

Queensland Government Code of Practice for Contact Centres

Industrial Relations

December 2011

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1. Introduction

The *Queensland Government Code of Practice for Call Centres (December 2001)* was developed at a time when the industry was still in its infancy but was predicted to grow rapidly. Today Queensland's call centres (from here on referred to as contact centres) employ thousands of people across diverse sectors of the economy including finance, banking and insurance; government, health and education, energy and utilities; and hospitality, tourism and entertainment.

Since 2001 there have been significant changes in industrial relations legislation, technology and industry practice. Therefore, when negotiating the *State Government Department's Certified Agreement 2009*, it was agreed that the existing *Queensland Government Code of Practice for Call Centres* would be reviewed and updated to reflect changes to the industry. The revised *Queensland Government Code of Practice for Contact Centres 2011* (the Code) was developed in consultation with relevant unions and industry partners.

The revised Code is intended to guide discussions between contact centre employees (or their representatives) and employers about issues arising in the workplace. It highlights the need for contact centres to consider the needs of the individual, where appropriate, because a 'one-size-fits-all' approach is not always conducive to best practice. Finally, the Code is intended to complement not override relevant legislation, agreements or awards.

1.1 Key Priorities

The revised code maintains the priorities identified in the original document; that a key competitive advantage of Australian contact centres should not only be cost effective but should also be noted for the skill of their staff and professionalism of their operations. Key priority areas for the promotion of best practices within Queensland government and private sector contact centres include:

- Increased training and development.
- Commitment to support staff to provide quality customer service.
- A reduction in the current rate of staff turnover.

- Increased knowledge of appropriate minimum wages and conditions regulation in the industry.
- Increased participation of staff in key decisions regarding improvements to the provision of customer service and workplace environment and workplace health and safety issues.

The advantages to employees of emphasising these priorities could contribute to:

- Increased job satisfaction.
- Adequate training and career development.
- Work in an industry with a meaningful career path.
- A healthy and safe working environment.

The advantages to government agencies and signatories providing contact centre services include:

- Jobs for Queensland.
- Reputation as providers of reliable and quality service.
- Access to a pool of well-trained and professional employees.
- Retention of experienced employees due to reduced staff turnover.
- A long-term sustainable business.

1.2 Objectives

The *Objectives* of the Code are to:

- encourage best practice performance of all parties in the industry in Queensland
- promote a cooperative approach by all parties in their dealings with one another to achieve the Key Priorities
- outline expectations of performance for industrial relations
- outline expectations for workplace health and safety and environmental management
- support and encourage work-life balance while balancing the needs of the individual and the business

- encourage high standards within the contact centre industry by seeking from those involved in the industry a commitment to comply with all laws, regulations, codes of practice and contracts relating to the industry
- encourage innovation and the use of technology that enhance customer service and the working environment
- encourage professional development and industry training
- encourage stable, long-term employment with a fulfilling career structure
- promote a consultative environment in contact centre workplaces.

1.3 Application

The Queensland Government Code of Practice for Contact Centres applies to all government agencies including government owned corporations.

Non-government industry participants are encouraged to become signatories to the Code:

- Parties contracting with the Queensland Government to perform contact centre work will be required to adhere to relevant provisions of the code for all such work carried out in Queensland.
- Industry participants are encouraged to comply with the objectives of this Code as a benchmark.

The application of the provisions of the Code is, at all times, subject to the provisions of any legislation and relevant contractual arrangements such as industrial agreements and awards.

2. Responsibilities

All parties to the Code are required to:

- comply with the Code and take action to address Code issues
- adopt and promote a cooperative approach and communicate honestly in all relationships and business dealings in all combinations and at all levels
- promote and strive to achieve the Key Priorities and Objectives

- operate within the law and comply with all relevant legislation, regulations and Government policy regarding employment, workplace health and safety and training
- comply and promote compliance with the provisions of applicable awards and/or certified agreements, dispute settlement procedures, all orders, formal directions and decisions of any court of competent jurisdiction, and all other legislative obligations relating to employment
- establish internal mechanisms to ensure compliance and deal with transgressions of the Code
- encourage the development of collective arrangements applicable to the workplace.

