

# SILC House Operational Requirements

**Background:** This document should be read in conjunction with the House Operator Agreement and provides a list of key Operating Requirements for all House Operators to follow.

These Operating Requirements may be amended from time to time by SILC and, if so, SILC will provide one month's notice of any material amendments to House Operators.

## 1. House Operator obligations - as an employer:

- a) Comply with Australian laws (both State and Commonwealth) with respect to the employment of staff (including the *Fair Work Act 2009 (Cth)* and *Workplace Health and Safety Act 2011 (NSW)*)
- b) Recruit and ensure proper management and support of suitable staff to complete the tasks required to meet SIL funding obligations (e.g. disability support, management and administrative)
- c) Ensure appropriate screening of all prospective staff in accordance with the law and SILC Policies and Procedures (e.g. 100 points of ID, National Police Check or Working with Children Check etc.)
- d) Prepare Individual Flexibility Agreements (IFAs) including BOOT (Better Off Overall Test) or other Employment Agreements, along with clear position description for all staff members We only have two position descriptions - support worker and house manager
- e) Prepare and implement a staffing roster, providing visibility to SILC of both this roster and staff timesheets (either through Wageloch entries or otherwise) in order to ensure compliance with NDIS service provider obligations and standards
- f) Allow and plan for staffing contingencies, e.g. regular staff on sick or annual leave to ensure proper care and support of all Participants
- g) Prepare and implement a staff training plan (including inductions and buddy shifts for new staff) in accordance with SILC Policies and Procedures
- h) Conduct annual staff satisfaction surveys and staff reviews

## **2. House Operator obligations - general housekeeping and provision of supports, accounting & payroll**

- a) Comply with all SILC Policies and Procedures (e.g. ensuring correct administration of medication)
- b) Prepare and implement procedures for purchasing food and other household items (e.g. cleaning products), cooking and preparing meals and ensuring the maintenance of a clean and tidy residence for all Participants
- c) Ensure appropriate support for all Participants as per SIL funding requirements and the individual needs of each Participant (e.g. support with washing and ironing clothes, accompanying Participants on public / private transport, purchasing personal care items with Participant monies, ensuring appropriate)
- d) Engaging in regular, monthly communications / progress updates with SILC
- e) Administer payroll, payroll (PAYG) taxes and summaries, BAS and GST lodgements, superannuation contributions, workers' compensation insurance, tracking and accruing annual and sick leave entitlements, setting aside of long service leave entitlements
- f) Arrange and support Participants to attend specialist services as required, e.g. for development of Behaviour Support Plans by qualified professionals
- g) Ensure payment of housing costs - e.g. rent, rates, taxes, repairs and maintenance etc
- h) Maintain petty cash records (for both House Operator expenses and Participant personal expenses)
- i) Submit records or statements to ensure that the House Operator is compliant with NDIS Quality and Safeguards Practice Standards and all legislative requirements. Make available to SILC times at which the Participants were supported by House Operator staff. This may be in the form of times at which the Participants were NOT required to be supported relative to the Roster of Care submitted with the SIL Quotes.
- j) Participate or coordinate NDIS Plan Reviews, as required
- k) Provide SILC with timely visibility of financial records by granting SILC View Only Access to the House Operator's accounting software.

### **3. House Operator obligations - governance**

- a) Ensure compliance with all SILC Policies and Procedures
- b) Register as a charity with ACNC and ensure good governance of the organisation in accordance with Australian Charities and Not-for-profit Commission (ACNC) Governance Standards: <http://www.acnc.gov.au>
- c) Adopt SILC's Agenda Template for Board meetings, conduct regular Board meetings and record minutes of all Board meetings (approved by Board members and signed by Chairperson).
- d) File and retain records and archive old records for seven years
- e) Prepare and approve an annual budget
- f) Prepare financial accounts including Profit and Loss Statements and Balance Sheets
- g) Appoint an auditor to provide annual financial audit and implement any recommendations made by auditor (e.g. in a management letter to the Board)
- h) Prepare annual report (including audited financial statements) for members and conduct Annual General Meetings as required by law
- i) Annual reporting to ACNC, NSW Department of Fair Trading (if relevant) and other government Departments (e.g. ASIC or ATO)
- j) Delegate responsibilities, where appropriate, but ensure appropriate reporting and communication to Board to ensure proper oversight of all delegated responsibilities
- k) Employ a House Manager (who cannot be a family member of a Participant residing at the House) with skills to manage the home in accordance with NDIS Practice Standards. The House Manager role may be shared by two or more people provided roles are clearly defined. One House Manager may manage more than one home.

### **4. Specialist Disability Accommodation (SDA) (if relevant)**

- Submitting Participant Plans for Eligibility for SDA
  - My Housing Plan
  - OT Report
- Service Agreement with SDA Provider
- Lease Agreement with SDA Provider
- Approved SDA Quotes from NDIA
- Agreement between SDA Provider and SIL Provider/House Operator
- Work with SDA Provider on location, design and financing of the property  
The SDA Provider will purchase and enrol the property

## 5. House Operator obligations - record keeping

All records set out below must be securely stored in electronic format, ensuring full visibility to SILC:

### a) Agreements

House Operator must have the agreements listed on the SILC website approved by its board with a signed copy saved on its G-drive (or CRS) with visibility to SILC.

