



**Family &
Community Services**

Family and Community Services Staff Management Plan

Version 2.0

**Strategic Human Resources
Department of Family and Community Services NSW
May 2013**

Introduction and Purpose

In May 2012, the Director General announced the new FACS organisational structure and the whole of FACS reform initiatives.

The purpose of this document is to outline the principles for the placement of staff into revised structures resulting from the new FACS organisational structure including the consolidation of divisional corporate service functions.¹

Principles:

- maximise opportunities for staff matching and redeployment within existing function only
- adherence to public sector policy and legislation
- minimal disruption to organisational functioning
- a fair, transparent and accountable process
- regular consultation with staff and Unions
- appropriate information and support available to staff to assist their understanding of and transition through the processes.

Staged Approach

The implementation of the FACS organisational structures will be staged during 2013. Each Functional Head/Executive Director will take the lead to manage the implementation of their new structure.

A staff briefing will be held for affected officers including temporary officers/appointees. Relevant unions will be invited to attend the briefing. The briefing information will include a clear comparison of the former and proposed structures (positions created and deleted). Implementation plans may need to be tailored to suit specific needs of those staff affected e.g. Regional impacts.

Functional Heads/Executive Directors will take the lead to manage the implementation of their new structures.

Voluntary Redundancy Program

FACS may conduct a Voluntary Redundancy Program for affected permanent officers. If a Program is to be conducted Expressions of Interest will be circulated to eligible officers during the FACS restructure process. Eligible officers will be notified via the FACS Intranet.

Proposed Filling of Positions

The Director General has declared a major restructure. This means that permanent officers, existing excess officers and those eligible long term temporary employees/appointees affected by the reforms are able to be considered for appointment prior to the consideration to external advertising.

In Phase 1 the filling of positions will be confined within specific functions/business units for those affected permanent officers and eligible long term temporary employees/appointees eg Human Resources, Finance, Governance and Assurance.

¹This plan does not cover staff movements resulting from the Department's Localisation announcement by the Director General on 5 February 2013 or staffing changes resulting from the implementation of the National Disability Insurance Scheme Launch as it relates to FACS.

Where an officer's substantive position is not within the functional area being restructured, they are not eligible for consideration unless they meet the provisions of long term temporary secondment status. Where officers are not eligible they will be able to apply for positions in Phase 2.

The filling of positions will be undertaken over two phases:

Phase 1

Positions in new structures will be filled permanently where possible through matching permanent affected officers at their substantive rates of pay. New or substantially changed positions will be filled on grade through an assessment process conducted concurrently with the matching process (refer FACS Matching Process for filling positions).

Following the completion of the above processes any existing departmental excess officers may be considered for vacant positions where their Case Manager judges the vacancy to be suitable based on the position's capability requirements.

Where permanent vacant positions remain consideration will be given to those eligible long term temporary employees/appointees (up to Maximum Grade 12) affected by the reforms. The effective date to determine eligibility may differ from function to function, however the cut-off date to determine eligibility will be the date on which the Functional Head/Executive Director approves the matching and assessment outcomes of permanent affected officers.

Eligible long term temporary appointee/employees will be notified of remaining suitable vacancies at grade where available. Available vacancies may include those that are new or substantially changed.

Phase 2

All remaining vacancies are to be filled on a permanent basis by consideration of permanent officers seeking transfer or promotion. This process will be undertaken with positions being advertised internally across FACS. Applicants will be required to submit a current resume and a claim for the position.

Any subsequent vacancies will be advertised externally for filling. All other FACS staff not affected by the reforms including temporary, agency or contractor staff are eligible to apply for positions advertised externally.

Officers Not Matched

Affected officers not matched to a substantive position after the completion of 'Transfers and Promotions' in Phase 2 will be declared excess and managed in accordance with the current Managing Excess Employees Policy and related documents.

Transferred Officers

It is not expected that staff will be redeployed to positions that require them to relocate their residence. However, if following consultation with officers this should occur, officers may be entitled to payment in accordance with the provisions of the Crown Employees (Transferred Employees Compensation) Award 2009 or other policy and or industrial instruments subject to approval by the department.

