



## POLICY – OUTSIDE EMPLOYMENT

ID No: FBC-18-699

Version: 1.0

Applies to: All staff

Applicable Legislation: 

- Fair Work Act

This policy outlines what constitutes Outside employment for Family Based Care (FBC) employees, and specifies the responsibilities for employees and management in declaring, assessing, and managing Outside employment.

This policy is to be read in conjunction with the Policy - Conflict of Interest.

FBC employees must not undertake Outside employment if such employment is a conflict of interest and may have an adverse effect, or perceived adverse effect, on the performance of their duties and responsibilities, or on the reputation, integrity, finances, or business of FBC.

### Definitions

*Outside Employment* - Outside employment means any employment with an organisation other than FBC and includes self-employment, independent contracting or consulting, or employment by a family company. Outside employment encompasses casual, part-time, and full-time work, and shift work. All such cases constitute Outside employment regardless of the duration of the employment. Outside employment includes employment already held by a person at the time of their initial employment by FBC.

*Conflict of interest* - a conflict of interest occurs when a reasonable person might perceive that a personal interest could be favoured over the individual's professional duties.

There are many ways that Outside employment may give rise to a conflict of interest, including:

- working for a direct competitor of FBC,
- working in a field that is regulated by FBC,
- working for a goods or service provider of FBC,
- performing work that may use the same time, resources, and contacts of FBC.

### Accountability

Provided any conflict has been resolved, two further matters of accountability should be addressed and documented:

- how the employee will ensure that the time and resources of FBC are protected and not used for the Outside employment, and
- how the employee will ensure that their health and wellbeing are not impacted by the additional employment to ensure fitness for work with FBC.

### Application & Scope

This policy applies to all FBC employees who may consider or undertake Outside employment during their employment with FBC.

### Identifying Outside Employment

Outside employment is all employment outside of FBC, including self-employment, independent contracting or consulting, or employment with a family company.

Outside employment may be casual, part-time, full-time, or shift work, paid or unpaid (such as voluntary work), regardless of the duration, and includes employment that was already held by an employee before their commencement at FBC.

### Inappropriate Outside Employment

The following are examples of inappropriate Outside employment, where a conflict of interest exists under this policy:

- Outside employment that is undertaken at the same hours that an employee is being paid as a FBC employee;
- Outside employment that makes use of any FBC facility, equipment, or resource, including computer software and information technology resources;
- Outside employment that makes use of intellectual property, or may benefit from commercial or other information that the employee possesses by virtue of their employment with FBC; and
- Outside employment with an organisation that may compete with FBC for funds, employees, projects, consultancy, or in any other activity.

### Managing Outside Employment

All Outside employment must be carefully considered by employees and management in accordance with this policy, to avoid any conflict of interest or potential conflict of interest that may impact unfavourably on the finance, operations, reputation, and integrity of FBC. All employees must communicate with their relevant Manager or People and Culture if they are undertaking or considering Outside employment during their employment at FBC, particularly regarding whether the employment may be inappropriate under this Policy.

New employees must disclose any existing Outside employment to the relevant Manager or People and Culture prior to commencing work with FBC or as soon as is practicable.

Employees are required to submit written requests for approval of Outside employment to their relevant Manager. Employees will follow the direction of their relevant Manager or other Senior Manager in the appropriate assessment and management of any potential or existing Outside employment.

All determinations, including approval or disapproval of Outside employment, will be recorded on the employee's personnel file and the employee will be notified confidentially in writing. An employee will be entitled to provide a written comment in response.

### Undisclosed or Unapproved Outside Employment

Undisclosed or unapproved Outside employment may result in an allegation of misconduct being made against an employee, particularly if there is a significant conflict of interest or significant undisclosed use of FBC resources.

### Specific Classes of Employees


FBC may implement additional or specialised Outside employment procedures for differing classes of FBC employees.

Authorised by:



Date:

15/11/2021

 President of the Board