Premier's Department

NSW Government Consultative Arrangements Policy

Industrial Relations, Premier's Department

October 2025

NSW GOVERNMENT

Contents

1 Foreword

1.1. The development of this Consultative Arrangements policy and guidelines document marks the commitment of the NSW Government, in partnership with NSW public sector unions, to improving and strengthening the practices of communication, participation and consultation across the NSW government sector.

1.2. It presents a structure for the development of a fair and cooperative relationship between management, employees and unions at the organisation level. Such a structure is more likely to contribute to improved productivity, efficiency and effectiveness of the NSW government sector.

1.3. The contents of this document are consistent with the provisions for consultation and participation in the *NSW Industrial Relations Act 1996* and the shared belief of the parties that employees should have the opportunity to influence their work and their work environment.

1.4. Communication, participation and consultation are critical to fostering the motivation and commitment of employees towards organisational goals which are in the mutual interest of management, employees and unions. Equally, strengthening the cooperative and consultative approach to organisational relationships between managers, employees and unions is fundamental to implementing productive reforms in the NSW government sector.

1.5. Organisations should review current arrangements and implement the step-by-step guidelines, as outlined, for achieving cooperative and effective consultative arrangements.

2 Introduction

2.1 Policy statement

2.1.1. The NSW Government and NSW public sector unions share an understanding that communication, information sharing and consultation between management, employees and unions is critical to the development of a strong, vibrant, effective, equitable and efficient NSW government sector. It is recognised that to achieve these objectives, all government sector agencies need to have effective channels of communication and consultative arrangements in place.

2.1.2. The NSW Government Consultative Arrangements Policy (the Policy) sets out the framework for genuine, ongoing and cooperative consultation and effective communication to facilitate productive outcomes within the NSW government sector.

2.2 Purpose and coverage

2.2.1. The NSW Government recognises the importance of cooperation, communication, information sharing and consultation between management, employees and unions, in order to promote and develop an effective, equitable and efficient NSW Government sector.

2.2.2. The aim of the Policy is to promote and strengthen the cooperative and consultative approach to organisational relationships between managers, employees and unions, in order to implement positive and productive engagement in NSW government sector agencies. The NSW Government recognises that to achieve this aim, all government sector agencies require effective channels of communication and consultative arrangements to be in place.

2.2.3. This Policy applies to the government sector as defined in section 3(1) of the *Government Sector Employment Act 2013* (GSE Act). State-owned corporations and public sector organisations are strongly encouraged to apply the terms of the Policy.

3 The principles, benefits and impact of consultation

3.1 What is consultation?

3.1.1. Consultation involves management and employees, through their respective union(s), meeting on a regular basis to discuss and determine matters of common interest. It involves:

- recognising that the engagement of employees and unions is essential for creating a collaborative and productive workplace;
- accepting that there is a common mutual interest in the success of the agency;
- developing cooperative attitudes towards solving problems rather than resorting to an adversarial approach;
- recognising that all employees in the agency have the potential to be innovative and creative about every aspect of their work; and
- acknowledging the genuine opportunity for parties directly affected by proposed changes in the workplace to express their views, state objections, exchange information and promote understanding, in order to assist in resolving the issues under discussion.

Consultation at the sector-wide level

3.1.2. At the sector-wide level, Premier's Department and public sector unions have a key role in promoting a cooperative approach between the parties to achieve a comprehensive response on issues of broad concern that have an impact across the sector. The Public Sector Unions Consultative Forum plays a key role in sector-wide arrangements (details provided at Appendix B).

Consultation at the agency level

3.1.3. Consultation enables employees, through their union(s), to participate in and influence decisions which directly affect them at the agency level. It is a means of improving communication, information sharing and understanding.

3.1.4. At the agency level, Consultative Committees, if not already established, should be established. These should be comprised of senior decision makers and the relevant union representatives.

3.1.5. It is agreed that there is no one approach to consultation that can be applied to all agencies. Specific arrangements should be determined jointly by management and the relevant union(s). It is necessary that the parties in the respective agency agree on an effective approach to issues that may be subject to consultation.

