



27 February 2018

# Independent Review of Royal New Zealand Ballet Complaints Policies and Procedures



RDC Group Ltd

# This report responds to the Royal New Zealand Ballet's (RNZB) commissioning of an independent review of its policies and procedures for managing and responding to complaints by staff

## 1. Acknowledgement

I would like to acknowledge the thoughtful, open and generous input from staff, management, the union and the Board throughout the review process. Independent investigators and facilitators as well as other stakeholders spoken to as part of this review were equally constructive in informing my findings and recommendations. While beyond the strict scope of the Terms of Reference, many comments and suggestions were focussed on putting the RNZB on a strong footing with an enduring culture that would sustain it well into the future. To the extent that I have considered it appropriate, I have referenced these in my findings and recommendations.

## 2. Background

Concerns have been raised about the way in which the RNZB has considered and addressed past employment complaints. The RNZB's Board of Trustees ("Board") is concerned to assure itself that it can continue to have confidence in the processes adopted by the RNZB.

The Board has therefore engaged the 'Reviewer' to carry out an independent review of the RNZB's policies and process for dealing with complaints that are raised. I was asked to consider the policies, processes and practice used during the period from 2015 to 2017 as well as the RNZB's policies and processes for dealing with complaints generally.

## 3. Out of scope

The following issues were out of scope of the review:

- The substance of any allegations made, or the substantive responses to them
- The legal advice to the Board from its legal advisers

## 4. Approach

In undertaking this review I examined the existing policies (see appendices), processes, systems and approach to gain a clear understanding of the current state of RNZB's policies and practices including how complaints about alleged inappropriate behaviour were managed and responded to.

I was provided full access to all relevant RNZB policies and files relating to complaints during the aforementioned period. I also examined:

- The end-to-end processes used to manage complaints and the roles of RNZB management and staff for the period within the scope of the review
- How staff members who were the subject of complaints were dealt with

- The interventions used to respond to complaints including the use of external advice, expert facilitators and mediators
- The policies and approach to dealing with complaints taken by a number of similar organisations
- The timeliness of practices and responses to complaints
- WorkSafe's guidance relating to workplace bullying <https://worksafe.govt.nz/the-toolshed/tools/bullying-prevention-toolbox/>

I was granted access to interview a number of staff, the union committee, including the President, the former President and the outgoing Secretary. I also met with a number of senior managers and external advisers to the RNZB who were directly involved with a number of complaints.

I was presented with briefing material relating to a number of complaints including transcripts of interviews undertaken in the course of providing responses.

Having formed a view of what a good practice complaints model for RNZB might look like, I then identified and assessed the gaps and opportunities for RNZB to enhance its current processes, procedures and systems.

To the extent that I considered broader input and suggestions to be within the "spirit" of the Terms of Reference, this report also comments on and makes recommendations more broadly. These were discussed with the Chair who agreed that these could be included as they provide clear opportunities for the Board to take a broad approach in responding to past challenges and criticism and more importantly in taking decisions that support the organisation's performance and a healthy culture within the RNZB.

## 5. Findings

It is important to note that complaints do not by themselves give an indication of organisational failure or a poor workplace culture. The RNZB has a long history of significantly high artistic output and a world-class reputation for consistently developing and performing outstanding productions.

In various ways the RNZB faces many of the same challenges elite sporting organisations do. There are inherent stresses, including competition for roles and a constant striving for peak performance that make it inevitable that from time to time people may feel like they have not been treated fairly nor been given the opportunity to perform at their best.

In recognising this, the RNZB needs to not only have fit for purpose policies and procedures, it must also have an *approach* to giving effect to these that takes into account the Company's operating environment and the underlying culture it seeks for the RNZB.

Additionally, the dual reporting arrangements between the Executive Director (ED) and the Artistic Director (AD) to the Board create structural issues in terms of clear lines of accountability for the management of complaints.

In certain situations, this will require the Board to execute "executive" functions. For instance, in relation to complaints about the ED or AD. This then puts them a direct line of responsibility where allegations or complaints concern these positions.

5.1. Do RNZB *policies* covering complaints reflect a best practice model?

The policies reviewed were:

- The Code of Conduct
- The Workplace Bullying Prevention Policy
- The Health and Safety Policy
- The Drug and Alcohol Policy

I was advised that these were each based on models of best practice seen elsewhere and adapted to the needs of the Company. Some have been reviewed and upgraded since they were first promulgated.

In my opinion the policies do reflect best practice and are broadly appropriate to the requirements of the RNZB and its operating environment.

Both the Health and Safety and Workplace Bullying Prevention Policies specifically cover the kind of matters that were the subject of complaints between 2015-2017. The latter is reasonably consistent with WorkSafe New Zealand's "Toolbox" guidance, but there is an opportunity to improve on the current version. For instance, the section on informal intervention (as currently worded) suggests that people who are the subject of a complaint need to be advised in a meeting that their "behaviour is not acceptable and needs to stop". It is only by implication that this should occur if the person accepts that they have behaved in the manner alleged.

I note that some policies specify the date they were last reviewed, and some carry no date. Those updated do not appear to have been reviewed together and I assume that the Workplace Bullying Prevention Policy was amended as a direct result of one of the complaints around that time (2016).

As regards the specification of roles and responsibilities within the policies there is an opportunity to achieve better alignment across these so staff and management have a clear and consistent approach in dealing with matters relating to staff conduct.

In light of matters I will come to later in this report, there is an opportunity to "reset" these policies with the staff and union as part of a broader approach to building a strong and enduring culture within the RNZB and an effective working environment for all staff and management. As part of this exercise other relevant policies (e.g. the performance assessment policy) should be included in the scope of this exercise.

5.2. Is the *practice* of the RNZB in responding to complaints consistent with a best practice model?

In many respects the RNZB exceeds normal practice in its use of specialised and highly skilled external advisers. The complaints that I looked at as part of this review each involved specialist external experts supporting the Board's and management's decision making. There was clear evidence of the Board considering a range of advice on potential ways to deal with the complaints, some of which were serious in nature and complex in terms of the number of staff involved. Ideally, well trained management and staff within the RNZB should be able to respond to most complaints in the first instance, however the use of external advisers to help the Board respond to complaints between 2015 and 2017 was, in my view, appropriate.

Different approaches were considered and there was a clear intent to support both the complainant and the subject of complaints. Management and the Board clearly took all complaints seriously and responded in an appropriate way.

In three respects I consider that there are lessons to be learned from past practice in relation to the investigation of complaints.

