

Responses to numbered questions

Ref.	Issue	Draft Legal Aid NSW response	Reference / further information requested
1	Notice and support for directly affected meetings	Ten employees were contacted on the morning of 23 July 2026 and invited to an individual meeting on that day. The meetings were arranged so that employees whose roles were directly affected by the proposal received the information personally and privately before, or as close as practicable to, the broader staff announcement. Employee support arrangements, including EAP and nominated HR contacts, are set out in the RMP. If the PSA is seeking information about a particular support arrangement, please let us know.	RMP sections 5, 6 and 15.
2	Compliance of invitations	Legal Aid NSW has not identified a provision in the copy of the 2002 MoU that prescribes a 24-hour notice period for individual meetings. To help us respond fully, could the PSA please identify the specific Legal Aid NSW policy, WHS provision or other procedure it relies upon?	2002 MoU; WHS Act 2011 (NSW), sections 47–49. PSA clarification requested.
3	What employees were told in individual meetings	Yes. Employees were advised where their current role was proposed not to continue in its current form. They were also advised that the restructure was a proposal, consultation was commencing and no final decision had been made. The support and risk controls applying during consultation are set out in sections 6, 7 and 10 of the RMP. If the PSA has a concern about a particular meeting, please provide the relevant details, with the employee's consent, so that it can be considered and appropriate support offered.	RMP sections 2.5, 6, 7 and 10. Further details requested where this concerns a particular employee.
4.1	Consultation and the 2002 MoU	Legal Aid NSW acknowledges the consultation principles in the MoU. The copy of the MoU appears to contain blank attestation fields. If the PSA holds an executed copy, we would appreciate it being provided so that the document's status and application can be considered accurately. The current proposal has not been approved for implementation and remains open to change through consultation.	MoU clauses 2.7, 4.4 and 6; RMP sections 4 and 7. Executed copy requested, if available.

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4.2	Psychosocial risk assessment before announcement	As part of and throughout the planning and decision-making process, potential psychosocial risks were identified and mitigation measures considered. These are set out in section 10 of the RMP and have also been brought together in the Consolidated Live Risk Control and Monitoring Record. The record will continue to be reviewed and updated throughout consultation and implementation.	RMP section 10; Consolidated Live Risk Control and Monitoring Record.
4.3	Provision of risk assessments and controls	Legal Aid NSW has provided the RMP and the Consolidated Live Risk Control and Monitoring Record. Together, these documents set out the identified risks, control measures and ongoing monitoring arrangements. If the PSA is seeking information about a particular risk or control that it considers is not addressed in those documents, please identify it so that the request can be considered.	RMP section 10; Consolidated Live Risk Control and Monitoring Record. Specific additional risk or control requested, if applicable.
5	Confidential and high-importance markings	Legal Aid NSW is not aware of any confidentiality marking on the RMP or related change documents. Could the PSA please identify the document and the location of the marking it is referring to, or provide a copy or screenshot, so that we can respond accurately? If the reference is to an email importance flag rather than a document marking, please also clarify this.	PSA clarification and copy or screenshot requested.
6	Right to obtain union or external advice	Yes. A confidentiality marking would not, of itself, prevent an employee from seeking advice from their union, a support person or an adviser, subject to the usual obligations concerning personal and confidential information. As noted in response to question 5, Legal Aid NSW has not identified such a marking on the RMP or related change documents. Could the PSA please identify the specific marking it is referring to?	See response to question 5. PSA clarification requested.

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7	When the restructure started	The broader HR transformation work commenced before the proposed restructure. The restructure is one component of that broader transformation program. Formal consultation on the proposed restructure commenced on 23 July 2026 when the draft RMP and proposed structure were released. Approval before that date was approval to consult, not approval to implement.	RMP sections 1.2, 4.1 and 15.
8	Legal Aid position on consultation compliance	Legal Aid NSW considers that consultation is currently occurring under the draft RMP and the applicable government and industrial frameworks. Legal Aid NSW does not concede that a breach has occurred. If the PSA relies on a particular provision or procedure that it considers has not been met, please identify that provision and the specific conduct said to constitute the breach so that it can be considered directly.	RMP sections 4, 7 and 15; NSW Government Consultative Arrangements Policy. Specific provision and alleged conduct requested.
8.1.1	Number of consultation meetings with the PSA	Could the PSA please clarify whether this question concerns formal PCC meetings, restructure-specific meetings, or all communications and discussions with the PSA?	PSA clarification requested.
8.1.2	Dates of consultation meetings	Could the PSA please clarify the meeting category referred to in question 8.1.1?	PSA clarification requested.
8.1.3	Minutes of meetings	Legal Aid NSW will confirm whether formal minutes or meeting notes were prepared for the meetings identified once the scope of questions 8.1.1 and 8.1.2 has been clarified.	Dependent on clarification of questions 8.1.1 and 8.1.2.
8.1.4	Provision of minutes or notes	Where agreed minutes or appropriate meeting records exist and are suitable for release, Legal Aid NSW will provide them. Could the PSA please clarify which meeting records it is seeking?	Specific meeting records requested.

