks' notice is required. During this time, and after the 2 weeks, Mypower Foundations will assist the person if requested to find alternate contacts and provide information for transition to another service if the client has given consent.
- When the business decides that they will no longer be able to support a person, every effort is made to provide information for the person to transition to suitable supports, and the client is assisted during the transition process if requested.
- In all cases, written permission is obtained from the client to share relevant information regarding the client's needs with the new organisation. Mypower Foundations will collaborate professionally, appropriately and effectively with the participant, as well as the new provider, where necessary to coordinate the transition. The client is reminded of and assisted to exercise their rights during the process.

- Information will generally be transferred to other providers via email and will be transmitted securely to protect the client's privacy.

WORKING WITH OTHER SERVICE PROVIDERS

- There will be times when a person is accessing supports across other services. Mypower Foundations will connect with these supports with the written permission of the client. This can be through a Permission to Share Information Form, via email, or through a written letter from the client.
- Mypower Foundations will share only the relevant information that the client has agreed to. The client's rights will be respected should they choose not to allow information to be shared between other services.
- Mypower Foundations will share relevant information regarding the client (with their permission) to ensure a collaborative environment to produce the best possible outcomes for the client.
- Mypower Foundations will seek out other providers with the client's involvement where extra services are required, and, if and where possible, support the client to enable them to do this themselves.
- Information will generally be transferred to other providers via email and will be transmitted securely to protect the client's privacy.

Responsibility

The Director is responsible for ensuring that the Client Engagement policy and procedures are in line with current Australian law and operational expectations of all key stakeholder agencies including the NDIA.

Each employee and contractor is responsible for following the Client Engagement procedure and for reporting any challenges that need further input or modification.

All contractors are responsible for following the NDIS Code of Conduct as well as their own professional Code of Ethics where applicable.

Client Responsibilities

- Clients will treat our employees, contractors, facilitator and the Director with respect
- Clients will let us know if they need more information about our service
- Clients will let us know if we are not meeting their expectations
- Clients will let us know if they are not able to make their appointments
- Clients will, wherever possible, provide us with all relevant information including responding to our risk analysis

Relevant Legislation and Policies

- Privacy Act 1988
- Work Health and Safety Act 2011
- Anti-Discrimination Act 1977 (NSW)
- Children and Young Persons (Care and Protection) Act 1998 (NSW)
- Guardianship Act 1987 (NSW)
- Child Protection (Working with Children) Act 2012
- Health Records and Information Privacy Act 2002 (NSW):
- NSW Disability Services Standards
- National Standards for Disability Services
- Disability Discrimination Act 1992
- National Disability Insurance Scheme Act 2013
- NDIS Code of Conduct
- NDIS Quality and Safeguarding Framework
- Universal Declaration of Human Rights
- United Nations Convention on The Rights of Persons with Disabilities

NDIS HOME VISIT

POLICY AND PROCEDURE

Policy Statement

This policy provides guidelines to ensure safe delivery of supports, compliance with NDIS Practice Standards, and minimization of health and safety risks when working in client homes.

Definitions

A number of factors may influence your safety whilst on a home visit and may be assessed as follows:

Emotional factors

1. Client and family history
2. Services history related to that client.
3. Client current behaviour.
4. Potential changes in client behaviour, health status, domestic circumstances, social and support networks.

Physical factors

1. Substance abuse or access to weapons
2. Presence of animals or vermin.
3. Hazardous substances used in the home.
4. Infectious diseases.
5. Manual handling activities.
6. Equipment and work environment.
7. Heat/cold/confined spaces/noise/light/electricity/moving or falling objects.
8. Threat of violence

Procedure

During the initial intake, the facilitator will request to be provided with any information from the client and/or their chosen representative (if they prefer a representative to communicate on their behalf, or if there is a guardian in place), for any information that may impact the quality and safety of client support. .

Any referring agency is required to provide a full client history, including a past history of violence and any history Apprehended Violence Orders.

Where an employee or contractor provides supports to a client in their own home or in a secluded location, the following will occur:

- Ensure mobile phone are charged and kept on. The phone should have a programmed emergency number.
- The participant will be informed ahead of time when the first service is provided and at other times when replacement staff are deployed to cover casual absences
- Check for potential hazards upon arrival, e.g., dangerous pets, unexpected visitors.
- Immediately report any identified hazards and document via a hazard report form.
- If door is answered by an unfamiliar person check that the client is present and expecting your call before entering.
- Carry appropriate identification.
- Ensure safety for the participant is paramount by communicating to participant any temporarily dangerous areas of the house that may be slippery or hazardous in some way following the completion of duties.
- In the best interest, needs or preferences of the participant, Mypower Foundations will collaborate and work with other providers to identify and treat risks, ensuring a safe environment to prevent and manage injuries
- Where there are any safety concerns, employees and contractors should park their car to allow for a quick exit and facing the direction of travel. It may be necessary to park some distance away.
- Avoid carrying valuables into the home whenever possible.
- Minimise the manual handling of materials and utilise suitable equipment and lifting techniques where transfers are required.
- Employees and contractors to inform facilitators of an address where they will be visiting a client or taking a client if different to the usual place of support.

- If the employee or contractor feels unsafe, they must leave the situation. The employee or contractor always has the right to refuse to see a client on safety grounds
- Any incident must be recorded on the appropriate form even if considered minor and the visit has been completed as it may warn of future more serious problems.
- Unless absolutely necessary, do not use a client's phone; if ringing from the client's phone, punch in other numbers after the call to ensure that a 'recall' facility cannot be used to trace the call.
- In the client's home, choose a safe place to sit. Be aware of access and exit of the premises and ensure exits are not locked.
- Know where candles or a torch is kept if the power fails, especially if you work at night.
- Only undertake agreed and appropriate work and refer any requests for other tasks to the client's facilitator.

- Request that clients do not smoke in the house during a visit and that animals you are not comfortable with are restrained.
- Complete all file notes and reports at a suitable work area, preferably as soon as the shift is completed, and no later than 24hrs after the shift is completed.
- The employee or contractor should share any concerns about safety with the client's facilitator before going to meet the client. If necessary, the worker may be accompanied by another worker.

Responsibility

This Policy applies to all employees and contractors, whether on a single or recurrent visit to a client's home. The Director is to provide contacts for support services if appropriate in the event of a minor or major traumatic incident experienced by contractors. Any hazard or incident report must be actioned as soon as received. The employee or contractor must phone 000 in the first instance if the incident is an emergency.

Relevant Legislation and Policies

- Privacy Act 1988
- Work Health and Safety Act 2011
- NSW Disability Services Standards
- National Standards for Disability Services
- Disability Discrimination Act 1992
- National Disability Insurance Scheme Act 2013
- NDIS Code of Conduct
- NDIS Quality and Safeguarding Framework
- Universal Declaration of Human Rights
- United Nations Convention on The Rights of Persons with Disabilities

NDIS SPECIFIC HUMAN RESOURCE MANAGEMENT

POLICY AND PROCEDURE

Policy Statement

This policy has been created as a guide to process when recruiting employees or contractors.

This policy ensures that Mypower Foundations is compliant with the NDIS Quality and Safeguarding Framework, ensuring every contractor or employee's safety, professionalism, and excellence when supporting participants. It also emphasizes that all hired personnel, whether employees or contractors, align with the mission, vision, and values of the organization.

This organisation is committed to ensuring the safe delivery of supports through comprehensive worker screening and ongoing professional development that meet the NDIS Quality and Safeguarding Framework. Mypower Foundations and its contractors hold current public liability, professional indemnity and Workers Compensation Insurance (when relevant).

This procedure will ensure that all workers who provide supports to participants are aware of and subject to controls that the organisation has put in place to ensure participant support needs are met by competent, qualified, expert and experienced workers. This will be done by conducting several checks, monitoring any mandatory NDIS training, and recording professional development for each contractor and employee.

Definitions

A **Contractor** is an individual available to support the clients of Mypower Foundations and although self-employed, agrees to follow the directions of Mypower Foundation, their Policies and Procedures.

Employees: Individuals who have an ongoing employment relationship with Mypower Foundations

NDIS Worker Check: A national screening for workers in the NDIS space, ensuring that they do not pose a risk to people with disability.

Service Agreement: A contract or arrangement, usually in written form, between Mypower Foundations and an client outlining the terms of service.

Procedure

Service Agreements clearly list all duties, responsibilities, and scope of each position, placing limitations on their role as and where necessary. These duties may include the transporting of clients in the client's car or the contractor's car.

Where adjustments in duties, responsibilities and scope of each position are required during the term of the agreement, these will be clearly communicated with the employee or contractor and noted in the client's case notes.

Performance of work will be documented according to any client's or significant other's feedback or observations made by the Director. All feedback regarding performance is acted upon to ensure continuous improvement.

Mypower Foundations endeavours to provide as many opportunities for professional development of its workers as possible by providing supervision where necessary and communicating any necessary changes to their practices.

Formal grievance or feedback from contractors or employees is encouraged through our usual feedback/complaints channels to communicate concerns or feedback safely and without prejudice.

