



HR Audit & Workplace Compliance Risk Assessment



WENTWORTH
ADVANTAGE

The Australian workplace relations system is complex. It can be difficult to know whether you are complying or whether your HR practices and procedures are best practice.

This checklist has been developed to assist businesses to undertake a self-audit of their existing human resource systems and compliance with workplace laws.



Part 1: Workplace Compliance Risk Assessment

Industrial relations system

Are you aware of which industrial relations system you fall under as a business employing staff in Australia?

National industrial relations system

State industrial relations system

Don't know



If you are not sure which industrial relations system you fall under, then consider a subscription & seek advice from [Wentworth Advantage's HR Help Desk](#).

Industrial instruments

Are you aware of which of the current instruments (if any) that covers and applies to your employees?

Modern award

State award

Enterprise agreement

Award-based transitional instrument

Agreement-based transitional instrument

Division 2B State employment agreement

Other: _____

Awards and employment standards

Yes

No

Don't
Know

Are you aware of the award (if any) which may cover and apply to your employees?

Which minimum employment standards applies to your employees?

National Employment Standards

Minimum Conditions of Employment Act

Are you aware of your obligations with respect to the below?

Yes

No

Requests for flexible (modified) working arrangements

Notice of termination

Redundancy pay



If you are not aware of which industrial instrument, Award or Standard applies to your employees then consider a subscription & seek advice from [Wentworth Advantage's HR Help Desk](#).

For national system employers (only)

Yes

No

Do you provide the Fair Work Information Statement to all new employees?

Do you retain details of how the statement was given?

Are you aware of how the modern awards and National Employment Standards interact with your existing workplace agreements?



Did you answer NO to any of the above questions? Consider a subscription & seek advice from [Wentworth Advantage's HR Help Desk](#).

Leave entitlements

Yes

No

Do you maintain accurate records of employee leave entitlements?

Do you have processes in place for employees to apply for:

Annual leave?

Personal (sick) /carer's leave?

Compassionate (bereavement) leave?

Parental leave?

Community service leave?

Long service leave?



Did you answer NO to any of the above questions? Consider a subscription & seek advice from [Wentworth Advantage's HR Help Desk](#).

Pay and conditions

How are your employees paid?

Weekly

Fortnightly

Monthly

On which day?

Monday

Tuesday

Wednesday

Thursday

Friday

Saturday

Sunday

By what payment method?

Cheque

Cash

EFTPOS

Do you include the following details on the employee's pay slip?

N/A

Yes

No

Employer ABN

Legal and/or trading name of employer

Employee name

Date of payment (e.g. 19/06/17)

Pay period (e.g. 04/06/17 – 18/06/17)

Gross and net amount of pay

When paying employees an hourly rate – is the ordinary hourly rate of pay, number of hours worked at that rate and the amount of payment at that rate displayed?

When paying employees an annualised salary – is that rate to the last day in the payment period displayed?

Details of any deductions made from the employee's pay

Is the amount and name of the superannuation fund (for employers required to make superannuation contributions for the benefit of employees) shown?

Do employees get a pay slip within 1 working day after they are paid?

Do casual employees receive the correct loading for ordinary time/overtime/weekend work and public holidays in accordance with the relevant Award/Agreement?



If you answered NO to any of the questions above, you may not be complying with your workplace obligations. Consider a subscription & seek advice from [Wentworth Advantage's HR Help Desk](#).

Work performed on weekends, nights or public holidays

N/A

Yes

No

Do you accurately record the start and finish times for employees who receive penalty rates?

Do you pay the correct penalty rates (according to the relevant Award/Agreement)?

Are uniform/late work or other allowances being paid as per the relevant Award/Agreement/Act?

Do employees get the correct meal and rest break according to the relevant Award/Agreement?

If no, are employees properly compensated?



If you answered NO to any of the questions above, you may not be complying with your workplace obligations. Consider a subscription & seek advice from [Wentworth Advantage's HR Help Desk](#).