3.1.6. Where an agency has decentralised operations or is composed of a number of locations or distinct work areas, the consultative arrangements, including the number of Consultative Committees to be established, should be developed by the parties themselves, taking into consideration the size of the agency, the nature of its operation, employee and key stakeholder needs and local conditions. If there is more than one Consultative Committee, consideration needs to be given to establishing an agency-wide Joint Consultative Committee to ensure that an integrated and coordinated approach is maintained and to act as a central resource for the other councils.

3.1.7. Consultation is most readily achieved through management/union Consultative Committees formed to consult on either single or multiple issues involving or affecting the agency or employees.

3.1.8. Consideration needs to be given to effective two-way communication, including via both informal and formal processes. Effort at all levels in an agency is required to maintain good communication.

3.2 The benefits and impact of consultation

3.2.1. The benefits of consultative arrangements within agencies have been widely recognised and have been set out in statements of intent, memorandums of understanding, awards, enterprise agreements and collateral agreements. In addition, the long-term benefits of consultation have been emphasised by management, employees and unions. It has been acknowledged that consultation is the key towards building a better workplace, achieving rewarding work and establishing shared goals between management and employees.

3.2.2. It is also recognised that productivity, efficiency and effectiveness are influenced by how issues at the workplace are resolved and by the ways in which common concerns are pursued. Productivity and efficiency can be improved if agencies introduce, or maintain, robust consultative arrangements, and ensure that there is a strong adherence to the implementation of these arrangements and that employee representation is significant enough for the arrangements to maintain relevance and credibility.

3.2.3. Consultative arrangements are also being adopted by agencies as a strategy to facilitate a cooperative approach to industrial relations practice, enhance service delivery and decision-making and to create a more flexible, higher skilled and outcome driven NSW government sector.

3.2.4. Other benefits of consultative arrangements in the workplace include:

- improving communication between parties by providing effective forums for the discussion of key issues, including the development of implementation strategies;
- creating a culture of trust and understanding between both parties;
- assisting in achieving a more cooperative and harmonious workplace;
- enhancing decision making and improving the successful implementation of organisational changes;
- promoting the resolution of issues at an earlier stage;
- providing the opportunity for unions to offer insight on issues of concern;
- supporting the development of positive and meaningful working relationships;
- preventing matters progressing to industrial disputation;
- establishing a commitment from parties to work toward providing solutions;
- ensuring greater employee engagement; and
- supporting the implementation of workplace reform initiatives.

3.3 Principles of consultative arrangements

3.3.1. There are a number of basic principles that agencies need to consider when setting up effective consultative arrangements, or in strengthening existing arrangements. These include:

- communication, information sharing, consultation and negotiation are the key to developing cooperation and trust between management, employees and unions;

- a joint understanding of parties' common objectives is an essential element of effective consultative arrangements;
- the relevant union(s) are recognised as the legitimate representative of employees and the channel for negotiation;
- the provision of timely, relevant and appropriate information to employees and union(s) is necessary to enable them to make informed contributions to matters raised;
- consultation and participation are dynamic processes. Organisational change and reform require parties to acknowledge the need for long term perspective and commitment;
- the provision of a formal consultative framework is essential to ensure that employees can effectively participate in, and contribute to, the decision-making process. The existence of a formal consultative arrangement should not replace, or be replaced by, regular consultation and information sharing between managers and employees in the workplace. Agencies' consultative arrangements should consider the needs and priorities of the agency itself as well as employees, the organisational structure and service delivery priorities;
- suggested consultative arrangements should be discussed and agreed to by management and unions, following consideration of agency priorities, the organisational structure and the nature of the provision of services;
- recognising that consultative arrangements do not necessarily eliminate disputation, the development of a consultative and cooperative approach to issues mitigates the level of potential conflict;
- consultation should not be regarded as a panacea. Its effectiveness depends on all parties working together to achieve common aims and objectives;
- consultation does not require agreement and does not abrogate the right of an agency to make the final decision on matters discussed through the consultative process;
- agencies' consultative arrangements must acknowledge that the disclosure of confidential or personal information is governed by policy and legislation that must be complied with;
- relevant information should be exchanged in a timely manner between parties; and
- reasonable notice should be given of the matter(s) upon which employees and their representatives views are being sought. What will constitute reasonable notice will vary according to the nature and circumstances of the case. The structure and effectiveness of consultative arrangements should be reviewed on a regular basis.

