

## Payments and Availability Protocol

<b>Approved by</b>	Chief Mental Health Advocate
<b>Contact</b>	Senior Advocate or Manager
<b>Related documents</b>	<ul style="list-style-type: none"> <li>• Mental Health Act 2014, especially s351(d)</li> <li>• Terms and Conditions of Engagement</li> <li>• Public Sector Commissioner’s Circular “Reimbursement of Travel Expenses for Members of Government Boards and Committees” (Circular number 2009-20)</li> </ul>
<b>Date effective</b>	19 February 2019
<b>Date of next review</b>	1 February 2021

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### A. Purpose

The purpose of this policy and procedure is to articulate the Chief Mental Health Advocate’s (Chief) policy and procedure in relation to making payments to Mental Health Advocates (Advocates) and Senior Mental Health Advocates (Seniors). More specifically the policy and procedure will provide guidance on the workings of:

1. Recording Advocates’ activities
2. Claims for payment
3. Minimum hours
4. Working more than 75 hours per fortnight
5. Motor vehicle allowance
6. Travel time

7. Administration payments
8. Call out fees
9. Planned unavailability/Time off
10. Unplanned absences
11. Intra and Interstate travel

## **B. Scope**

1. This protocol applies to all Advocates and Seniors.
2. The Chief and MHAS Manager have an oversight role.

## **C. Policy and Procedures**

### **1. Recording Advocates' activities**

Advocates must record all work activity in the Integrated Case Management System (ICMS). Where the ICMS does not allow for recording an activity, the Advocate must keep a record which is to be provided to the Senior (and advise the Senior of the recording issue with the ICMS).

### **2. Claims for payment**

**A claim for payment needs to be made every fortnight. This is so the MHAS budget and workloads can be effectively monitored.**

#### **Advocates' claims for payment**

Advocates must generate a pay claim using the attached template at Appendix 1 (pay claims in Excel are preferred); the minimum information required in a pay claim is illustrated in the sample pay claim at Appendix 2. The Advocate must ensure the claim is a true, accurate and complete reflection of the time spent providing MHAS functions.

- i. Time performing their functions under the Mental Health Act 2014 must be recorded against each consumer and/or facility. Examples include time for entering information into ICMS (time spent on multiple reports can be recorded together, but consumers should be listed), visits, tasks relating to consumers and time spent with Non-Identified Persons (noted separately). Consumers' full names must be in a list format.
- ii. Detail time for approved non-advocacy work (ie attend training or a meeting, monitor the answering machine over weekends, give a presentation, or represent MHAS on a committee).
- iii. Mileage (see the clause on "Motor vehicle allowance" below).

The Advocate must forward the claim to the Senior (via [reception@mhas.wa.gov.au](mailto:reception@mhas.wa.gov.au)) every two weeks by 10am Monday (eg the claim for 6 to 19 November is due Monday 20 November 2017 at 10am). Where the due date is a public holiday pay claims are required by 8.30am on the next working day. The deadline for pay claims occasionally needs to be brought forward (eg Christmas and Easter) and revised due dates will be announced in the Chattering Chief newsletter or by other means. Claims received late may need to be processed for the next pay date.

Reporting (ie in ICMS) must be completed for individual advocacy at the time the pay claim is submitted. Where possible, reports for other statutory functions should be submitted prior to lodging a pay claim for the work. Description and approval for other work should be noted on the pay claim.

The Senior must review the claim and approve payments. Any queries should be discussed with the Advocate where possible and a record made of the issue and resolution must accompany the pay claims and be provided to the Advocate.

Where an Advocate has a query regarding their payment, they should raise this with the Senior in the first instance.

### **Seniors' claims for payment**

Seniors are responsible for maintaining a record of the hours worked. A Senior cannot claim more than 75 hours in a fortnight unless they have received prior written consent from the Chief.

The Chief, or the Chief's delegate, approves payment and arrange for the payment to be processed.

## **3. Minimum Hours**

**Some Advocates and Seniors may be guaranteed payment for minimum hours of work (as stated in their letter of engagement) provided they meet certain conditions including availability to work.**

**Other Advocates and Seniors are not guaranteed minimum hours of work. Advocates without minimum hours who regularly do not make themselves readily available for work may find that work is allocated to other Advocates.**

Advocates with minimum hours in their contract must monitor and advise the Senior immediately in writing if they discover they do not have enough work, or are not likely to have enough work to ensure they meet their minimum hours. Failure to do so may result in the Advocate not being paid their agreed minimum hours. Seniors must advise the Chief in a timely manner if they are not likely to have enough work to meet their minimum hours.

Seniors are also responsible for the management of Advocates' contracts for service and ensuring that Advocates work the minimum number of hours they have been contracted to perform (where specified). Advocates who are unavailable to do the work necessary to meet the minimum hours will be paid for the hours worked, not the contracted minimum hours.

## **4. Working more than 75 hours per fortnight**

**In recognition that working too many hours can have a detrimental effect on an Advocate or Senior's effectiveness and health, and to manage the MHAS budget, a maximum number of 75 hours work per fortnight is set.**

Advocates need to advise the Senior if they are at risk of working more than 75 hours a fortnight so that the Senior can reallocate work if necessary.