Existing Temporary Employees

As FACS departmental structures are finalised, existing temporary employees (section 27 *PSEM Act 2002*) currently filling vacancies maybe required to complete their contracts earlier than advised for their current contract.

Panels

Panels will usually comprise of two people. ie one male and one female and where possible a member from a different FACS function or division. Panel recommendations will need to be recorded and approved by the Functional Head/Executive Director.

Review and Appeal Mechanisms

Internal Reviews

Affected officers or long term temporary appointees/employees can seek an internal review which is limited to process only.

A request for an internal review (Tab A) is to be made to the relevant Functional Head/Executive Director no later than one week from the day the officer or temporary appointee/employee was notified of the decision.

Internal reviews will be conducted by a representative from the Function and from Strategic Human Resources. Outcomes from the panel decision are final and will be notified within one week of the panel meeting.

Promotional Appeals

Officers may be eligible to appeal to the Industrial Relations Commission against certain decisions. Officers are able to seek further advice from their Union in this regard or on the [Industrial Relations Commission website](#).

Definitions:

Phrase	Definition
Substantive position	The position to which an officer is appointed in accordance with part 2.3 of the <i>Public Sector Employment and Management Act 2002</i> (the Act).
Long term temporary employee/appointee	<p>A person who qualifies under – s 31 of the Act for direct appointment to a permanent position. Temporary employment must fall within a continuous employment period of at least 2 years and meet the requirements of s31 of the Act.</p> <p>In addition, sections 86 and 86A of the Act provides for permanent appointment to positions where a temporary appointment (secondment) has continued for at least two years. In both cases the Act stipulates details around maximum salary rates, availability of ongoing work, merit selection, performance of duties and position requirements.</p>
Case manager	Person responsible for ensuring excess officers are properly informed about their options and entitlements, career transition assistance and redeployment.

Excess	Refers to an officer who is declared “excess” when they no longer have a substantive position.
Redeployment	means the permanent placement of an excess officer into a funded position (job) on a division’s establishment. This may involve placement into a position at the same classification/grade/salary or where there are no positions at that classification/grade/salary or equivalent into a position within 5% of the maximum salary of the award classification salary range of the officers former substantive position.
Suitable position	A position suitable for redeployment being one that <ul style="list-style-type: none"> • an officer can meet the selection criteria for the position; or • an officer is likely to perform adequately in the position in a reasonable period of time, given access to appropriate training and support; and • which is of equivalent grade or salary (or lower, if the employee consents) • within reasonable commuting distance, or at any other location agreed to by the excess employee.

Communication and Support

- Businesslink Human Resource Advisors will support the implementation of structures by providing information and advice to affected staff, including discussions on available redeployment options as required.
- EAP Counselling – Converge International on 1800 337 068
- Public Service Association on telephone 9220 0900 or 1800 467 932 for non-Sydney zone.

Relevant Public Sector Employment Policies

- [Managing Excess Employees policy M2011-11 \(D2011_007\)](#)
- [Case Management and Redeployment Guidelines D2011-09](#)
- [Agency Change Management Guidelines D2011-014](#)
- [Voluntary Redundancy Program Guidelines D2011-023](#)
- [Voluntary Redundancy: Superannuation Implications D2011-013](#)

Form: Request for an Internal Review

PURPOSE

In accordance with the FACS Staff Management Plan, affected officers and long term temporary appointees/employees can seek an internal review which is limited to process only.

PERSONAL DETAILS

First name	
Surname	
Employee number	
Contact number	

SUBSTANTIVE POSITION DETAILS

Substantive position title	
Substantive grade/level	
Division and office location details	Division: Business Unit Name: Location:
Employee's signature	
Date	
Briefly outline your concerns about the process	

Please return this form marked 'Confidential' to the Functional Head/Business Unit's email box in accordance with the review process outlined in the FACS Matching Process for Filling Positions.