Time & wages record keeping

Yes

No

Do you maintain the following information on the employee's records?
(Can be electronic and/or written records)

Legal and/or trading name of employer

Employee name

Date the employee commenced work with the employer

Employee status – whether the employee is engaged as a permanent (full time or part time), temporary or casual employee

Number of hours worked

Number of overtime hours worked

Rate of pay

Any written agreements of hours worked, individual flexibility arrangements or annualised salary guarantees/agreements

Gross and net amount of pay

Deduction details

Monetary allowances

Leave accrued/taken

Superannuation details

Termination details



If you answered **NO** to any of the questions above, you may not be complying with your workplace obligations. Consider a subscription & seek advice from [Wentworth Advantage's HR Help Desk](#).

Part 2: HR Audit

HR strategy

Yes

No

Does your organisation have an HR plan?

Do you feel the HR function adds value and supports your organisation's strategy?

Does your business undertake an annual HR planning process and review process?



If you answered NO to any of the questions above, you are not taking a strategic approach to your staffing and you may be overly HR operationally focused. Consider a subscription and seek advice from [Wentworth Advantage's HR Help Desk](#).

Recruitment

Yes

No

Does your organisation have a recruitment policy?

If you have a policy, is the policy adhered to?

Do job descriptions exist?

Are job descriptions up to date?

Are job openings offered to current employees?

Are applicant references checked?

Are turnover rates monitored?

Are all applicants required to fill out and sign an application form?

Do employment applications refrain from requesting prohibited information, such as religion?

Are independent contractors accurately identified?



If you answered NO to any of the questions above, you are not recruiting the best staff for your business and may be allowing poor – average quality staff into your business. Consider a subscription and seek advice from [Wentworth Advantage's HR Help Desk](#).

New employees

Yes

No

Are workplace policies in place?

Do policies focus on your workplace?

Are policies communicated?

Are policies enforced?

Is there an employee handbook?

Is the employee handbook specific to your workplace?

Do employee orientations take place?

Are employees trained on policies and work rules?

Are employees trained on discrimination issues?

Is there a process for employees to lodge complaints?

Are there a variety of individuals to whom employees may lodge complaints
(Supervisor, HR representative)?



If you answered NO to any of the questions above, you are not inducting your new staff properly and may be experiencing a high turnover of new staff. Consider a subscription and seek advice from [Wentworth Advantage's HR Help Desk](#).

Employee engagement

Yes

No

Do you have formal processes for communicating information to staff?

Do you have any processes in place to monitor the morale of staff?

Do you feel confident in conducting an effective staff / team meeting?

Do you implement any activities that are designed to improve staff motivation and morale?

Do you have a Recognition & Reward program in place?



If you answered NO to any of the questions above, you are not engaging with your staff and may be experiencing high staff turnover. Consider a subscription and seek advice from [Wentworth Advantage's HR Help Desk](#).

Performance management

Yes

No

Do you have a set performance appraisal system?

Does your organisation have a set process for managing non-performance?



If you answered NO to any of the questions above, you are not getting the most from your staff and may be allowing for mediocrity. Consider a subscription and seek advice from [Wentworth Advantage's HR Help Desk](#).

Training and staff development

Yes

No

Is there a professional development program in place?

Do you have a formal system by which you identify individual training needs?

How effective and fair do you feel your organisation's policies around training and staff development are?

Have you trained your Managers how to conduct a good performance review?



If you answered NO to any of the questions above, you are not training your staff properly and may be at risk for mistakes being made, average staff performance and resignations. Consider a subscription and seek advice from [Wentworth Advantage's HR Help Desk](#).

Remuneration

Yes

No

Does your organisation have a remuneration policy?

Is there a formal pay structure?

Are appraisals or performance measures linked to your remuneration system?

Do you feel your organisation's approach to remuneration is fair and equitable?

Have you, in the last 24 months, conducted a remuneration benchmarking review utilising salary survey data?



If you answered NO to any of the questions above, you are not paying your staff properly and may be at risk of paying too little and losing staff or too much and costing your business. Consider a subscription and seek advice from [Wentworth Advantage's HR Help Desk](#).