Mypower Foundations will ensure the wellbeing of contractors and employees, by providing opportunities for de-briefing, mental health support and resources, and ensuring employees or contractors do not work more than 38hrs per week whenever possible to ensure adequate breaks for mental health and wellbeing.

Documentation checks (like insurance or certification renewals) are conducted weekly to ensure they remain current.

If any of the provided documents are found to be invalid, expired, or falsified, and correct documentation is not provided when requested, consequences may involve a temporary pause on the worker's ability to work, or, in severe cases, termination of contract of employment.

All personal and sensitive information collected from contractors or employees is stored securely and used solely for the purposes outlined in the policy.

NDIS Education

All employees and contractors will also be required to complete the NDIS Orientation training, New Worker Induction Training in instances when the

worker is new to the industry, and the Supporting Effective Communication Training. During any time when the training is being updated every effort will be made to inform and educate workers with the operational and philosophical aspects of the NDIS.

Mypower Foundations will encourage of ongoing training and re-certifications, not just initial training, and will mandate specific training where required.

Responsibility

This policy applies to all employees and contractors including the Director. the Director will ensure that any employees or contractors who provide supports to participants are competent in relation to their role and have expertise and experience to provide person-centred support. Documents pertaining to this are stored and maintained.

Contractors and employees are responsible for ensuring they remain updated, compliant, and adhere to the guidelines and standards of Mypower Foundations.

Specific Responsibilities

New Contractor screening will require all incoming managers, employees, and contractors to provide:

- 100 points of ID
- An ABN if contracting services to Mypower Foundations
- Bank account details for depositing invoice payment and reimbursement of any expenses
- Evidence of their Right to Work in Australia (if applicable)
- Evidence of Professional Indemnity and Public Liability Insurance for contractors (yearly)
- Relevant qualifications
- Evidence of any continuing Professional Development
- Drivers Licence (or evidence of working through the pre-requisites required to obtain a P1 drivers' licence)
- Five year driving history from the RMS should the contractor or employee be requested to drive vehicles owned by MyPower Foundations
- A Smart-Phone mobile telephone number with access to email, the internet and SMS
- A current NDIS Worker Check (5 years)
- A current Working with Children check (5 years)
- Covid-19 vaccinations or exemption according to NSW Health requirements

- Contact details, including the name and phone number of an emergency contact

Relevant Legislation and Policies

- Privacy Act 1988
- Privacy and Personal Information Protection Act 1998 (NSW)
- Work Health and Safety Act 2011
- Fair Work Act 2009
- Anti-Discrimination Act 1977 (NSW)
- Industrial Relations Act 1996 (NSW)
- Workers Compensation Act 1987 (NSW)
- Child Protection (Working with Children) Act 2012
- Health Records and Information Privacy Act 2002 (NSW)
- Migration Act 1958
- Superannuation Guarantee (Administration) Act 1992
- NSW Disability Services Standards
- National Standards for Disability Services
- Disability Discrimination Act 1992
- National Disability Insurance Scheme Act 2013
- NDIS Code of Conduct
- NDIS Quality and Safeguarding Framework
- Universal Declaration of Human Rights
- United Nations Convention on The Rights of Persons with Disabilities

NDIS SPECIFIC INCIDENT MANAGEMENT POLICY AND PROCEDURE

Policy Statement

The NDIS Specific Incident Management Procedure is in place to protect the rights and well-being of NDIS participants and comply with the requirements of the National Disability Insurance Scheme (Incident Management and Reportable Incidents) Rules 2018.

The purpose of the incident management policy is to provide organisation-wide guidance to contractors on proper responses to, and efficient and timely reporting of, incidents.

Definitions

Reportable Incident:

- An event requiring formal notification to relevant authorities due to its risk or severity, especially concerning NDIS participants.

Serious Injury:

- A significant physical harm requiring medical attention, such as burns, fractures, or lacerations.

Abuse:

- Intentional harm or exploitation of another, physically, sexually, emotionally, or financially.

Neglect:

- The persistent failure to provide necessary care, support, or services for a person's well-being.

Unauthorised Restrictive Practices:

- Interventions limiting an individual's rights or movement without proper justification or authority.

Incident management and reportable incidents associated with

NDIS Participants are defined as:

- The death of an NDIS participant.
- Serious injury of an NDIS participant.
- Abuse or neglect of an NDIS participant.
- Unlawful sexual or physical contact with, or assault of, an NDIS participant.
- Unauthorised restrictive practices of an NDIS participant.

All incidents should be notified and dealt with through this procedure.

Procedure

- The health and well-being of all persons involved in the incident will be assessed immediately.
- Appropriate emergency aid will be applied including calling emergency services if necessary.
- Family members or guardians of the NDIS participant, if appropriate and legally permissible will be communicated with in regards to the incident
- Once the situation is stable, an incident report form would be completed no later than within 24 hours of the incident or the notification of the incident.
- The client's facilitator will be alerted immediately.
- In the case of a Reportable Incident, the client's facilitator would contact the NDIS Commission within 24 hours.
- Relevant documentation will be submitted to the NDIS Commission following the Privacy Act.
- Support will be provided to the client to engage with the NDIS Commission when appropriate.
- All possible cooperation will be provided to the NDIS Commission and any other investigating body.
- Any relevant prevention strategies will be implemented immediately.
- An internal investigation of the incident will be completed.
- Any and all cooperation with the NDIS Commission and any other bodies will be provided.
- Supports to the customer may be ongoing throughout the investigation process.
- Support to engage an alternative provider will be given if requested by the client.
- A review of the process will take place after the investigation has been completed.
- All information gathered during an investigation will be confidentially maintained and stored for the legally required period.

Responsibility

Clients and their support team

- Should alert employees or contractors and / or their facilitator of an incident as soon as possible following the incident and where possible assist in the completion of the incident report form.
- Will be supported to engage with the NDIS Commission or any other regulatory or (police) body where necessary.
- Will be supported to engage an alternative provider if requested.

Employees and contractors

- Are responsible for implementing the NDIS Incident Management Policy and Procedure when necessary.
- Will receive training at the point of induction.
- Will alert the client's facilitator of any incidents that are brought to their attention or are identified or observed by them.
- Will support our clients to report an incident when necessary.
- Will be responsible for implementing any changes designed by the facilitators or the Director to prevent further incidents.
- Will be engaged in any reflection and review processes of the NDIS Incident

Management

- contribute to ongoing quality assurance of this service.

Director / Nominee Responsibilities

- Will ensure that a robust Incident Management System has been developed.
- Will ensure that all obligations are met regarding reportable incidents.
- Will track all reportable and non-reportable incident investigations through to resolution.
- Will design and implement changes to ensure that incidents are prevented from recurring.
- Will document all incidents and changes adopted following an investigation of the incident.

Relevant Legislation and Policies

- Privacy Act 1988
- Work Health and Safety Act 2011
- NSW Disability Services Standards
- NSW Disability Inclusion Act 2014
- National Standards for Disability Services
- Disability Discrimination Act 1992
- National Disability Insurance Scheme Act 2013
- NDIS Code of Conduct
- NDIS Quality and Safeguarding Framework
- Children and Young Persons (Care and Protection) Act 1998
- Crimes Act 1900
- Health Records and Information Privacy Act 2002 (NSW)
- Universal Declaration of Human Rights
- United Nations Convention on The Rights of Persons with Disabilities

PARTICIPANT MONEY AND PERSONAL PROPERTY POLICY AND PROCEDURE

Policy Statement

Where the provider has access to a participant's money or other property, processes to ensure that it is managed, protected and accounted for are developed, applied, reviewed and communicated.

Participants' money or other property is only used with the consent of the participant and for the purposes intended by the participant.

If required, each participant is supported to access and spend their own money as the participant determines.

Participants are not given financial advice or information other than that which would reasonably be required under the participant's plan.

Mypower Foundations shall ensure complete transparency and accountability when handling a participant's assets.

Definitions

Money is a medium of exchange in the form of coins and banknotes.

A participant's **personal property** is any movable thing or intangible item of value that is capable of being owned by a person and not recognized as real **property** or real estate.

Procedure

In the event that Mypower Foundation's contractors have access to a participant's money or property, all contractors will act with honesty, integrity and diligence.

Before any interaction or involvement with a participant's money or property, written consent will be obtained from the client, a legal guardian or another trusted party. before any transactions or movement of property is to occur.

The consent form will detail for what purposes the money or property will be used for and it will be used only for that purpose.

These details will all be documented and signed by the participant to ensure that records are duly kept.

Mypower Foundations will support participants if requested to access and spend their own money to further their individuality, sense of autonomy and self-determination.

Mypower Foundations will also observe any necessary directions that may be provided in support plans or through care givers relating to the spending of money or use of property by the participant.

Under no circumstances will contractors of Mypower Foundations give financial advice or information to participants excepting in the rare time it may be required under the participant's support plan (e.g., support with budgeting).

Mypower Foundations' contractors will be diligent in noting any restrictions or requirements relating to money or property of the participant.