- While the use of a facilitation/mediation approach was selected for entirely appropriate reasons, in future the brief of independent facilitators should include a requirement to recommend ongoing support if they consider this in the best interests of the parties and the Company. Clearly this would have helped considerably in one instance where some progress was made in re-establishing effective relationships following a complaint before an international tour, but this process was not continued post tour. In hindsight this could have been helpful in putting working relationships and effective engagement back on a more professional footing.
- In supporting both complainants and those who are the subject of complaints the RNZB must be scrupulous in being seen to be both impartial and interested in both parties' well-being and welfare. With respect to the complaints viewed as part of this review, this intention is clearly evidenced. However, its execution on one occasion could have been better managed.
- Communication between management, the Board, complainants and the union generally tended to sit at the more formal end of the spectrum. That may have been because the complaints in scope were of a more formal nature. Nevertheless, it was suggested to me that a different approach to managing complaints could be taken at an early stage, particularly where the staff union committee or union is involved. In part, this should evidence an approach of management, staff and the union taking collective ownership of what a well-functioning and professional Company looks like when dealing with complaints. There is an opportunity in the future to consider taking a de-escalation approach in the first instance

### 5.3. Are the *roles* in relation to managing staff complaints clear and fit for purpose?

There is clarity of responsibility specified in the Health and Safety Policy, but the Workplace Bullying Prevention Policy is less prescriptive of the responsibilities of management, HR and staff. The policy could be clearer about who has responsibility for acting where inappropriate behaviour or conduct is observed and what their role is, in responding to a complaint.

A related matter concerns the turnover of key staff including the Artistic Director, Executive Director and the Ballet Master and Mistress during the period reviewed. This impacts in 3 ways.

Firstly, it creates a loss of institutional knowledge about "how we do things around here" and;

Secondly it can leave a gap in important "balances" across the Company. This has been particularly the case for the Ballet Master and Mistress who play a key role in supporting effective and robust interactions between the dancers and the Artistic Director and;

Thirdly, new personnel need time to understand the essence of the culture and values of the organisation and this carries with it a risk that this may be misjudged.

Policies and practice need to be supported with sound and appropriately commissioned advice. The recent introduction of a dedicated senior HR resource has been a positive development. It is to be noted that historically this role has been

part of another role limiting its capacity and therefore its effectiveness and the person also reported to the AD in addition to her HR responsibilities.

## 6. Recommendations

- 6.1 While the current policies reflect a good practice model it is recommended that all policies covering conduct, staff health and safety and wellbeing be reviewed regularly and that the policies be viewed as a "package" both in terms of their review and as these are explained to staff. In reviewing these policies other policies such as the staff performance assessment policy should be included in the review as they have themselves been the spark for a number of complaints.
- 6.2 In reviewing the Workplace Bullying Prevention Policy, consideration should be given to aligning it more closely to the Health and Safety Policy in specifying the responsibilities. The toolbox guidance published by WorkSafe provides some excellent material that the Board should consider when updating this policy.
- 6.3 Ongoing reviews should be undertaken as a collaborative exercise between management, staff and the union. This could potentially be linked to the review and renegotiation of the Collective Agreement.
- 6.4 All leaders, managers and staff having a role, or likely to be involved with conflict resolution or complaints management should be appropriately trained. This include union committee representatives and the President of the union.
- 6.5 The Executive Director should be given overall accountability for reporting to the Board on how well complaints policies and practices are working and be able to make recommendations for changes where necessary.
- 6.6 The Board should commission a program of work aimed at building a sustainable and enduring culture founded on the values of the RNZB. In undertaking this work, the Board and management should adopt a collaborative and co-design approach in order to engage staff and management in a way of working together that will build trust and confidence across the Company. This work would set out a clear blueprint for the cultural, behavioural and performance expectations of all members of the RNZB including the Board, management and staff. This work is likely to need to be sustained across the rest of 2018 and thereafter be a priority focus in activities and events that build organisational cohesion.
- 6.7 I recommend that the Board continue to fund a dedicated Director, People and Culture. In other organisations I looked at with similar challenges to the RNZB, the HR Manager has a deliberate "commission" to provide advice and counsel to staff and management at both an informal and formal level. It is most effective when they are able to intercede early in the life of a problem between staff members or between staff and management taking a "wise counsel" approach.
- 6.8 The role of the Director, People and Culture should specifically include being a first port of call for staff to be able to discreetly seek advice on difficulties. The Director, People and Culture should also review induction material to ensure the policies and practices in relation to behaviour and complaints are well understood by new members joining the Company.
- 6.9 The Board should recognise the need to support staff to raise concerns in a range of ways while discouraging frivolous or vexatious complaints. Communication channels should reflect the values of the organisation and not necessarily default to a formal response in the first instance. For example, an

email from a staff member alleging bullying or inappropriate behaviour might be responded to initially with a face to face meeting.

6.10 In carrying out investigations, facilitation and mediation the RNZB needs to ensure that it strikes the right balance between the leadership responsibilities of management and the Board and the need for outside expert assistance. The risk to be managed is the perception that leadership responsibilities are being outsourced to external advisors.

6.11 Finally, I recommend that the Board consider how staff and management be engaged in providing feedback on this report.

## 7. Other Matters

In the course of the review, a number of matters were raised with me that were outside of the strict scope of the review. Mostly these related to what might be done to acknowledge the issues of the past 3 years (2015/16/17) whilst focussing on resetting the culture and cohesiveness of the Company into the future.

Aspects of this includes how the Board and management engage with the staff collectively and individually. The change to E Tu as the Company's union presents a positive opportunity to engage them in how they work with management and the Board.

The new Director, People and Culture role is another opportunity to firmly establish this as a piece of the supporting architecture of the Company. It will be important that the role be clearly authorised and purposed to support an approach which staff feel helps them to raise concerns or complaints in a safe and constructive way.

## 8. Next Steps

I recommend that the Board consider my report and develop an approach to engaging staff, stakeholders and other interested parties on the Board's response to my findings and recommendations.

# Appendix 1 – Terms of Reference

## Review of Royal New Zealand Ballet complaints policies and procedures TERMS OF REFERENCE

### Background

- Concerns have been raised about the way in which the Royal New Zealand Ballet ('RNZB') has considered and addressed past employment complaints. It is important that the RNZB's Board of Trustees ('Board') continues to have confidence in the processes adopted by the RNZB.
- The Board has engaged Doug Craig (the 'Reviewer') to carry out an independent review of the RNZB's process for dealing with complaints that are raised with it.
- The review will consider the processes adopted in the period from 2015 to 2017 and the RNZB's policies and processes for dealing with complaints generally.

### Scope

- The Reviewer is instructed to undertake a review of the processes undertaken in response to the complaints made in the period from February 2015 to December 2017. This review will not enquire into the substance of any allegations made, or the substantive responses to them.
- The review will enquire into how the complaints were handled. The Reviewer will provide guidance on best practice processes and recommend what, if any improvements could be made to the RNZB's policies and processes to ensure confidence in the complaints processes of the RNZB.
- The Reviewer will provide a report to the Board setting out his observations and providing recommendations for the management of future complaints.

### Process

- The Reviewer will interview the Chair of the Board, Steven Fyfe, together with any other parties the Reviewer considers it necessary or desirable to interview. The Reviewer will consult the Chair of the Board about other parties he proposes to interview or otherwise seek information from.
- The Reviewer will observe confidentiality and will emphasise the need for confidentiality to all parties he interviews or interacts with in the course of carrying out his review.
- The Reviewer will keep the Chair of the Board updated regularly (and in any event weekly) on progress.
- The Reviewer will abide by any contractual or other legal obligations applying to the RNZB of which he is notified, including confidentiality obligations arising from any agreements with current or former employees.

