



# 2024-25 ACT Budget Consultation

28 February 2024

## 2024-25 ACT Budget Submission

The Community and Public Sector Union PSU Group (CPSU) is an active and progressive union committed to promoting a modern, efficient, and responsive public sector delivering quality services and quality jobs. As the largest union in the ACT Public Service (ACTPS), the CPSU welcomes the opportunity to make a submission to 2024-25 ACT Budget consultation.

Our submission focuses on:

- A strong focus on workforce planning and safe staffing levels;
- Addressing psychosocial risks in the workplace;
- Funding for Professional Development and training in the workplace to prioritise ACT Government as an employer of choice;
- Continuing to promote secure work including a focus on lengthy time based funding;
- Reforming the Senior Executive Service;
- Closing the ongoing gender pay gap;
- Funding OV & vicarious trauma response across ACTPS;
- A sustainable health workforce that addresses critical shortages of declared professions;
- Investing in child and youth protection through delivery of safe staffing levels and Allied Health workforces;
- Comprehensive review of the Public Sector Management Act;
- Bulk recruitment strategies that onboard staff quickly and efficiently;
- Safe, Secure Correctional Facilities funding;
- Secure facilities at in Health precincts;
- Genuine consultation with staff to improve the ACTPS;
- Appropriate PPE / cleaning of PPE for fire related activities from carcinogenic agents.

## A strong focus on workforce planning and safe staffing levels

As one of the largest employers in the ACT, the ACT Government has an obligation to ensure that staff are supported and safe in the workplace. One of the key issues that impacts the safety of workers is ensuring that appropriate staffing levels are met. This impacts workers in two specific ways:

- Psychosocial risks and related risks are significantly reduced when staffing levels are appropriate to the work being undertaken – issues such as quantitative demands, emotional demands, work-related violence have proved to be mitigated<sup>1</sup>.

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<sup>1</sup> Quinlan, M. G. (2023). Psychosocial hazards: An overview and industrial relations perspective. *Journal of Industrial Relations*, 00221856231212221.

- Workforce planning is simplified and yields greater results - recognising that with appropriate staffing levels that are safe and guaranteed, that shortages become easier to predict. This in turn means that recruitment, onboarding and job design can be easily accounted for. More so, a safe service can be provided for public consumption<sup>2</sup>.

### **Recommendation 1:**

The CPSU calls on the ACT Government to fund an appropriate workforce planning and safe staffing levels pilot within the ACT Public Service, to ensure that work can be undertaken on staffing models developed. This should include funding for the program to be done inhouse and not outsourced. This program should make a recommendation for the 2025-26 budget for the implementation of funding for the staffing model and workforce plan.

### **Recommendation 2:**

The ACT Government must work with the CPSU to undertake mitigation practises for immediate response when safe staffing levels cannot be met. These Safe Staffing Level Business Continuity Plans (SSLBCP's) should include what services can be provided under a limited model, what services are bypassed and what services are temporarily halted.

## **Addressing Psychosocial risks in the workplace**

Recognising the critical role that ACTPS employees play in delivering services to Canberrans, CPSU believes the ACTPS should have the best staff possible. A significant part of this is ensuring that ACTPS workers are safe and healthy in their workplace.

With Worksafe ACT releasing the new psychosocial regulations and code of practise<sup>3</sup> it has become more prevalent than ever, that the PCBU be prepared to act on psychosocial risks in the workplace. A significant enforcement action of the CPSU in the 2024-25 period will be focused on all aspects of addressing and mitigating risks in the workplace.

### **Recommendation 3:**

ACTPS as a PCBU invest and fund proactive approaches to psychosocial risk mitigation. This should involve a whole of government approach that recognises the significant obligation placed on the Crown and put in place strong guidelines for Directorates and Agencies to adhere to.

### **Recommendation 4:**

ACTPS as a thought leader, must fund and deliver a training package for all ACTPS managers, or any public servant that may be considered either an officer or a PCBU under the WHS Act on their obligations and responsibilities towards mitigating psychosocial risks in the workplace.

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<sup>2</sup> Sutton, C., Prowse, J., McVey, L., Elshehaly, M., Neagu, D., Montague, J., ... & Randell, R. (2023). Strategic workforce planning in health and social care—an international perspective: A scoping review. *Health policy*, 104827.

<sup>3</sup> <https://www.worksafe.act.gov.au/health-and-safety-portal/safety-topics/psychosocial-hazards#:~:text=A%20PCBU%20has%20the%20primary,for%20as%20is%20reasonably%20practicable.>

## Funding for Professional Development and training in the workplace to prioritise ACT Government as an employer of choice.

The tight labour market means that the ACT Government needs to be offering staff competitive conditions to attract and retain staff. Paramount to this is putting in place tangible benefits that will give staff a clear career path in the ACTPS that will see staff remain as long term employees.