All transactions that occur whilst using the participant's money with their prior consent will be accompanied by a receipt of that transaction to be given to the participant or their significant other as delegated by them.

Any deviation from the consented usage of the participant's assets is prohibited and may lead to disciplinary or legal actions

Responsibility

Mypower Foundations will usually assume that a participant is able to keep account of their own personal money and personal property unless they are a minor of the participant's family have provided information to suggest that that approach is contraindicated, for example, if a client is under guardianship.

Relevant Legislation and Policies

- Privacy Act 1988
- Work Health and Safety Act 2011
- NSW Disability Services Standards
- Guardianship Act 1987 (NSW)
- Powers of Attorney Act 2003 (NSW)
- Crimes Act 1900 (NSW)
- National Standards for Disability Services
- Disability Discrimination Act 1992
- National Disability Insurance Scheme Act 2013
- NDIS Code of Conduct
- NDIS Quality and Safeguarding Framework
- Universal Declaration of Human Rights
- United Nations Convention on The Rights of Persons with Disabilities

PERSON CENTRED SUPPORT

POLICY AND PROCEDURE

Policy Statement

Each participant's legal and human rights are understood and incorporated into everyday practice.

Communication with each participant about the provision of supports is responsive to their needs and is provided in the language, mode of communication and terms that the participant is most likely to understand.

Reasonable efforts are made to involve the participant in selecting their workers, including the preferred gender of workers providing personal care supports.

Each participant is supported to engage with their family, friends and chosen community as directed by the participant.

Supports are provided based on the least intrusive options, in accordance with contemporary evidence-informed practices that meet participant needs and help achieve desired outcomes.

The New South Wales Disability Services Act 1993 [the 'Act'], seeks to ensure that people with disabilities have access to services that:

- help them achieve their maximum potential.
- promote their integration into the community.
- promote positive outcomes and images; and,
- are innovative and well managed.

These practices will be continuously updated to reflect current best practices in the field

Participant feedback will be sought and adjustment of supports will be made based on that feedback

Definitions

Disability supports are any good or service that assists a person with a **disability** in overcoming barriers to carrying out everyday activities. They also facilitate engagement in social, political and cultural activities and economic participation.

Procedure

- Mypower Foundations will endeavour to inform participants in its care of their rights under the various Acts that are related to the NDIS. Mypower Foundations will respect the rights of all individuals involved in the service, especially the participants we will support.
- All supports will be delivered in the least intrusive manner. Services provided to and interactions with participants and related persons will be responded to with the above points in mind.
- The development of a participant's support plan will be done in collaboration with the participant and / or any representative the participant may elect.
- Mypower Foundations will continue to inform and educate its contractors to implement practices that are most appropriate to the participant's needs and to best assist with their desired outcomes.
- Regular review of support plans will be conducted through a variety of forms such as regular check ins by the client's facilitator, client and support professional's feedback, reviewing client notes, to ensure that services continue to meet the participant's evolving needs.
- Where there is a grievance or complaint, the feedback and complaints procedure will be followed to ensure a satisfactory outcome for the client.
- With the consent and direction of the participant, Mypower Foundations will facilitate and share information and work collaboratively with other providers where it meets the participants needs and has their consent.
- During the initial interview with the participant Mypower Foundations will discuss our Privacy Policy. It will also be included as an accompanying document to the Service Agreement.
- Mypower Foundations contractors specifically assigned to a participant will be required, where practicable, to speak both English and the language spoken by the participant and their family and carers to ensure their communications are understood. They will be expected to respect the fact that Mypower Foundations operates within a culture which is accepting of all races, languages and creeds and relate accordingly to participants they support. If Mypower Foundations is unable to provide workers who speak the language of the participant, Mypower Foundations will encourage the participant to avail themselves of the various translation services available to ensure the participant is aware of the services being provided and the limitations to that service.
- Supports provided will be provided with the aim of encouraging and facilitating engagement with family, friends and the community in ways that are comfortable for the participant. To the extent that privacy allows, and the participant permits, Mypower Foundations will encourage those involved in the participants life to understand the services being provided and to engage however and to the extent they wish. An attitude of inclusiveness will be fostered by Mypower Foundations contractors when providing support.
- Mypower will endeavor to build a team of support professionals around a client where practicable. In the event of a client's usual support professional not being available, another member of the team will be chosen and the client notified. Where this is not possible, the client will be notified and given the

option of a new worker for that shift, or if they prefer to reschedule supports. In all instances, the client will be notified.

Responsibility

To facilitate this, Mypower Foundations communicate with the participant, and any persons they wish to invite, in the initial meeting and at other times to discuss the service Mypower Foundations will provide and the processes involved so that they are at all times well informed and their “community” remains informed and involved.

Relevant Legislation and Policies

- Privacy Act 1988
- Work Health and Safety Act 2011
- New South Wales Disability Services Act 1993
- Carers Recognition Act 2010
- Guardianship Act 1987 (NSW)
- Health Records and Information Privacy Act 2002 (NSW)
- NSW Disability Services Standards
- National Standards for Disability Services
- Disability Discrimination Act 1992
- National Disability Insurance Scheme Act 2013
- NDIS Code of Conduct
- NDIS Quality and Safeguarding Framework
- Universal Declaration of Human Rights
- United Nations Convention on The Rights of Persons with Disabilities

PERSONAL PROTECTIVE EQUIPMENT

POLICY AND PROCEDURE

Policy Statement

Personal Protective Equipment (PPE) protects the wearer and the person they support from infection. Proper use helps keep contractors safe and stops the spread of infections such as COVID-19. Wearing PPE is for the protection of the client and the contractor and is a requirement when providing support for personal care and working in close proximity with a client.

Some people that we support with intellectual or developmental disability may:

- be at greater risk of serious illness due to COVID-19 if they have some medical conditions and co-morbidities
- have difficulty understanding and adhering to social distancing, handwashing and other risk reduction strategies, which increases their risk
- not show or be able to communicate early COVID-19 symptoms.

Definitions

PPE - Equipment worn by individuals to protect them from possible exposure to a certain risk that cannot be otherwise controlled. This includes items such as safety glasses, hearing protection, safety boots and hard hats, surgical gloves and masks.

Procedure

Employees and contractors are to identify what PPE is required from workplace inspections, or from the relevant MSDS or legislation, and refer to the Director if uncertain.

Appropriate PPE should be worn by employees and contractors exposed to bodily fluids or supporting someone with an impaired immunity.

Employees and contractors provide appropriate PPE for the duties they are undertaking, and endeavour to purchase equipment where required that meets the relevant Australian standards.

Employees and contractors should maintain, use and replace their PPE as required.

In some circumstances (such as when a client requires regular and consistent use of PPE to receive supports, it may be the client's responsibility to provide appropriate PPE

PPE should be replaced if it becomes soiled, after each shift, or if there is an expiry date associated with a particular item.

PPE should be disposed of appropriately. PPE can be a biohazard, and this should be taken into consideration. PPE should never be left out for others to touch.

Employees and contractors should support clients during the COVID -19 Pandemic by assisting them in understanding the advice of state and territory governments on COVID-19 management.

Responsibility

Contractors are responsible for purchasing appropriate PPE for their job, including gloves and masks required when supporting clients with their personal care or working in close proximity.

Employees may be provided PPE in certain circumstances.

Contractors are responsible for maintaining their PPE in good working condition, wearing and using their PPE as per instructions.

Occasionally PPE such as gloves may be supplied by the client and/or their families but that should not be assumed or relied upon.

Employees and contractors should provide information about COVID-19 to clients in a way that is accessible and in a way that can be understood.

Employees and contractors are responsible for reporting any issues uncovered when using PPE supplied by Mypower Foundations or a client.

Facilitators will provide guidance on appropriate PPE for each client's circumstances.

Relevant Legislation and Policies

- Privacy Act 1988
- Work Health and Safety Act 2011
- Therapeutic Goods Act 1989
- Biosecurity Act 2015
- NSW Disability Services Standards
- National Standards for Disability Services

- Disability Discrimination Act 1992
- National Disability Insurance Scheme Act 2013
- NDIS Code of Conduct
- NDIS Quality and Safeguarding Framework
- Universal Declaration of Human Rights
- United Nations Convention on The Rights of Persons with Disabilities

PRIVACY AND DIGNITY

POLICY AND PROCEDURE

Policy Statement

The right to privacy is a fundamental human right that is provided to all individuals. All files and documentation of Mypower Foundations relating to the personal information of clients are safely stored both in locked files at the premises of the Director. Electronic systems used by Mypower Foundation guarantee privacy of information with password protection, two factor authentication and management by a professional IT company which restricts access to the relevant individuals, including contractors and the Director.

Definitions

Confidential Information is any information that identifies a person.

Informed consent is the voluntary agreement and/or action where the person making the decision has appropriate information, understands the consequences of the decision and capacity to make the decision.