- Except as agreed with the Board, the Reviewer will not disclose to any party other than the Board, nor include in his report, the content of any legal advice provided to the Board about the employment processes followed.

### Timing

- The Reviewer's report will be provided to the Chair of the Board as soon as reasonably practicable.

## Appendix 2 – Interviewees

### ROYAL NEW ZEALAND BALLET REVIEW INTERVIEW LIST

NAME	ROLE
John Ryan	Board Member
Shelley Hood	NZSO
Andrew Scott-Howman	Investigator
Paul Pringle	Facilitator
Steven Fyfe	Board Chair from December 2016
Sue Paterson	GM RNZB 1999 - 2006
Paul Hutcheson	Facilitator
Candis Craven	Board Member and Chair until December 2016
Patricia Barker	Artistic Director from June 2017
Frances Turner	Executive Director from March 2016
Harry Skinner	Union President until December 2017
David Patten *	Union Secretary
Paul Mathews *	Staff Member and Union Committee Member
Allison Groves *	Staff Member and Union Committee Member
William Fitzgerald *	Staff Member and Union Committee Member
Esther Lofley *	Staff Member and Union Committee Member
Leonora Voigtlander *	Staff Member and Union Committee Member
Nigel Boyes *	Staff Member and Union Committee Member
Kathryn Osborne *	Staff Member and Union Committee President
Greg Cain, Rachel Burt	Kensington Swan Legal Advisors
Kelly Warner	HR Executive from June – Dec 2017 (acting)
Claire Byrne, Edward Cox	Gibson Sheat Legal Advisors
Rob Nichol	CEO, NZ Rugby Players Association

\*Interviewed as a group

## Appendix 3 – RNZB Workplace Bullying Prevention Policy



Updated May 2016

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### POLICY STATEMENT

<b>TITLE:</b>	<b>WORKPLACE BULLYING PREVENTION POLICY SAF-08</b>
<b>PURPOSE:</b>	<b>The RNZB recognises that everybody has the right to be treated with respect and dignity at work. Workplace bullying has a serious impact on the careers, health, safety and wellbeing of employees, as well as on the Company’s reputation, and will not be tolerated. Employees are encouraged to report incidents early to prevent an escalation of the situation and to facilitate a positive resolution (see guidelines below). Where a person is found to have bullied another, following a formal complaint, they may face disciplinary actions including formal warning, suspension or dismissal.</b>

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This policy applies to all employees and contractors of the Royal New Zealand Ballet (“the RNZB”).

### DEFINITION

Workplace bullying is an abuse of formal or informal power and is the unwelcome, intimidating and humiliating treatment of an employee or group of employees by another or others. A manager may be a bully and/or a victim of bullying. Bullying is not a one-off situation; it is behaviour that is repeated over time.

For the purposes of this policy, “employee” includes self-employed contractors.

**Bullying behaviour may include** (but is not limited to):

- Inappropriate written notes

- Teasing, picking on or belittling
- Threatening and intimidating statements or actions
- Ostracising, isolating or Ignoring
- Silent treatment
- Constant selection for menial tasks over others who have the same role, experience and capability
- Unjustifiable refusal of leave, training or promotion
- Sexual or racial harassment
- Public and indiscreet reprimands or counselling
- Intimidation to not make a complaint about behaviour
- Yelling and/or swearing
- Closing ranks on new employees

**Bullying does not include:**

- Constructive feedback or coaching to ensure behaviour code is maintained
- Reasonable coaching regarding work performance issues
- Instructing staff to ensure safe work practices
- Scrutiny and correction of work to ensure it meets the Company's standards
- Disciplinary action/performance management where conduct or behaviour warrants it

**EFFECTS OF WORKPLACE BULLYING**

Effects on those experiencing bullying can include:

- Stress related illness, including headaches, nausea, insomnia
- Loss of confidence, reduced self-esteem, depression, anxiety
- Absenteeism
- Reduced performance at work
- Social isolation at work and outside of work

Effects on others in the workplace can include:

- Illness, absenteeism, decline in work performance, resignation
- Fear that they might be the next target
- Anger and resentment
- Guilt that they are not stopping the behaviour or contributing to it

Effect on the Company:

- Unsafe work environment
- Deterioration in the quality of the work performed
- Increased absenteeism
- Poor public image

## DEALING WITH BULLYING

Employees are encouraged to report incidents early to prevent an escalation of the situation and to facilitate a positive resolution. Any formal complaint made will be investigated promptly and as confidentially as is possible. However, frivolous and / or unmeritorious complaints will not be tolerated.

Since allegations of bullying are extremely serious it is important to keep the information confidential to those directly involved.

Employees can take the following steps to address bullying in the workplace:

- **Keep calm and don't react.** Some bullies thrive on the reactions they get – it makes them feel powerful.
- **Try not to show you are angry or upset.**
- **Be assertive.** Tell the bully you will not tolerate personal remarks, or you do not like what they are doing. This sends a very strong message.
- **Use humour carefully.** This can work well as a diffuser, particularly if the bully is lashing out under stress.
- **Tell an RNZB or external support person you trust what is happening** and ask them to help.
- **Support and praise your colleagues.** This creates an ethos of value and respect.

- **Regain control by recognising you are being bullied** and take action.
- **Document everything**, including dates, times, and what was said / done and your reaction / response.
- Ask a colleague who was present to **put in writing what they saw / heard**. This can help to provide evidence.

### Contact People

The RNZB has established members of staff who are trained in how to deal with allegations of bullying. These people can provide advice, assistance and support where an employee feels they are or have been bullied. Currently these people are the Executive Director and the Artistic, HR and Corporate Services Manager.

Support external to the RNZB is available from EAP Services Wellington.

### No Action

The situation or incident may be discussed with a contact person, and the complainant may feel that no action needs to be taken after this type of discussion.

Record keeping – In cases where a discussion is held but no action taken the contact person's notes will only contain a brief account of the interview and the date.

### Self Help

The employee may:

- Tell the person, or persons, in private that their behaviour is offensive and request them to stop; or
- Write to the person or persons about the behaviour advising them that a complaint may be made if the behaviour does not stop. The letter must be sealed and marked 'personal and confidential'; or
- Speak to the person, or persons, in private in the presence of a contact person and explain that the behaviour is offensive and request that it stop.

Record keeping – Where a person wants to resolve the situation themselves, brief notes will be taken covering the parties' names, details of the alleged incident or behaviour and date. These notes may be helpful if the situation cannot be resolved and the complainant wishes to proceed with another course of action.

## **Informal Intervention**

An employee may informally approach a member of management (or contact person) for advice on the matter or ask to intervene. The selected person should act quickly, discreetly and fairly, and ensure that all discussions and any investigations are conducted in strictest confidence. It is the role of this person to explain the procedures to the employee and give the employee the choice of whether they want to proceed with this option.