4 Consultative arrangements guidelines

4.1 Information sharing, consultation and negotiation

4.1.1. Information sharing involves all employees and a participative and cooperative relationship at all levels of the agency. Consultation and negotiation are only meaningful on a collective basis, with union representatives able to speak for employees collectively.

4.1.2. Effective organisational communication involves information sharing, consultation and negotiation, which are all interdependent. Agencies should have a formal communication plan to ensure effective consultative arrangements. A communication plan is a commitment by an agency to establish a two-way system which enables information to be shared clearly, efficiently and in a timely manner. This includes communication at all levels within the organisation, between work groups, employees and relevant unions.

4.1.3. It is important to note that information sharing is the first step to consultation. Information sharing allows union representatives and employees to be kept informed of issues in the agency, in turn maximising their contribution to the consultative process. Relevant information that should be communicated includes information regarding roles, the agency, proposed changes including restructures, adjustments to business and service delivery priorities, as well as technological advancements and information on current issues and performance.

4.1.4. Consultation is usually the preliminary stage to negotiation where issues are identified and clarified. Areas of agreement and disagreement arise at this stage.

4.1.5. Negotiation is a means by which different interests may be accommodated through the process of bargaining. Table 1 summarises the key differences between information sharing, consultation and negotiation.

4.1.6. All parties at the organisation level need to clearly understand when they are either consulting or negotiating.

Table 1: Key differences between information sharing, consultation and negotiation[1]

Information Sharing	Consultation	Negotiation
- establish a climate of trust - ensure clarity, consistency and context are provided to avoid miscommunication and misunderstanding	- seek ideas and feedback of common interest and identify areas of concern - provide the opportunity for greater engagement and collaboration - ensure genuine consideration of matters raised by parties	- establish positions following consideration of common interests and areas of concern - Determine final outcomes to implement the changes
- Provide accurate and relevant information - Develop communication strategies and establish two-way communication channels - use meetings and other forums to convey and obtain information e.g.: surveys, committees, etc.) - Keep parties regularly up to date with new information, if and when required - Advise unions and employees on the reasons for decisions made	- openly discuss ideas and issues of common interest in a timely manner - engage all representatives to ensure broad communication and support - set clear and workable expectations - ensure all parties are aware of and understand the proposed changes	- accommodate needs, establish areas of agreement and identify areas of compromise between the parties

[1] (Adapted from: Consultation and cooperation in the workplace, Fair Work Commission, May 2022)

4.2 Consultation and bargaining

4.2.1. The role for consultation and bargaining is set out in section 3 - Objects of the *Industrial Relations Act 1996* (the Act) as follows:

- to provide a framework for the conduct of industrial relations that is fair and just;
- to promote efficiency and productivity in the economy of the State;
- to promote participation in industrial relations by employees and employers at an enterprise or workplace level;
- to encourage participation in industrial relations by representative bodies of employees and employers and to encourage the responsible management and democratic control of those bodies;
- to facilitate appropriate regulation of employment through awards, enterprise agreements and other industrial instruments;
- to prevent and eliminate discrimination in the workplace and in particular to ensure equal remuneration for men and women doing work of equal or comparable value;
- to provide for the resolution of industrial disputes by conciliation and, if necessary, by arbitration in a prompt and fair manner and with a minimum of legal technicality;
- to encourage and facilitate cooperative workplace reform and equitable, innovative and productive workplace relations; and
- to encourage strategies to attract and retain skilled staff where there are skill shortages so as to ensure effective and efficient delivery of services.

4.2.2. Bargaining through consultation and negotiation at the organisation level:

- encourages participation and cooperation at the workplace;
- facilitates the introduction of improvements to productivity, efficiency and effectiveness; and
- fosters the development of responsive, flexible agencies with cultures that are ethical, innovative and strategic in approach.