Procedure

- Restricted access respects and protects the client's privacy and dignity by preventing any misuse, loss and third party or unauthorised access of documents.
- Information not needed by Mypower Foundations such as documents that have passed their statutory time to retain, is destroyed as soon as practicable in a way that complies with all legal requirements.
- Reasonable steps are taken to ensure information is complete, current and accurate.
- Personal information is only ever released if required by law, agreed to through the informed consent of the individual or if a person requests to see their own personal file.
- Any information collected from clients, open communication and explanation of why it needs to be collected forms part of Mypower Foundation's policies. Any recorded material in audio or visual format that Mypower Foundations collects will have the required consent form explained and signed in the appropriate language or mode of communication. Signed consent is stored in the client's file securely. Consent can be withdrawn at any time in writing. The client has access to our complaints and incident reporting process if at any time they feel their privacy has been breached. All contractors are required to

ensure objective, detailed, accurate and up-to-date records and information are maintained to meet legal, contractual and mandatory reporting requirements. All requests for correction are processed in conjunction with Privacy Act as soon as practicable.

- Employees and contractors who are authorised to access personal information must not share their passwords and logins with others and agree on signing the contract that they will take all reasonable steps to ensure information is protected from misuse, loss and unauthorised access and the manager administers secure access to electronic records.
- Access to personal information may be denied. There may be real concerns that access to certain information could pose a serious threat to the life, health or safety of an individual, or to public health or public safety or have an unreasonable impact on the privacy of other people. The Director will consider all the circumstances and decide on access. Where access to information is not provided, the Director will provide a formal response explaining why access has been denied.
- Data breaches will be taken seriously, and Mypower Foundations will work closely with their chosen IT experts and any relevant authorities to identify the extent of any breach and the information accessed. Mypower Foundations will notify any person affected as soon as is practicable, within 48hrs of identifying the information affected.
- All data is stored in line with current legislation regarding retention periods.

Responsibility

- Personal information will not be disclosed to other parties or used for direct marketing without permission
- The Confidentiality and Privacy Policy and Procedures reflect these processes and practices. The Code of Conduct confirm that the release of information relating to the client, requires the informed consent of the client.
- All clients are provided with the Document Control policy and have it explained to them in the language that they are most comfortable with by either an employee or contractor, a close trusted relative acting as translator or an outside agency employed to provide translation services. Each client is informed how their information is stored and used, and when and how each client can access or correct their information and withdraw or amend their prior consent.
- An exception to this policy is that when legally required to share the information, such as being subpoenaed by a court of law and at the time of audit, auditors have a right to access participant records that Mypower Foundations has compiled. An opt out clause is on the Service Agreement to allow clients to have this choice.
- The Director is responsible to ensure and oversee data protection and privacy within the organisation.

- Clients, employees and contractors are responsible for reporting any suspected unauthorised access, misuse or breach of privacy using our feedback and complaints channels.
- Unauthorised access or sharing of data by employees or contractors will result in action being taken, from being instructed to participate in further training, or dismissal for serious breaches.
- The director is responsible for ensuring third-party tools and services comply with privacy standards

Relevant Legislation and Policies

- Privacy Act 1988
- Work Health and Safety Act 2011
- Australian Privacy Principles (APPs)
- Notifiable Data Breaches (NDB) scheme
- NSW Disability Services Standards
- National Standards for Disability Services
- Disability Discrimination Act 1992
- National Disability Insurance Scheme Act 2013
- NDIS Code of Conduct
- NDIS Quality and Safeguarding Framework
- Universal Declaration of Human Rights
- United Nations Convention on The Rights of Persons with Disabilities

PROMOTING AND PROTECTING HUMAN RIGHTS

POLICY AND PROCEDURE

Policy Statement

Mypower Foundations recognises all people with disability have human and legal rights which should be respected at all times. Mypower Foundations promotes and protects those rights as an integral component of each and all of its services.

This policy supports Mypower Foundations in applying Standard 1: Rights and ensures the rights of people with disability are upheld during the planning and provision of services.

Specifically, this document pertains to the following specific rights within the Universal Declaration of Human Rights

From the Universal Declaration of Human Rights (UDHR):

Article 1: All human beings are born free and equal in dignity and rights.

Article 2: Everyone is entitled to all the rights and freedoms set forth in the Declaration, without distinction of any kind.

Article 3: Everyone has the right to life, liberty, and security of person.

Article 5: No one shall be subjected to torture or to cruel, inhuman, or degrading treatment or punishment.

Article 7: All are equal before the law and are entitled without any discrimination to equal protection of the law.

Article 21: Everyone has the right to take part in the government of their country and access public services.

Article 22: Everyone, as a member of society, has the right to social security and to the realization of the economic, social, and cultural rights indispensable for their dignity.

Article 25: Everyone has the right to a standard of living adequate for health and well-being, including food, clothing, housing, medical care, and necessary social services.

From the United Nations Convention on the Rights of Persons with Disabilities (CRPD):

Article 3: General principles, including respect for the inherent dignity, individual autonomy, non-discrimination, full and effective participation, and accessibility.

Article 5: Equality and non-discrimination.

Article 8: Awareness-raising about persons with disabilities and their rights.

Article 9: Accessibility to physical environments, transportation, information, and communication technologies.

Article 12: Equal recognition before the law, which emphasizes the legal capacity of persons with disabilities.

Article 16: Protecting persons with disabilities from exploitation, violence, and abuse.

Article 19: Living independently and being included in the community.

Article 21: Freedom of expression and access to information using means such as Braille, sign languages, etc.

Article 26: Habilitation and rehabilitation in areas like health, employment, and education.

Article 27: Work and employment, including the right of persons with disabilities to earn a living by working freely.

Procedure

- All people have the right to respect for their human worth and dignity.
- People with disability have the rights of freedom of expression, self-determination and decision-making.
- Mypower Foundations actively prevents abuse, harm, neglect and violence with training that is updated regularly, a no tolerance approach, placing more than one support professional on a client's team where practicable, and encouraging and actively seeking feedback from clients, significant people in their lives, employees, contractors and other services used by clients.
- People with disability have the same right as other people to be able to determine their own best interests and make decisions that will affect their lives.
- People with disability have the same right as other people to realise their potential for physical, social, emotional and intellectual development.
- People with disability have the right to full participation in society equal to other people, according to their individual and cultural needs and preferences.

- Mypower Foundations is committed to providing each individual using a service with information and support to understand and exercise their legal and human using various channels in a way that is preferable for the client.
- All people have the right to privacy of their personal information.
- Mypower Foundations uses skilled employees and contractors and has systems and processes in place to support staff to promote and protect human rights.
- People with disability have the same right as other people to raise concerns and be supported to formalise complaints.
- People with disability have access to support when abuse or harm occurs.
- Mypower Foundations will take all allegations of abuse, harm and neglect seriously and respond according to Best Practice.

Responsibility

This policy applies to all employees, contract workers, temporary agency workers, and volunteers. Employees and contractors are expected to be familiar with, and apply this policy in all their actions. This policy is owned by the Director.

Relevant Legislation and Policies

- Privacy Act 1988
- Work Health and Safety Act 2011
- NSW Disability Services Standards
- National Standards for Disability Services
- Disability Discrimination Act 1992
- National Disability Insurance Scheme Act 2013
- NDIS Code of Conduct
- NDIS Quality and Safeguarding Framework
- Australian Human Rights Commission Act 1986
- Universal Declaration of Human Rights
- United Nations Convention on The Rights of Persons with Disabilities
- Carers Recognition Act 2004
- Guardianship and Administration Act 1990

RISK MANAGEMENT

POLICY AND PROCEDURE

Policy Statement

Mypower Foundations has an obligation under Workplace Health and Safety legislation to protect people against any risk to health and safety arising from hazardous activities. Mypower Foundations are committed to a three-step process for risk management:

1. **Hazard Identification** - identifying the problem
2. **Risk Assessment** - determining how serious a problem is
3. **Risk Elimination or Control** - deciding what needs to be done to solve the problem using the hierarchy of controls

Mypower Foundations are committed to risk identification and management; the basis for our Risk Management Procedure is the Hazpak guidelines.

The Director will ensure as part of the contractual arrangements that a suitable process is in place for the reporting, assessment and control of hazards and risks at work sites.

Definitions

Hazards can be classified into five general categories:

- Physical
- Mechanical and/or Electrical
- Chemical
- Biological
- Psychological

Risk - The potential for a hazard to cause harm. It is the chance of something happening and is measured in terms of consequences and likelihood.

Risk Assessment- The overall process of risk analysis and risk evaluation. It provides an objective measure and allows hazards to be compared and evaluated.

Risk Control- The implementation of policies, standards, procedures and physical changes to minimise risk. The measures are designed to reduce the risk associated with a hazard.

Procedure

This procedure will ensure that all risks are assessed. Risk assessment will ensure all hazards are appropriately reviewed, objectively assessed and control strategies developed and implemented.

Mypower Foundations complies with all mandatory reporting requirements related to safeguarding of people with disability, quality management and workplace safety.

The client's facilitator is to be informed of a potential hazard, by a workplace inspection, Hazard Report Form or Accident and/or Incident Report Form. If the hazard cannot be eliminated immediately, or requires expenditure to resolve, the client's facilitator completes the risk assessment by consulting with staff, using the Hazpak Risk Assessment Matrix. An external provider may be called in if required.