Only the Chief can approve payment for more than 75 hours per fortnight for Advocates or Seniors. Further, prior written approval from the Chief must be sought by the Advocate via their Senior.

## 5. Motor vehicle allowance

**A visit to a consumer in a facility is the preferred means of contact by an Advocate when the consumer is a child, has just been made an involuntary inpatient, is not known to the Advocate, or where a Serious Issue, as defined by the Serious Issue Protocol, is indicated. Advocates are therefore regularly required to travel to facilities to carry out their statutory functions for which a motor vehicle allowance may be claimed, including from and to the Advocate's home and facilities.**

Mileage is paid when an Advocate or Senior uses their own vehicle to fulfil their statutory functions at the rates published by the Australian Taxation Office for the "shortest practicable route". This is consistent with the reference in the Terms and Conditions to the Public Sector Commissioner's Circular "Reimbursement of Travel Expenses for Members of Government Boards and Committees" and calculated based on the shortest route in "Where Is" ([www.whereis.com](http://www.whereis.com)).

An Advocate may claim a motor vehicle allowance to perform their statutory functions under the Mental Health Act 2014 (eg visit consumers or attend hearings) for travel to and from the Advocate's home and the facility, and between facilities. In some cases the Advocate's home may be a different address or some other motor vehicle allowance as agreed with the Chief.

A Senior may claim a motor vehicle allowance for travel from the office to a facility or another place to perform statutory functions.

A motor vehicle allowance for an Advocate or Senior to travel to non-statutory work (eg approved meetings or training) will be paid for round trips in excess of 50 kilometers.

## 6. Travel Time

**In limited circumstances, claims for travel time may be authorised by the Chief in order to ensure that the Mental Health Act 2014 obligations and MHAS protocols are met. Time spent travelling between the Advocate's home and facilities is not claimable.**

### Advocates' claims

An Advocate may be given prior and/or standing approval in writing to claim time for travel where the Advocate is required by the Chief to travel regularly between multiple facilities, provided that the distance travelled between the facilities on the same day is more than 30kms (calculated based on the shortest route in "Where Is" - [www.whereis.com](http://www.whereis.com)).

*[Examples:*

- a. the Youth Advocate or another specialist Advocate who has been asked to operate across team boundaries;*
- b. where an Advocate has been allocated to two hospitals such as Fremantle and Rockingham, Midland and Joondalup, or Joondalup and Graylands and is expected to regularly visit each in order to complete statutory functions; or*

c. *where an Advocate is allocated to cover for another Advocate and will have to regularly visit two hospitals more than 30kms apart.]*

The travel time claim must be reasonable, and be shown to have been an efficient and economic use of time on the day or that the trip was necessary in order to comply with time constraints in the Mental Health Act 2014 or MHAS protocols. Advocates are expected to try to combine work to avoid travelling between two hospitals in one day.

The claimant may be required to provide an explanation that the travel was necessary.

Where a call-out fee or travel time can be claimed, the lesser of the two prevails. See the clause on "Call out fees" below.

### **Seniors' claims**

Seniors may claim travel time to and from meetings, presentations and inspections outside the office.

## **7. Administration payments**

**In recognition of the requirement to perform administration tasks that support statutory functions and compliance with the Terms and Conditions, Advocates are entitled to claim payment without the need to demonstrate how this time was used.**

Advocates may claim one hour payment per fortnight for administration time when available for work. This will need to be claimed but details of how this time was spent will not need to be set out in the claim for payment.

Examples of administration tasks include reading the Chattering Chief newsletter, liaison about consumer allocations, reviewing schedules of Tribunal hearings, or other duties not specifically related to an allocated consumer or inquiry being undertaken.

Either the Chief or the Senior may approve administration payments in excess of 1 hour for administration tasks carried out when the Advocate is available for work which will need to be documented.

## **8. Call out fees**

**Call out fees are paid in recognition of those Advocates who might have to travel to a facility to comply with the requirement of the Mental Health Act 2014 and then only spend a few minutes talking to the consumer.**

### **Regional Advocates**

Regional Advocates will be entitled to claim a one hour call out fee in their fortnightly claim for payment when they are required to leave their home to:

1. visit a consumer(s); or
2. perform a service for a consumer(s)



subject to the work being conducted in a cost and resource efficient manner.

Payment of call out fees may be queried and must be approved by the Senior.

### **Youth Advocate and other Advocates visiting children**

The Youth Advocate, or any Advocate working in the metropolitan area, who is required to visit a child by the Chief, Senior Advocate or Advocate checking the answering machine on weekends, at short notice to comply with s357 of the Act:

- who has no other work that day; or
- when the visit cannot be combined with other work at that facility (see example below);

May claim a 1 hour call out fee, provided that they are not already claiming travel time and subject to work being conducted in a cost and resource efficient manner.

*[Example. On a weekend when a child has been made involuntary and the Advocate was not doing any other work, or where the Advocate has finished work for that day and is required to go out again in order to meet the 24 hour time limit.]*

## **9. Planned unavailability/Time off**

Advocates and Seniors are expected to take 4 weeks of time off from MHAS functions per calendar year in recognition that working without a break can have a detrimental effect on an Advocate or Senior's effectiveness, health and wellbeing.