3. Continuous Improvement and Best Practice

The Government is committed to the continued expansion and long-term viability of the contact centre industry in Queensland. The competitive advantage of the industry in this state will not be achieved through poor wages and conditions for workers but rather through continuous improvement and best practice that embraces superior:

- business relationships and practices
- organisational systems and standards
- cooperative workforce management policies and practices.

Commitment to continuous improvement and best practice will be tested and measured using agreed criteria that reflect these qualities.

3.1 Targets

Employees should have the opportunity to participate in the setting of achievable targets for example team meetings, planning days, staff surveys, suggestion box etc.

The code acknowledges the wide range of targets available in a Call Centre environment and encourages measuring the quality of customer service as an effective measure. Targets should be linked to agreed business drivers, but at a minimum

should balance quality and productivity.

Changes to targets should be preceded by consultation with employees and if applicable, their union representatives.

3.2 Performance assessment

Performance assessment criteria should be developed in consultation with employees and should be genuinely based on the development of employee skills and balanced with the needs of the business.

Performance assessment criteria should also be developed with overall business objectives in mind, but must balance the needs of the employee.

Performance assessment criteria should be flexible enough to cater for customer service requirements balanced with efficiency or consistency requirements.

The performance review process is to embody fair procedures and review options.

3.3 Call Monitoring

Call monitoring may be used as a coaching, performance assessment and development tool. The development of the process and outcomes of call monitoring should involve a cooperative and collaborative approach between employees and contact centre management.

Recording of calls also allows for reinforcement of good performance as well as acknowledging areas for improvement.

Employees should be given reasonable notice if their calls are being monitored for performance purposes and over what period of time. It should include a feedback process and should not occur without the knowledge of the following parties which can include but not be limited to employees, their representative, union, the contact centre and customers.

3.4 Communication

The Government supports and promotes open and honest lines of communication in Queensland workplaces as a means of achieving a shared understanding of business imperatives, a client-focussed culture and industrial harmony. This can be achieved by providing employees with:

- the opportunity to meet as a team on a regular basis, acknowledging the nature of contact centre work, may mean flexibility is required in achieving this
- adequate time to familiarise themselves with policy updates before implementation, where possible
- access to a notice board, e-mail or other communication facility to be established in each workplace, to facilitate communication between employees and/or their union representatives regarding matters arising at work.

3.5 Consultation

Agencies and signatories should recognise that employees possess extensive corporate knowledge and practical experience which can assist management to improve service delivery.

While reserving the right to make final decisions, management should consult with employees prior to the development and implementation of changes in company policy and product development wherever practical and reasonable.

In addition, organisations should refer to relevant industrial agreements and awards provisions to understand their obligations and requirements to consult with employees, their representative or union.

3.6 Work organisation

Employees should be provided with time in their work routine, where required, so that they can follow up customer service issues. This will ensure that the services provided

to customers are completed to a satisfactory standard. In some cases, this may have a direct and positive impact on customer complaints.

Employees should be able to negotiate appropriate flexibility guidelines and/or procedure manuals with management. These documents should follow the principles of quality customer service and employee job satisfaction and be balanced with efficiency issues and business needs.

3.7 Customer service resources for employees

Employees should be provided with adequate technological and informational resources in order to resolve a customer's query as efficiently and effectively as possible.

3.8 Work-Life Balance

Although traditionally flexible working arrangements have been associated with helping parents to balance their caring responsibilities and their working lives, working flexibly can in fact benefit a wide range of people. This includes employees looking to manage work commitments along side their involvement in study, recreational activities, hobbies or sports. Flexible working arrangements can also assist people who are transitioning into retirement to remain connected to the workplace for longer, thereby sharing their valuable knowledge and skills.

The Government supports and encourages work-life balance for all employees.

Work-life balance policies encompass a number of flexible working arrangements as well as other practices, such as work-based health programs and the provision of carers' rooms that enable employees to better manage their work and personal commitments. They also have a number of benefits for employers.

Work-life balance policies may operate informally in the workplace or may be documented in formal organisational policies or workplace agreements. The most

common type of work-life balance policies are flexible working arrangements, such as:

- part-time work
- job sharing
- telecommuting
- compressed working hours
- flexible working hours.