The provision of a professional development and training fund should be provided to all staff in an equitable basis in an open and transparent manner. The fund should be assigned as per each individual, rather than per work area. This will ensure that that the staff member can access training and development that is relevant to them as a professional.

### Recommendation 5:

CPSU calls on the ACT Government to provide a fund of 4% per employee per annum in Professional Training and Development funding. This fund should be mirrored on the current PD fund that is provided to Health Professionals in the ACTPS<sup>4</sup>.

## Continuing to promote secure work including a focus on lengthy time based funding

The CPSU supports the ongoing work done by the ACT Government as part of its secure work conversion program. This programme is an example of what can be achieved from collaboration between government and unions.

The most recent State of the Service Report indicates that 6,034 assessments were conducted in 2022-23 with 2,590 employees or a third (43.0%) recommended for conversion and 652 offers accepted<sup>5</sup>. This is a marked increase from the 607 employees converted in 2021-22<sup>6</sup>.

Despite this success, while the permanent headcount percentage has grown to its highest rate in over decade, the continued use of temporary employment remains to cause issues for the insecure nature of work for the ACTPS. This outcome suggests two aspects - first, that continued work needs to be done examining the structural drivers of temporary and casual staff to advise why these numbers keep being 'topped up'. Second, how the Government communicates an offer of permanent employment with the temporary worker.

While the Secure Work Taskforce works with the directorate to identify and advise which employees should be offered permanent employment, it is up to the individual directorate to make the offer and confirm the conversion. The key issue here is that there is no reason that a temporary employee would reject the offer of permanent employment – the resignation

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<sup>4</sup> [https://www.cmtedd.act.gov.au/\\_\\_data/assets/pdf\\_file/0006/1900734/ACT-Public-Sector-Health-Professional-Enterprise-Agreement-2021-2022-FINAL.pdf](https://www.cmtedd.act.gov.au/__data/assets/pdf_file/0006/1900734/ACT-Public-Sector-Health-Professional-Enterprise-Agreement-2021-2022-FINAL.pdf)

<sup>5</sup> [https://www.cmtedd.act.gov.au/\\_\\_data/assets/pdf\\_file/0003/2301465/State-of-the-Service-Report-2022-23.pdf](https://www.cmtedd.act.gov.au/__data/assets/pdf_file/0003/2301465/State-of-the-Service-Report-2022-23.pdf)

<sup>6</sup> [https://www.cmtedd.act.gov.au/\\_\\_data/assets/pdf\\_file/0011/2088479/state-of-the-service-report-2021-22-annual-report.pdf](https://www.cmtedd.act.gov.au/__data/assets/pdf_file/0011/2088479/state-of-the-service-report-2021-22-annual-report.pdf)

requirements are the same, the job requirements are the same, and the conditions are the same. The only notable difference is the nature of the engagement.

It could be argued that, inter alia, casual employees should be the category of employees that refuse conversion as they do receive a higher rate of pay, and by converting, the hourly rate of pay would be reduced by 25% (albeit they would then receive conditions and rights as an officer of the service). However, this is not the case – the over rate of causal engagement has decreased significantly by nearly 63%, whereas temporary engagement has only reduced by 5%. While this is a decrease, the temporary employment rate is still nearly 7% higher than it was a decade ago.

*Figure 1 Employment Modes (Proportion of total workforce based on headcount)*

Type	2012-13	2013-14	2014-15	2015-16	2016-17	2017-18	2018-19	2019-20	2020-21	2021-22	2022-23
Perm	77.6%	77.4%	77.6%	76.7%	75.9%	76.1%	76%	78.1%	75.8%	75.9%	81.1%
Temp	15.3%	15.6%	15.9%	16.8%	17.4%	17.3%	17.2%	16.5%	16.7%	17.2%	16.3%
Casual	7.1%	7.1%	6.5%	6.5%	6.8%	6.6%	6.8%	5.4%	6.8%	6.9%	2.6%

Source: Previous ACT State of the Service Reports

This data tells a story – that the ACTPS has an addiction to temporary employment, abdicating the risk to the worker. It is often the experience of the CPSU that Directorates wishing to engage in consultation on temporary employment, will only consider the job design and workforce planning of the immediate area, rather than the division, the Directorate, or the entire service.

An example of this can be seen in two recent consultations in the engagement of temporary employees.

