

## Anti-Discrimination Board member bulletin

As members are aware, the Anti-Discrimination Board (ADB) is to be restructured. At the end of last year, the ADB had advised the draft change management proposal was to be issued to the PSA and members for consultation. However, this has not occurred. At the March 2018 PSA/ADB Joint Consultative Committee meeting, the ADB confirmed that there will be further delays. This is because the ADB are still awaiting advice from other parts of Justice. Members will be updated as soon as any information is received.

In order to assist members, the PSA held a Lunch'n'Learn on dealing with restructures in February 2018. Thank you to all the members who attended. Although there was a good turnout, not everyone was available. The information provided at the Lunch'n'Learn has been summarised below. Links to relevant government sector policies are also attached.

### What is a restructure?

Restructures are now a very common reform undertaken in NSW Government agencies. The term 'restructure' can cover many different situations such as:

- » existing agencies being replaced by a new agency
- » merging agencies
- » moving parts of one agency to another
- » a new structure for an existing agency.

These changes may arise from a review of operations. Sometimes the term 'workforce transition' or 're-alignment' is used to describe restructures.

'Change management' is a concept that is now frequently used to structure these processes.

### The start of the process

The PSA knows a restructure can often be a stressful and difficult time for members.

Sometimes there will be rumours about a restructure before it is announced, adding to uncertainty and concern.

An agency should be consulting staff and the PSA when a restructure is planned. Yet this is not always the case and your union may find out about a restructure from members. The PSA can then seek formal consultation. Consultation should allow input from members and the union before restructure plans are firm. But unfortunately, management will often have a clear upfront view of the reform outcomes.

If your agency is being restructured, this is a good time to have the support and experience of your union behind you!

### What does meaningful consultation really mean?

- » To receive relevant documentation about the proposed changes, what those changes are and how they affect you
- » To be given the opportunity to put forward your views with feedback provided
- » To have those views genuinely considered by management before a decision
- » The reasons for not accepting your views must be given.

### A Change Management Plan

A restructure should be based on an Agency Change Management Plan for which there is consultation with staff and the PSA.

The Government's Agency Change Management Guidelines cover these plans. A key matter is the process for placing people in roles – Page 14 of the guidelines gives an example of a placement policy.

Other policies may also be relevant (see below), especially those written after the *Government Sector Employment Act 2013*.



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The PSA can help to ensure that the Change Management Plan and placement policy are fair and applied to individuals correctly.

### Securing a role

Even once the Change Management Plan is finalised, you may still feel in the dark, insecure about your job, and uncertain what steps to take.

Sometimes staff may be directly appointed to an equivalent role. But staff may also have to apply for roles competing against existing departmental staff – usually a staff member can only apply for roles at their current grade, at least initially.

Later stages may include applying for any role in the new structure, with or without applicants external to the agency.

### Relevant policies and documents:

1. *Crown Employees (Public Service Conditions of Employment) Reviewed Award 2009, refer to Clause 65. Consultation and Technological Change*  
<http://www.lawlink.nsw.gov.au/irc/ircgazette.nsf/webviewdate/C8041>
2. Consultative Arrangements Policy and Guidelines July 1997  
[https://www.dpc.nsw.gov.au/public\\_employment/policy\\_directory/policy\\_statement?metadata=1037](https://www.dpc.nsw.gov.au/public_employment/policy_directory/policy_statement?metadata=1037)
3. Agency Change Management Guidelines  
[https://www.dpc.nsw.gov.au/\\_data/assets/pdf\\_file/0003/129117/Agency\\_Change\\_Management\\_Guidelines-20110911\\_POL\\_v02.pdf](https://www.dpc.nsw.gov.au/_data/assets/pdf_file/0003/129117/Agency_Change_Management_Guidelines-20110911_POL_v02.pdf)

4. Managing Excess Employees Policy  
[https://www.dpc.nsw.gov.au/public\\_employment/policy\\_directory/policy\\_statement?metadata=135178](https://www.dpc.nsw.gov.au/public_employment/policy_directory/policy_statement?metadata=135178)
5. Case Management and Redeployment Guidelines  
[https://www.dpc.nsw.gov.au/public\\_employment/policy\\_directory/policy\\_statement?metadata=125381](https://www.dpc.nsw.gov.au/public_employment/policy_directory/policy_statement?metadata=125381)
6. VR Program Guidelines  
<http://psa.asn.au/wp-content/uploads/2018/03/Attachment-1-VR-Guidelines.pdf>
7. Assignment to Role Guidelines  
<https://www.psc.nsw.gov.au/employmentportal/mobility/assignment/assignment-to-role-guidelines/introduction/workforce-planning-context>

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### What can you do?

- » Give a copy of this bulletin to your colleagues
- » Print this bulletin and put it up on your noticeboard
- » Ask a colleague to join the PSA
- » Get involved as your area contact
- » Not a member join online –  
<https://membership.psa.asn.au/register>
- » Members can update their details at –  
<http://psa.asn.au/update-your-details>