Other types of policies include:

- leave arrangements (for example carers leave; cultural/religious leave; purchased leave and bereavement leave)
- pregnancy and parenting policies (for example paid maternity and paternity leave; carers' rooms and employer assistance with childcare)
- additional work provisions (for example telephone for personal use, health programs and exercise facilities).

It is acknowledged that it may be difficult to access certain flexible work arrangements on a regular basis in small organisations/work teams due to the need to regularly be available for direct contact with clients. However, rosters should be negotiated, where possible, to provide employees with access to flexible work arrangements while ensuring coverage of client service hours. For example, working additional hours in order to accrue time to take off on another day or staggering start and finish times may benefit the employer by providing an opportunity to extend client contact time.

It is important to note that the minimum entitlements to parental leave are stipulated by law, as is the ability for parents returning to work after a period of maternity leave to request part-time work. Agencies should also be aware of their obligations under anti-discrimination legislation. Agencies and signatories must comply with these legal requirements, as outlined in relevant legislation which can be accessed via the on-line links in Appendix A of this document or through your manager, human resources office or union office.

It is important that managers consider the individual's personal responsibilities when scheduling meetings and preparing work rosters.

4. Workforce Management

Workforce management will ensure industrial relations, workplace health and safety and training and skill development are integrated with the organisational procedures, practices and performance standards of the organisation. Effective workforce management at all levels of the contact centre industry is a key contributor to achieving the Key Priorities and Objectives.

Workforce management requires agencies and signatories to:

- create and maintain a safe working environment
- integrate training and skill development into project management; and support cooperative, consultative and productive industrial relations, including compliance with awards and/or agreements and legislation.

These objectives centre on industry participants adopting a broad-based agenda to improve productivity through:

- effective communication
- teamwork
- high standards in workplace health and safety as set out in the guide for *Work Health and Safety in Contact Centres* and workplace health and safety legislation
- effective workplace practices
- promotion of access, equity and equal employment opportunity
- continuous improvement and best practice.

These practices should be extended where appropriate to staff for example team meetings, company and union briefings. An inclusive culture fosters teamwork, reduces tension and increases collaboration between permanent and non-permanent staff.

4.1 Training and Skills Development

Industry wide flexible, accessible and innovative approaches to skills development will enable the contact centre industry to react positively to the changing demands of the workplace, and provide opportunities for the workforce to obtain nationally recognised qualifications.

By integrating training and skill development into management processes and workplace management, enterprises and agencies can positively react to changing knowledge and skill requirements.

Compliance with policies and commitments in relevant agreements is a major step in the training process. Agencies and signatories are expected to implement a systematic and rigorous approach to training and skills development catering to different learning styles.

Training and skills development for contact centre employees should be based on:

- compliance with the Government's relevant training, skills development and equal employment opportunity policies
- training for the next generation of employees
- commitment to skilling workers to support technological changes
- commitment to training, which leads to appropriately skilled staff.
- requirements of the role.

Training and skills development should be inclusive of the organisation's workforce where appropriate.

4.2 Workplace Health and Safety

The Queensland Government attaches a very high priority to the improvement of workplace health and safety for participants in the contact centre industry. It is imperative that workplace health and safety management is integral to the culture of the industry.

Agencies and signatories are required to implement comprehensive management systems, ensuring a safe working environment, in compliance with existing workplace health and safety legislation as it applies to the unique circumstances of the contact centre industry.

Agencies and signatories are referred to the *Work Health and Safety in Contact Centres* guide for advice on implementing appropriate systems which will assist in compliance with the workplace health and safety legislation.

4.3 Industrial Relations

The Queensland *Industrial Relations Act 1999*, the *Fair Work Act 2009* and associated legislation establishes a regulatory framework providing significant minimum standards of employment for full-time and part-time employees, as well as a range of conditions for longer term casual employees.

Employees employed in Queensland public sector in-house contact centres are also subject to public sector conditions of employment which are set out in industrial and public sector legislation, public sector awards, certified agreements and Directives.