A meeting should be arranged with the alleged bully who should be advised that the behaviour is not acceptable and must cease.

Record keeping – details recorded by the contact person during an informal intervention procedure will be kept to a minimum. It is however important to retain some details about the complaint should the behaviour form part of a pattern or in the event that a formal complaint is made at a later date.

## **Formal Investigation**

If self-help or informal intervention has not worked or if the allegation is, in the employee's view, sufficiently serious to warrant formal action, the employee can make a formal complaint in writing to their manager. If the employee believes it is inappropriate to raise the matter directly with their manager because of the nature of the problem, they should contact their manager's manager or the Executive Director.

The letter should contain the name of the person(s) complained of, the date and locations of the alleged incidents and what type of bullying is alleged to have occurred. Any witnesses should also be identified.

The employee complained of will be provided with information relating to the complaint and the investigation, including the identity of the complainant, be given the opportunity to speak in his/her own defence and be allowed representation. As a result, a complainant must be prepared to disclose this information.

Upon receiving a written complaint, the matter will be investigated, and interviews conducted with the necessary parties. Often, several interviews may be necessary.

During the process the investigator will ensure that the complainant is provided with support where appropriate (this support will be provided by a different person or organisation from the person carrying out the investigation and may include counselling / EAP where the circumstances warrant it).

If the investigation shows that bullying has occurred, action designed to stop the bullying and prevent its recurrence will be taken. This could include disciplinary action against the person(s) complained about (including warnings or dismissal), deciding to take no further action, external mediation or assistance, agreements and / or undertakings as to future behaviour and working relationships, and / or other outcomes as may be appropriate.

If the complaint is not upheld the person complained of will be notified of this as soon as possible.

If the employee has been subjected to behaviour involving physical harassment, obscene language or threats, they can make a complaint to the Police.

Record keeping – Comprehensive notes will be taken during the formal complaint process. All people interviewed during the investigation will be asked to confirm that the notes taken are an accurate record of the discussions that took place.

### **Guidelines for Complainant**

It is the employee's choice as to whom they approach with any issue, or what they do about it. However, the Company will treat seriously any issue that is raised.

Employees are encouraged to have a support person with them at any interview or formal discussion.

Confidentiality and the need to avoid defamation are very important elements of a bullying investigation. Employees should take care not to talk to anyone not directly connected with the complaint during the investigation.

Any frivolous or unmeritorious claims or allegations will not be tolerated by the Company.

### **Guidelines for a Person Accused of Bullying**

An employee accused of bullying will be treated fairly and impartially.

The accused employee is entitled to know the nature of the complaint made against them, the name of the complainant and any possible outcomes upon the conclusion of the investigation if the complaint is substantiated. The accused employee may have representation and / or a support person or colleague with them at any stage of the investigation.

Confidentiality and the need to avoid defamation are very important during the investigation process. The accused employee must not attempt to discuss the case with the complainant or any witnesses at any time during the investigation, unless in a controlled environment (with a contact person or manager present), preferably on Company premises.

The accused employee will be advised of the investigation progress and outcome.

### **Guidelines for Contact and Support Persons**

Contact persons and / or support persons should make sure they are familiar with this policy, procedure involved and all options available.

They should decide if they are comfortable supporting the complainant or the accused employee. They should provide emotional support and assist the employees with their immediate reactions. Their role is to support the person concerned, not to solve the issue or

pass judgement. Confidentiality and the need to avoid defamation are essential during bullying investigations.

Contact persons and / or support persons should advise the employees of all options, making sure that all the steps involved, and possible outcomes are clearly understood. They will need to be available for all interviews in connection with the issue(s).

### **Access to EAP**

Access to the Company's Employee Assistance Programme ("EAP") may be made available at the discretion of the Company in cases where employees are experiencing distress as a result of a bullying situation. EAP must be authorised in accordance with the Company's EAP policy.

Employees are reminded that they have the right to seek their own advice and/or representation.

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## Appendix 4 – Health and Safety Policies

### HEALTH AND SAFETY POLICIES

#### OVERVIEW OF RNZB HEALTH & SAFETY MANAGEMENT PROGRAMME

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##### POLICY STATEMENT

<b>TITLE:</b>	<b>HEALTH AND SAFETY COMMITMENT</b>
<b>PURPOSE:</b>	<b>To reflect the RNZB's commitment to the health and safety of all employees, contractors, volunteers and visitors</b>

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##### POLICY

The Royal New Zealand Ballet is committed to the achievement of the highest levels of Health and Safety performance. Staff and contractor health and well-being is critical to our business and community well-being, therefore we will actively encourage good practices.

In carrying out our business activities, we will continuously strive to be leaders in our management of Health and Safety, seeking to eliminate or guard against all factors which could lead to the injury or illness to our staff or the public. It is through management responsibility, positive employee involvement and staff care that we are able to maintain an excellent Health and Safety record.

In meeting this policy, we will:

- Assist all individuals in taking ownership for creating a safe and healthy work environment by encouraging active participation in all areas of Health and Safety and recognising achievements.
- Develop and maintain an Employee Participation Agreement (EPA) that ensures staff confidence in Health & Safety, and includes all employees in the participation of the management of Health and Safety at the RNZB
- Ensure our Health and Safety objectives have equal status with other business objectives and that the appropriate resources, training and tools are made available to achieve these.

- Ensure that management is responsible for the achievement of these objectives and that every effort is made to prevent injury or damage to personnel or property.
- Maintain an active health & safety committee made up of employee and management representatives from every department. The H&S committee will undertake specific H&S improvement projects, have involvement in policy/procedure reviews and monitor the effectiveness of the H&S programme. The committee meets on a monthly basis.
- Promote injury and illness prevention as good business and adhere to the principle that all accidents are preventable.
- Promote a culture where each person is responsible for working safely and where accountabilities with regard to accurate reporting and recording of incidents and injuries are clearly understood and followed.
- Evaluate our performance regularly and correct any deficiencies where they should arise. Our Health and Safety management practices will be continuously improved, with excellence and innovation formally recognised.
- Provide regular reporting on H&S performance to the RNZB Audit and Risk committee and Board of Trustees.
- Complete thorough and effective risk assessments for every performance venue that the RNZB works in.
- Positively endorse and actively adopt the guidelines set down in the Safe Working Practices Guide for the entertainment and theatre industry.
- Comply with the Health and Safety at Work Act (2015), Accident Compensation Act (2001) and any replacement Acts, and other relevant legislative or regulatory requirements.

## EMPLOYEE PARTICIPATION

The Health and Safety at Work Act 2015 states that all employees must be given the opportunity to be involved with the development of hazard management and emergency preparedness procedures. It is also a key requirement of the ACC Programme that employee representatives are given the opportunity to participate in all aspects of health and safety.

RNZB encourages involvement of employees through consultation and participation in the development and review of health and safety procedures.