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9	Length of consultation period	The work undertaken before 23 July was design and planning work. The two-week period in the draft RMP is the formal consultation period on the proposal. The timetable is expressly subject to adjustment to reflect feedback and operational requirements. No implementation has commenced. If the PSA considers that additional time is required for a particular purpose, please identify the purpose and the period requested.	RMP sections 4.2, 7 and 15. Details of any requested extension invited.
10	Whether two weeks satisfies consultation obligations	Legal Aid NSW considers that meaningful consultation is determined by the information provided, the opportunity to respond and whether feedback is genuinely considered, rather than duration alone. The timetable may be adjusted where reasonably required. Could the PSA please identify any specific provision it relies upon as requiring a longer fixed period and the additional period sought?	RMP sections 7 and 15; NSW Government Consultative Arrangements Policy. Specific provision and requested period invited.
11	Why the PSA was informed on 23 July	Communications were coordinated so that directly affected employees received the proposal personally, and the broader HR team and PSA received the consultation material at the commencement of formal consultation. Legal Aid NSW acknowledges that the PSA would have preferred earlier engagement. The proposal remains open to feedback, and no implementation has commenced. If the PSA seeks a particular additional consultation step, please identify it so that it can be considered.	RMP sections 4.1, 4.2, 5, 7 and 15. Any proposed additional consultation step invited.
12	Accord with clause 2.7 of the MoU	Legal Aid NSW notes clause 2.7 of the MoU. The design endorsed before 23 July was approved for consultation, not implementation. The structure, role impacts, implementation approach and timetable remain capable of change following consultation. If the PSA holds an executed copy of the MoU or relies on a particular application of clause 2.7, please provide that information so that the matter can be considered accurately.	MoU clause 2.7; RMP sections 4.1, 4.2 and 7.3. Executed copy or further particulars invited.

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13	What remains open after endorsement	The question refers to a CEO submission, ED alignment meetings and ED Board endorsement identified as "slide 1". Could the PSA please provide the document or slide it is relying upon so that Legal Aid NSW can respond to the exact material referenced? Subject to that clarification, the endorsement obtained before 23 July was approval to consult on the proposed design. The final structure, role impacts, role descriptions, implementation approach and timetable remain open to amendment following consultation. Final approval to implement occurs only after feedback has been considered.	RMP sections 4.1, 4.2, 7.3, 9.4 and 15. Referenced document or slide requested.
14	Time available to consider feedback	The dates in the draft RMP are proposed dates and may be adjusted. Legal Aid NSW will not seek final approval until the feedback received has been reviewed and considered. If additional time is reasonably required to consider the feedback, the timetable will be adjusted. If the PSA is seeking a specific extension, please identify the period requested and the reason for it.	RMP section 15. Details of any requested extension invited.
15	Role descriptions during consultation	The proposed new and revised role descriptions were made available on the HR Transformation Hub at the commencement of consultation. They are accessible to staff for review, and employees may provide feedback on the role descriptions through the consultation process. If the PSA considers a particular role description is unavailable, please identify the role so that this can be checked promptly.	HR Transformation Hub; RMP section 9.4. Specific unavailable role description to be identified, if applicable.
16.1	Pre- and post-restructure budget	Legal Aid NSW does not propose to provide internal divisional budget information. The reasons for the proposed restructure, its objectives and the service-design rationale are set out in sections 1, 8 and 9 of the RMP. If the PSA has a specific concern about a workforce figure or proposed role identified in the RMP, please identify it so that the concern can be addressed directly.	RMP sections 1, 8 and 9. Specific concern invited.

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16.2	Business case or cost-benefit analysis	There is no separate cost-benefit analysis attached to the RMP. The reasons, objectives, service requirements and design approach are set out in the RMP. If the PSA is requesting a particular identified document, please provide its title or describe the document sought so that the request can be considered.	RMP sections 1, 8 and 9. Specific document requested, if applicable.
17	Executive and senior roles	Could the PSA please identify the specific NSW Government directive it relies upon? The RMP workforce table records two current and two proposed Band 1 positions, and the proposal reduces total FTE from 53 to 48. Once the directive is identified, Legal Aid NSW can respond to the precise requirement raised.	RMP section 9.5 and Appendix A. Specific directive requested.
18	Removal of Grade 3/4 roles	Current services and activities were captured through the service catalogue and internal services inventory, mapped to the future operating model and reflected in proposed role accountabilities. The proposal does not retain Grade 3/4 roles because the future service model reallocates or redesigns that work. This is a service-design decision and is not a judgment about the value or contribution of employees at those classifications. If the PSA considers that a particular service or activity has not been accounted for, please identify it so that the allocation can be reviewed.	RMP sections 8 and 9; role impact tables; HR service catalogue and service inventory. Specific omitted activity invited.
19	Temporary employment and individual role outcome	This question concerns the circumstances of an individual employee and will be addressed separately with the employee and the PSA where the employee has authorised disclosure. The proposition that four years of temporary employment automatically requires conversion is not accepted. The applicable GSE provisions require consideration of the employee's particular circumstances and the relevant statutory requirements. The PSA is welcome to provide any additional information or provision it relies upon, with the employee's authority.	GSE Rules 2014, rules 10 and 12. Employee authorisation and any additional basis invited.
20	Grade 9/10 variance error	The Grade 9/10 variance should read "+1". This was a transcription error. Thank you for identifying it.	RMP section 9.5. Correction to be made.

