



PUBLIC SERVICE ASSOCIATION  
OF NEW SOUTH WALES

General Secretary Stewart Little  
President Kylie McKelvie  
ABN 83 717 214 309

In reply please quote: CMcK: ljm

18 October 2018

Mr Michael Coutts-Trotter  
Secretary  
Department of Family and Community Services  
Locked Bag 10  
STRAWBERRY HILLS NSW 2012

Email: [petra.kathagen@facs.nsw.gov.au](mailto:petra.kathagen@facs.nsw.gov.au)

Dear Mr Coutts-Trotter

I am writing to you in regard to three improvement notices issued by SafeWork NSW to the Coffs Harbour office of the Department of Family and Community Services (FACS).

The PSA has consistently raised concerns about the problematic workplace at Coffs Harbour CSC and the impact on our members. The PSA is appalled to learn that SafeWork identified problems extending back as far as 2012. SafeWork found that FACS is contravening its legislative responsibilities by exposing workers:

*"...to a risk to their health and safety from psychological injury resulting from an existing culture/behaviour of bullying, harassment and intimidation of workers by managers (past and present) during the period May 2012 to present at the Coffs Harbour office of Family and Community Services (unsafe environment/unacceptable workplace behaviours) as the current Respectful Workplace Policy (No bullying, harassment or discrimination) is not being followed as per the FACS's Code of Ethical Conduct."*

This reflects a systemic failure by FACS senior management to protect the health and well-being of child protection staff. By failing to meet their responsibilities under WHS legislation, FACS management have exposed child protection staff at Coffs Harbour to both the risk and reality of psychological injury. SafeWork also found that management did not comply with their WHS obligations to consult with staff.

SafeWork have issued FACS with a series of directions to better manage the WHS risks child protection staff confront on a daily basis. The PSA maintains that these findings and advice in the SafeWork Improvement Notices are relevant across the state. We are

therefore seeking a meeting to discuss how FACS plans to respond at a state-wide level to the issues covered by the Improvement Notices.

We note that FACS is a signatory to the NSW Government Sector WHS Plan. Accordingly, a WHS audit will have been completed by FACS on 8 October 2018 using the audit tool provided as part of this Plan. We ask that the self-audit results are tabled for discussion with the PSA in light of the findings and remedial actions arising from SafeWork's investigation at Coffs Harbour CSC.

I further seek your advice as to how FACS plans to respond to these directions, in particular the proposed actions to identify, manage and reduce risks of psychological injury in the workplace.

The PSA notes that all actions in response to the Improvement Notices must be developed in consultation with staff at the Coffs Harbour CSC in accordance with the consultation provisions of the WHS legislation. The PSA strongly recommends that the way forward to address these serious matters is the establishment of a high level taskforce to develop the response to SafeWork. The taskforce should include child protection staff representatives from Coffs Harbour CSC. We seek to further discuss the proposed taskforce with you.

We are strongly of the view that current management at Coffs Harbour should not be involved in developing the Department's response as they are part of the problem. Their actions and inactions, including failure to meet the requirements of the Respectful Workplace Policy and adhere to the Code of Ethical Conduct, need to be investigated as possible misconduct and acted on as a matter of priority. Management refresher training in these corporate documents will be seen by many staff as a completely inadequate response.

Lastly, I seek your assurance that there will be genuine and transparent consultation with the PSA and our members to effect the necessary changes at Coffs Harbour so that child protection staff are safe at work and no longer exposed to the risk of psychological injury.

Please contact Sandra Lockey on 9220-0982 to arrange a meeting.

Yours sincerely,



Troy Wright  
**Assistant General Secretary**