This includes the following processes:

➤ **Encouraging Safe Work Practices**

Encouraging safe work practices by acknowledging safety contributions and acting on suggested improvements from H&S employee representatives. Management make an effort to recognise health and safety initiatives.

➤ **Health and Safety Meetings**

There are a number of formal meetings that can be used to highlight Health & Safety issues/matters:

- Monthly H&S committee meetings
- Weekly one on one meetings between senior management and Executive Director
- Regular meetings with senior management and their staff
- Specific departmental and full company H&S meetings as required

➤ **Employee Involvement in H&S Projects and Reviews**

Employee H&S representatives are appropriately trained to participate actively in any inspection and audit processes.

Employee representatives are involved in the development and review of H&S guidelines and procedures.

Employee H&S representatives are given the opportunity to be involved in inspection and audit processes as appropriate.

## RESPONSIBILITIES

### Executive Director

The Executive Director has overall responsibility and authority of the RNZB Health & Safety Management Programme, which includes the following:

- Approval of the Health & Safety Management Programme
- Overview of the actions taken to improve the RNZB H&S management programme
- Ensuring that suitable and sufficient resources are made available to implement and maintain the Health & Safety Management Programme and Policies such as:
  - Planning
  - Budgets
  - Delegation of responsibilities and authorities
  - Facilities
  - Equipment
  - Materials
  - Staffing & Training
  - Specialist Advice
- Providing positive feedback to staff where their efforts have resulted in favourable outcomes for Health & Safety, in liaison with the Office Administrator.

### HR Manager

The HR Manager has input and involvement in the RNZB health & safety management programme, most significantly with regards ACC administration and also including the following:

- Oversight of the health & safety budgetary resources in liaison with the Office Administrator.
- Co-ordination of injury and illness rehabilitation programmes for the RNZB and employees.

- Overview of the action taken to improve the RNZB H&S management programme

### **Office Administrator**

The Office Administrator is the RNZB “Management Representative” for Health & Safety with overall responsibility for ensuring operational implementation of the Health & Safety Management Programme, including matters such as:

- Ensuring senior management are properly informed in order to carry out their H&S responsibilities.
- Facilitating staff commitment to the Health & Safety Management Programme by ensuring that staff realise the importance of safety in the workplace.
- Ensuring that the RNZB H&S committee meets on a monthly basis and detailed records of the meetings are kept on file.
- Providing oversight of the identification, review and implementation of new or amended legislative requirements in liaison with the Artistic, HR and Corporate Services Manager.
- Administering the annual H&S programme review and any audit processes.
- Ensuring that centralised training requirements (e.g. first aid training, emergency plans) are organised and performed.
- Facilitating health & safety requirements relating to the engagement of contractors and sub-contractors employed by the RNZB.
- Liaising with external organisations including Worksafe and Working Wise concerning health and safety matters, including reporting to Worksafe any accidents resulting in serious harm.
- Ensuring that information relating to hazards and hazard controls are made available to all employees.
- Taking the appropriate action and liaising with RNZB management team as necessary where poor safety procedures or inappropriate actions by employees are identified.

## Department Managers

Department Managers have a responsibility to ensure that:

- They are informed and able to implement the Health & Safety Management Programme and enforce the policies and systems to work towards a safer working environment for all staff, contractors, sub-contractors and the general public.
- Staff under their control shows a high level of commitment to the RNZB Health & Safety Management Programme.
- All staff are supervised or are adequately trained or experienced to perform the work required using safe work methods and practices.
- A systematic approach is taken with identifying hazards within the working environment and that all practical steps are taken to assess and control those hazards.
- Safety inspections are carried out to ensure that all facilities; plant and equipment are maintained in safe working order.
- Reports and information on the performance and effectiveness of the Programme are prepared and submitted as required.
- All accidents, incidents and near misses are accurately reported, and where required, accident investigations are performed to establish the causes of those accidents and near misses so that effective controls can be implemented to prevent recurrence.
- Safeguards are implemented to protect the general public or contractors from hazards within the working environment.
- Records pertaining to the Programme are legible, accurate and given to the Office Administrator for filing.

## Health & Safety Committee

The RNZB has a health & safety committee which is made up of employee and management representatives from every department. The H&S committee undertakes specific H&S improvement projects, has involvement in policy/procedure reviews or monitors the effectiveness of the H&S programme.

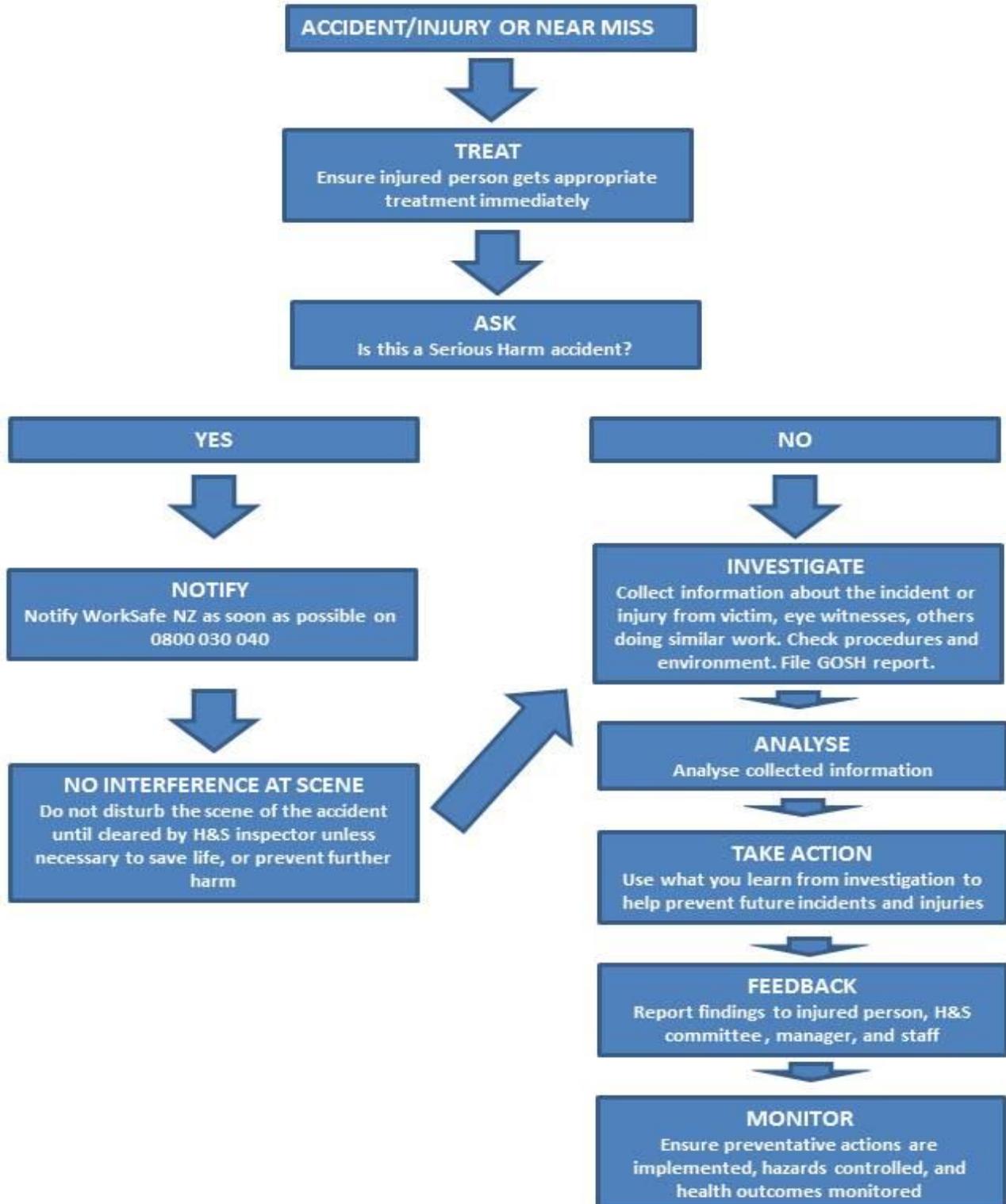
The H&S committee meets on a monthly basis.

