

Key risks – knowing what they are and how they can be managed *cont.*

Human resource

Human resource risk is the risk that the organisation may incur losses or will not meet its key objectives due to:

- drain or loss of key personnel (for example, coaches, officials)
- deterioration of morale
- the inadequate development of human resources
- inappropriate working schedules
- inappropriate working and safety environment
- inequality or inequity in human resource management or discriminatory conduct.

All organisations have personnel. Regardless of the size of your organisation, it survives and thrives because of the capabilities and performance of the people that work within it.

Your organisation may have both paid and unpaid staff members. Sport and recreation organisations, in particular, rely heavily on the support of volunteers to enable them to provide the level of service to their members with the resources they have available.

Because people are such an integral part of sport and recreation organisations, how you treat them is vitally important. To get the best out of your people, it is important to make them feel valued and part of your organisation regardless of whether they are paid or unpaid.

The human resource concepts and issues discussed here aim to provide you with an understanding of the processes involved in recruiting, managing and retaining people within your organisation.

Having sound systems and sound practices may assist you in bringing the right people into your organisation and keeping them there. They can help them to develop a sense of commitment to the organisation, provide and plan for development opportunities, offer support and reward performance.

To minimise further risk in this area, ensure you stay compliant with the relevant legislation and regulations that relate to the employment of staff and engagement of volunteers.

Key point: Treat paid and unpaid staff (volunteers) equally well and it will strengthen your club or association.

Human Resource Management – Key Legislation

Key acts, regulations and standards relevant to the human resources management function are listed below.

National Employment Standards

The National Employment Standards (NES) set out minimum conditions for employment. These include the entitlement to:

- a maximum standard working week of 38 hours for full-time employees, plus 'reasonable' additional hours
- a right to request flexible working arrangements
- parental and adoption leave of 12 months (unpaid), with a right to request an additional 12 months
- four weeks paid annual leave each year (pro rata)
- ten days paid personal/carer's leave each year (pro rata), two days paid compassionate leave for each permissible occasion and two days unpaid carer's leave for each permissible occasion
- community service leave for jury service or activities dealing with certain emergencies or natural disasters (this leave is unpaid except for jury service)
- long service leave
- public holidays and the entitlement to be paid for ordinary hours on those days
- notice of termination and redundancy pay
- the right for new employees to receive the Fair Work Information Statement.

The NES only apply to paid employees (not volunteers) and only certain entitlements apply to casual workers.

For more information about the NES refer to the Fair Work⁴⁴ website.

Key point: As an employer you must be aware of the minimum National Employment Standards.

⁴⁴ <http://www.fairwork.gov.au/>

⁴⁵ <http://www.fairwork.gov.au/awards>

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Modern Awards

In addition to the NES, a modern award may cover any paid employees you have. These awards cover an industry or occupation and provide additional enforceable minimum employment standards.

Modern awards contain terms about minimum wages, penalty rates, types of employment, flexible working arrangements, hours of work, rest breaks, classifications, allowances, leave and leave loading, superannuation, and procedures for consultation, representation, and dispute settlement. They may also contain terms about industry specific redundancy entitlements.

For more information about modern awards or to find an award, visit the Fair Work Awards⁴⁵ website.

Key point: As an employer you must be aware of the relevant awards covering your staff.

Work Health and Safety (WHS)

Work health and safety should be a key area of concern for your organisation. You have an obligation to provide a safe and healthy workplace to all staff (paid and unpaid). The consequences of not doing so can be severe.



In South Australia, there are two relevant pieces of legislation: Work Health and Safety Act 2012 (SA) and Work Health and Safety Regulations 2012 (SA). These acts:

- establish health and safety duties, including the primary duty to protect any person from exposure to hazards and risks that arise from work
- provide for worker representation, consultation and participation including through Health and Safety Representatives and Health and Safety Committees
- enable compliance and enforcement through SafeWork SA (the regulator)
- provide for the creation of regulations and codes of practice.