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21	Establishment data supporting the five-FTE reduction	The basis of the comparison is described in section 9.5 of the RMP. It compares 53 current positions with 48 proposed positions. The note explains that this is a point-in-time establishment baseline used for comparison and is not a count of the current active workforce.	RMP section 9.5.
22.1	Ongoing work and temporary roles	No. The use of temporary roles does not mean ongoing work has deliberately been converted to temporary employment. Temporary positions are proposed for time-limited capability uplift, transition or project work. Continuing core accountabilities are allocated across ongoing roles and reflected through the service catalogue and proposed role descriptions. If the PSA has a concern about a particular temporary role, please identify it.	RMP sections 8 and 9; Appendix A; service catalogue and role descriptions. Specific role invited.
22.2	Stability of the operating base	The proposed model is intended to provide a more stable operating base through clearer service ownership, role accountabilities, reporting lines and an integrated operating model. Employment type is one element of the design; the proposal includes 34 ongoing roles and 14 temporary roles.	RMP sections 9.1–9.5.
23	Recruitment of temporarily occupied manager roles	The relevant positions are underlying ongoing vacancies that are currently occupied under temporary arrangements. Temporary occupancy does not create an automatic entitlement to direct assignment to an ongoing role. The RMP also states that external recruitment will not commence where eligible employees remain available for consideration through Stages 1, 2 or 3. If the PSA considers that a particular employee is eligible for an earlier stage, please identify the basis for that view so it can be considered.	RMP sections 11.1 and 15; NSW Government Workforce Mobility Placement and Employee Transition Policy. Basis for any alternative eligibility view invited.

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23.1	Comparison with a named temporary employee	The circumstances of individual employees cannot be compared solely by length of service or current temporary occupancy. Eligibility depends on employment status, substantive grade, how the employee was recruited and assessed, the status of the position, and the applicable GSE requirements. Legal Aid NSW will address the named employee's circumstances separately where the employee has authorised disclosure. The PSA may provide any additional facts or statutory basis it wishes Legal Aid NSW to consider.	GSE Rules 2014, rules 10 and 12. Employee authorisation and any additional basis invited.
24.1	Comparative assessment criteria	Assessment will be against the requirements of the role and will consider capability, experience, and performance. More information about the proposed assessment approach is set out in section 11.2 of the RMP. Further practical details will be provided before Stage 2 commences.	RMP sections 11.1.2 and 11.2.
24.2	Panel composition	Panel composition will be confirmed before the relevant assessment process. Panels will include members with the capability and authority to assess the requirements of the role. If the PSA has a particular concern about panel composition, please provide the details so that it can be considered.	RMP section 11.2. Specific concern invited.
24.3	Control of bias	Structured criteria, consistent assessment methods, documented decisions, appropriate panel composition, conflict-of-interest declarations, and governance approval will be used to manage actual or perceived bias. If the PSA proposes an additional practical safeguard, Legal Aid NSW is willing to consider it.	RMP section 11.2. Additional practical safeguards invited.
25	Mechanism for concerns about assignment decisions	The review arrangements are set out in section 11.3 of the RMP. There is no merits review of assignment decisions under Stages 1, 2 or 3. An employee may nevertheless raise a concern about an alleged procedural irregularity through Legal Aid NSW's complaint or grievance processes and may seek union advice. If the PSA is proposing an additional mechanism, please provide the details for consideration.	RMP section 11.3; GSE Rules 2014. Any proposed additional mechanism invited.