## Employees and Contractors

Safety is the responsibility of all employees and contractors who shall ensure that they:

- Undertake no unsafe actions, which may cause serious harm to themselves or others.
- Follow all established work procedures and methods with regards to Health & Safety requirements.
- Use plant, equipment, vehicles and materials in a safe manner.
- Actively participate with identifying hazards and offering ideas for their effective control.
- Ensure that controls, which have been identified for hazards, are effectively implemented.
- Use all assigned protective clothing or safety equipment provided for appropriate tasks.
- Report all accidents and near misses as soon as possible after their occurrence.
- Keep work areas clean and tidy.
- Report or undertake work in a fit condition and not under the influence of alcohol or non-prescribed drugs.
- Maintain an acceptable level of behaviour and common sense when performing their tasks so that all work is performed safely, and that accidents and incidents are avoided.

## RECORDING, REPORTING AND INVESTIGATING ACCIDENTS/INJURIES



## HAZARD MANAGEMENT

RNZB shall manage hazards by:

- Systematically identifying all hazards.
- Assessing identified hazards for significance.
- Taking 'all practicable steps' to control all significant hazards following the HSW Act (2015) hierarchy of eliminate/isolate/minimise.
- Establishing recovery measures for the unlikely event of controls failing.
- Monitoring all hazards that have not been eliminated, to ensure that the controls are effective, and that the level of risk is as low as reasonably practicable.

### TYPES OF HAZARDS

Hazard Type	Comments
<b>Chemicals</b>	Can affect the skin or be ingested through stomach or via lungs and eyes in the forms of liquids, mist or dust. Can accumulate in the body and can produce both chronic and acute effects.
<b>Noise</b>	Can interfere with communications and cause hearing loss.
<b>Radiation</b>	Can be produced by sunlight and via welding processes, microwaves, infrared heat devices etc.
<b>Electrical</b>	Electric shocks, which can be fatal.
<b>Lighting</b>	Lack of lighting can reduce visibility. Time delays for the eyes to adjust from dark to bright lighting conditions can also cause problems.
<b>Vibration</b>	Can be caused by vehicles and equipment such as chainsaws and hand tools leading to occupation overuse syndrome (OOS)
<b>Temperature</b>	Extremes can cause fatigue and reduce awareness/concentration.
<b>Climate</b>	Wind, heat, cold, rain, sunlight.
<b>Biological</b>	Aids, hepatitis and salmonella are viral/bacterial examples. Animal and plants can also cause problems.
<b>Ergonomics</b>	Problems include manual handling injuries (strains etc) and OOS.
<b>Physical Hazards</b>	Flying objects, falls, trips, confined spaces, unguarded machinery, misuse of machinery, excavations, traffic, heights, poor housekeeping, lack of maintenance, poor design of facilities and equipment etc.

<b>Work Organisational</b>	Stress, fatigue, assaults, harassment, effects of shift work, meeting deadlines, robbery etc.
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## USE AND MAINTENANCE OF SAFETY EQUIPMENT

The Health and Safety Guidelines contain procedures for the issue, maintenance and renewal of safety equipment in association with significant hazards.

There will be an annual review of all safety equipment by the relevant departments and reporting provided back to the Office Administrator.

This review will ensure that all equipment meets the required standards required protects users from the associated hazards.

Your Manager will run through procedures related to the use of the safety equipment you may be required to use. If there are any issues related to a piece of safety equipment, please contact your Manager immediately.

## Appendix 5 – RNZB Code of Conduct



### CODE OF CONDUCT

## **CODE OF CONDUCT**

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The following are the minimum requirements to be observed whilst employed by RNZB. From time to time RNZB may amend these requirements and advise staff accordingly.

### **Attendance**

Staff are required to start work on time, to observe the proper times for breaks and to work until the scheduled time to cease work.

Staff not able to attend work for any reason must make all reasonable effort to advise their line manager before the scheduled start work time on each day of absence.

Failure to attend work without a good reason and/or prior notification may result in a disciplinary action.

### **Carrying Out Instructions**

Staff must carry out instructions given by a person authorised to give such instructions, but no person shall be required to do anything, which might endanger himself or herself or any other person.

Staff must be willing to adapt to changes in work methods and procedures.

Staff must apply themselves diligently to work during working hours and not undertake other activities without prior approval of RNZB.

### **Motor Vehicle**

If you drive a company vehicle your driver's license must be current and appropriate to use.

Staff who drive a company vehicle are responsible for any traffic offences. The RNZB reserves the right to dismiss a staff member convicted of a serious offence while driving a company vehicle.

Unattended company vehicles must be locked at all times.

### **Alcohol and Prohibited Drugs**

No alcohol is to be consumed on company premises unless authorised by the RNZB. No prohibited drugs are to be brought into, or consumed, on company premises.

Any staff member reporting for work having recently consumed alcohol or prohibited drugs and who in the opinion of their manager is not capable of satisfactorily performing normal duties will be stood down without pay.

## **Property**

Unauthorised removal or unauthorised possession of RNZB property or the property of staff members is not permitted.

Wilful damage, misuse or abuse of RNZB property or the property of staff members is not permitted.

## **Safety Procedures**

Staff are required to work safely and observe all health and safety procedures at all times.

## **Complaints Procedure**

All formal complaints should be made in writing, signed and dated. The details should include the nature of the complaint, against whom it is made and persons involved (witnesses if any). The complaints should be directed to the Executive Director or Artistic, HR and Corporate Services Manager.

Please note that frivolous and / or unmeritorious complaints will not be tolerated.

## **False Declarations**

Wilfully making false declarations is not permitted and may result in a disciplinary action.