For more information regarding WHS, see the section of this resource titled Legal Risk, Key Concepts and Legislation – Work Health and Safety or the SafeWork SA⁴⁶ website.

Privacy

Privacy in clubs and associations is about how your club or association keeps personal information secure and protects it from misuse, loss and unauthorised disclosure. The Commonwealth Privacy Act sets out the requirements an organisation is legally obliged to implement to protect people's personal information. It requires that your organisation:

- takes reasonable steps to ensure that individuals are aware of the information that your organisation collects about them and what this information is used for
- ensures that personal information is kept secure and is accurate and up-to-date
- provides individuals with access to their information on request and to correct information where necessary.

⁴⁵ <http://www.fairwork.gov.au/awards>

⁴⁶ https://www.safework.sa.gov.au/show_page.jsp?id=112104#.VsLGw8f3B1Q

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For more information regarding privacy principles, refer to the Australian Sports Commission⁴⁷ website. In this resource we have also outlined some of the recent changes in legislation. See the section titled Legal Risk, Key Concepts and Legislation - Privacy.

Human Resource – Key Documents

Listed below are a number of key documents relevant to the management of people in your organisation (paid and unpaid). If your organisation does not already have them in place, it is recommended that you work towards developing them.

If a number of these documents are already being used, it is recommended that you undertake an assessment of your performance against legislation and best practice guidelines.

Purpose statement

All organisations should have a clearly defined purpose statement. This outlines your organisation's purpose for existing (e.g. to strengthen the community [of your club or association]).

In order to develop a purpose statement, you should have a clear understanding of and focus on what your organisation wants to achieve and why. You should be clear about what your club's goals and objectives are and the rationale on which these are based.

Your purpose statement is a key document that should be included and discussed with new staff (paid or unpaid) as part of the induction process. Having a clear purpose statement that outlines the organisation's key goals and principles and a framework for achieving these can assist your club or association in engaging staff, as it provides them with meaningful work and a clear understanding of how their efforts contribute to the organisation and its success.

Key point: Be clear about who you are and who you are not.

Code of conduct

Your club or association should have a code of conduct that sets out what your organisation considers to be an acceptable standard of behaviour and conduct. The code of conduct outlines how you expect staff, volunteers, members and their guests to behave. It should explicitly outline behaviour that is acceptable and behaviour that is unacceptable.

Disciplinary action

When a group or individual demonstrates behaviour that is unacceptable according to your organisation's code of conduct, disciplinary action may be appropriate. For example, if a staff member or volunteer is observed making derogatory comments to others, it may be appropriate to issue a warning. Should the behaviour continue, further action might need to be taken; however, incidents should be assessed and addressed on a case-by-case basis.

For more information about developing a code of conduct, refer to the Office for Recreation and Sport⁴⁸ website.

Key point: Make sure you have a code of conduct and ensure it is actively communicated to key staff, volunteers, members and stakeholders.

Policies and procedures

Your club or association should have a set of standard policies and procedures in place to help guide behaviour and decision-making and manage human resource risk within your organisation.

⁴⁷ http://www.ausport.gov.au/supporting/clubs/resource_library/administration/privacy_act

⁴⁸ http://www.ors.sa.gov.au/sport_and_recreation/child_safety_and_member_protection/member_protection

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While a policy provides guidance on the standards for your organisation, a procedure outlines how these standards should be implemented. Some of the policies (and associated procedures) that you may need to develop include:

- recruitment
- work health and safety
- volunteer management
- equal employment opportunity (EEO)
- staff induction
- member protection
- volunteer induction
- managing unsatisfactory performance
- misconduct and disciplinary action
- bullying and harassment
- leave (incorporating personal leave, annual leave, carer's leave, compassionate leave, long service leave and unpaid leave)
- dispute resolution
- first aid
- injury and incident reporting
- acceptable use of computers, Internet and email.

