



CATHOLIC ARCHDIOCESE OF MELBOURNE

Staffing of diocesan agencies

8 April 2015

## **Purpose**

To promulgate guidelines for the engagement of staff in diocesan agencies.

This policy is not a term of any contract, including any contract of employment. It may be varied by the Archdiocese from time to time.

## **Application**

These guidelines apply to those diocesan agencies, excluding CatholicCare, whose staff are paid through the central diocesan payroll. It applies in circumstances where the engagement is within the approved department budget. Where it is not, an application seeking budgetary approval will need to be made and approved before these guidelines apply.

## **Definitions**

In this context, staff include:

- Employees
- Work experience personnel
- Independent Contractors, under a contract that is wholly or principally for labour
- Employment Agency staff
- Members of Religious Institutes
- Volunteers

A common sense and open approach is to be used when it is proposed to engage a relative or close friend so that potential or real conflicts of interest are avoided. To this end, agency heads are required to discuss the matter with the Human Resources Manager prior to any engagement.

The terms agency and agency head encompasses departments and their heads and bodies and the heads of bodies auspiced by the Catholic Archdiocese of Melbourne.

All of the above staff are the same in the following respects:

- To the outside world they may be indistinguishable one from the other.
- Key policies such as the National Police Checks Policy, the Working with Children Protocol, the Code of Conduct for Caring for Children, the Workplace Bullying, the Sexual Harassment and Work Health and Safety Policies apply to all.
- Costs associated with the staff member's engagement are borne by the agency, eg property charges.

However, different relationships and obligations exist with each type of staff member and different commencement/departure routines apply.

Matters particular to each of these categories of staff are detailed below.

## **Employees**

An employee is paid for performance of a service, and is directed or supervised by the agency head or some other delegated person.

Key employment related tasks are processed by the Human Resources Office, eg commencement routines and the passing on of information to key personnel in finance, information technology and facilities, who in turn organise building access, computer availability, network access and a work space if required. When an employee departs they are also notified such that these facilities and any property assigned to the person are withdrawn or returned.

Prior to the commencement of any recruitment activity, the Human Resources Office must be informed and involved.

### **Work experience**

#### School students

If the engagement is in accordance with the Department of Education and Early Childhood Development's protocol, the agency head may proceed with the engagement of the student without reference to the Human Resources Office. The Facilities Manager is to be notified and she will issue the required security access for the student and inform relevant staff, eg reception.

#### University students (sometimes referred to as interns)

As these engagements are generally for a longer period, agency heads are required to contact the Human Resources Office to ensure that the protocol meets the required standards particularly with regard to insurance and the nature of the relationship. The Human Resources Office will invoke the same commencement/departure routines in respect to interns as it does for employees.

### **Independent Contractor (under a contract that is wholly or principally for labour)**

In some circumstances it may be preferable to engage an independent contractor to provide specific services. Prior to the commencement of any engagement or re-engagement activity, the Human Resources Office must be consulted.

- Often the relationship proposed better fits the definition of employment rather than independent contracting.
- Some of the obligations that apply to employees may apply to contractors.
- Insurance and liability issues need to be considered.
- Letters of engagement, prepared by the Human Resources Office, need to be exchanged.

Generally, the same commencement/departure routines apply to contractors as they do for employees.

There are some long standing instances where independent contractors or their staff are in place. Lay lecturers at the Thomas Carr Centre institutions, who are not otherwise employees, are independent lecturers and there is no need for prior reference to the Human Resources Office in respect to these engagements.

As a matter of policy, an employee of the Archdiocese is not be engaged as an independent contractor by another or the same agency. If the employee undertakes additional work, they are to be paid as an employee.

### **Employment Agency staff**

- In some circumstances it may be preferable to engage an employment agency, which then employs staff to provide specific services.

- Prior to the engagement of an agency for the first time, the Human Resources Office must be informed and it will advise on the appropriateness of engaging the agency
- Prior to the commencement of any engagement or re-engagement of an employment agency employee, the Human Resources Office must be informed and involved.

Generally, the same commencement/departure routines apply to employment agency staff as they do for employees.

### **Members of Religious Institutes**

Members of Religious Institutes who are engaged to work within an agency are not employees. This is because the contract is between the Archbishop and the particular Religious Institute, and also because such persons are subject to the norms that govern their Religious Institute. The contact is arranged through the Human Resources Office.

In most other respects the relationship is very similar to that of an employee and other employee commencement/departures routines apply.

### **Volunteers**

The Church has called upon and been gifted by the contributions of volunteers in many areas. There are many volunteers involved in agencies, who give of their time and energy as an expression of their faith.