4.3 Issues subject to consultation

4.3.1. Issues that may be considered for discussion through the consultative arrangements should be determined by agreement. Examples include:

- restructures, adjustments to business and service delivery priorities;
- agency and sector-wide workplace reforms;
- bargaining, including mutual gains bargaining;
- establishing a commercial focus to the organisation;
- changing work practices, including introducing and/or updating flexible work practices;
- policy development and implementation;
- introducing and/or changing classification structures;
- best practice systems;
- benchmarking;
- performance and quality issues;
- training and development;

- improved career paths;
- introducing team-based approaches;
- workforce retention, attraction, and cross-sector mobility;
- workplace health and safety;
- equal employment opportunity;
- workforce development;
- systemic or repeated industrial issues;
- staffing levels and shortages;
- performance and conduct standards; and
- enhanced use of existing technology and introduction of new technology.

4.3.2. The above referred to list is not exhaustive and can be used as a starting point for the parties to reach agreement on items the subject of consultation. This will also assist the parties to work together to achieve a cooperative approach in the management of productive workplace change and reform.

4.3.3. The parties should also be aware of consultation requirements under the *Work Health and Safety Act 2011* (NSW).

4.4 The role of the parties

4.4.1. Trust, participation and cooperation between employees, agencies and unions is recognised as essential in facilitating improvements in productivity and performance. This requires a clarity of purpose and intent, the commitment of senior management and union representatives focusing on contemporary approaches and adopting a strategic approach to achieve long term goals and interests.

Employees

4.4.2. Employees who are both well informed and given the opportunity to participate in a consultation process on matters that directly affect them are more likely to achieve a higher level of satisfaction and are more likely to identify with, and contribute to, the success of the agency.

4.4.3. Whilst the primary responsibility of management is to make decisions to achieve agency objectives, the effectiveness and implementation of such decisions will be significantly enhanced by employee involvement and consultation.

4.4.4. It is recognised that employees may not feel comfortable raising matters of concern with management directly. If there are any matters of concern, an employee can either raise those concerns (and proposals to resolve those concerns and to improve the workplace) with management directly or through their Union representatives.

Management

4.4.5. Management has the right and the responsibility to advise and inform employees on any issue which directly or indirectly affects their employment or working conditions. This responsibility must be balanced with that of making decisions to achieve agency objectives.

4.4.6. Management should ensure:

- The timely provision of relevant information including:
    - details of the proposed change(s);

    - the reasons for the proposed change(s);
    - the likely impact on employees; and
    - proposed implementation schedule (where relevant).
- that there is discussion on measures to mitigate or avoid any adverse effects on employees as a result of the proposed change(s);
- the provision of appropriate and reasonable resources, including work time and communication facilities, for Union delegates to fully participate in consultative arrangements, including consultation with their members;
- subject to agencies' operational requirements and provisions in relevant industrial instruments, union delegates may be released from the performance of normal duties to undertake activities in their role as union delegate. Release of union delegates must not be unreasonably withheld;
- that genuine consideration is given to the ideas and contributions of Union delegates and that the agency provides them with the agency's response to their submissions; and
- where the agency makes a final decision regarding the matter that is the subject of consultation, the agency should notify the affected employees and/or their representatives.

4.4.7. Management should also ensure that regular staff meetings are held so that communication on such issues is clear and staff input invited.

4.4.8. To achieve an effective communication system and ensure consultative arrangements are in place, management should review their current processes of involvement and consultation so that they:

- enable employees to utilise their skills, knowledge and abilities in contributing to agency objectives;
- build a relationship of information sharing and mutual trust; and
- provide all employees with the opportunity to influence decisions that affect their work and quality of life.

4.4.9. Cooperation and participation by employees will be dependent on management demonstrating their commitment to improving these relationships. Management's commitment to the development of a cooperative and participative approach must be clear, visible and continuous in all practices.

Unions

4.4.10. The success of consultative arrangements necessitates the recognition of unions and their relationship with their members.