Planned periods of absence need to be approved prior to commencement providing as much notice as possible to allow for arrangements to be made to re-allocate work and find alternative Advocates or Seniors.

Where a person is unable to make themselves available for 48 weeks each year, consideration may be given to reducing the amount of work allocated.

Planned periods of absence need to be approved with due regard for the operational requirements of MHAS and the circumstances of the Advocate or Senior.

MHAS will make reasonable efforts to accommodate requests for periods of unavailability.

Periods for which Advocates and Seniors have an approved absence will be recorded in an MHAS register and available to all parties on request.

Advocates must seek approval for planned absences in writing from the Senior.

Seniors must seek approval in writing for planned absences from the Chief.

The person considering the request will make reasonable efforts to make arrangements to cover the absence so that the period of absence can be approved.

The person considering the request will provide their decision in writing as soon as possible to the applicant. All approved periods of absence will also be forward to MHAS staff to be recorded in a register.

## **10. Unplanned absences**

An Advocate who is unexpectedly unavailable to perform the services for which they have been engaged must advise the Senior as soon as possible. A Senior who is unexpectedly unavailable to perform the services for which they have been engaged needs to advise the Chief as soon as possible.

Both the Senior or Advocate (or a person on their behalf) must advise the:

- i. reason for the absence; and
- ii. expected period of absence.

If possible the Senior or Advocate should also advise of any urgent work and other ongoing matters that require attention and any possible arrangements that can to be made to meet that need (ie where another Advocate knows a consumer and can be temporarily allocated).

Advocates and Seniors who are not available and do not provide good reason may have their contracts reviewed and potentially terminated.

## **11. Intra and Interstate Travel**

Intra and interstate travel requires prior approval by the Chief (and Manager) and is to be based on the most economical and efficient means of transport available. Reimbursement of expenses for meals when travelling intrastate on MHAS business will be made on production of a tax invoice and original receipt (could be the same). The payment amount will be capped to the amounts set out in Public Sector Award, Schedule I (<http://forms.wairc.wa.gov.au/awards/PUB007/p56/PUB007.pdf>) or the value of the receipts provided, whichever is the lesser. Travel time is not reimbursed.

MHAS staff will make intrastate travel arrangements for accommodation and airfares where an Advocate or Senior is required to travel by the Chief.

Separate arrangements for partial reimbursement of Advocate or Senior's travel may be made with the prior approval of the Chief where the Advocate or Senior is contributing to some of the travel expense. In such cases the Advocate may be required to organise the travel arrangements and original invoices and receipts will be required.

The Chief (or their delegate) approves the claim and forwards it for processing.

## D. Version Control and Change History

Version number	Approval Date	Approved by	Amendment
1.0	21 October 2015	Chief	Original
1.1	27 October 2015	Chief	Explanation of zero minimum hours
1.2	18 May 2016	Executive Team	To clauses 4, 6, 9 and 10 and Appendix 1
2.0	10 November 2017	Executive Team	Added reference to the shortest route using "Where Is" to calculate mileage; revisions from Chattering Chief of 16 June 2017; reordered clauses and update name.
3.0	19 February 2019	Executive Team	Sample pay claim revised. Advocates no longer required to itemise the time with each consumer during a visit.

### Appendix 1 – Pay Claim Templates for Advocates (Excel spreadsheet preferred)



Pay Claim Template.docx



Pay Claim Template and Sample.xlsx



## Appendix 2 – Sample Pay Claim for Advocates

### Remuneration Claim Form

**Name:** John Citizen

**Address:** 1 Main Street, Suburbia

Date	ACTIVITY (Place, consumer, meeting)	Time (mins)	KMs	Office Use
25 Dec 2017	<u>Travel - Home to Graylands</u>		8	
	<b>Graylands</b> Daffy Duck Bugs Bunny	25		
	<u>Travel - Graylands to SJOG Midland</u> Travel Time claimed (if applicable)		25	
	<b>SJOG Midland</b> Minnie Mouse	20		
	<u>Travel – SJOG Midland to Home</u>		21	
	<b>Emails and Phone calls</b> Snow White Cinderella	25 10		
26 Dec 2017	<u>ICMS</u> Daffy Duck Bugs Bunny	35		
	<u>Travel - Home to Selby Lodge</u>		7	
	<b>Selby Lodge</b> Easter Bunny Tooth Fairy Father Christmas	35		
	<u>Travel - Selby Lodge to Home</u>		7	
27 Dec 2017	<b>ICMS</b> Easter Bunny Tooth Fairy	20		
	<b>Team Meeting</b> <sup>1</sup> MHAS Office	150		
	Administration	60		
<b>Total</b>		<b>460</b>	<b>170</b>	
		<b>Mins</b>	<b>KM's</b>	

Date emailed:

Authorised for payment: \_\_\_\_\_ Date: \_\_\_\_\_

<sup>1</sup> Mileage is only claimable if the round trip to non-statutory work (ie meetings) is in excess of 50km.