The main difference between a volunteer and an employee is that the volunteer is under no legal obligation to perform work or fulfil a role. Further the volunteer is free to work if and when the person desires.

A volunteer can receive reimbursement for expenses incurred. When a volunteer engages in some activity on a long term or regular basis, then it is appropriate to provide the person with a letter specifying the voluntary nature of their services.

Where work is done by a volunteer there will be no employment relationship between the volunteer and the Archdiocese.

Generally, the same commencement/departure routines apply to volunteers as it does for employees.

### **Guidelines for the engagement of volunteers**

- Prior to the commencement of any engagement or re-engagement activity, the Human Resources Office must be informed and involved.
- Long term volunteers are be given a letter prepared by the Human Resources office which sets out the voluntary nature of their services and outlines the tasks to be undertaken.
- Volunteers must be told that they are not employees, they are under no obligation to perform the tasks identified, and they are not covered by WorkCover.
- Volunteers must not be given any payment or allowance in return for their voluntary service. They may be reimbursed actual expenses incurred, including travel costs.
- For safety reasons where it is appropriate having regard to the tasks to be performed, volunteers should be included in the normal range of induction and training programs available to employees.

- There is no legal obligation to continue the voluntary work. Either party may terminate the arrangement at any time.
- Volunteers should be advised to involve themselves only in those tasks/areas for which they have volunteered and which are within their reasonable capacity to perform. To involve themselves in other tasks/areas may impact upon other volunteers or staff, and may put them at risk of litigation should something go wrong or at risk of injury if the tasks are beyond their capacity to perform.
- Volunteers are covered by volunteer insurance, the details of which can be obtained from the Human Resources Office.

Relevant policy documents are available on the diocesan web site at

<http://www.cam.org.au/policies>

The routines for the engagement/employment of staff under this policy are set out in Attachment 1

Routines for the engagement/employment of staff under this policy

1. In the first instance, the form as set out in Attachment 2 is sent to the agency head by the HR Office to complete his/her section. It is a list of what the agency head requires the new employee to be provided with.
2. The agency head returns the form to the HR Office to approve or otherwise and record the details.
3. Copies will then be sent to  
The Director, Finance and Operations (copies to the Financial Accountant and the Manager, Information Systems)  
Facilities Manager  
cc agency Head  
for action and return of the form to the HR office for filing.
4. On receipt of termination advice, the HR office sends emails to each of the above informing each of the need for action on their part. The HR Office's role is to ensure appropriate action is taken.

**NEW HIRE CHECKLIST**



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**Part 1 – to be completed by the Agency Head**

<b>EMPLOYEE NAME:</b>	<b>POSITION:</b>
<b>AGENCY NAME:</b>	<b>AGENCY COST CENTRE:</b>
<b>COMMENCEMENT DATE:</b>	<b>WORKING HOURS:</b>

ITEM REQUIRED	DATE REQUIRED /Notes
<b>Location:</b> <input type="checkbox"/> 383ALB, <input type="checkbox"/> 390ALB <input type="checkbox"/> 278VIC, <input type="checkbox"/> 486ALB, <input type="checkbox"/> CATHEDRAL  <input type="checkbox"/> Other please specify _____	
<b>Building Access:</b>  <input type="checkbox"/> Keys (specify): _____  <input type="checkbox"/> Security Pass: _____  Other locations access level and keys _____	
<b>Car parking:</b> Is it appropriate for the employee to be provided with car parking? <input type="checkbox"/> Yes / <input type="checkbox"/> No  Vehicle Registration: _____	
<input type="checkbox"/> OfficeMax Account	
<input type="checkbox"/> Email address	
<input type="checkbox"/> Telephone Direct Dial: _____ Ext No. _____	
<input type="checkbox"/> Work mobile phone Mobile No. _____	
<input type="checkbox"/> Internet access	
<input type="checkbox"/> Credit Card (detail limit)	
<input type="checkbox"/> Facility work vehicle	
<input type="checkbox"/> Motor Pass Card <input type="checkbox"/> E-tag	

**Additional Information:**

(e.g. Workspace arrangements/IT requirements/ Special needs) and sign off

Signature:

Name and Office

Date:

**Part 2 – To be completed by the HR office**

**Human Resources Office**

Approved/Not Approved:

Signature:

Name and Office

Date:

**Part 3 – To be completed by service departments - Finance, Facilities, Information Technology**

**Action complete**

Signature:

Name and Office

Date:

**Return to the HR office**