**Example 1 – Engagement of Physiotherapists**

*Nine months ago, the CPSU was asked to agree to engagement of a temporary HP3 pelvic floor physiotherapist to backfill an officer that was undertaking twelve month higher duties contact. CPSU noted to the work area that Physiotherapists are often a role that the ACTPS requires (as they are used in multiple Directorates). CPSU suggested that they role could be hired on a permanent contract, and when the work in the area was exhausted, they could be redeployed utilising the provisions of the PSM Act and the Health Professionals Enterprise Agreement.*

*The work area responded noting that they had no issue recruiting physiotherapists and that their work area could not guarantee work for that worker post twelve months. The work area refused to look externally to their immediate areas and issued a temporary contract. Prior to Christmas 2023, the same work area contacted the CPSU to put in place advertising for a temporary HP3 Physiotherapist to backfill a parental leave contract – a role that could easily have been done by the already engaged HP3 who’s contract was about to run out.*

*Appropriate workforce planning could have easily resolved this issue and decreased the reliance on temporary employment.*

**Example 2 – Engagement of Occupational Therapists**

*A similar issue occurred when a work area wished to engage an occupational therapist on a 12 month contract to backfill a parental leave contract. While normally the CPSU has no objections to this form of temporary employment, it should be noted that there are currently a range of Allied Health professions where the ACTPS is significantly struggling to recruit. This is not due to an issue*

*with the ACTPS, but a national (and international) shortage in these professions. These include Occupational Therapists, Psychologists, Perfusionist, Radiography, Nuclear Medicine, Pharmacists and Medical Scientist to name a few.*

*In the past 12 months, CPSU has received approximately 21 consultation requests for Temporary HP2 Occupational Therapists in the ACTPS. Not only does this indicate that work areas are limiting their view when it comes to the needs of the service for Occupational Therapists, but the inability of the ACT Government to consider the wider needs of the entire service.*

*CPSU has pushed back on this engagement, advising that further scoping should be considered outside the immediate work area, and that given the critical shortages of these professions, it is unlikely that a suitable employee will be willing to engage with the Crown for a temporary contract.*

While the ACTPS does have a team that has oversight for the service for secure employment, they themselves are only employed on temporary contracts. In addition, the team is small in nature and does not have the capacity to have full oversight of the workforce planning needs of the service where there are critical shortages. This means that inevitably, these opportunities will be missed, and that temporary employment numbers will remain.

#### **Recommendation 6:**

The ACTPS fund an oversight program within the secure work taskforce, to analyse the poor workforce design and overlap of temporary recruitment contracts. This program should have the ability and power to authorise the employment of workers on permanent contracts, regardless of the time period, noting that they can and should be redeployed. NB – this recommendation should be considered in line with recommendation X and Y.

### **Reforming the Senior Executive Service**

The Senior Executive Service make up three hundred and thirty three (333) of a 25,000 strong ACT Public Service, providing leadership across the various Directorates and agencies. The direction and approach that SES take ultimately set the direction and approach for the ACTPS. This includes setting direction and taking responsibility for aspects such as the attraction and retention of suitable staff, pay and conditions of the service, and the secure work conversion program. However, despite holding such a significant level responsibility and positions of leadership within the ACTPS, these entitlements and rights are often not passed on to the Senior Executive Service.

This does not just create an inequality, but a barrier for the Senior Executive Service to understand the reasoning and justification for the claims being made by officers of the ACTPS. SES officers are not employed on a permanent basis. As knowledge workers, this creates a gross inequity and results in a restriction in the abilities of the SES officer. Instead, SES officers are appointed to a maximum 5 year contract under the Public Sector Management Act which is tabled in the legislative assembly.

This causes a flow issue that if SES officers are reliant on the continued renewal of their employment contracts via the elected officials, it will inevitably have an impact on the advice that is given. No longer can the Government be assured of 'frank and fearless' advice, if the officer giving said advice is subject to the whim of the incumbent government.

SES officers also lack the rights that are provided to the majority of other staff in the ACTPS – the right to collectively bargain. Currently, the rights and entitlements are set by the ACT

Remuneration Tribunal. While this may seem to be an open and transparent process, it is in fact anything but. The Remuneration Tribunal is not subject to negotiation, nor is it open to industrial representatives – a right that all employees in Australia hold under the Fair Work Act.

### **Recommendation 7:**

The modality of employment for all Senior Executive Service staff should be changed from 5 year maximum temporary contracts to permanent employment. It should be noted that while certain rights provided by the Fair Work Act would not apply (for instance, unfair dismissal rights would not apply due to the *high income threshold*<sup>7</sup>), it would result in the removal of the reliance on political appointments.

### **Recommendation 8:**

The Head of Service issue a Notice of Employee Representational Rights to begin negotiations for an ACT Government Senior Executive Service Enterprise Agreement. This would remove the ambiguity of the SES and ensure an open and transparent process for all staff involved.