Recommendations are reported on the appropriate form, and then forwarded to the Director for action.

The Director will report back on actions as per consultation arrangements.

All incidents and control measures will be recorded on a central register and a review of the register will be undertaken yearly to identify repeating or ongoing issues to ensure the risk management procedure is current and reflects the changing nature of risks.

People accessing services, their families or carers, staff and volunteers are made aware of risks.

Feedback from people with disability accessing the service, complaints, incidents and the results of formal evaluations are used to update procedures and improve practice.

Responsibility

Risk assessments are to be undertaken in consultation with employees and contractors. It is the responsibility of the Director to follow up control strategies recommended following a risk assessment.

Clients and their families are responsible for reporting any perceived risks from their perspective via their preferred method, either to their support professional, facilitator, or the Director

Relevant Legislation and Policies

- Privacy Act 1988
- Work Health and Safety Act 2011
- NSW Work Health and Safety Regulation 2017
- Children and Young Persons (Care and Protection) Act 1998 (NSW)
- Mental Health Act 2007 (NSW)
- NSW Disability Services Standards
- National Standards for Disability Services
- Disability Inclusion Act 2014 (NSW):
- Disability Discrimination Act 1992
- National Disability Insurance Scheme Act 2013
- NDIS Code of Conduct
- NDIS Quality and Safeguarding Framework
- Universal Declaration of Human Rights
- United Nations Convention on The Rights of Persons with Disabilities

SAFEGUARDING

POLICY AND PROCEDURE

Policy Statement

Mypower Foundations is committed to promoting and protecting individual rights and maximising the choice and control of people with disability in decisions about their lives. This policy outlines the role of safeguarding supports and mechanisms to ensure the safety of people with disability and the quality of services.

Mypower Foundations is dedicated to providing an environment where people with disability to whom it provides services are protected from abuse, neglect or harm and where staff work according to our organisational values.

This policy supports Mypower Foundations in applying the National Standards for Disability Services, in particular Standard 1: Rights. This policy guides contractors in supporting people exercising their rights and exercising choice and control over their services. This policy will support Mypower Foundations applying the NDIS Quality and Safeguarding Practice Standards for Rights and Responsibilities, Provider Governance and Operational Management and Provision of Supports.

Definitions

Safeguarding - actions designed to protect the rights of people to be safe from the risk of harm, abuse and neglect, while maximising the choice and control they have over their lives. Safeguard planning must consider the persons situation and their strengths. This includes any potential risks, corresponding safeguards and strategies to build the person's capacity and skills.

A balance needs to be achieved between meeting duty of care responsibilities and the person's freedom to make decisions. Mypower Foundations supports people with disability to make informed decisions and choices including being aware of any risks or consequences recognising that all people learn and grow from trial and error.

Procedure

- A defined structure is implemented by the Director to meet financial, legislative, regulatory and contractual responsibilities, and to monitor and respond to quality and safeguarding matters associated with delivering supports to participants.

- Safeguarding procedures take into account the diverse needs of individuals, considering factors like cultural background, gender, age, and other relevant characteristics.
- Where a person has specific needs, which require monitoring and/or daily support, employees and contractors are appropriately trained to understand the person's needs and preferences.
- Reasonable adjustments to the support delivery environment are made and monitored to ensure it is fit for purpose and each person's health, privacy, dignity, quality of life and independence is supported.
- Risks to the company, including risks to a person's financial and work health and safety risks, and risks associated with provision of supports are identified, analysed, prioritised and treated.
- Where supports are provided in the client's home, work is undertaken with the person to ensure a safe support delivery environment.
- Where relevant, work is undertaken with other providers and services to identify and treat risks, ensure safe environments, and prevent and manage injuries.
- Clients are not given financial advice or information other than that which would reasonably be required under the person's plan.
- Records clearly identify the medication and dosage required by each person, including all information required to correctly identify the participant and to safely administer the medication.
- Each client is given information about the use of an advocate and access to an advocate is facilitated where allegations of violence, abuse, neglect, exploitation or discrimination have been made.
- An individual's capacity to make decisions is assessed and the process to obtain informed consent, especially when the person may have impaired decision-making capacity.
- Facilitators will ensure regular engagement with stakeholders, such as service users, families, and other service providers, to share best practices and collaboratively address any potential safeguarding issues.
- Clients and their families are encouraged to use the feedback and complaints avenues outlined in the Complaints and Feedback Procedure to raise concerns or provide feedback on the safeguarding process. Feedback is acted upon and used to enhance safeguarding procedures
- Allegations and incidents of violence, abuse, neglect, exploitation or discrimination, are acted upon, each participant affected is supported and assisted, records are made of any details and outcomes of reviews and investigations (where applicable) and action is taken to prevent similar incidents occurring again.
- Handover notes between employees and contractors or with other service providers must include formal advice of safeguarding requirements as part of Mypower Foundation's duty of care, subject to any legal privacy considerations and the consent of the person with disability we support.
- All employees and contractors are required to ensure detailed, accurate and up-to-date records and information are maintained for Mypower Foundations to meet it's legal, contractual and mandatory reporting requirements. Mypower Foundations relies on this information, and information from individuals, families, advocates and other key stakeholders to regularly monitor service

delivery and inform service review. Information collection and analysis is undertaken to identify early warning signs for overall service improvement and identifies trends in practice and service delivery that could be improved.

- Employees and contractors must record any concerns in the individual progress notes and advise the client's facilitator. Refer to the incident reporting policy and procedure if an incident report is required. All Serious Incident Reports must be completed and lodged with the relevant funding body.
- Any employees reporting safeguarding failures and misconduct will be protected against retaliation, harassment, or victimisation for raising a concern.
- Any person retaliating against a whistleblower will face disciplinary action.
- If, after report is made, and a subsequent investigation finds the concern is validated, appropriate actions are taken, which might include disciplinary measures, process revisions, or, if necessary, involvement of external bodies or law enforcement.
- Information shared is confidential and only disclosed to those necessary for the review and investigation.
- All training undertaken in relation to this and all other policies will be logged in Nightingale under the employee or contractor's file

Responsibility

- All employees and contractors are responsible for safeguarding the wellbeing and safety of people with disability in receipt of service from the organisation. Any employee or contractor aware of any risk to a person with disability, whether that is a concern, or a specific incident must report it immediately to the client's facilitator.
- Mypower Foundations use a values-based approach to recruitment to ensure employees and contractors are able to contribute to the culture of human rights, including the right to be free from harm, abuse and neglect. All prospective employees and contractors are required to undergo preliminary screening before being offered a position at Mypower Foundations.
- Clients with disability will be involved in the process, along with others the person with disability identifies as essential.
- Mandatory training may be required of employees and contractors and assessed on a needs basis.
- All employees, contractors, volunteers or business partners, are responsible for working within the policy and reporting when safeguarding is not adequate. This policy is owned by the Director.
- Mypower Foundation's policy on eliminating restrictive practices applies at the same time as this policy and anytime safeguards are developed.
- Safeguarding improves safety and wellbeing, while imposing the least possible restriction on an individual and their choices.
- Safeguards are responsive to the individual's circumstance and are relevant to the risk within these circumstances. These factors may change over time.

- Every person should be supported to develop their individual skills and capacity and be involved in determining their own safeguards.
- People who need and want support to make decisions will be supported to exercise choice.
- Safeguards can be informal or formal and work at an individual and/or organisational level.
- A persons' money or other property is only used with their consent and for the purposes they intended.
- Supports are provided based on the least intrusive options that meet the person's needs and help achieve desired outcomes.

Relevant Legislation and Policies

- Privacy Act 1988
- Work Health and Safety Act 2011
- Children and Young Persons (Care and Protection) Act 1998 (NSW)
- Disability Inclusion Act 2014 (NSW)
- Ombudsman Act 1974 (NSW)
- Crimes Act 1900 (NSW)
- NSW Disability Services Standards
- National Standards for Disability Services
- Disability Discrimination Act 1992
- National Disability Insurance Scheme Act 2013
- NDIS Code of Conduct
- NDIS Quality and Safeguarding Framework
- Universal Declaration of Human Rights
- United Nations Convention on The Rights of Persons with Disabilities

SOCIAL MEDIA POLICY

POLICY AND PROCEDURE

Policy Statement

This policy provides information to all people working within Mypower Foundations' acceptable use of social media in relation to their work. This policy applies to employees, contractors and volunteers

Comments published via social media platforms are public statements and should be made by an authorised spokesperson in the same way that comments are made in any public forum or to the media.

This policy supports Mypower Foundations' in applying the Practice Standard 2 Provider Governance and Operational Management (National Quality System).

Definitions

Social media refers to any internet-based exchange of information or interaction and includes but is not limited to

- Facebook pages and groups
- Instagram
- Snap Chat
- Twitter
- Linked In
- Yammer
- Pinterest
- YouTube
- Tik Tok

Social media content includes all forms of communication including written words as posts, emails or texts. It includes video and audio files. Images, graphics and emojis.

