

Ms Tish Bruce  
Executive Director  
Health and Social Policy Branch  
NSW Ministry of Health

Dear Ms Bruce

### **PSA Submission – Health and Social Policy Branch Restructure**

The PSA thanks you for your invitation to the restructure briefing on 20 March 2019 and the extension of the consultation period. We provide the following comments:

- Announcement of the restructure while the State Government was in caretaker mode and three days before an election was inappropriate and should not have occurred. The PSA requests that the Ministry acts to ensure this does not occur in regard to any future restructures.
- A number of ongoing staff in the branch are on temporary assignments to more senior roles, and have been for an extended period. It is unclear how they will be impacted by the changes and if they will be required to return to the role they were originally appointed to. It is requested that clarity is provided on this matter.
- There is a problem with the communication to staff on 1 April 2019 which refers to “A list of the people employed against positions numbers – both the person who *substantively holds the position* and the person who was in the position on the 25/2. We have indicated whether the current occupant is an employee or contingent worker”. The email fails to make clear that under the *Government Sector Employment Act 2013* (GSE) staff are assigned to a role and can be assigned to a different role subject to consultation. The language used to support this restructure needs to accord with the current legislative framework to avoid confusion and misunderstanding. The PSA has spoken with a number of staff who are concerned about their “substantive position” going forward. Further communication to staff needs to explicitly refer to the requirements of the GSE and address the concerns of those who believe they could be at risk of being assigned to another role.
- Information provided by management on 1 April 2019 shows a total of 50 ongoing staff (including executive roles) and 21 temporary staff. The number of temporary staff appointed under the GSE, or those who are ongoing staff appointed to a temporary assignment in the branch or those engaged as contractors is unclear. The total establishment of the branch is also unclear. In the interests of transparency, the PSA requests that this additional information is provided.
- Prompt recruitment action should be taken to fill all vacancies so that they are held by staff appointed to ongoing roles. Where staff are in long term temporary employment action should be taken to convert them to ongoing roles under GSE Rule 12 which permits that “an agency head may convert the temporary or term employment of a person to ongoing employment in the agency if the person has been employed in temporary or term employment for a period of at least 12 months and the ongoing employment is at level”.

- It is noted that consultants were engaged for what we were advised was a reorganisation and not a restructure, with no job losses. Such a relatively simple exercise which had apparently been discussed with staff should not have required the use of consultants. The PSA does not believe it is an appropriate use of taxpayer's money to engage consultants for this purpose when the skills required to undertake this work are available within the Ministry.
- In Frequently Asked Questions staff were referred to *PD 2013\_042 Restructuring Policy and Procedures* and advised that the proposed reorganisation of work and reporting lines does not meet the definition of restructure and the term reorganisation more accurately describes the proposed changes (Q & A 2). However staff were also advised that after consideration of the feedback a final structure will be submitted to the relevant Deputy Secretaries and the brief seeking approval to proceed will include a change management plan to support implementation (Q and A 10). The PSA welcomes a change management plan and seeks your commitment that there will be further consultation with staff prior to its finalisation. The change management plan is an opportunity to ensure the final proposal aligns with the GSE and to address staff concerns about their roles.
- The PSA requests that staff are provided with information about the impact of the State Government's 3% efficiency dividends over four years i.e. 12% cuts in total for the Ministry. Noting the use of consultants for this restructure, the PSA is concerned that further changes may eventuate and that what we are seeing is in fact stage 1 of a broader restructuring process. Again this should be addressed in the change management plan. Your clarification on this point is requested in order to address the concerns of our members.
- The PSA notes that the Health and Social Policy Branch will be responsible for progressing a number of the State Government's election commitments and seeks your advice as to how will this be possible with the efficiency dividends that need to be delivered by the agency.

We look forward to receiving your response.

Yours sincerely

**Carmel McKeough**  
**Industrial Officer**  
**Education, FACS & Health Team**