## **Closing the Gender Pay Gap**

The Gender Pay Gap has long been an issue that has caused inequality across Australia. Historically it has been caused by a wide and varying ranges of issues such as lower pay rates for like work, to forced retirement of married and/or pregnant women<sup>8</sup>. More recently, this has been furthered by discriminatory entitlements which forced women out of the workforce, such as maternity leave forcing birth parents to be the primary carer<sup>9</sup>. It is this issue (career breaks to care for children) that is now considered to be one of the largest contributors to the Gender Pay Gap<sup>10</sup>. These aspects can, must and have changed for the better – but it is still not enough.

While there have been significant improvements within the ACTPS, we are still not seeing a representative model of employment. While parental leave is now non-gendered within the ACTPS thanks to the efforts of CPSU members, there still exists a societal expectation that women are the primary carers<sup>11</sup>. Genuine gender workplace equality cannot exist without the Canberra society changing its views. For instance, in Canada, Quebecois fathers are now expected to take parental leave (ergo a career break) to care for children after the ‘de-genderification’ of parental leave in the provincial government’s labour entitlements<sup>12</sup>.

The ACTPS currently has a Senior Executive Service that is majority female, but it has not yet reached a truly representative rate of the service of a whole<sup>13</sup>. Breaking this stalemate, an

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<sup>7</sup> High Income threshold. <https://www.fwc.gov.au/high-income-threshold>

<sup>8</sup> Evans, K. J., & Maley, J. F. (2021). Barriers to women in senior leadership: how unconscious bias is holding back Australia’s economy. *Asia Pacific Journal of Human Resources*, 59(2), 204-226.

<sup>9</sup> Doucet, A., & McKay, L. (2020). Fathering, parental leave, impacts, and gender equality: what/how are we measuring?. *International Journal of Sociology and Social Policy*, 40(5/6), 441-463.

<sup>10</sup> Johnston, R. M., Sheluchin, A., & Van Der Linden, C. (2020). Evidence of exacerbated gender inequality in child care obligations in Canada and Australia during the COVID-19 pandemic. *Politics & Gender*, 16(4), 1131-1141.

<sup>11</sup> Cortés, P., & Pan, J. (2023). Children and the remaining gender gaps in the labor market. *Journal of Economic Literature*, 61(4), 1359-1409.

<sup>12</sup> Doucet, A., & McKay, L. (2020). Fathering, parental leave, impacts, and gender equality: what/how are we measuring?. *International Journal of Sociology and Social Policy*, 40(5/6), 441-463.

<sup>13</sup> State of the Service. [https://www.cmtedd.act.gov.au/data/assets/pdf\\_file/0003/2301465/State-of-the-Service-Report-2022-23.pdf](https://www.cmtedd.act.gov.au/data/assets/pdf_file/0003/2301465/State-of-the-Service-Report-2022-23.pdf)

heading towards a representative model is key to ensuring that the expectations of a bygone era can be removed from the entrenched ideals of the ACTPS<sup>14</sup>.

Finally, it is widely recognised that women are retiring with significantly less superannuation than their male counterparts<sup>15</sup>. Recognising this has been caused by actual gender discrimination and taking action against this would play a significant part towards closing the Gender Pay Gap.

#### **Recommendation 9:**

The ACTPS undertake a review of all material, policies and procedures to ensure that the entitlements and rights associated with parental leave and career breaks are non-gendered. For instance, under the current Enterprise Agreements, bonding leave makes up a component of the parental leave for the non-birth parent, suggesting a secondary role to do with raising a child; while the birth parents leave is made up of birth leave and parental leave. These entitlements could easily be changed to one allotment of leave termed 'parental leave' that applies regardless of the employee's role in the care or birth of the child.

#### **Recommendation 10:**

ACTPS consider the representative nature of its senior leaders and the Senior Executive Service and how it reflects the wider gender make up of the Public Service. As part of the proposed overhaul of the Public Sector Management Act, consideration could be given towards allowing the Act to expand the classifications of what constitutes an 'identified position'.

#### **Recommendation 11:**

That the ACTPS make reparations for the formerly discriminatory policies and procedures of the ACTPS but making superannuation contributions for the period of leave and lost earnings to those employees who were forced into a career break to care for children.

### **Addressing Occupational Violence and Vicarious Trauma**

One of the largest impacts of psychosocial risks across the ACTPS is that of incidents of Occupational Violence and exposure to vicarious trauma<sup>16</sup>. In recent history, this has been raised as an issue in the ACT Education Directorate and within Canberra Health Services. Sadly, this is not the only directorates in which these issues are observed. Occupational Violence is becoming a more common experience of worker across the ACTPS, with members reporting experiencing OV in CMTEDD, CSD, JACS and TCCS to name a few.