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26	Treatment of long-serving temporary employees	The NSW Government Workforce Mobility Placement and Employee Transition Policy applies to ongoing non-executive employees and does not apply to temporary employees. Eligible temporary employees may be considered for suitable remaining roles at Stage 3B where the requirements in the RMP and GSE Rules are met, after priority consideration of impacted and excess ongoing employees. If the PSA relies on a different provision, please identify it so that it can be considered.	RMP sections 11.1.3A and 11.1.3B; Workforce Mobility Placement and Employee Transition Policy. Alternative provision invited, if relied upon.
27	Impact on Grade 9/10 Business Partners	The current Grade 9/10 Business Partner roles are proposed not to continue. Employees may be considered for available roles at their substantive grade through Stage 2. If not assigned, eligible ongoing employees will enter the Workforce Mobility Placement process. This is not an automatic demotion. Consideration of a lower-graded role requires the employee's election or consent under the applicable framework.	RMP sections 2.5.2, 11.1.2 and 11.1.3A; Workforce Mobility Placement and Employee Transition Policy.
28	EEO impact assessment	NSW Government requirements do not prescribe a separate document formally titled an "EEO Impact Assessment". The Agency Change Management Guidelines require agencies to consider whether EEO groups may be disproportionately affected, avoid discriminatory decisions, include the impact on EEO groups in the Restructure Management Plan, and identify available support or mitigation. Section 13 of the RMP addresses these matters. Workforce diversity is also required to be integrated into workforce planning under section 63 of the Government Sector Employment Act 2013. If the PSA has information indicating a particular disproportionate impact, please provide the details, preferably in de-identified or aggregated form unless an employee has authorised disclosure.	RMP section 13; Agency Change Management Guidelines; GSE Rules 2014, rule 13; Government Sector Employment Act 2013, section 63. Specific impact information invited.

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29.1	Location of the industrial relations function	The dedicated industrial relations function remains within Employee and Industrial Relations. It is carried through the proposed Manager, Employee and Industrial Relations, Employee and Industrial Relations Lead and Employee and Industrial Relations Advisor roles. The title change does not remove or downgrade industrial relations responsibilities. If the PSA considers that a particular industrial relations accountability is not visible in the proposal, please identify it so that it can be checked against the role descriptions and service catalogue.	RMP sections 2.5.6 and 9.1.3; Appendix A; role descriptions and service catalogue. Specific accountability invited.
30.1	Division of misconduct, grievance and behavioural work	Employee and Industrial Relations will retain responsibility for conduct, discipline, industrial matters and workplace-standards advice. Respectful Workplace Support will focus on prevention, early intervention, employee support and resolution pathways.	RMP sections 9.1.1 and 9.1.3; service catalogue and role descriptions.
30.2	Risk of gaps, duplication or forum-shopping	This risk has been identified and is being controlled through the service catalogue, defined role accountabilities, referral protocols, case triage and ongoing governance. If the PSA has a specific service scenario of concern, please provide it so that the proposed allocation can be tested and considered during consultation.	RMP sections 8, 9 and 10; service catalogue. Specific scenario invited.
30.3	WHS risk assessment for psychosocial hazards	As part of and throughout the planning and decision-making process, potential psychosocial risks were identified and mitigation measures considered. These are set out in section 10 of the RMP and have also been brought together in the Consolidated Live Risk Control and Monitoring Record. The record will continue to be reviewed and updated throughout consultation and implementation.	RMP section 10; Consolidated Live Risk Control and Monitoring Record.

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31	Downstream impact of IR/ER changes	The future operating model and service catalogue were used to consider the services required by the broader organisation. Core industrial and employee relations capability is retained. Service continuity, role clarity, capability and knowledge-transfer risks are addressed in the RMP. If the PSA identifies a specific downstream service risk or service gap, please provide the details so that it can be considered during consultation.	RMP sections 8, 9.1.3 and 10; service catalogue. Specific service risk or gap invited.
32	Scope of consultation	The formal RMP consultation applies to the Human Resources function because the proposed role and employment impacts are within that function. Employees outside HR are not directly affected in their employment by this RMP. Relevant feedback about the future delivery of HR services may nevertheless be provided and will be considered. If the PSA identifies a particular group outside HR that it considers should be consulted on a specific service impact, please provide the details.	RMP sections 1.1, 1.4 and 7. Specific group and service impact invited.
33	Whether genuine consultation has occurred	Yes. The design was approved for consultation, not implementation. Employees and the PSA have been provided with the RMP, proposed structure and a mechanism to provide feedback. Feedback may lead to changes to the structure, role impacts, RMP or timetable. Final approval to implement has not occurred. Legal Aid NSW welcomes any specific alternative or amendment the PSA wishes to propose.	RMP sections 4.1, 4.2, 7.3 and 15. Specific alternatives or amendments invited.
34	Request to extend consultation across the agency	The formal consultation is directed to employees whose roles are within scope. Legal Aid NSW has also considered feedback from leaders across the organisation. Could the PSA please identify the particular employee groups, service impacts or decisions for which it seeks targeted broader consultation, together with the consultation step proposed?	RMP sections 1.1, 1.4, 7 and 8. Specific groups, impacts and proposed consultation step requested.