## **Personal Behaviour**

All staff are expected to maintain a high standard of conduct and performance relating to the requirements and reputation of the Company. This standard is to be maintained at all times while engaged on company business. If staff are travelling on company business, they are deemed to be representing the RNZB and must conduct themselves in an appropriate manner.

## **Personal Relationships**

It is recognised that staff members may be involved in personal relationships in and outside of the workplace. The RNZB therefore requires staff to ensure that their personal relationships do not adversely affect or conflict with their performance and/or personal behaviour in the workplace.

Situations where personal relationships interfere or conflict with staff members' obligations to perform their duties to the highest professional standards may be dealt with as an employment relationship problem.

The RNZB wishes to be proactive in dealing with problems affecting staff members' work performance and/or personal behaviour. The RNZB therefore

may provide access to Employee Assistance Programme (EAP) at its expense. However, the fact of a staff member's participation in EAP will not prevent the RNZB from treating the problem as an employment relationship problem.

### **Discrimination**

All forms of unlawful discrimination are prohibited.

### **Sexual Harassment**

Sexual harassment is not permitted. Sexual harassment is as defined in section 108 of the Employment Relations Act 2000 and includes:

- A request of the employee for any form of sexual activity, which contains a threat, or promise of detrimental or preferential treatment if the request is declined or accepted.

**OR**

- By the use of language (written or spoken), visual material or physical behaviour, of a sexual nature, the employee is subjected to behaviour which is unwelcome or offensive to that person and such behaviour is either repeated or is of such a significant nature that it has a detrimental effect on the employee's employment, job performance, or job satisfaction.

### **Complimentary Tickets**

Trading for personal gains through the use of the staff complimentary tickets is not permitted.

### **Confidential Information**

Confidential information gained during the course of employment must not be released to persons who could materially affect the RNZB's interests. This restriction applies both during the period of employment and after its termination.

### **Media Statements**

Statements to media representatives relating to RNZB are prohibited without the express approval of the Executive Director and Artistic Director.

### **Smoking Policy**

The RNZB's objective is to provide a smoke-free working environment in accordance with the Smoke Free Environments Act 1990 and its amendments.

The Company's smoking policy must be complied with at all times.

## Other

The RNZB expects all staff to look neat and adopt a dress code appropriate to their position.

Any action, which by its nature and in light of reasonable community standards would be adjudged to be misconduct, is prohibited.

## Serious Misconduct

Serious misconduct is grounds for summary dismissal from the RNZB.

Examples of behaviour constituting serious misconduct are:

- Unauthorised possession or removal of any property belonging to the RNZB, its clients or other employees.
- Falsification of attendance records, medical certificates, employment records and any other company or client document or record.
- Gross negligence causing injury or resulting in loss or damage to the company's property, reputation or financial position.
- Assault, verbal or physical abuse, sexual harassment and any form of workplace bullying of any other employee or person associated with the RNZB.
- Unauthorised drug or alcohol consumption at work or reporting for work in such a condition that in the opinion of the RNZB an employee is not able to perform his/her duties properly and safely.
- Refusal to obey lawful written or verbal instructions.
- Commission of any crime or offence, which would render an employee unsuitable for, continued employment by the RNZB.
- At any time while on tour, behaving in any way, which reflects badly on the RNZB including excessive alcohol consumption or use of prohibited drugs.
- Breach of confidentiality.

## NOTE:

**FOR A SERIOUS BREACH OF THE CODE OF CONDUCT THE STAFF MEMBER CONCERNED WILL BE LIABLE TO DISMISSAL WITHOUT NOTICE.**

## **DISCIPLINARY PROCEDURE**

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The Disciplinary Procedure guidelines are as follows:

### **Step 1: Preliminary Investigation**

In the event there is an allegation of misconduct or unsatisfactory work performance the RNZB (or its duly authorised representative) will examine the allegation to determine whether or not there is any substance to the allegation.

### **Step 2: Advice to Staff Member Concerned**

Where the RNZB or its duly authorised representative determines that the allegation has substance the staff member concerned will be advised of the nature of the allegation, the potential impact on their employment if the allegation is sustained, their right to be represented and the fact that the matter will be fully investigated.

### **Step 3: Stand Down**

Where the seriousness or nature of the incident requires, the RNZB or its duly authorised representative may, after a consultation with the staff member, stand down the staff member on pay and require them to remain available for discussions on the matter. However a stand down is not in itself a disciplinary measure.

### **Step 4: Formal Investigation**

The RNZB or its duly authorised representative will then carry out a formal investigation. Discussions will be held with all persons considered able to assist.

### **Step 5: Discipline Interview**

The staff member concerned will then be advised of the time of a meeting to discuss the matter. The employee is entitled to be represented or have a support person.

When the meeting commences the allegations will be described to the staff member concerned, together with information obtained in the investigation.

### **Step 6: Staff Member Explanation**

During the meeting the staff member concerned will be given the opportunity to provide an explanation and ask any questions, and may be required to answer any questions the RNZB's duly authorised representative may have.

### **Step 7: Due Consideration**

The meeting will be adjourned to consider the explanation of the staff member.

Further investigation will be conducted if required.

### **Step 8: Decision**

If the RNZB or its duly authorised representative determines that the allegation is not substantiated no action will be taken against the staff member who shall resume duties as directed.

If the RNZB or its duly authorised representative determines that the allegation is substantiated based on reasonable probability, the appropriate form of disciplinary action shall be proposed to the employee and they will be provided with an opportunity to comment on it.

If the RNZB decides a warning is warranted a written warning will be issued and placed on the employee's personnel file for 12 months. A further offence of the same or a similar nature may result in a written final warning. Each warning may be for unrelated matters.

Where the employee has had the opportunity to rectify the situation but has not rectified it to the RNZB's satisfaction, the likely outcome depending on the circumstances may be dismissal. The RNZB has the right to go straight to a written final warning, depending on the circumstances of the offence.

A copy of all warnings will be kept on the staff member's personal file.

### **Step 9: Implementation**

The RNZB or its duly authorised representative will then advise the staff member concerned of the final decision. The decision will be confirmed in writing.

## Appendix 6 – Drug and Alcohol Policy



Reviewed and updated April 2017

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### POLICY STATEMENT

<b>TITLE:</b>	<b>DRUG AND ALCOHOL POLICY</b>	<b>SAF-09</b>
<b>PURPOSE:</b>	<b>To articulate RNZB’s commitment to ensuring a safe and healthy workplace for all staff; to ensure that RNZB staff can work in an environment free of alcohol and drug use or abuse; and to outline the RNZB’s expectations and requirements for creating and maintaining an alcohol and drug free work environment and for dealing with substance abuse in the workplace</b>	

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#### **About This Policy**

We are committed to providing a safe, healthy and productive working environment. This includes ensuring that all staff are fit to carry out their jobs safely and effectively in an environment which is free from alcohol and drug misuse.

The purpose of this policy is to increase awareness of the effects of alcohol and drug misuse and its likely symptoms and to ensure that:

- a. All staff are aware of their responsibilities regarding alcohol and drug misuse and related problems.
- b. Staff who have an alcohol or drug -related problem are encouraged to seek help, in confidence, at an early stage.
- c. Staff who have an alcohol or drug-related problem affecting their work are dealt with fairly and consistently.