For more information and templates, refer to the Institute of Community Directors⁴⁹ website.

Additional assistance and useful tools regarding misconduct and disciplinary action and bullying and harassment can be found at the Play by the Rules⁵⁰ website.

Key point: Standard policies and procedures will help to guide behaviour within your organisation.

⁴⁹ <http://www.communitydirectors.com.au/icda/policybank/>

⁵⁰ <http://www.playbytherules.net.au/>

⁵¹ <http://www.playbytherules.net.au/>

⁵² <http://www.fairwork.gov.au/Resources/best-practice-guides/Pages/effective-dispute-resolution>

Dispute resolution

Disputes between individuals may occur within your organisation. It is important that your organisation has a clear and fair process for managing these disputes. In the first instance, the parties involved in the dispute should be encouraged to meet and discuss the issue.

The purpose of this process is to identify the problem and options for resolution and consider these options with the aim of achieving a resolution that is acceptable to both parties. If this process does not produce the desired outcome, mediation by an independent person may help. By developing an effective dispute resolution policy and procedure, you can reduce the risk of these issues escalating and requiring (potentially costly) external involvement.

For more information regarding dispute resolution, refer to the Play by the Rules⁵¹ and Fairwork⁵² websites. Mediation SA (8350 0376) may provide independent and free support.

Key point: Deal with all issues as soon as they arise.



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Volunteer management plan

Volunteers play a vital role in the sport and recreation industry. It is likely that without volunteers, your club or association would find it difficult to provide an appropriate level of service to the community. As such, a large and active volunteer workforce is essential to the survival of the industry.

A volunteer management plan is an important resource that can help you to ensure that you recruit and retain the best people to optimise the success of your organisation and reduce the risks associated with not having the right people in the right positions.

The V-STAR⁵³, online volunteer management tool for sport and recreation organisations developed by the Office for Recreation and Sport is a useful resource for organisations to utilise when developing their volunteer management plan.

Key point: Develop a volunteer management plan.

Getting and retaining the best people

Recruitment practices

Recruiting the right people to your organisation is vital in ensuring its ongoing success. Whether you are recruiting volunteers or paid staff, you should ensure that you have the considered the following:

- a clear description of the goals and purpose of the organisation (as discussed above)
- a job description for the relevant position, which should outline:
 - what the person is expected to do
 - the skills or qualifications (e.g. first-aid certificate, police check, etc.) a successful candidate would be expected to possess
 - who the person should speak to if they have a problem

⁵³ <https://www.recsport.sa.gov.au/v-star>

⁵⁴ http://www.ourcommunity.com.au/management/view_help_sheet.do?articleid=758

⁵⁵ <https://www.fairwork.gov.au/how-we-will-help/templates-and-guides>

⁵⁶ http://www.business.gov.au/business-topics/employing-people/Pages/equal-employment-opportunity-and-anti-discrimination.aspx?utm_source=businessgovau-old-website&utm_medium=301-redirect&utm_campaign=Employing-People

- an understanding of how the position will meaningfully contribute to the organisation.

Once these aspects are in place, you can begin to search for possible candidates. When recruiting individuals, you may choose to approach individuals already involved in your organisation. Alternately, you may wish to advertise the positions through community noticeboards, newspapers, or online.

Once you have identified potential candidates for your position, you will need to screen them to ensure that they will be suitable and fit the needs of your organisation. You will want to make sure that the candidate is competent; that they get along with other people and that they have the skills that you are looking for. It can be difficult to reject someone whom you do not think is suitable; this is where a clear job description comes in handy as it provides objective criteria for you to assess candidates against. By ensuring that you are open and transparent throughout the recruitment process and can justify your decisions using objective criteria, you can reduce the risk of candidates feeling that they have been unfairly assessed or even discriminated against.

For more information about recruiting paid and un-paid staff members, refer to the Our Community⁵⁴, Fairwork⁵⁵, and Australian Government Business⁵⁶ websites.