Employees in the contact centre industry are also subject to state and federal awards which provide for a range of employment conditions. Employees may also receive enhanced conditions under agreements and other legislation.

Copies of these various industrial instruments can be accessed via the on-line links in Appendix A of this document or through your manager, human resources office or union office.

4.3.1 Security of employment

Permanent rather than casual employment is encouraged as a means of increasing the stability and long-term viability of a workforce while providing individual employees with increased job satisfaction and enhanced opportunities for training and career development.

Labour hire or agency employees or outsourcing should not be used to evade legislative or award conditions or to undercut or reduce the conditions of an existing workforce.

The Government is committed to maximum employment security for tenured public sector employees by developing and maintaining a responsive, impartial and efficient public service as the preferred provider of existing services to Government and the community. The Government is also committed to providing stability to the public sector by limiting organisational restructuring and contracting-out of services.

The Queensland Government is committed to maximising permanent employment where possible. Casual or temporary forms of employment should only be utilised where permanent employment is not advisable or appropriate.

These commitments are effected through the *Government's Employment Security Policy* and the *Policy on the Contracting-Out of Government Services* and relevant agreements, awards and legislative provisions.

The use of staff contracted from employment agencies should be limited to the purposes of:

- the completion of a specific task or project
- to relieve a vacant position arising from an employee taking leave
- for the temporary provision of specialist skills that are not available within the organisation for a specified period of time
- to fill short-term vacancies resulting from the resignation of a permanent employee
- to supplement the workforce during peak workloads.

4.3.2 Anti-discrimination

The Queensland Government and signatories to this Code respect and value the diversity of the workforce by helping to prevent and eliminate discrimination on the basis of sex; relationship status; pregnancy; parental status; breastfeeding; age; race; impairment; religious belief or religious activity; political belief or activity; trade union activity; lawful sexual activity; gender identity; sexuality; family responsibilities; association with, or relation to, a person identified on the basis of any of the above attributes or attributes as prescribed by anti-discrimination legislation.

Parties should note the provisions of relevant legislation (including the Queensland *Anti-Discrimination Act 1991*, *Industrial Relations Act 1999* and *Fair Work Act 2009*) and relevant Government policies and standards on this issue.

4.3.3 Workforce Dispute Settlement

Awards, agreements and legislation set out the formal processes to resolve employee complaints or disputes in the workplace. For details of these processes, refer to the relevant industrial instrument which can be accessed via the on-line links in Appendix A of this document or through your manager, human resources office or union office.

Before proceeding to the formal dispute settlement process, employees should take informal steps to resolve any complaint they may have at the local level. It is preferable that an employee attempt to resolve the issue with their immediate supervisor/manager in the first instance. If this is not successful, then the next course of action would be to take the matter to the relevant director/executive director. If the issue is still unresolved, the matter should then be escalated to the chief executive officer. If the issue could not be resolved by the chief executive officer, it may then be necessary for the formal dispute settlement process to be initiated, in accordance with the relevant industrial instrument.

4.3.4 Membership of Industrial Associations

Participation in industrial relations by employees and employers and responsible

representation by industrial associations is encouraged. Parties should note freedom of association and right of entry in the *Industrial Relations Act 1999* and relevant legislation, awards and agreements. Agreements may also contain provisions relating to union delegates.

Duly elected union delegates are recognised as acting on behalf of union members in the workplace.

5. Compliance

The Queensland Government is committed to the implementation of this Code. Breaches of the Code as evidenced through non-compliance or unethical activity, may result in sanctions being invoked.

Where there is a suspected breach of any law or statute, the matter will be referred to the relevant enforcement agency.

5.1 Breaches by Government Agencies and Agency Employees

Breaches by a Government agency will be reported to the responsible or portfolio Minister who will consider appropriate changes to that agency's policies practices and/or procedures to ensure future compliance with the Code.

Where it is demonstrated that individuals have acted in contravention of the agency's policies, practices and/or procedures and this Code, disciplinary action may be taken where appropriate.