### b) Participant Documentation

House Operator must maintain and update the documents listed on the SILC website for each Resident Participant saved on its G-drive (or CRM) with visibility to SILC.

### c) Employee Documentation

House Operator must maintain and update the documents listed on the SILC website for each Employee saved on its G-drive (or CRM) with visibility to SILC.

### d) Financial Records

House Operator must maintain and update the following financial records with visibility<sup>1</sup> to SILC:

- Budget (approved by House Operator board)
- Xero (or other accounting records) including Profit and Loss and Balance Sheet
- Audited Financial Statements
- Bank Statements for all House bank accounts
- BAS
- IAS for first 12 months if House Operator employs staff directly
- Annual Information Activity Statement to ACNC
- Annual Report (if any)
- Wageloch or Deputy of Sign On / Sign Off Book
- Log Book for use of House Vehicles and Employee-Owned Vehicles
- Petty Cash Book (if relevant)
- Pocket Money Record Book (if relevant)

### e) Other Records

- Complaints Register
- WHS Documentation
  - Risk Assessments
  - Hazard Reports
  - Emergency Evacuation Plans
  - Register of Workplace Injuries
  - What to do if Injured at Work Posters
- Board Meetings

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<sup>1</sup> SILC has the right to Read Only access to accounts including Profit and Loss and Balance Sheet.

- Staff Meetings
- Minutes

## 6. Use of CCTV

CCTV can potentially be a useful learning tool to gather information relevant to a resident's safety and behaviour. Like all tools, it must be used appropriately.

Prior to installation of any surveillance device House Operators must:

- Obtain signed consent from all resident Participants (or their Parent Representatives) and all staff working at the Home
- Obtain approval from SILC to include wording in the House Specific Information attachment to the House Operator Agreement that states that specified surveillance devices may be used in accordance with SILC's policies and procedures

The signed consent form must state the name of the parent or staff member and contain the following wording:

- 1 Video recording of activities within the Home may be made to observe the behaviour of residents for the purpose of learning only
- 2 Video recording of activities within the Home may not be used as evidence to discipline staff members other than in the case of a Reportable Incident
- 3 Access to video recordings will be limited to:
  - a. The House Manager or designated House Representative
  - b. A nominated family member of the Participant that is subject of the video
  - c. Staff members that appear in the recording, and
  - d. In the case of a Reportable Incident
    - i. SILC
    - ii. NDIA Quality and safeguarding Commission
- 4 Workplace Surveillance Act 2005 (NSW) requires:
  - Employees must be given 14 days written notice before the surveillance commences and agree to it being carried out. An employee may agree to a lesser period of notice.
  - New employees must be notified before they start work.
  - The notice must indicate:
    - o when the surveillance will start
    - o the kind of surveillance to be carried out,
    - o how the surveillance will be carried out
    - o whether the surveillance will be continuous or intermittent
    - o whether the surveillance will be for a specified limited period or ongoing.
  - All surveillance is required to be placed in clearly visible places with signs indicating where surveillance is taking place.

- Surveillance of an employee in any change room, toilet facility or shower/bathing facility or surveillance for the purpose of monitoring his or her performance is prohibited.
- 5 Recording will be kept for 28 days (and longer if Reportable Incident)
- 6 When new employees are employed, they will be required to sign the Consent Form as part of their Induction prior to commencing buddy shifts.

## **7. House in Bush Fire Prone Area**

In general, SIL Providers do not allow SIL homes on bush fire prone land because of the implied additional duty of care. Under NDIS Quality and Safeguarding Framework, Service Providers are required to ensure the safety of Participants.

SILC requires House Operators to accept responsibility for adherence to SILC's Policies and Procedures. SILC's WH&S Policy requires House Operators to have adequate Emergency Evacuation Procedures 3(c) and Fire and Electrical Safety 3(d). These require the House Operator to have appropriate equipment such as fire extinguishers and evacuation plans as well as training staff and practicing drills.

SILC will allow the House Operator to use houses in bush fire prone areas provided the House Operator indemnifies SILC of all responsibilities related to fire safety in the House Specific Attachment to their House Operator Agreement with a list of additional safety measures that are in place and agree to demonstrate to SILC's satisfaction that they have appropriate risk measures in place.

The House Operator will contact the local fire station to obtain a BAL rating and instructions on safety measures may include but are not limited to:

- Smoke alarms
- Gutter guards
- Additional hoses
- Fire proof materials
- Additional exits (possibly fire escapes if there is more than one storey)
- Clearing vegetation
- Pathways to evacuation assembly areas
- Fire sprinklers

SILC will require fire safety drills at least quarterly versus annually for homes not in bush fire prone areas.

Additional staffing levels may be required if Participants require assistance to safely clear areas of risk