Since 2016, the CPSU has advocated for harsher penalties for assaults on public servants undertaking their role with the ACTPS. In 2021, three Correctional Officers were put at serious risk of harm after the transport vehicle they were using to transport a prisoner to hospital was repeatedly rammed in a prisoner escape<sup>17</sup>. In 2020, a speed camera van was shot at, with an

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<sup>14</sup> Foley, M., Williamson, S., & Mosseri, S. (2020). Women, work and industrial relations in Australia in 2019. *Journal of Industrial Relations*, 62(3), 365-379.

<sup>15</sup> Best, R., & Saba, N. (2021). Quantifying Australia's Gender Superannuation Gap. *Economic Record*, 97(318), 410-423.

<sup>16</sup> Lai, M., & Costello, S. (2021). Professional interpreters and vicarious trauma: An Australian perspective. *Qualitative Health Research*, 31(1), 70-85.

<sup>17</sup> <https://www.canberratimes.com.au/story/7338171/dramatic-vision-reveals-how-prison-escape-unfolded-in-suburban-manuka/>

operator inside, again putting the worker at serious risk of injury or death<sup>18</sup>. In 2019, a riot at the Bimberi Youth Justice Centre saw one officer stabbed multiple times in the back while a knife was held to his throat, another officer's arm held over a table and forcibly broken, and another officer bashed in the skull with a keyboard<sup>19</sup>. In late 2023, a wards person was seriously assaulted receiving multiple injuries requiring extensive and multiple surgeries by a patient in the Emergency Room at Canberra Hospital. In January 2024, a Correctional Officer was stabbed with a syringe by an offender as he attempted to abscond from custody after he was held in remand.

These are just a handful of examples across the ACTPS where workers lives are put at risk, while delivering public services to Canberrans. In all of these cases, charges were either not pursued, or the charges bought against the alleged offender were not specific to assaults against a public servant. The work public servants do matters, and it must never be accepted that occupational violence is 'part of the job'. The ACT Government must bring about specific offences for crimes perpetrated against public servants that carry a heavier penalty.

Exposure to vicarious trauma (VT) is becoming a more and more common experience in the ACTPS for workers. Staff within areas such as the Child Youth Protection Service within CSD are continually exposed to graphic and offensive material including child sexual abuse and intentional violence against minors. Similarly, staff at the Director of Public Prosecution are faced with horrific material that is included as evidence in trails. There have been plethora of studies done in academia on how to offset the impacts of VT. Many suggest that those officers continually exposed to VT be provided with additional leave to allow decompression<sup>20 21 22</sup>. CSD's own report into the health and wellbeing of the workforce identified this very issue, however no action has been taken, with the directorate arguing that funding is an issue (REF here).

### **Recommendation 12:**

The ACTPS fund legislative reform that will bring a new category of offences for committing crimes against public servants. This initiative should also include the additional funding for the DPP to establish a team to deal with a potential uptake in offences against ACT Public Servants. The initiative should also include a further expansion on the current marketing campaign undertaken by the ACTPS to make a point that if a member of the public commits an offence, they *will* be charged.

### **Recommendation 13:**

That funding be provided to those professions that continually are exposed to Vicarious Trauma. These additional funds should be assigned for the specific purposes of providing additional leave for the purposes of decompression for those workers who are exposed to VT.

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<sup>18</sup> <https://citynews.com.au/2020/speed-van-shot-at-with-operator-inside-on-canberra-avenue/>

<sup>19</sup> <https://www.canberratimes.com.au/story/6557135/come-on-boys-lets-do-this-teen-allegedly-held-knife-to-workers-throat-during-youth-centre-riot/>

<sup>20</sup> Salameh, N. (2022). The adverse effects of burnout and compassion fatigue among mental health practitioners: Self-care strategies for prevention and mitigation. *Psychotherapy and Counselling Journal of Australia*, 10(2).

<sup>21</sup> Gender, M., & Victoria, D. V. (2021). Best practice guidelines: supporting the wellbeing of family violence workers during times of emergency and crisis.

<sup>22</sup> O'Brien, J. E., Jones, L. M., & Mitchell, K. J. (2023). "Flexibility and Consistency": Qualitative Insights on Valuable Skills for Providers Working with Survivors of Child Sex Trafficking. *Journal of Evidence-Based Social Work*, 20(3), 444-459.



## A sustainable health workforce that addresses critical shortages of 'declared professions'

Across the globe, the impact of the COVID-19 pandemic has led to increasing pressure on health workforces with increased attrition rates due to worsening work conditions, increased stress and increased workloads. The ACT Government is the single largest employer of Health Professionals in the ACT employing over 1,600 Health Professionals across 32 different professions. Most ACTPS Directorates employ health professionals in one way or another, with the focus being delivering care for Canberrans. The single largest employer of these directorates is employed by Canberra Health Services. None of these agencies are immune to these pressures, with many of the 32 professions continuing to face chronic workforce shortages despite last year's funding for additional Health Professional workers<sup>23</sup>.