5.2 Breaches by Signatories

Parties contracting to the Queensland Government

Where signatories have a relevant contractual relationship with the Queensland Government, the Government may impose sanctions for breaches of the Code which, depending on the nature and severity of non-compliance may involve:

- a formal warning
- referral of a complaint to the relevant industrial association for assessment against its own code of conduct, if applicable, and appropriate action
- reporting the breach to an appropriate statutory body
- partial exclusion from tendering opportunities for a specified period up to three months; that is, a reduction in the number and/or nature of tendering opportunities
- exclusion from tendering for any work for a specified period for a specified period up to three months.

Voluntary Signatories

Breaches of the code by voluntary signatories will be addressed through appropriate action, which may include:

- a formal warning
- referral of a complaint to the relevant industrial association for assessment against its own code of conduct, if applicable, and appropriate action
- reporting the breach to an appropriate statutory body
- suspension of signatory status and any privileges that accrue from such status for a specified period up to three months.

Any signatory partly or fully excluded from tendering under this code, or whose signatory status has been suspended, must be informed of their exclusion or suspension and given an opportunity to provide evidence of gaining compliance with this code after the expiry date of the period of exclusion or suspension.

If the signatory presents satisfactory evidence of compliance, the exclusion or suspension should terminate. If satisfactory evidence of compliance is not produced, then the exclusion or suspension shall continue until such evidence is produced.

5.3 Enforcement

Government Agencies as Clients

Government agencies will support the application of the Code. As a minimum, in order to facilitate industry accessibility, each agency will:

- establish internal coordination procedures for managing Code matters

- establish mechanisms to ensure prompt response to concerns or complaints
- establish consultative mechanisms with unions
- establish and advertise a central point of contact.

Department of Justice and Attorney-General (Office of Fair and Safe Work Queensland)

Government agencies and other signatories may seek assistance from the Office of Fair and Safe Work Queensland in assessing whether there has been non-compliance with awards or relevant industrial, workplace health and safety and workers' compensation legislation.

5.4 Role of Industry

In addition to the Queensland Government seeking to ensure compliance with the standards of behaviour defined in the Code, it is expected that the relevant industry parties will contribute to achieving these standards. The circumstances of any breach may be referred to the relevant association for action.

6. Definitions

Award

Legally enforceable determination made by the Queensland Industrial Relations Commissions or the Commonwealth containing the minimum terms and conditions of employment to be met by an employer.

Best Practice

For the purpose of this document, best practice is working towards continuous improvement of processes, products and services to ensure world-class standards of performance.

Agreement

Agreements set out the conditions of employment between:

- an employee or group of employees
- their employer

A certified agreement is an agreement between an employer and a group of employees on the terms and conditions of employment and certified by the Queensland Industrial Relations Commission.

Code of Practice

A document that outlines and establishes principles and standards of behaviour.

Contact Call Centre

A contact centre is a central or distributed contact point in an organisation from which customer contacts are primarily managed. Workers in a contact centre may:

- respond to inbound and initiate outbound telephone contact or electronic requests
- engage in face-to-face interaction
- use telephone and/or computer technology.

For the purpose of the guide, a contact centre may encompass:

- telemarketing centre and telemarketing employees
- help desks
- service desks
- call centres
- market research activities
- charities engaging in fundraising activities
- disaster relief operations;
- employees engaged to perform call centre work from home;
- workplaces where the primary role of employees is to respond to telephone and other electronic requests from clients and where some or all of the call centre characteristics exist.

Employee

A person whose employment is governed by a contract of service or a person deemed to be an employee under the Queensland *Industrial Relations Act 1999* or relevant federal legislation.

Employer

A person, corporation, enterprise or organisation that employs a person or persons under a contract of service or a person deemed to be an employer under the Queensland

Industrial Relations Act 1999 or relevant federal legislation.

Employer Association

An association whose membership generally consists of employers who operate in the construction or related industries and is registered under the Queensland *Industrial Relations Act 1999* and/or relevant federal legislation.

Government Agency

- Any department or statutory body as those expressions are defined in the *Financial Accountability Act 2009*.
- Any government owned corporation and its subsidiaries where the shareholding Ministers have given a notification pursuant to section 114 of the *Government Owned Corporations Act 1993*.

Union

An organisation of employees working in the call centre or related industries that is registered under the Queensland *Industrial Relations Act 1999* and/or relevant legislation.