

Employment Practices Policy

April 2019 (revised)



1. Rationale

OLMC seeks to recruit, retain and develop highly professional staff in a workplace where 'all are encouraged to reflect and grow' and where its members 'bring energy and enthusiasm to all that we do' (College Mission, Vision and Values).

All OLMC staff are employees of Mercy Education Ltd. As a Catholic school in the Mercy tradition, OLMC is called to be a place where the dignity of the human person is valued and affirmed and where community is developed with a profound relationship between the Gospel and culture.

In such contexts, this policy outlines the College's principles regarding employment. It also presents information and procedures relevant to employment, such as accreditation to teach in a Catholic school, equal opportunity, professional standards of conduct.

OLMC's employment conditions, salary scales and provisions are determined by the Victorian Catholic Education Multi Enterprise Agreement (VCEMEA) 2018. This policy draws on and references the relevant clauses of the VCEMEA where applicable to the policy matters presented herein.

2. Principles

- All staff at OLMC are expected to:
 - support the Catholic educational philosophy and Mercy ethos of the school;
 - develop and maintain an adequate understanding of those aspects of Catholic teaching that touch upon their areas of responsibility;
 - avoid, whether by word, action or known lifestyle, any influence upon students that is contrary to the teaching and values of the Church community in whose name they act;
 - uphold the College's child safe policies and practices for keeping students safe from harm and all forms of abuse;
 - adhere to professional codes of conduct for appropriate behaviour towards students and colleagues.

- Recruitment, selection and promotion processes at OLMC will:
 - comply with employment, workplace equal opportunity, discrimination and privacy laws and with the relevant clauses of the *Victorian Catholic Education Multi Enterprise Agreement (VCEMEA) 2018*;
 - abide by the child safety requirements for recruitment, employment and professional learning as specified in the *Victorian Child Safe Standards, Ministerial Order No. 870*;
 - ensure that the best person for the job is selected through a process that is transparent, procedurally fair and based on merit;
 - be carried out in a timely manner;
 - guard the confidentiality of applicants.

- All OLMC staff have a right to work in a safe environment where everyone is respected and treated fairly. The College is committed to taking active steps to ensure that:
 - there is no discrimination in employment;
 - working environments are compliant with OH&S regulations and guidelines;
 - complaints or grievances from staff are dealt with fairly and promptly.

3. Legislative Framework

In advertising, selecting and interviewing applicants for positions at OLMC (whether the applicants be external to the school or current employees), account will be taken of equal opportunity, employment and discrimination law. Under both State and Commonwealth legislation, employment practices must not discriminate against candidates on the grounds of sex, marital status, age, pregnancy, family responsibilities, race, colour, nationality, descent/ancestry, ethnic or national origin, religion, disability or impairment (including physical, intellectual and psychiatric disability), political opinion, industrial activity, lawful sexual activity, physical features, political belief or activity, and personal association with a person who is identified by reference to any of the above attributes. The relevant Acts pertaining to these matters are:

- *Workplace Gender Equality Act 2012 (Cth)*;
- *Fair Work Act 2009 (Cth)*
- *Equal Opportunity Act 2010 (Vic)*
- *Australian Human Rights Commission Act 1986 (Cth)*
- *Disability Discrimination Act 1992 (Cth)*
- *Sex Discrimination Act 1984 (Cth)*
- *Racial Discrimination Act 1975 (Vic)*
- *Privacy Amendment (Private Sector) Act 2013 (Cth)*
- *Age Discrimination Act 2004 (Cth)*.

The College will also observe the requirements of Ministerial Order No. 870: *Child Safe Standards – Managing the Risk of Child Abuse in Schools*, established under the *Education and Training Reform Act 2006 (Vic.)*. Such requirements include:

- confirming an applicant’s Working with Children Check and National Police Check status and/or professional registration (as relevant)
- obtaining proof of personal identity and any professional or other qualifications
- verifying the applicant’s history of work involving children and young people
- obtaining references that address the applicant’s suitability for the job and working with children and young people.

4. Award Provisions

OLMC staff are entitled and subject to the employment conditions specified in the *Victorian Catholic Education Multi Enterprise Agreement (VCMEA) 2018*. The VCMEA is accessible from the website of the Catholic Education Commission of Victoria (www.cecv.catholic.edu.au).