4.4.11. Union delegates at the organisation level are recognised representatives of the employees under the *NSW Industrial Relations Act*. In addition, union delegates can contribute to effective communication within the organisation.

4.4.12. Unions give expert advice, the benefits of experience, different perspectives and practical assistance to the organisation and by doing so contribute to its success.

4.4.13. Unions should ensure that they:

- contribute to effective communication within the agency through genuine participation in the consultative arrangements;
- establish positive local relations to facilitate resolution of employee concerns as close to the source of the issue as possible;

- use the consultative arrangements to present employee's input and seek the settlement of any concerns (not individual grievances); and
- acknowledge agencies' adherence to privacy and confidentiality requirements, with respect to information sharing and the provision of documents that may contain sensitive and/or legally privileged information.

4.4.14. In recognising that unions are the legitimate representatives of employees, the NSW Government assists unions in the workplace by providing appropriate support facilities for authorised union activities. These facilities include access to:

- means of communication, including access to telephone, internet, intranet, email and chat;
- physical or online notice boards for material authorised by the union or access to physical or online staff notice boards for material authorised by the union;
- workplace conference or meeting facilities where available, for meetings with members, as negotiated between local management and the relevant union;
- a reasonable period of preparation time before:
    - meetings with management;
    - disciplinary or grievance meetings where a union member requires the presence of a union delegate; and
    - any other meetings with management, by agreement with management, where operational requirements allow the taking of such time.

4.4.15. Provisions relating to union access and activities may be found in the relevant industrial instrument/s covering specified groups of employees.

4.4.16. Organisations are encouraged to develop additional arrangements appropriate to their local needs and operations.

4.5 Establishing effective consultative arrangements

4.5.1. The key to establishing effective consultative arrangements is planning and attention to detail.

4.5.2. Issues that commonly arise in relation to the operation of consultative arrangements include:

- the misunderstanding of the role and scope of the Joint Consultative Committee or local Consultative Committees, resulting from a lack of clarity about the range of issues to be discussed;
- the perceived lack of progress of the Joint Consultative Committee or local Consultative Committees, usually directly related to inadequate meeting procedures in place; and
- the absence of a decision maker who has the authority and delegation to make decisions and reporting the decision back to the parties.

4.5.3. To overcome these matters, it is necessary for management and unions to jointly consider how they envisage the practical operation of the consultative arrangements prior to their establishment or, where there are existing consultative arrangements, to review the operation of these arrangements to assess whether they are still effective.

4.5.4. Each organisation is best equipped to determine the form of consultation that is most appropriate, taking into account the interests of management, employees, unions, clients and the local operating environment.

4.6 Implementation

4.6.1. Agencies should establish, review and strengthen effective consultative arrangements through a cooperative and participative approach to dealing with workplace issues and changes. Strengthening existing practices of communication, information sharing and involvement of employees provide the foundation for effective cooperation. This includes allowing time for consultation prior to any changes being introduced into the workplace.

4.6.2. The guidelines contained in the Policy for establishing effective consultative arrangements provide a practical guide to the conduct of cooperative and productive industrial relations at the organisation level.

4.6.3. Premier's Department will also commit to continuing to provide further information, advice and assistance to those agencies that are strengthening their consultative arrangements.

4.7 Communicating the Policy and guidelines

4.7.1. Organisations need to ensure that there is a fair and cooperative relationship between the parties. Management, employees and union representatives should be encouraged to understand and apply these guidelines.