Procedure

Work-based social media

that any use of the company logo, branding or name on social media aligns with the organization's branding guidelines

All internal communications, financial details, strategic plans, and other proprietary information should never be shared on social media.

Mypower Foundations has the right to monitor social media posts related to the organization.

Violations will be reported by any and all employees, contractors and volunteers via our reporting avenues (email, phone, Whatsapp). The director will conduct an investigation of all reports.

The release and use of any company-related information must be approved by the Director. This includes approval of the message, the social media platform and the timing of any post or comment.

Employees and contractors working for Mypower Foundations and volunteers cannot talk about or provide information about participants on any social media platform.

People working for Mypower Foundations as employees, contractors or volunteers must not answer questions or provide advice on any issue related to their place of work. Any request should be referred to the Director, who will provide a response.

Any contracted managers of social media profiles are responsible for ensuring all information is approved for publication prior to publishing.

Authorised spokespersons must identify themselves as Mypower Foundations' representative and only disclose authorised information. They must comply with any legal requirements such as copyright, privacy, defamation, contempt of court, discrimination, cyberbullying or harassment. Any comments must be lawful and respectful.

Personal use

Any personal use of social media is to be in personal time only and not on any organisational device.

Employees and contractors must not imply that they are authorised to speak as a representative of Mypower Foundations, nor give the impression that the views expressed are those of Mypower Foundations.

Any employee or contractor for Mypower Foundations must not use the identity or likeness of another employee or contractor or the Director. They must not post any material that is, or might be construed as, threatening, harassing, bullying or discriminatory towards another employee, contractor or volunteer of Mypower Foundations.

Employees and contractors must not comment or post any material that might otherwise cause damage to Mypower Foundations' reputation or the reputation of its contractors.

Liking, sharing, or retweeting posts does not necessarily mean the organization endorses the content

Failure to comply with this policy may result in termination of contract.

Anyone employed or contracted with Mypower Foundations should contact the Director for advice if they aren't sure about anything in this policy or if they have any concerns about social media content related to other contractors or the company.

Breaches in this policy will result in disciplinary action which may result in a warning, further training, legal action, or termination of contract or employment dependent on the severity of the breach.

Emergency situations or crises on social media, such as negative publicity, false information being spread, etc will be dealt with by the Director.

Responsibility

This policy applies to all employees, contractors and volunteers. Anyone working with or for Mypower Foundations is expected to be familiar with this policy and use the approved procedures for responding to real and possible conflicts of interest.

This policy is owned by the Director.

- Only authorised persons can release company information on social media.
- Mypower Foundations has official social media accounts that it uses to share information with the public and answer general queries.
- Any engagement, conversation or interaction between Mypower Foundations staff and others is respectful and appropriate.
- Mypower Foundations communicates honestly with staff and clients, their families and carers.
- Private information about clients accessing services is confidential.
- The Director must seek written permission from the client if any information regarding them is to be shared.
- Any public information shared by Mypower Foundations is accurate and timely.
- Employees and contractors are entitled to use their personal social media accounts for private purposes in their own time and on their own device.

Relevant Legislation and Policies

- Privacy Act 1988
- Work Health and Safety Act 2011
- Defamation Act 2005 (NSW)
- Cybercrime Act 2001

- Copyright Act 1968
- Racial Discrimination Act 1975
- Sex Discrimination Act 1984
- NSW Disability Services Standards
- National Standards for Disability Services
- Disability Discrimination Act 1992
- National Disability Insurance Scheme Act 2013
- NDIS Code of Conduct
- NDIS Quality and Safeguarding Framework
- Universal Declaration of Human Rights
- United Nations Convention on The Rights of Persons with Disabilities

STAFF AND CONTRACTOR POLICY AND PROCEDURE

Policy Statement

This policy applies to all employees, contractors and volunteers.

Mypower Foundations is committed to providing a safe and healthy work environment for all staff and contractors. It is the policy of Mypower Foundations to make every reasonable effort to prevent accidents and to protect staff and contractors from injury, and/or work-related illness. This applies to both physical and psychological injury, accident or illness.

Mypower Foundations values the support provided by staff and contractors to clients and recognises the importance of paying for those services in a timely manner, provided the invoicing and timesheet procedures are followed.

Principles

- All staff and contractors are informed, prior to engagement that they are provided with a copy of the relevant Policies and Procedures must be aware of the WHS Policies and Procedures prior to commencing work.
- All Policies and Procedures are readily available via Mypower Foundation's CRM.
- Policies and Procedures are reviewed and updated biennially, or immediately if management becomes aware of any updates due to changes in legislation, NDIS rules, or changes to general procedures.
- The Director or Facilitator is to go through the Specific Responsibilities listed in the NDIS Specific Human Resource Management Policy and Procedure, to ensure all details are obtained in relation to insurance, etc. The manager will also inform the staff or contractor as to whom they should report any safety issues to, which will be reported via our feedback and incident procedure.
- Instructions on appropriate invoicing are set out on the Information Sheet titled **Contractor Invoice SOPS** and contained in the **Documents for Everyone** library in Nightingale.
- Resources and supports are provided to employees and contractors to ensure their well-being, for example, counselling services or helplines. Debriefing sessions will be offered in the case of an incident.

Definitions

Contractor: is an individual available to support the clients of Mypower Foundations and although self-employed agrees to follow the prescribed methods of Mypower Foundation, their Policies and Procedures.

Staff: Individuals employed by an organization or company on a full-time, part-time, temporary, or casual basis to undertake specific roles or tasks.

Procedure

A representative of Mypower Foundations shall inform all employees and contractors of the following requirements before commencing work:

- All employees and Contractors will undergo an onboarding process before they commence work to ensure understanding of the policies, responsibilities and expectations of Mypower Foundations.
- All employees will be provided with the opportunity to undergo ongoing training. Contractors, whilst responsible for their own professional development, will be offered additional training from time to time as deemed appropriate by Mypower Foundations.
- Contractors are required to forward notification of relevant insurance coverage as prescribed in the procedures.
- Employees and Contractors performance with regards to Workplace Health and Safety will be monitored and reviewed; employees and contractors are required to observe all precautions to prevent any incident occurring that may injure persons, or damage property.
- Mypower Foundations conducts regular evaluations to assess staff and contractor adherence to Workplace Health and Safety (WHS) standards. This monitoring process consists of:
 - **Observational Audits:** Periodic on-site checks to ensure staff and contractors adhere to safety protocols and use necessary safety equipment.
 - **Feedback Mechanism:** A system through which employees can report safety concerns, near misses, or potential hazards. This ensures proactive identification and rectification of safety issues.
 - **Performance Reviews:** Incorporating WHS adherence into regular performance appraisals, highlighting areas of improvement and excellence.
 - **Incident Reporting:** Any incidents, accidents, or near misses must be promptly reported and thoroughly investigated to identify root causes and prevent recurrence.
 - **Safety Meetings:** Regular WHS meetings to discuss safety trends, areas of concern, and implement proactive measures.

- **Training Records:** Ensuring all staff and contractors have up-to-date safety training and certifications, and providing refresher courses as needed.
 - **Compliance Checks:** Regular reviews of staff and contractor activities against current WHS regulations to ensure full compliance.
 - **Review of Documentation:** Scrutinizing logs, reports, and other documentation to ensure that safety procedures are being followed and documented appropriately.
 - **By integrating these measures,** Mypower Foundations seeks to maintain the highest standards of safety and well-being for all its staff and contractors.
- Employees and contractors are required to ensure that any tools, plant, or vehicles that they bring on to the premises, conform to the regulations governing them and are safe to use.
 - Employees and contractors are required to remove any debris or rubbish that was created from their work activities and report any incidents to our management as soon as possible, firstly via the regular channels of communication, followed by an Incident Report no later than 24hrs after an incident occurs.
 - Contractors are to follow the invoicing guideline set out on the Information Sheet titled **Contractor Invoice SOPS** and contained in the **Documents for Everyone** library in Nightingale. Importantly, contractors should note:
 1. Invoicing should be completed weekly with all details required from the Information Sheet titled **Contractor Invoice SOPS**.
 - Contractors are required to maintain Professional Indemnity and Public Liability Insurance at all times, and provide updated records to Mypower Foundations management.
 - Employees and Contractors are required to clock in and clock out of each shift using their Nightingale login, as well as include any kms and extra expenses such as parking fees.
 - Shift notes must be completed following each shift before payment can be made, unless Mypower Foundations has been advised of an acceptable reason for delay.
 - All employees and contractors will maintain data confidentiality at all times and take all necessary steps to ensure its security.
 - Disagreements or disputes between employees, contractors, and the management and feedback in general, will be dealt with via the feedback and incidents procedure, and if deemed appropriate, performance management.
 - Termination of employment or end of a contractor's engagement, including notice periods, final payments, and other relevant details are outlined in the Contract or letter of offer signed by the employee or contractor prior to commencement of work.

This procedure explains how Mypower Foundations will implement the Staff and Contractor and Policy.