The College has developed a number of information and procedural documents that are derived from the VCMEA provisions. These include:

- *OLMC Consultative Committee Policy*
- *OLMC Part-time Employees Policy*
- *OLMC Professional Learning Policy*
- *OLMC Leave Entitlements Guidelines*
- *OLMC Parental Leave Guidelines*.

These documents are accessible from SIMON under Staff Handbook/Policies and Guidelines.

5. Procedures

5.1 Commitment to Catholic Education

Staff of faith traditions other than Catholic are welcome at OLMC, however, there is an expectation that all members of staff demonstrate respect for the Catholic tradition, make every effort to understand its beliefs and practices, and participate in the College's liturgical life.

Teaching staff are required to comply with the Catholic Education Commission of Victoria Ltd (CECV) Policy 1.6, *Accreditation to Teach in a Catholic School*, and, if teaching Religious Education (RE), with CECV Policy 1.7, *Accreditation to Teach Religious Education in a Catholic School*. The key requirements for attaining accreditation in each of these categories are presented in the **Appendix** to this policy. See also *OLMC Staff Accreditation Policy* (accessible from SIMON under Staff Handbook/Policies and Guidelines).

5.2 Child Safety

All OLMC staff are expected to be aware of, and follow, all relevant policies and codes of conduct with regard to the safety of children and young people. These policies and codes of conduct are premised on an unequivocal resolve to foster honest, respectful, safe and trusting relationships between adults, children and young people within and beyond the College community. All persons involved in situations where harm is suspected or disclosed must be treated with sensitivity, dignity and respect.

5.3 Teacher Registration

Teaching staff at OLMC must be registered with the Victorian Institute of Teaching (VIT). Staff must take personal responsibility for meeting the annual requirements for re-registration. This includes the requirement for Criminal Record Checks and other expectations related to professional learning. In addition, staff who change their name by marriage or by deed poll, or their address, must advise the VIT accordingly.

The Principal is responsible for ensuring that graduate teachers with provisional registration are supported to gain full registration with the VIT. This includes support for fulfilling the AITSL Australian Professional Standards for Teachers (beginning teachers level).

5.4 Recruitment Processes

College staff involved in advertising positions, shortlisting candidates, interviewing and referee checks are guided by clear protocols outlined in a document titled *Recruitment Procedures at OLMC*. The procedures reflect the College's commitment to recruitment, interview and appointment decisions that are just, fair, non-discriminatory and transparent. A brief summary of the processes is as follows:

- Mercy Education Limited appoints the Principal and approves the appointment of the Deputy Principal and the Business Manager.
- The Principal has the delegated authority from Mercy Education Limited to appoint all other staff, with Mercy Education Limited being the employer of all staff.
- Positions may be fulltime, part-time, fixed-term contracts or casual, as determined by the Principal.

- Teaching appointments will be conditional on the presentation of a satisfactory Criminal Record Check (CRC) and registration with the Victorian Institute of Teaching (VIT). Non-teaching staff require a Working with Children Check (WWCC).
- Permanent vacancies are normally advertised externally, with advertising waived if a late notice of resignation occurs. Staff on leave are informed of the relevant vacancies.
- Appointments will be based on merit, that is, applicants will undergo a proper assessment of their work-related qualities, abilities and potential against the genuine requirements of the role, as well as their 'fit' for OLMC. An offer of employment will be made to the candidate best able to demonstrate his/her suitability for the role against key selection criteria.
- The offer for all positions will be confirmed in writing, outlining expectations, salary and the nature of appointment. This will be the letter of Contract. Appointments will only be final on the return of the signed letter of appointment or agreement by the required time.

5.5 Replacement/Relieving Staff

Employees for a specified period of time are, as defined by the VCMEA, are employees appointed for a specified period in excess of 11 weeks. These are fixed-term appointments and incorporate a pro-rata holiday and personal leave entitlement.

Casual relieving teachers are employed for periods greater than 3 weeks but less than 11 weeks, often at short notice. These positions do not carry pro-rata holiday and personal leave entitlement, however, a 20% salary loading is allocated for the period of employment.

Casual relieving education and school support officers are employed for periods greater than 7 working weeks in any one school year but less than 11 weeks. These positions do not carry pro-rata holiday and personal leave entitlement, however, a 20% salary loading is allocated for the period of employment.