Equal employment opportunity (EEO)

Yes

No

Does your organisation have an equal opportunity policy?

Are managers aware of how to respond to EEO/harassment issues?



If you answered NO to any of the questions above, you are not providing for an equal opportunity workplace - exposing your business to legal risk. Consider a subscription and seek advice from [Wentworth Advantage's HR Help Desk](#).

Discrimination and employee rights

Yes

No

Are employees trained on discrimination issues?

Are supervisors and managers trained in anti-discriminatory practices?

Are employment practices in line with the various anti-discrimination laws?

Are effective policies in place that prohibit retaliation against employees who exercise their rights?



If you answered NO to any of the questions above, you may be discriminating against some staff and not providing them with their workplace rights – exposing your business to legal risk. Consider a subscription and seek advice from [Wentworth Advantage's HR Help Desk](#).

Workplace Bullying

Yes

No

Do have a No-Bullying Policy?

Have you provided training to staff on Bullying in the Workplace?

Have you identified where and when bullying may occur and take a preventative approach to its management?

Do you have a formal investigation policy if someone submits a bullying complaint?



If you answered NO to any of the questions above, you are not meeting your obligations to ensure a workplace free from bullying – exposing your business to legal risk. Consider a subscription and seek advice from [Wentworth Advantage's HR Help Desk](#).

Work health & safety (WHS) & workers' compensation

Yes

No

Do you have WHS policies & procedures, with supporting forms, in place?

Do you consult with workers on WHS matters?

Is there a WHS committee or some other form of consultation process in place?

Do you conduct a WHS risk assessment of the workplace?

Are the identified WHS risks collated into a WHS Risk Register?

Do you train staff in WHS issues?

Do you have first aiders and fire wardens trained and in place?

Do you know what the WHS Due Diligence Duty is – and do you comply?

Are return-to-work programs checked for effectiveness?

Are workers compensation insurance premiums and competitive quotes reviewed on a periodic basis?



If you answered NO to any of the questions above, you are not meeting your WHS obligations to ensure a safe workplace – exposing your business to legal risk. Consider a subscription and seek advice from [Wentworth Advantage's HR Help Desk](#).

Employee separation

Yes

No

Do exit interviews take place?

Are final pays provided on time?



If you answered **NO** to any of the questions above, you are not taking the opportunity to find out why staff are leaving. Consider a subscription and seek advice from [Wentworth Advantage's HR Help Desk](#).

Record keeping and other documentation

Yes

No

Are personnel files current?

Are documents regarding employees kept for their required duration?



If you answered **NO** to any of the questions above, you are not keeping on-top of your HR administrative responsibilities – exposing your business to legal risk. Consider a subscription and seek advice from [Wentworth Advantage's HR Help Desk](#).



Further assistance needed?

For complete peace-of-mind, take out a subscription to Wentworth Advantage's HR Help Desk Service – who will work with you to ensure you comply with Australian workplace legislation and HR best practice. Protect your business today. For costs and further information, please contact [Wentworth Advantage](#).

For further advice in relation to this HR Audit & Workplace Compliance Risk Assessment, please contact [Wentworth Advantage](#).



**WENTWORTH
ADVANTAGE**
HR YOU CAN CONNECT WITH

Wentworth Advantage

Level 3, North Tower,
Chatswood Central
1-5 Railway Street, Chatswood NSW 2067
ABN 67 099 678 332

T: 02 8448 3200

F: 02 8448 3299

E: info@myadvantage.com.au

W: www.myadvantage.com.au

Disclaimer

Elements of this resource have been adapted from
© Fair Work Ombudsman www.fairwork.gov.au

This document is a complimentary resource and
does not constitute human resource or legal advice.

It should not be relied upon as such. It is intended
only to provide a summary and general overview
on matters of interest and it is not intended to be
comprehensive. You should seek your own advice
before acting or relying on any of the content.

© Wentworth Advantage Pty Ltd 2017