

## Ministry of Health Joint Consultative Committee – Report to members

PSA delegate John Bertacco and Industrial Officer Carmel McKeough met with the Ministry of Health for the Joint Consultative Committee (JCC) meeting on Wednesday, 11 April 2018.

Key issues discussed were:

### 1. Contractors

The PSA was advised that there are now **115 contractors** at 73 Miller Street, comprised as follows:

- » Finance 20
- » People, Culture and Governance 28
- » Population and Public Health 31
- » Strategy and Resources 12
- » System, Purchasing and Performance 22
- » Units reporting directly to the Secretary 2

The Ministry advised that 44 were new engagements. The PSA asked how many of the 44 new engagements were an extension of existing engagements. The Ministry was not able to provide an answer at the time.

The PSA requested clarification as to whether the figure of 115 related to the whole Ministry or excluded those branches established as part of the Health System Support Group (ABF Taskforce, Centre for Health Protection for example). The Ministry could not answer this question and indicated it would come back with further advice. This is yet to occur.

The PSA will pursue this matter as we are very concerned about the Ministry's lack of transparency on this key issue.

The fact of the matter is these 115 jobs should be ongoing roles for public servants.

Under the *Crown Employees (Public Service Conditions of Employment) Award 2009* contingent workers (contractors) and consultants are not to supervise public servants as per clause 3.66:

*“Supervisor means the immediate supervisor or manager of the area in which the employee is employed or any other employee authorised by the Department Head to fulfil the role of a supervisor or manager other than a person engaged as a consultant or contractor”*

Furthermore contingent workers (contractors) and consultants do not exercise administrative and financial delegations as per s26 of the *Government Sector Employment Act 2013* and s12 of the *Public Finance and Audit Act 1983*.

If members are aware of any situation in the Ministry where there is a breach of the award and legislation in regard to contractors and consultants could you please urgently advise the PSA.

### 2. Recruitment

Since the previous JCC in February the following recruitment activity has occurred:

- » 25 ongoing appointments
- » 27 temporary appointments, including extensions
- » 9 secondments, including extensions
- » 4 expressions of interest released
- » 23 roles externally advertised
- » 8 roles filled through activation of the talent pool.



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### 3. Post-Budget briefing

The Ministry advised a post-Budget briefing with unions is scheduled for 19 June 2018. Such briefings were abolished by the previous Health Minister, but reinstated by the current Minister after the PSA raised the matter.

### 4. MOLA

We advised of difficulties with MOLA, including a member being placed on leave without pay when other forms of leave were available. We will provide more information to management about this matter.

### 5. Work Health and Safety

It was agreed that the Work, Health and Safety Report would be expanded to include cases of workplace bullying.

### 6. Performance management policy

The PSA raised the fact the Ministry's Performance Management Policy was inadequate and needed to be rewritten to offer more guidance to both staff and management. The Ministry will consider this request. We asked that an appropriate consultation process takes place with the PSA. The PSA also reminded the Ministry we expected to be consulted about a new Restructuring Policy.

### Sub-JCC relocation to St Leonards

Ms Katrina Eadie, Director of Change, joined the meeting. We were advised that "New Ways of Working" will be a catalyst to changing the culture of the Ministry.

This will not only address behaviour but also technology, building design and fit-out.

EHealth is currently undertaking a review about IT needs and will employ consultants to do this work. Staff will be interviewed as part of this process. The Ministry advised that desktops will be replaced with laptops. High-performance laptops will be purchased for staff who demonstrate a need. However, the model is yet to be determined.

Ms Eadie advised that part of the cultural change will include values of trust, empathy, support, reflection and mindful learning. With such values this is supposed to encourage managers to be more trusting in relation to flexible work practices among other things. There will also be a focus on giving managers the skills to be more proactive so problems are addressed before they become serious workplace issues. The Ministry will also appoint branch champions of the "new ways of working" agenda.

The PSA raised the status of the Ministry's response to the "if not why not" flexible working agenda. We were referred to the Public Service Commission's Discussion Paper and examples of activity-based organisations with highly mobile workforces. We made the point we do not appreciate references being made to your award inhibiting flexibility as it has been possible to develop local arrangements for many years – refer to clause 10.

The PSA appreciated Ms Eadie's briefing and we agree with the need for cultural change in the Ministry.



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We stated a lot of work needs to be done with managers in terms of attitudinal change towards flexible working and taking bullying allegations seriously.

We continue to have concerns around work, health and safety in particular the way bullying matters are managed by the Ministry. We also have concerns about the impact of so-called agile working on our members.

The building in St Leonards is a state-significant development and feedback from the community has now closed. We are still some time away from construction commencing and will be provided with more information at the next meeting.

### Next meeting of JCC

The next meeting of the JCC will be held at 2.00pm on Wednesday 13 June, 2018. The sub-JCC will be held at 1.00pm on the same date. If members have any issues they wish to raise at either meeting could they please contact their delegates or industrial officer.

### Your PSA team

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