In each of these three position categories, the College may choose either to advertise or to make contact with known available candidates. Advertised positions will follow the normal process of employment, although some stages can be waived at the Principal's discretion.

5.6 Emergency Teachers

The Daily Organiser organises Emergency Teachers' (ETs) and endeavours to use the same pool of CRTs who may be more familiar with College personnel and its procedures. Employment conditions and salary are in accordance with the VCMEA. The Head of Operations is responsible for the induction of such staff and for ensuring they have the appropriate documentation.

5.7 Sessional Staff

Sessional staff are contracted for specific purpose activities, e.g. instrumental music tuition, sporting coaches, artists in residence. The College contracts these tutors, coaches or specialists on a school-based, negotiated agreement. Sessional staff positions are subject to annual reviews of the College needs.

5.8 Part-time Staff

The College is committed to supporting and affirming, wherever possible, the part-time employment of staff in roles as teachers, education support officers (ESOs) and school support officers (SSOs).

While the College will endeavour to meet staff needs for part-time work, it may not always be possible. Generally, job-share arrangements are only available for ESO or SSO positions.

Part-time staff have rights under provisions of the *Fair Work Act 2009* and the VCMEA. The *OLMC Part-time Employee Policy* outlines staff entitlements and the College's expectations of part-time employees (accessible from SIMON under Staff Handbook/Policies and Guidelines).

5.9 Tutoring and Other Employment

Staff members who tutor students in other schools need to be mindful that any such arrangement must not impact negatively in any way on their performance of duties at OLMC.

It is not appropriate for any OLMC staff member to act as a paid tutor for any OLMC student.

Staff who wish to undertake any other paid activity while employed at OLMC are required to obtain permission from the Principal. The Principal's consent will not be withheld unreasonably and will be considered having regard to:

- whether such work would interfere with duties at the school
- whether there is a potential conflict of interest
- the time involved outside school hours
- expectations of employees in Catholic schools.

5.10 Professional Learning

The College is committed to ongoing learning for both teachers and support staff.

The College's *Professional Learning Policy* outlines the principles, key features and practices of professional learning (PL) at OLMC. Key matters of note are that:

- professional learning for teaching staff is overseen by the Head of Learning
- professional learning for Education Support and School Support officers is facilitated through their respective supervisors and is overseen by the Head of Learning and the Business Manager
- the timing and final approval of out-of-school professional learning is overseen by the Head of Operations.

Teaching staff are also required to meet professional learning commitments under their VIT registration. While this is a personal responsibility, the College assists staff to fulfil the requirements in a planned way.

All staff, teaching and non-teaching, are expected to keep their own records of their PL on their respective PL page of Personal/EMS 360-PD Record, accessible via SIMON.

5.11 Annual Review Meeting (ARM)

The College is committed to providing opportunities for staff to talk about their work, to be affirmed, and to establish goals for future learning. The overall aims of the Annual Review Meeting (ARM) are to:

- facilitate self-reflection and receive feedback on areas of high performance and those areas requiring further development
- discuss any general points related to duties and work conditions and identify any actions required for support
- ascertain work priorities and goals for the future
- establish professional learning and training goals for the future.

Education and School Support officers' reviews are conducted with their supervisor. Teaching staff reviews are conducted with the relevant Learning Leader and member of Leadership Team in a process that links professional learning and appraisal.

5.12 Induction and Graduate Teacher Programs

The Induction program at OLMC requires that staff in their first year participate in a one-year program that aims to familiarise them with the Catholic ethos of the College, OLMC's mission, vision, values and core beliefs, the Mercy charism and traditions, and a wide range of operational procedures and arrangements.

Mentors are provided for first-year teachers for a period of 12 months and 'Buddies' are provided to support new staff. Mentors normally share at least one similar teaching subject or area of work. Likewise, mentors are assigned to new school officers for a period of 6 months.

In accord with the VCMEA, graduate teachers are allocated fewer classroom responsibilities during this first year of teaching to enable them to meet with mentors and focus on portfolio development to fulfil the training requirements of full registration with the Victorian Institute of Teaching (VIT).

Graduate mentoring programs are overseen by the Head of Learning.