Last year, the CPSU recommended that the ACT Government prioritise long-term planning across the ACTPS, with a particular focus on those front line agencies such as Canberra Health Service to guarantee they will be properly and sustainably staffed into the future.

Unfortunately, the ACT Government has undertaken little to no workforce planning, with directorates still operating in a siloed nature. What planning has been done, has been undertaken by individual directorates and proposes no significant changes that will result in increased recruitment and attraction for Health Professionals, but rather 'tinkers around the edges'<sup>24</sup>. Part of the proposed solution must include a well-funded service that made the ACTPS the natural choice for Allied Health Professionals. This means real proposals to attract and retain employees.

Unfortunately, the ongoing negotiations of the Health Professional Enterprise Agreement have failed to deliver outcomes that will make the ACTPS the natural choice. Given the ACTPS cannot compete on wages or conditions, the ACTPS needs to develop innovative and well-developed strategic approaches to attract new Health Professionals.

To this end, the CPSU has called for private practise funds to be established in much the same way as it is for Medical Practitioners, as to allow ACTPS to retain those Health Professionals that we currently have. When this claim as made in bargaining, it was essentially ignored by the ACT Government as something that could not be done (despite occurring in other jurisdictions such as Queensland and New South Wales). Again, this flags the importance of having an agile and innovative strategic approach to Health Professional Recruitment.

### **Recommendation 14:**

The ACT Government provide funding to establish a private practise fund, similar to that of Medical Professionals to allow the Health Professionals in the ACTPS to practise privately while being an employee of the ACTPS. Not only will this create an incentive for Health Professionals to come to the ACT to work, but increase the availability of Health Professionals available to the public across Canberra.

### **Recommendation 15:**

That the ACT Government reallocate under or non-utilised funding assigned to Health Professional FTE, to a 'Declared Professions' program. Under this program, Health Professions

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<sup>23</sup> Coleman, James. "More than 300 New Recruits Join Canberra's Healthcare Workforce but 'chronic Shortage' Remains." Riotact, <https://the-riotact.com/more-than-300-new-recruits-join-canberras-healthcare-workforce-but-chronic-shortage-remains/637054>. Accessed 17 Mar. 2023.

<sup>24</sup> <https://www.health.act.gov.au/sites/default/files/2023-05/Workforce%20Strategy%202023%2020230501.pdf>

that are in critical shortage such as Social Work, Psychology, Occupational Therapy or Medical Imaging, would be classified as 'declare professions'. The purpose of a declared profession would be removing the barriers to recruitment and make these available to any directorate that requires access to them. The ACTPS would institute a register, that made positions available for any suitably qualified HP that met a shortened set of criteria. If they meet the criteria, they will be provided with a role, noting that they may be put into any role that requires the needs of their profession.

### **Recommendation 16:**

The ACTPS cannot rely on its current terms and conditions for HP recruitment, nor rely on triennial negotiations to improve the pay and conditions for HP's. Other jurisdictions are taking extraordinary steps to recruit allied health professionals and keep them in the service. For instance, the Queensland Government will pay an allied health professional \$30,000 for taking a role in a rural or remote area, as well as an additional \$20,000 for each year they remain. They will also pay \$10,000 sign on for a non-rural area, ensuring that the staffing needs are met. Our current pay and conditions (including those being negotiated) cannot compete with these offers. CPSU calls on the ACTPS to fund a genuine workforce plan for Allied Health recruitment that focuses on short, medium and long-term recruitment.

### **Investing in child and youth protection through delivery of safe staffing levels and Allied Health workforces**

Last year, the CPSU noted that a greater investment was needed in the ACT Child and Youth Protection Services (CYPS). Unfortunately, this was not funded in the budget and the current staffing level was kept. CPSU members have identified that inadequate staffing, increased workloads and under-resourcing are problems that still need to be addressed. In addition to this, staffing to case load ratios have now become a critical issue. In the past, the client facing to administration work was roughly 70% client facing, 30% administration. Unfortunately, this has now changed to 30% client facing and 70% administration. This matter is compounded with how CYPS currently considers a 'caseload'. Ratio workloads at the moment are only generated on number of children actively on care (circa 700); but this doesn't account for the many thousands of children that CYPS workers are attempting to actively prevent from going into care (circa 8,000). This workforce is critical to properly help some of the most vulnerable children and families in the ACT and to meet these safe staffing ratios, more CYPS staff are needed.

