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3 May 2016

Mr Mark Philip
Director, Industrial Relations
NSW Department of Education
35 Bridge Street
SYDNEY NSW 2000

Email: mark.philip@det.nsw.edu.au

Dear Mark,

Re: Student Injections

The PSA wishes to formally raise an urgent matter that has been brought to our attention by members. The issue is in relation to injections being administered by School Learning Support Officers (SLSOs). Our Organiser Ann Attwater recently had a conversation with Manager, Complex Support Disability & Health, Trish Boss on this topic. The issue of whether an SLSO can administer injections has not been formally brought for consultation with the PSA. I remind you that there are consultation requirements with the PSA set out in clause 24 of the award:

Clause 24. Consultation of the Award states:

Clause 24. Consultation

24.1 Consultation is a process that:

24.1.1 Provides an opportunity for the Department, the Association and employees to express their views, state objections, exchange information and promote understanding;

24.1.2 Involves timely provision of all relevant information to employees and the Association; and

24.1.3 Provides a genuine opportunity for employees directly affected by major changes in the workplace, the wider workforce and the Association to influence the matters under discussion with the Department.

24.2 Where the Department has made a definite decision to introduce major changes in, program/service delivery, organisation, structure or technology that are likely to have significant effects on employees, the Department shall notify the employees who may be affected by the proposed changes and the Association for the purpose of engaging in consultation.

- 24.3 Significant effects" include termination of employment, major changes in the composition, operation or size of the Department's workforce or in the skills required, changes in job opportunities, promotion opportunities or job tenure for a class or group of employees, the alteration of hours of work for a class or group of employees, the need for retraining or transfer of a class or group of employees to other work or locations and the restructuring/redesign of jobs.
- 24.4 The Department is not required to consult over individual workplace/performance issues under this clause.
- 24.5 The Department shall discuss with the employees affected and the Association, among other matters, the introduction of the changes referred to in subclause 24.2 above, the effects the changes are likely to have on employees and measures to avert or mitigate the adverse effects of such changes on employees, and shall give prompt consideration to matters raised by the employees and/or the Association in relation to the changes.
- 24.6 The discussions shall commence as early as practicable after a definite decision has been made by the Department to make the changes referred to in sub clause 24.2 of this Clause.
- 24.7 For the purpose of such discussions, the Department shall provide to the employees concerned and the Association all relevant information about the changes, including the nature of the changes proposed, the expected significant effects of the changes on employees and any other matters likely to affect employees, provided that the Department shall not be required to disclose confidential information the disclosure of which would adversely affect the Department.
- 24.8 The Department will notify affected employees and the Association of the outcome of the consultation in writing.

Injections are not covered by prescribed medications or health care procedures. It therefore constitutes a new issue that must be discussed and negotiated with the PSA. The PSA requests that the Department put out urgent communication to all school principals to immediately cease any such practice and ensure no SAS staff member undertakes the administration of injections (excluding epipen). The PSA strongly opposes this practice. The PSA requests evidence of this communication. The PSA has raised this issue at the health care procedures dispute meeting on the 7th April 2016 but were advised to raise it separately.

The PSA reserves the right to notify a dispute on this issue.

I request a response to this letter within 5 business days.

Yours sincerely,



VERA BABICHEVA
INDUSTRIAL ADVOCATE