5.13 Personal Records

In its handling of personal records, the College is bound by the Australian Privacy Principles established under the *Privacy Amendment (Private Sector) Act 2013* (Cth). Staff may seek access to personal information OLMC holds, though some exceptions apply (these are outlined in the Act). Requests are to be directed to the Principal.

OLMC endeavours to ensure that the personal information it holds is accurate, complete and up-to-date. Where and when required, staff are to contact the Principal and request that updates be made. In addition, staff must ensure that the College has up-to-date contact details, including emergency contacts.

The College does share some of the personal information it holds about staff with agencies which require this information by law, including child protection laws. Examples of these agencies who request personal information include Mercy Education Ltd, the Catholic Education Commission of Victoria and Catholic Education Melbourne.

5.14 Grievance Procedures

A staff member who believes that he/she has been discriminated against in employment opportunities at OLMC, either through a singular or ongoing practice or event, is encouraged to refer this grievance directly to the Principal.

The College is committed to dealing fairly and promptly with complaints or grievances from staff. Depending on the nature of the grievance, staff may seek resolution via:

- OLMC's *Workplace Equal Opportunity Policy* (it presents staff with both a formal and informal complaints procedure to enact)
- The 'Disputes Procedures' outlined in the VCMEA (Clause 22, 1-4).

Other options for seeking resolution are:

- raising the matter with a supervisor or member of the Leadership Team
- ensuring that the issue is discussed at the annual Performance Review meeting.

Appendix

Catholic School Accreditation – Summary of Key Requirements

Related Policies and Resources

Codes of Conduct, Employment Law and Industrial Award

- Mercy Education Ltd/OLMC Code of Conduct for Staff and Volunteers
- Ministerial Order No. 870: *Child Safe Standards – Managing the Risk of Child Abuse in Schools*, established under the Education and Training Reform Act 2006 (Vic.)
- OLMC Safeguarding Children and Young People Code of Conduct
- Victorian Catholic Education Multi Enterprise Agreement 2018
- Victorian Institute of Teaching (VIT) Codes of Conduct and Ethics

OLMC Policies

- Child Protection Reporting Obligations Policy
- Consultative Committee
- Mercy Education Ltd/OLMC Privacy Policy
- Occupational Health and Safety
- Part-time Employees
- Professional Learning
- Staff Accreditation to Teach in a Catholic School
- Staff Acceptable Use of Social Media
- Staff Responsible Use of Digital Technologies Policy
- Workplace Equal Opportunity

OLMC Guidelines

- Leave Entitlements
- Parental Leave
- Recruitment at OLMC

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Next review date: April 2021

Person responsible: The Principal

Catholic Education Commission of Victoria (CECV)

Policy 1.6 – Accreditation to Teach in a Catholic School

Policy 1.7 – Accreditation to Teach Religious Education in a Catholic School

Catholic School Accreditation – Summary of Key Requirements

Accreditation to Teach in a Catholic School

If teachers enter Catholic education without being accredited to teach in a Catholic school, they are to become accredited within a period of five years from the commencement of employment.

The CECV specifies the following criteria for Accreditation:

1. That fifty (50) hours of studies provide the basis for accreditation to teach in a Catholic school.
2. That the studies include coverage of each of the categories:
 - Category A** – child, adolescent and adult faith development (a minimum of 10 hours)
 - Category B** – the aims, objectives and rationale of the Catholic school (a minimum of 10 hours)
 - Category C** – Revelation and the Catholic Church; Jesus Christ; Scripture; the Church in its Liturgy, Life and Tradition; Sacraments; Morality; Justice and Peace (a minimum of 15 hours).
3. That a variety of ways be allowed for these studies:
 - school-based in-service activities
 - Catholic Education Melbourne (CEM) professional learning programs
 - formal courses.

Accreditation to Teach Religious Education in a Catholic School

Registered teachers may be accredited to teach Religious Education in a Catholic school when they have successfully completed a formal course and its assessment.

This course should include a foundational unit in the Church's history and teaching and units in Biblical Studies, Sacramental Theology and Religious Education method and practice. Courses are approved by the agreement of the diocesan Directors of Catholic Education according to the above criteria.

An applicant for accreditation to teach Religious Education in a Catholic school must provide satisfactory evidence of practical experience of the teaching of Religious Education in a classroom setting.