Data on youth services in the ACT show declining service standards over the past few years. Investigations commencing within 7 days declined from 65.6% in 2018-19 to 41.4% in 2021-22. Nationally, it is 56.8% in 2021-22. Investigations completed within 62 days declined to 57.1% from 71.7% in 2019-20.<sup>25</sup>

We note that in last year's submission, CPSU noted the ACT Government's strategy for reform in child and youth services, *Next Steps for Our Kids 2022-23*. The reform was silent on the need to increase the number of caseworkers in the ACTPS to help reverse this trend, and to date, this matter has still not been addressed.

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<sup>25</sup> Productivity Commission. Child Protection Services - Report on Government Services 2023. 24 Jan. 2023, <https://www.pc.gov.au/ongoing/report-on-government-services/2023/community-services/child-protection>.

### **Recommendation 17:**

The CPSU recommends the ACT Government funding to CYPS to improve investigation commencement and completion times to pre-pandemic times. This should involve increasing staffing levels and also ensures each child's case is treated individually and that all children have an allocated case worker. This will enable the best quality care to be provided as quickly as possible and is in the best interests of children or families.

### **Comprehensive review of the Public Sector Management Act**

The Public Sector Management Act 1994<sup>26</sup> is now almost three decades old, with a number of amendments being implemented in attempts to modernise its operation. As with all Acts it must be reviewed from time to time to ensure that it is still current with contemporary practise and providing for the needs of the Public Service. There are a number of core issues which need to be considered for review and the time has come for a comprehensive review of the Act. For instance, the concept of *Office* are outdated and hailing back to 20<sup>th</sup> century view of the Public Service that is inflexible and cumbersome. The inability for a closed selection round to be undertaken (one that has existed in the Public Service Act 1999 for over two decades) has still not been adopted by the ACTPS.

### **Recommendation 18:**

That the ACT Government fund a comprehensive review of the Public Sector Management Act. This review should consider the intent of the Act and look to modernise it, creating an agile and responsive legislative framework that can support a long-term public service.

### **Bulk recruitment strategies that onboard staff**

In a similar vein to the previous item, the inability of the ACT Government to undertake bulk recruitment rounds and relying on the concept of office, has long hampered the ability for the ACT Government to have a central onboarding area. There have been pilots towards this in specific areas of the ACTPS that have yielded exceptional outcomes. In 2021, Access Canberra (AC) recognised that it had an opportunity to establish itself as an entry portal for ASO3 administration officers into the ACTPS. AC took note of its workforce trends, including promotional and turnover rates, as well as tracking where the majority of staff left AC for. In this program they found that the bulk of staff ended up winning promotions within the ACTPS at an ASO4 level and were enjoying careers with the public service.

Noting this, AC management was faced with a decision – either fight the turnover rates, limiting the opportunities for staff to grow in their profession; or lean into the success and accept the organisations role as an entry portal for the service. AC leadership chose the latter, and now deliberately overstaffs recruitment rounds, noting that it will inevitably end up with a turnover rate that resolves the funding issues. This program has proven to be successful and has only been able to occur with the joint work of AC leadership and the CPSU.

Ideals such as this are not new – the Commonwealth has been undertaking bulk recruitment rounds for some time<sup>27</sup>. This allows the APS to have flexibility and agility in how and when

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<sup>26</sup> PSMA - <https://www.legislation.act.gov.au/a/1994-37/>

<sup>27</sup> APSC recruitment guidelines - <https://www.apsc.gov.au/working-aps/information-aps-employment/guidance-and-information-recruitment>

officers are placed, from a recruitment pool that continually recruits. These sort of modernisation, when stacked with development programs, such as the APS Centre of Excellence<sup>28</sup>, or the APS Academy<sup>29</sup> that will lead to a modernised and efficient service.

**Recommendation 19:**

That the ACTPS learn from the pilot program run by Access Canberra and implement similar bulk recruitment centres across the service. This may require changes under how the onboarding is funded, but ultimately will yield a stronger service with career public servants which will save considerable funds in the long term.

**Recommendation 20:**

That the ACT Government develop and fund a Centre for Public Service Excellence within the ACTPS to continually and professionally develop the ACT Public Service.

## Safe, Secure Correctional Facilities

Being a Correctional Officer is one of the most confronting and difficult roles in the ACTPS. Not only does it require dedication, fitness, alertness and mindfulness, but requires you to be in high risk situations, potentially using force against detainees, and ensuring the security / wellbeing of the detention facilities.

Correctional Officers are exposed to significant risks on a daily basis. Threats of physical violence, drug and alcohol use and intimidation tactics are regular occurrences. The ACT Government has an obligation to take every step possible to mitigate the risk associated with undertaking a Correctional Officers role, to ensure they are safe at all times.