4.7.2. The following suggestions for communicating the Policy and guidelines are as follows:

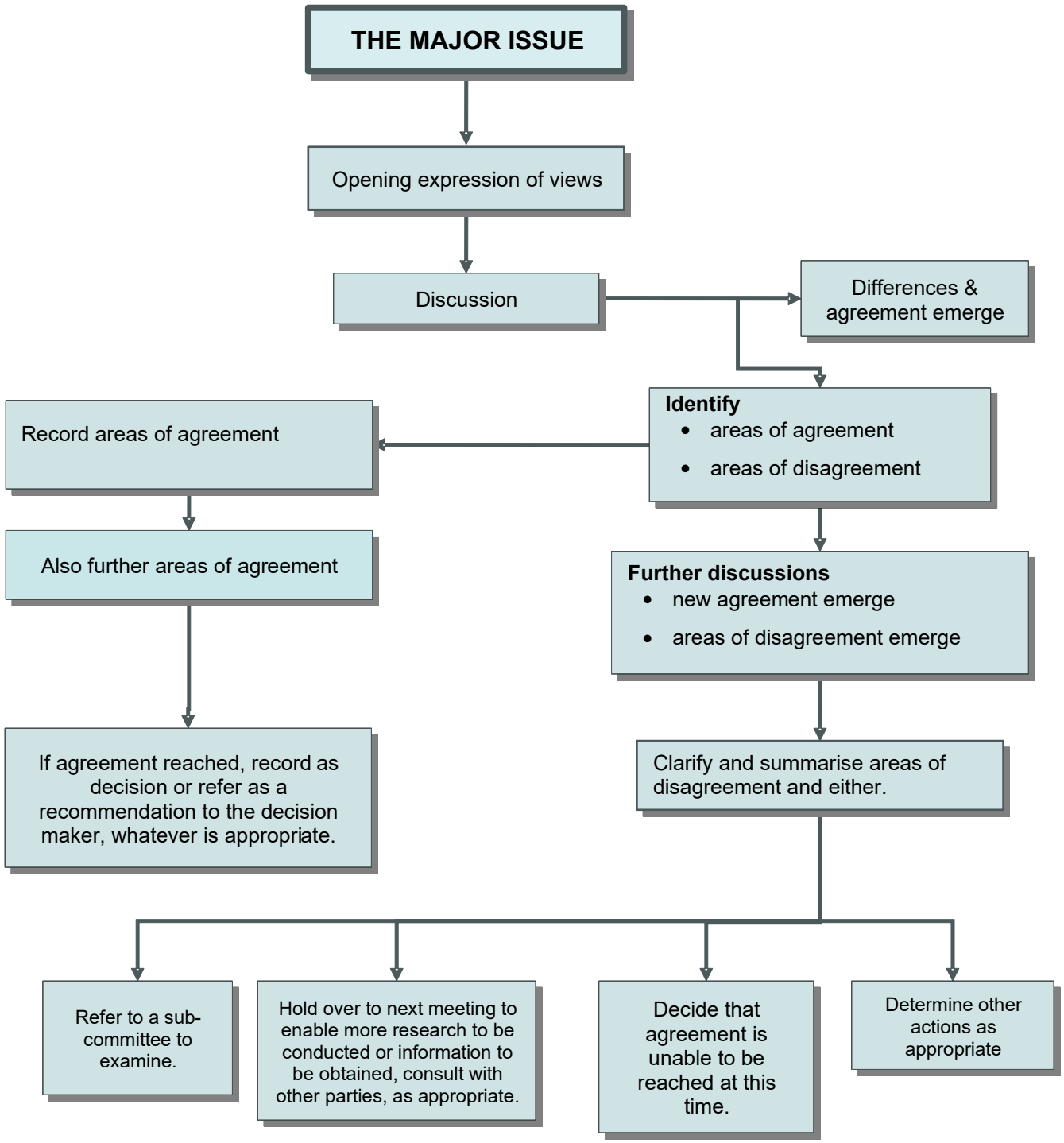
- publicity materials such as brochures and posters;
- incorporate consultative arrangements into existing training and development activities;
- information sessions;
- discussion of the policy and guidelines at staff meetings; and
- articles published in the agency’s newsletter or bulletin.

4.7.3. In response to the diversity of the organisation as appropriate:

- the publication of materials in community languages;
- the development of material for use by visually impaired people;
- the use of language interpreters for people with hearing impairments; and
- the use of documents which meet accessibility requirements.

5 Appendices

5.1 Appendix A – Steps to making recommendations or achieving a final decision in a Consultative Committee



5.2 Appendix B – Consultation at the sector-wide level

Preamble

5.2.1. The NSW Government, Unions NSW and public sector unions have agreed and established formal and ongoing consultative arrangements.