Key point: When recruiting, make sure that you are transparent and objective in your decision-making.



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Induction

Once you have successfully recruited new people to your organisation, you need to induct them. Induction is the process through which new members (whether paid employees or volunteers) are welcomed to your organisation, given details about their position and the day-to-day operations of the organisation and introduced to key people.

Taking up a new position is a critical period for staff members and for the organisation. New people cannot be expected to understand the requirements of their new position or how your club or association functions on a day-to-day basis without a well-designed induction process. Inductions can help reduce stress on new people, make them feel welcome and reduce the likelihood of turnover.⁵⁷

This process of induction is based on socialisation, which is the process of assisting a new staff member to learn values, expectations and norms of your organisation. To ensure that new people are appropriately 'socialised' to your club or association, the induction process should cover:

- relevant policies and procedures
- procedures for dispute resolution
- emergency processes and resources
- the expectations of their position
- supervisors (if any) and other people they will be working with
- day-to-day routines.

For more information about induction and to obtain an induction checklist, refer to the Club Help⁵⁸, V-STAR⁵⁹, and Fairwork⁶⁰ websites.

Key point: Make sure that you have a process in place to induct all new staff (paid or unpaid) into your organisation.

Job descriptions

Job descriptions specify the duties, tasks and activities that are expected of each individual in your organisation. Every person within your organisation (whether paid or unpaid) should have an up-to-date job description. As roles evolve with time, these changes can be reflected in the job description. Ideally, job descriptions should be reviewed on an annual basis.

Where possible, it can be a good idea to involve the position holder in the development of the job description. This will help to ensure that the document is an accurate reflection of the duties, tasks and activities that are undertaken in the course of the particular role. Care might need to be taken when doing this to reflect what any future person in the position would be required to do against the tasks the current position holder undertakes. A good job description should incorporate the following elements:

- a summary of the mission/purpose and major activities of the organisation
- a description of the purpose and duties of the position including actual tasks that the person will be expected to perform
- areas of accountability
- the type of position, i.e. is it full-time, part-time, casual (all paid) or a volunteer role
- if a volunteer role, the expected time commitment each week/month
- workplace location
- required and preferred skills
- expected performance.

⁵⁷ http://www.ausport.gov.au/__data/assets/pdf_file/0010/150031/Recruiting_Volunteers.pdf

⁵⁸ <http://www.clubhelp.org.au/volunteers/managing-volunteers/volunteer-induction>

⁵⁹ <https://www.recsport.sa.gov.au/v-star/keep-volunteers/induct-volunteers-welcome.php>

⁶⁰ <https://www.fairwork.gov.au/my-account/fwosignin.aspx?RedirectURL=http%3a%2f%2fwww.fairwork.gov.au%2fArticleDocuments%2f2247%2fTemplate-induction-checklist.docx.aspx>

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For a job description template, refer to the Fairwork⁶¹ website. For example volunteer job descriptions, refer to the V-STAR⁶² website.

Key point: Job descriptions provide clarity about what is expected of people within their role.

Contracts

If your club or association employs paid staff, perhaps in hospitality or administration roles, it is recommended that you have written and signed contracts in place. A contract forms the basis of the employment relationship and should cover all the conditions of employment.

Key point: All paid positions need a contract of employment.

Training and development

Training and developing your staff (both paid and unpaid) is essential for strengthening skills and motivating individuals to achieve and maintain satisfaction in their roles. People who are competent in their roles (i.e. well-trained) are likely to feel satisfied whereas people who lack confidence are likely to feel stressed.

Training your staff members to ensure that they have the right skills and knowledge is a vital part of your risk management plan. Numerous training courses are available to your organisation.

Internal support through mentoring or buddy systems can also be very productive.

For more information about training opportunities within South Australia visit the V-STAR⁶³ and Volunteering SA⁶⁴ websites.

