



23 June 2017

Justice Bulletin - DTS Restructure

Due to ongoing concerns about the agreed Recruitment Review Process, the PSA recently sought to have its dispute relisted in the Industrial Relations Commission (IRC). The dispute is now listed for conciliation on 30 June 2017.

As members are aware, the review process was implemented after the PSA lodged a dispute in the IRC. The criteria to be applied to individual applications for review is – “if the staff member can meet the capabilities for nominated roles given reasonable support and training.”

See copy of the previous PSA bulletin [here](#) (please insert attached Bulletin dated 15 May 2017) for your information.

<http://psa.asn.au/wp-content/uploads/2017/05/Justice-DTS-restructure-bulletin-15-May-2017.pdf>

The Department sought to streamline the Review process after receiving a large number of applications for review, and have proposed that reviews be conducted on the papers where possible.

The PSA supports a streamlined process, as long as the process is conducted fairly and

transparently and our members are given the opportunity to prove that they can meet the capabilities for roles given reasonable support and training.

The PSA position in the matter is consistent with the approach agreed to by the parties at the IRC and is as follows:

- That the review be conducted by the nominated Department of Justice Senior HR Partner and the Business Partner, with the Justice Partner taking a proactive role in the process
- The criteria for the review process is whether the staff member can meet the capabilities for nominated roles given reasonable support and training
- That if the panel agrees that staff members can meet the capabilities for the nominated roles, then they should be appointed to the role without any further process
- That if there are concerns that the member may not or will not meet the capabilities for roles at grade given adequate support and training, then the following process should apply:

- The applicants should be given detailed feedback in writing against each capability
- The applicants should have the opportunity to address the concerns raised by the Review Panel
- The applicant's referees should be contacted
- Applications for review should not be refused without applicants being given an interview and opportunity to address concerns, especially given the experience of staff applying for reviews

The PSA also believes that if the review process is applied fairly and in good faith then staff will be appointed to nominated roles following the agreed review process. The PSA does not believe that there is any justification for failing to appoint staff at grade (or staff acting for years in higher duties) where there are more roles than people.

Outstanding concerns:

- The PSA continues to oppose the use of Agency staff on selection panels and notes that the Department of Justice has agreed to

discontinue the use of Agency staff in the matter going forward.

- The PSA does not agree that the Change Management Recruitment process has been applied correctly
- The PSA continues to have concerns about the application of the Change Management process and invites member feedback
- The PSA will seek a commitment to re-establish the JCC to resolve ongoing issues and improve the culture in DTS

The PSA invites member feedback prior to the IRC appearance and thanks members for engagement in the process to date.

Your DTS delegates are:

Larry Carter – larry.carter@justice.nsw.gov.au

Brendan Cotton – Brendan.cotton@justice.nsw.gov.au

Your PSA Staff:

Susan Emery – PSA Industrial Officer – semery@psa.asn.au

Surabi Alauddin – PSA Organiser – salauddin@psa.asn.au