5.2.2. These consultative arrangements are not to operate to the exclusion of mechanisms which a union may establish to further the daily operation of the union or for the benefit of its members.

Membership of the Public Sector Unions Consultative Forum (PSUCF)

5.2.3. The membership of the PSUCF includes:

- Secretary, Premier's Department or nominee of equivalent decision-making capacity
- Director, Public Sector Industrial Relations, Premier's Department or nominee
- Unions NSW officer with responsibility for the NSW public sector
- officers of the following unions:
    - Public Service Association of NSW;
    - Police Association of New South Wales;
    - Australian Services Union;
    - Health Services Union;
    - NSW Fire Brigade Employees' Union;
    - NSW Teachers' Federation;
    - Australian Paramedics Association NSW
    - NSW Nurses and Midwives' Association;
    - Australian Workers' Union;
    - Construction, Forestry, Mining and Energy Union;
    - Media, Entertainment and Arts Alliance;
    - Professionals Australia;
    - Australian Salaried Medical Officers' Federation NSW;
    - Automotive, Food, Metals, Engineering, Printing and Kindred Industries Union, New South Wales Branch;
    - Electrical Trades Union of Australia, New South Wales Branch;
    - Rail, Tram and Bus Union of New South Wales; and
    - The New South Wales Plumbers and Gasfitters Employees' Union.
- other unions as appropriate given the nature of the business before the forum.

Meetings of the Forum

5.2.4. The forum meets on a monthly basis on the first Tuesday of each month (unless, in exceptional circumstances, alternative arrangements have been made).

Objectives of the Forum

5.2.5. The forum acts as a formal mechanism for information exchange, discussion of current issues in the NSW government sector and the implementation aspects of government policy or referring discussion of matters of concern.

5.2.6. The objectives of the forum are to improve the quality of consultation between the parties on issues relating to the NSW government sector and provide the appropriate mechanism for discussion of key issues on policy and strategy prior to changes being implemented.

5.3 Appendix C – Step-By-Step Guide for establishing effective consultative arrangements

5.3.1. These guidelines set out a practical approach for parties to establish effective consultative arrangements. It is recommended that consultative arrangements are set out in a formal document and include the following items:

Preamble

5.3.2. The agency and the relevant union(s) should consider stating at the outset their commitment to strengthening consultation in the workplace.

5.3.3. Both parties need to express an agreement to work through the consultative arrangements as set out in a document, such as a statement of intent or memorandum of understanding.

Objectives

5.3.4. Parties need to discuss and reach agreement on the purpose and establishment of a framework which sets out the objectives for consultation. This could include the following:

"*The purpose and objectives of these consultative arrangements is to establish a formal framework for the conduct of cooperative industrial relations which is aimed at:*

- *providing an opportunity for consultative decision making by the full involvement of the union(s) in the decision-making process;*
- *improving the productivity, efficiency and effectiveness of the organisation;*
- *strengthening the working conditions of employees; and*
- *building a fair, cooperative and satisfying working environment for employees*."

5.3.5. The objectives will allow parties to clearly focus on the objectives throughout discussions and will assist in evaluating their success in achieving these objectives at the review stage.

Consultative Arrangement

General

5.3.6. An ongoing formal consultative arrangement should be established, for example, between the Departmental Head and their nominees and the General Secretary of the union(s) and his or her representatives.

Frequency of meetings

5.3.7. Meetings need to be frequent to ensure genuine and consistent engagement from the parties, while allowing for preparation and action to be taken between each meeting. The frequency of meetings should reflect the degree of necessity required to successfully consider and discuss the issues that arise, and to take appropriate actions. Meetings can also be held at the request of the Department Head and/or their nominee or the union(s).

Composition

5.3.8. Parties should jointly determine the size of the respective Consultative Committee. It is recommended that the maximum number of representatives on any Consultative Committee be ten and it is generally desirable that the Consultative Committee include equal numbers of management and union representatives. In organisations with a large number of unions other arrangements may be needed.