Key point: Make sure your staff and volunteers are always learning something, as this will keep them connected to your organisation.

Evaluating and rewarding performance

The work of both paid and unpaid staff members should be reviewed regularly. This process may include:

- reviewing goals and objectives
- identifying results achieved
- obtaining feedback from current staff members and customers (i.e. club members and other patrons)
- assessing the performance of staff members
- conducting exit interviews for departing staff members.

In addition to evaluating or reviewing the performance of your staff, it is also important to recognise and reward individuals for their efforts. This helps to maintain morale among staff and demonstrates that your club or association places real value in the work that they do. There are many different ways you can recognise and reward people within your organisation; this includes both financial and non-financial rewards such as providing a wind-down party after a special event, listing their names in your club newsletter or even just a simple 'thank you'.

For more information on how to retain people within your organisation, including evaluating and rewarding performance visit the Australian Sports Commission⁶⁵ and V-STAR⁶⁶ websites.

Key point: Give feedback to staff and volunteers regarding their performances so they know how they are doing.

⁶³ <https://www.recsport.sa.gov.au/v-star/keep-volunteers/train-volunteers-available.php>

⁶⁴ <http://www.volunteeringsa.org.au/training/>

⁶⁵ http://www.ausport.gov.au/supporting/clubs/resource_library/people_management/retaining_volunteers

⁶⁶ www.recsport.sa.gov.au/v-star <https://www.recsport.sa.gov.au/v-star/keep-volunteers/train-volunteers-available.php>

⁶⁶ <http://www.volunteeringsa.org.au/training/>

⁶⁶ http://www.ausport.gov.au/supporting/clubs/resource_library/people_management/retaining_volunteers

⁶⁶ www.recsport.sa.gov.au/v-star

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Member and child protection

Member Protection

The Australian Sports Commission (ASC) advises that member protection is a term now widely used in the sports industry to mean practices and procedures that protect a club's members. Members can include member associations, affiliated clubs and individuals including athletes, administrators, coaches and officials.

Member protection is also about managing one of the biggest risks to your organisation – the harming of members.

Member Protection Policy

As part of your risk management strategy, you may wish to adopt or develop a selection of policies specific to member protection. This policy can be a combination of a number of traditionally separate policies including discrimination, harassment and child protection. (Refer to the section titled Child Protection.)

The ASC has developed a member protection policy framework template, which can be found on the Australian Sport Commission's Member Protection⁶⁷ website.

The template is a generic document meant for guidance only. It is designed to assist organisations when writing their own member protection policy. The template includes:

- policy position statements on child protection
- harassment and sexual relationships
- organisational and individual responsibilities
- code of conduct.

If you are planning to develop a member protection policy, it is recommended that you investigate the policy that your peak body, usually your state sport or recreation organisation, has in place to ensure that your policy or procedures are aligned to that which is recommended for your sport or activity.

Member Protection Information Officer

Another strategy that can support a member protection policy is a member protection information officer, (MPIO). An MPIO is a trained person, usually appointed by the national, state or regional association, who can assist your organisation with advice with managing member protection complaints and conflicts when they arise.

An MPIO is responsible for providing information to an individual (a member of your organisation) who makes a complaint or raises a concern about their rights, responsibilities and options.

Their role also includes providing confidential information, moral support and options to help resolve issues. The MPIO is the central contact for any concerns or information about harassment, sexual abuse or inappropriate behaviour.

An MPIO can also be the designated individual responsible for providing information and advice to an organisation's administrator and complaint handlers with regard to the member protection policy of that organisation.

MPIOs are generally impartial; they do not mediate or investigate complaints.

An MPIO can be freelance and not linked directly to the organisation or a specific sport or recreation body.

Key point: Organisations are encouraged to clearly distribute the name and contact details of their MPIO.

⁶⁷ http://www.ausport.gov.au/supporting/integrity_in_sport/resources/national_member_protection_policy_template