Relevant Legislation and Policies

- Privacy Act 1988
- Fair Work Act 2009
- Workers Compensation Act 1987 (NSW)
- Anti-Discrimination Act 1977 (NSW)
- Taxation Administration Act 1953
- Superannuation Guarantee (Administration) Act 1992
- Independent Contractors Act 2006
- Work Health and Safety Act 2011
- NSW Disability Services Standards
- National Standards for Disability Services
- Disability Discrimination Act 1992
- National Disability Insurance Scheme Act 2013
- NDIS Code of Conduct
- NDIS Quality and Safeguarding Framework
- Universal Declaration of Human Rights
- United Nations Convention on The Rights of Persons with Disabilities

TERMINATION OF CONTRACT

POLICY AND PROCEDURE

Policy Statement

Mypower Foundations engages support workers both as employees and on a Contractual basis. This arrangement accommodates various work preferences, offering flexibility for those who choose their working hours, locations, days, and client interactions. Whether employed or contracted, individuals have specific rights, responsibilities, and conditions to adhere to.

This policy is to be read alongside the NDIS Specific Human Resource Management Policy and Procedure and the Duty of Care Policy and Procedure.

Definitions

- **Employee:** An individual hired and paid by Mypower Foundations to perform specific tasks under a formal agreement or contract of employment.
- **Contractor:** An individual who works independently and provides services as specified in the contract agreement signed with Mypower Foundations. They can accept or refuse work from other sources.
- **Termination:** Refers to the ending of employment or a contract either through expiration, mutual agreement, or early cessation.
- **Notice of Termination:** A formal notice given prior to ending the contract or employment. The standard notice is fourteen days unless there's a breach of Duty of Care Policy and Procedure, wherein termination can be immediate based on the Director's discretion after consultation with relevant parties.

Procedure

- For both employees and contractors, there are ongoing conditions that need to be met:
 1. **Insurance:** Contractors specifically need to maintain professional indemnity insurance, business-use motor vehicle insurance, and CTP insurance. Employees are covered under the organization's insurance policy for professional indemnity insurance, but must maintain business-use motor vehicle insurance, and CTP insurance

2. **Working with Children Check:** A valid check number followed by an NDIS Worker Screening Check.
 3. **NDIS Worker Check and/or Police Check:** Current at the time of joining and renewed when requested by the Director.
 4. **Continuous Improvement:** Keeping updated with sector changes.
 - Non-compliance or failure to produce the above without a valid reason can lead to termination.
- Notice of termination should be in written form, conveyed by the party initiating the termination.
 - Regular absenteeism without prior notice or a valid reason may lead to termination.
 - Breaching the Duty of Care Policy and Procedure can result in immediate termination.
 - Both the employee/contractor and the Director can mutually agree to terminate the contract or employment.

Responsibility

Employees and contractors are both responsible for maintaining current checks, certifications, and compliance with stipulated requirements.

Relevant Legislation and Policies

- Privacy Act 1988
- Work Health and Safety Act 2011
- Fair Work Act 2009
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- NSW Disability Services Standards
- National Standards for Disability Services
- Disability Discrimination Act 1992
- National Disability Insurance Scheme Act 2013
- NDIS Code of Conduct
- NDIS Quality and Safeguarding Framework
- Universal Declaration of Human Rights
- United Nations Convention on The Rights of Persons with Disabilities

TRAINING POLICY

POLICY AND PROCEDURE

Policy Statement

The purpose of this procedure is to ensure that employees and contractors undertake appropriate training in order to safely complete their work duties. An effective training policy provides guidance for allocating resources and gives a direction for training needs to best support clients.

Definitions

Training - Training is any activity undertaken either within Mypower Foundations, or by an outside provider, to further increase the knowledge and skills of contractors and their support of clients.

Continuous Professional Development (CPD) - A structured approach to ensuring competence in practice, encompassing knowledge, skills, and practical experience

Procedure

- The Director assesses required competencies at time of a new contractor's or employees application and interview.
- The facilitators will organise on-site visit with potential clients where required, provide information, and organise any necessary induction prior to commencing work.
- The Director will record training on the Nightingale platform.
- The facilitators will assist with induction training during initial stages of work, undertaking on-the-job training.
- Employees and contractors will provide feedback after training to improve and tailor future training sessions.
- Online or e-learning modules will be regularly offered for flexibility, especially for updating knowledge on legislation and standards.
- Information and training options can also be provided for employees and contractors in areas such as safe working procedures, or manual handling. Following completion of any initial training, the Director will record training information in the Nightingale platform.
- Training needs may be identified by reports, feedback, complaints, any new legislation or from outside consultants.

- Information will also be provided when any new procedures are introduced as a result of risk assessments procedures.

Responsibility

The Director is responsible for providing information on appropriate training of contractors, and for keeping a register of this training.

The facilitators may be responsible for organising induction training, allocating a buddy, or by supervising a new staff member and providing instruction.

The employees and contractors are responsible to stay updated and request additional training when they identify a gap in their skills or knowledge.

The facilitators and Director will identify training needs following consultation with clients, families and receiving feedback from employees and contractors on the support needed for a client.

The Director will conduct periodic checks to ensure all training records are up-to-date and compliant

Relevant Legislation and Policies

- Privacy Act 1988
- Fair Work Act 2009
- Vocational Education and Training (VET) Act 2005 (NSW)
- NSW Anti-Discrimination Act 1977
- Australian Qualifications Framework (AQF)
- Skills Development Act
- Work Health and Safety Act 2011
- NSW Disability Services Standards
- National Standards for Disability Services
- Disability Discrimination Act 1992
- National Disability Insurance Scheme Act 2013
- NDIS Code of Conduct
- NDIS Quality and Safeguarding Framework
- Universal Declaration of Human Rights
- United Nations Convention on The Rights of Persons with Disabilities

Verification of Personal Details Change Requests

Policy Statement:

Mypower Foundations is committed to ensuring the verification of personal details change requests to prevent unauthorized access and protect sensitive information. The purpose of this policy is to outline the procedure for utilizing a second communication method to verify the authenticity of such requests, mitigating the risk of fraudulent activity and data breaches.

Procedure:

1. Initial Request Validation:
 - a. Confirm Request Authenticity: Thoroughly review the submitted personal details change request for any signs of suspicious or unusual elements.
 - b. Determine Identity Verification Method: Assess the nature and sensitivity of the requested changes to determine the appropriate method for verifying the individual's identity.
 - c. Inform Requester: Notify the individual of the requirement for additional verification through a second communication method.
2. Second Communication Method Verification:
 - a. Select Authorized Communication Channels: Designate specific communication channels, such as registered phone numbers, email addresses, or in-person visits, as authorized methods for the second level of verification.
 - b. Contact the Individual: Utilize the authorized communication channel(s) to initiate contact with the individual, confirming their intent and validating the change request.
 - c. Document Verification: Maintain accurate records of the verification process, including the communication method used, date, time, and relevant details (e.g., identification numbers, passwords, security questions) employed during the verification process.
3. Approval and Implementation: Once the individual's identity has been verified through the second communication method, process the personal details change request in accordance with established procedures. Ensure appropriate safeguards are in place to protect the confidentiality and integrity of the updated personal information.

Responsibility:

Mypower Foundations' Responsibilities:

- Establish and communicate this policy to all relevant employees and stakeholders.
- Provide guidelines and training on the proper execution of the verification procedures.
- Regularly review and update the policy to align with legislative changes and organizational requirements.
- Ensure adequate resources and systems are in place to support the verification process.

- Safeguard the privacy and security of individuals' personal information during the verification process.

Changee's Responsibilities:

- Submit accurate and complete personal details change requests.
- Cooperate and promptly respond to the second communication method for verification.
- Safeguard their personal identification information and refrain from sharing it with unauthorized parties.

Relevant Legislation and Policies:

Mypower Foundations acknowledges the importance of complying with relevant legislation and policies regarding data protection and privacy. This policy aligns with the following legislation and policies:

- National Identity Proofing Guidelines: [National Identity Proofing Guidelines \(homeaffairs.gov.au\)](https://www.homeaffairs.gov.au)
- Privacy Act 1988: [Privacy Act 1988 \(legislation.gov.au\)](https://www.legislation.gov.au)
- Australian Privacy Principles: [Australian Privacy Principles | OAIC](https://www.oaic.gov.au/australian-privacy-principles)
- NDIS Quality & Safeguarding Framework: [NDIS Quality and Safeguarding Framework | Department of Social Services, Australian Government \(dss.gov.au\)](https://www.dss.gov.au/ndis-quality-and-safeguarding-framework)

Employees and stakeholders involved in handling personal details change requests should familiarize themselves with the requirements and obligations outlined in the above legislation and policies to ensure compliance and uphold individuals' rights.

WORK HEALTH AND SAFETY

POLICY AND PROCEDURE

Policy Statement

Mypower Foundations is committed to the health, safety and wellbeing of employees and contractors, clients, and visitors, ensuring work environments and practices that help its employees and contractors to have safe, productive working lives.