We will not accept staff arriving at work under the influence of alcohol or drugs, and/or whose ability to work is impaired in any way by reason of the consumption of alcohol or drugs, or who consume alcohol or take drugs (other than prescription or over the counter medication, as directed) on our premises.

This policy covers all employees, officers, consultants, contractors, volunteers and casual workers (“staff”).

This policy has been implemented following consultation with the Royal New Zealand Ballet Union of Employees' Incorporated.

This policy may be amended from time to time.

### **Personnel Responsible for this Policy**

The Executive Director has overall responsibility for the effective operation of this policy but has delegated day-to-day responsibility for overseeing its implementation to the HR Manager.

All managers have a specific responsibility to operate within the boundaries of this policy, to ensure that all staff understand the standards of behaviour expected of them and to take action when behaviour falls below its requirements.

Managers will, if appropriate, be given training in:

- a. The nature and causes of alcohol and drug problems.
- b. The effect of alcohol and drug misuse on workplace safety and performance

### **Identifying a Problem**

If you notice a change in a colleague's pattern of behaviour you should encourage them to seek assistance through their manager or the HR Manager. If they will not seek help themselves, you should draw the matter to the attention of your manager. You should not attempt to cover up for a colleague whose work or behaviour is suffering as a result of an alcohol or drug-related problem.

If you believe that you have an alcohol or drug-related problem, you should seek specialist advice and support as soon as possible. Our HR Manager can assist you and will, where possible, do so in confidence.

### **Alcohol and Drugs at Work**

Misuse of alcohol and drugs can lead to reduced levels of attendance, reduced efficiency and performance, impaired judgment and decision making and increased health and safety risks for you and other people. Irresponsible behaviour or the commission of offences resulting from the misuse of alcohol or drugs may damage our reputation and, as a result, our business.

You are expected to arrive at work fit to carry out your job and to be able to perform your duties safely without any limitations due to the use or after effects of alcohol or drugs (whether prescribed, over the counter or illegal). The use of drugs also includes the use of "legal highs" or psychoactive drugs which are legal substances which have the effect of illegal drugs.

We expect you to demonstrate responsible behaviour at work, work-related functions and work-related social events and to act in a way that will not have a detrimental effect on our reputation. If you entertain clients or represent us at external events where alcohol is served, you are considered to be “at work” regardless of whether you do so outside normal working hours. Consequently, we will expect you to remain professional and fit for work at all times.

Managers should act to prevent excessive consumption of alcohol by any member of staff and should take steps to deal with any unacceptable conduct. Any such behaviour may lead to disciplinary action.

You must comply with drink-driving laws and drug-driving laws at all times. Conviction for drink-driving or drug-driving offence may harm our reputation and, if your job requires you to drive, you may be unable to continue to do your job. Committing a drink-driving or drug-driving offence while working for us may lead to action under disciplinary action and could result in dismissal.

If you are prescribed medication you must seek advice from your GP or pharmacist about the possible effect on your ability to carry out your job and whether your duties should be modified, or you should be temporarily reassigned to a different role. If so you must tell the HR Adviser without delay.

### **Searches**

We reserve the right to conduct searches for alcohol or drug on our premises, including, but not limited to, searches of lockers, filing cabinets and desks, bags, clothing and packages where we have reasonable grounds to suspect alcohol or drugs may be located on the premises.

Any alcohol or drugs found as a result of a search will be confiscated and action may be taken under our Disciplinary Procedure.

### **Drug Screening**

Staff may be required to participate in a drug screening programme:

- a. Where a member of staff has been involved in a significant work accident or near miss;
- b. Where there is reasonable cause to suspect that the individual member of staff has been under the influence of drugs at work or that their work has been affected by drug misuse.

Drug screening will be conducted by an external provider. Arrangements will be discussed with affected members of staff at the start of each screening programme.

### **Managing Suspected Substance Abuse**

Where a manager considers that a deterioration in work performance and/or changes in patterns of behaviour may be due to alcohol or drug misuse they should seek advice and assistance from the HR Manager.

If your manager has reason to believe that you are suffering the effects of alcohol or drugs misuse, they will invite you to an investigatory interview. The purpose of the interview is to:

- a. discuss the reason for the investigation and seek your views on, for example, the deterioration of your work performance and/or behaviour; and
- b. where appropriate, offer to refer you to the HR Manager for medical and/or specialist advice.

If you arrive at work and a manager reasonably believes you are under the influence of alcohol or drugs, they shall immediately contact the HR Manager in order that you can be provided with assistance and an investigation can be undertaken. You may be stood down pending investigation and/or determination that you are fit for work.

### **Providing Support**

Alcohol and drug-related problems may develop for a variety of reasons and over a considerable period of time. We are committed, in so far as possible, to treating these problems in a similar way to other health issues. We will provide support where possible with a view to a return to full duties. This may include:

- a. Referral to appropriate treatment providers, where necessary in conjunction with your GP.
- b. Time off work to attend treatment and recognition of any periods of absence for such treatment as periods of sickness absence.
- c. Adjusting your duties or other support as recommended by your GP or specialist during treatment and for an agreed period thereafter, subject to operational requirements and feasibility.

If you do not finish a programme of treatment, or your recovery and return to work does not go as planned, your manager and our HR Manager will meet with you to decide what further action if any should be taken.

### **Confidentiality**

We aim to ensure that the confidentiality of any member of staff experiencing alcohol or drug-related problems is maintained appropriately. However, it needs to be recognised that, in supporting staff, some degree of information sharing is likely to be necessary.

If you seek help with an alcohol or drug-related problem directly from the HR Manager and you wish to keep matters confidential from your manager and colleagues, this will be respected unless there is reason to believe that this could put you, your colleagues or anyone else at risk or carries some other material risk for the business. In those circumstances the HR Manager will encourage you to inform your manager and will give you sufficient time to do so before discussing the matter with them.

### **Performance and Disciplinary Issues**

We may take disciplinary action in accordance with your Individual Employment Agreement, the Collective Employment Agreement or other relevant contractual arrangements with us including termination of your employment or engagement with us for breach of this Drug and Alcohol Policy.

Without limiting our rights, if you agree to undertake appropriate treatment and/or rehabilitation for an acknowledged alcohol or drug-related problem, we may decide to suspend any ongoing disciplinary action against you for related misconduct or poor performance, pending the outcome of the treatment.

Subject to the provisions of this policy, our intention is to support all staff with alcohol or drug-related problems to regain good health. Depending on the progress made on the course of treatment, any disciplinary action may be suspended for a specified period, discontinued or restarted at any time as we see fit.

### **Code of Conduct**

This Drug and Alcohol Policy should be read in conjunction with your Individual Employment Agreement, the Collective Employment Agreement and any other relevant agreement or information.

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*Authority for Implementation:*

*Executive Director*

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