5.3.9. In determining the composition of the Consultative Committee the following issues should be considered:

- the agency's structure;
- existing Consultative Committee's in place;
- the make-up of the workforce, having regard to gender and diversity considerations;
- the size of the workforce;
- the number of distinct operations in the workplace;
- the work arrangements; and
- the nature of the operations, including shift and flexible work arrangements.

5.3.10. There must be effective links between Consultative Committee members and the employees they represent to ensure they have a productive effect on the daily lives of employees.

5.3.11. If there is a need for more than one Consultative Committee , a peak Committee will be necessary to ensure a coordinated and integrated approach to issues at the workplace.

Conduct of meetings

5.3.12. All meetings should be chaired and rotated between the Agency Head or their nominee and the General Secretary or their nominee.

5.3.13. The meetings will have a formal agenda and associated papers will be prepared and distributed to the committee Council members at least five working days before the meeting. This arrangement should not preclude the tabling of additional information which may arise after the preparation of the agenda papers.

5.3.14. A formal record of the discussions at the meeting shall be prepared by the Department and jointly agreed upon by the committee Council members.

5.3.15. If urgent business arises and it is mutually agreed that it is impracticable to follow this arrangement, the urgent matter is to be attended to as soon as practicable.

Use of sub-committees

5.3.16. To further the process of consultation, sub-committees or working groups may be established to research, examine and make recommendations on issues to the Consultative Committee. These groups would provide the Council with special expertise and broaden the opportunity for other union members and managers to participate in the consultative process.

5.3.17. Some examples of sub-committees currently in place include:

- training and development;
- reorganisation;
- workplace reform;
- customer service; and
- job evaluation.

Confidentiality of meetings

5.3.18. The parties should also determine how they will address confidential matters. To assist in deciding when a matter is confidential, the parties may need to consider the following issues:

- the availability of information on the matter from other sources; the level of sensitivity of the matter; and
- the likelihood of action in discussing the information; and the need for the union(s) to consult the affected members.

Recommendations made or agreements reached by the Consultative Committee

5.3.19. The parties need to reach an agreement about the steps to be taken when making recommendations or achieving a final agreement on matters under consideration. Steps that need to be considered include the:

- information stage;
- discussion and identification of issues stage;
- options stage;
- recommendation and/or final agreement stage; and
- implementation and review stage.

5.3.20. The parties should take all reasonable steps to assign adequate authority to their nominees to consult genuinely and comprehensively, with the view to reaching final agreement where practicable on matters under consideration.

5.3.21. It should also be acknowledged that there will be some matters that either party is unable to finalise at the meeting and that such matters will need to be deferred for a decision.

Matters for consultation

5.3.22. Agreement should be reached on those matters that the Department undertakes to discuss with the union(s). There needs to be a commitment to the opportunity for parties to consult on a matter prior to the implementation of any proposed changes.

5.3.23. Without limiting the scope of consultation, the primary matters for consultation by the Consultative Committee will include strategic and operational issues such as:

- organisational objectives and their implementation;
- restructuring;
- systems and procedures;
- staffing practices;
- bargaining;
- accommodation and technological change issues;
- workload issues;
- training and development;
- initiatives for change including trials within the agency; and
- other issues specified in any sector-wide framework agreement.

Future meetings

5.3.24. The date of the next meeting of the Consultative Committee should be set at the close of business of the previous meeting.

Training of Council members

5.3.25. The Consultative Committee should undertake to arrange practical training in meeting procedures to all members to ensure the effective operation of the committee.

Reporting arrangements

5.3.26. The parties should agree on report back arrangements to employees on outcomes of Consultative Committee meetings. Reasonable time in normal business hours should also be made available for meetings for union council members to report back to other members and to consider organisational proposals, as appropriate.

Consultation outcomes

5.3.27. The parties need to consider and agree that the outcomes of consultative arrangements need to be seen by employees as useful and having clear and visible productive results.

5.3.28. The parties undertake to use their best endeavours to achieve productive results through good faith and cooperation.

Review of consultative arrangement

5.3.29. A review of the workings of the Consultative Arrangement should occur:

- when there are any changes to any sector-wide framework; and
- when the parties agree that the review is needed.

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