To achieve this, we all need to be committed to improving health, safety, and wellbeing in the workplace; working together to create a positive culture that drives excellence in what we do. This includes managing psychosocial hazards i.e., risks to mental health. This policy should be read in conjunction with MPF's *Bullying and Harassment Policy* and MPF's *Code of Conduct*.

This WHS Policy applies to all employees and contractors as well as other people in the work sites of the Mypower Foundations and compliance is mandatory..

Mypower Foundation adopts a risk management approach to WHS and expects employees and contractors to do the same where risks to health and safety are reduced as much as is reasonably practicable. This approach involves identifying hazards, assessing, and prioritising risks, implementing risk control measures, and reviewing risk control measures, including eliminating or minimising psychosocial hazards.

Mypower Foundations and its contractors have a duty of care to ensure contractors' and others' risk to health and safety is reduced by:

- risk assessment of work environments to ensure they are adequate and accessible.
- implementing safe working practices as they relate to physical and psychosocial hazards.
- implementing processes for the notification and recording of workplace incidents, hazards and near misses.
- implementing processes for monitoring the physical and psychosocial health of contractors, others, and workplace conditions.
- providing adequate information, instruction and support.
- maintaining compliance with requirements under the WHS legislative framework.
- complying with mandatory health measures as a condition of work, as prescribed by the Australian Technical Advisory Group on Immunisation (ATAGI)

Definitions

- **Due Diligence:** The continuous process of ensuring, on an ongoing basis, that an organisation meets its work health and safety obligations.
- **Consultation:** The process of sharing information and giving workers a genuine opportunity to express their views and influence decision-making on work health and safety matters.
- **Hazard:** A source or situation with the potential to cause harm in terms of injury, ill-health, damage to property, or the environment.
- **Risk:** The likelihood that harm from a particular hazard will occur, considering both the probability and the potential severity.
- **Psychosocial Hazard:** Factors in the design and management of work that increase the risk of psychological harm to the worker.

Procedure

Mypower Foundations will pursue this commitment by establishing the following standards in conjunction with Mypower employees and contractors:

- Model the safety behaviours they want everyone to emulate.
- Managing physical and psychosocial safety, health, and wellbeing with effective management of risk, information on available training, instruction, [supervision, and review (as requested for contractors)]
- Establishing, monitoring, and reviewing engagement and support processes for physical and psychosocial health of contractors
- Proactive incident reporting and reviewing and management while ensuring the appropriate support when incidents occur.
- Ensure workplaces have emergency procedures in place.
- Processes in place with a focus on managing and controlling risks to physical and psychosocial health.
- Encouraging positive and productive environments to improve and support physical and psychosocial health and wellbeing.
- Processes in place to prevent and respond to bullying in the workplace.
- Ensuring COVID vaccination certificates for each employee and contractor are sited, dates recorded and available for any audit.
- Have risk controls in place to manage psychological risk, eliminating or reducing the risk of hazards.
- Consult with workers when assessing risks and deciding on risk control measures.
- Regular review and update of the policy to ensure it aligns with any new legislative changes or identified risks in the workplace.
- Provide employees and contractors with information about the risks and hazards in their work areas.

Responsibility

- Employees and contractors engaged by Mypower Foundations have a personal duty to exercise due diligence to ensure they comply with the Model Work Health and Safety Act and Model Work Health and Safety Regulations. Employees and contractors are responsible for exercising due diligence by taking reasonable steps to:
 - Acquire and keep up-to-date knowledge of WHS matters.
 - Understand the nature of Mypower Foundations and generally the hazards and risks associated with those operations.
 - Ensure appropriate resources and processes to eliminate or minimise risks to health and safety.
 - Ensure there are appropriate processes for receiving and considering information regarding incidents, hazards and risks to health and safety; and
 - Ensure the duties in the Act and Regulation are complied with, including reporting notifiable incidents.

All contractors have a duty to:

- Take reasonable care for their own health and safety.
- Take reasonable care that their acts or omissions do not adversely affect the health and safety of other persons.
- Ensure that they do not work outside of their qualifications and experience.
- Maintain and keep up to date all necessary licenses, permits, registrations, checks, insurance, and vaccinations.
- Comply with safety instructions of the Director, including the use of safety equipment.
- Report any incidents, injuries, and hazards through the correct reporting process and
- Cooperate with any reasonable Organisational policy or procedure relating to health and safety at the workplace that has been notified to them.
- The provision of WHS tools and resources as required.

Mypower Foundations is responsible for:

- Developing, implementing, and reviewing procedures to follow the Model Work Health and Safety Act and Model Work Health and Safety Regulations.
- Ensure workers are consulted, and their views are considered before making decisions on health and safety matters.
- Ensuring compliance with this Policy in relation to workers.
- Ensuring workers can voice concerns or suggestions regarding health and safety.
- To investigate complaints relating to work health and safety by consulting with employees contractors both formally and informally;

- To inquire into anything that appears to be a risk to the physical and psychosocial health or safety of contractors or others in the workplace; and
- Citing current COVID vaccination certificates.

In exercising a power or performing a function, Mypower Foundations may:

- Inspect workplaces regarding health and safety issues with consent from the client and reasonable notice to the employee or contractor, or without notice to the employee or contractor following an incident, or where there is a serious risk to physical or psychosocial health and safety.
- Be present at an interview between the employee or contractor and client (with their consent) regarding a physical or psychosocial health and safety issue.
- Request and receive information about physical and psychosocial work health and safety matters.
- Whenever necessary, request the assistance of any person.

Relevant Legislation and Policies

- Privacy Act 1988
- Work Health and Safety Act 2011
- Biosecurity Act 2015
- Public Health (COVID-19 Mandatory Reporting) Order 2020
- NSW Anti-Discrimination Act 1977
- Public Health Act 2010 (NSW)
- Fair Work Act 2009
- NSW Disability Services Standards
- National Standards for Disability Services
- Disability Discrimination Act 1992
- National Disability Insurance Scheme Act 2013
- NDIS Code of Conduct
- NDIS Quality and Safeguarding Framework
- Universal Declaration of Human Rights
- United Nations Convention on The Rights of Persons with Disabilities
- Workplace Injury Management and Workers Compensation Act 1998
- Workers Compensation Regulation 2016
- Model WHS Regulations
- Model Code of Practice: Managing psychological hazards at work

WORKPLACE INSPECTIONS

POLICY AND PROCEDURE

Policy Statement

Workplace Inspections are carried out to ensure all work areas are kept free from hazards or potential hazards that may lead to injury, illness, near miss, property damage or an adverse environmental impact.

Mypower Foundations is committed to continuous improvement of workplace safety and meeting all relevant legislative requirements.

Definitions

Workplace Inspection - This is a planned walk through of the premises or site, using a checklist, to monitor work safety issues and identify any possible hazards.

Hazard - Hazards are defined as a source of potential harm to people or a situation with potential to cause injury or loss to plant, property or equipment.

Risk: The possibility that harm (death, injury, or illness) might occur when exposed to a hazard.

Control Measure: An action or process put in place to either eliminate a hazard or reduce the risk of exposure to a hazard

Procedure

- The purpose of this procedure is to ensure that our worksites are inspected on a regular basis, using a consistent format. Regular inspections will assist in the hazard identification process and will assist in monitoring the effectiveness of control strategies already in place.
- Employees and contractors will monitor and assess the working environment each time they are present and report any potential hazards or risks to the client's facilitator
- A Hazard Report Form is completed for any areas where hazards are identified and a Risk Matrix completed to prioritise hazards based on severity and likelihood.

- Corrective actions for identified hazards will be initiated within 48hrs and completed within 2 weeks.
- A review – post the corrective action – will take place 48hrs and 1 week via feedback from employees, contractors, clients and their families to ensure that the measures implemented are effective
- The Director is to initiate corrective action as required.
- NDIS Home Visit Checklists and Hazard Report Forms are maintained and filed by the Director, as per document control procedures.

Responsibility

The Director is responsible for organising workplace inspections or anyone authorised by the Director operating with the delegated authority of the Director.

The Director is responsible for collecting workplace inspection reports, and for ensuring that a hazard identification form is filled out for any identified hazards.

The Director is responsible for ensuring that identified hazards are controlled, communicate findings to the staff and provide updates on actions taken to address identified hazards.

The employees or contractors are responsible for cooperating during inspections and reporting any hazards they observe.

Clients are responsible for reporting any risk or hazards they may identify.

Relevant Legislation and Policies

- Privacy Act 1988
- Work Health and Safety Act 2011
- Workplace Injury Management and Workers Compensation Act 1998
- Environmental Planning and Assessment Act 1979
- Model WHS Regulations
- Model Code of Practice: How to manage work health and safety risks
- Model Code of Practice: Managing the work environment and facilities
- NSW Disability Services Standards
- National Standards for Disability Services
- Disability Discrimination Act 1992
- National Disability Insurance Scheme Act 2013
- NDIS Code of Conduct
- NDIS Quality and Safeguarding Framework
- Universal Declaration of Human Rights
- United Nations Convention on The Rights of Persons with Disabilities