In the last budget round, the ACT Government funded two full body scanners at the Alexander Maconochie Centre (AMC) ensuring that detainees are not smuggling in weapons, drugs, paraphernalia or other prohibited items internally and / or on their body<sup>30</sup>. While these scanners have been successful in discovering contraband, they are currently only located at the AMC, and not at the ACTCS cells beneath the Supreme Court commonly referred to as CTU (Court Transport Unit). Given ACTCS takes detainees directly into custody from the CTU, either via detainees being placed on remand from the courts, or directly from the police watchhouse, it is a potential incoming avenue of contraband.

An MOU between ACTCS and the AFP is currently in place, noting that the requirements to strip search all new detainees will be undertaken by the AFP when they come from the AFP watchhouse, anecdotal evidence suggests that it is not occurring. In January this year, an officer received a needlestick injury after a detainee from the AFP watchhouse secreted a syringe on his person. The AFP have indicated that a pat search was undertaken, but that the contraband was not found. Had the CTU had a full body scanner, this item would likely have been found, and the officer would not have been injured.

Over the last 12 months, there has been a number of either attempted or successful escapes from custody, from the ACT Supreme Court. The CPSU has undertaken a review of the incidents

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<sup>28</sup> APS Centre of Excellence. <https://www.apsc.gov.au/initiatives-and-programs/aps-workforce-strategy-2025/workforce-planning-resources>

<sup>29</sup> The APS Academy. <https://www.apsacademy.gov.au/>

<sup>30</sup> Full body scanners - [https://www.cmtedd.act.gov.au/open\\_government/inform/act\\_government\\_media\\_releases/gentleman/2021/act-government-will-fast-track-procurement-of-body-scanners-to-minimise-strip-searches-at-amc-in-response-to-inspectors-report](https://www.cmtedd.act.gov.au/open_government/inform/act_government_media_releases/gentleman/2021/act-government-will-fast-track-procurement-of-body-scanners-to-minimise-strip-searches-at-amc-in-response-to-inspectors-report)

and note that all incidents pertain to the layout of the Supreme Court. CPSU notes that at the time of the construction of the Supreme Court building (including the courtrooms themselves) ACT Courts and Tribunals did not consult with ACT Corrective Services about the security requirements of the building, or the layout of the court rooms. CPSU has identified a number of risk factors in the Supreme Court that could be mitigated by retrofitting the courtrooms.

**Recommendation 21:**

**Recommendation 22:**

**Recommendation 23:**

**Recommendations 21, 22, and 23 redacted from publication and not published, so as to not highlight security vulnerabilities within ACTCS facilities.**

**Secure Facilities at Canberra Health Services hospital campus'**

When detainees require medical treatment in the ACT, Correctional Officers undertake an escort from the AMC, to one of the ACT's two main hospitals to allow the detainee to be seen by a medical professional. While this often occurs without incident, escorting a detainee in public is widely recognised as one of the highest risk activities. Escapes and attempted escapes can and have occurred while escorting detainees to hospital<sup>31</sup>. These risks are compounded depending on the nature of the detainee and by the fact that while the detainee is receiving treatment, they are not in a secure environment.

While the ACT does house a number of high risks of violence and high risk of escape detainees within the ACTCS, it is not to the level of other jurisdictions such as New South Wales. When detainee's interstate require treatment, they are transferred to a specialist correctional hospital where they can be held in protective custody in a secure environment.

With the construction of the ACT Governments Critical Services Building (CSB) at TCH, and the new proposed North Canberra Hospital, there is scope for secure facilities to be built at either campus.

**Recommendation 24:**

The ACT Government fund a secure facility to either be retrofitted into the CSB or built into the new North Canberra Hospital. Any design should be consulted with the ACTCS and its officers.

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<sup>31</sup> Prisoner attempting to escape from Medical Transport - <https://www.abc.net.au/news/2022-11-30/act-man-escaped-custody-girlfriend-rammed-corrections-car-court/101717424>

## Genuine consultation with staff to improve the ACTPS

Genuine consultation with ACTPS employees through their trade union helps to deliver better outcomes for Canberrans, enabling issues to be identified by those working at the front line. Suggestions from CPSU members covered staffing increases, investment in data storage and training.

Members were strongly of the view that non-managerial staffing needs to increase to meet growing demands on the ACTPS. Specific staff and areas mentioned were:

- Additional public dentists, dental therapists, and dental assistants,
- Community Services Directorate to give it the capacity to better work with community organisation partners,
- Increasing capacity in environmental policy development (particularly climate change effects on biodiversity) and evaluation (particularly whole-of-program evaluation),
- Additional social work positions in schools, and
- More staff to address delays in processing Working With Vulnerable People Checks

Beyond staffing increases, investment in better data storage as well as training were mentioned. Members recommended investment in data storage systems that meet current and future needs as current options are either extremely limited in capacity or options are prohibitively expensive. They also advocated for increasing the training budget to strengthen the expertise of regulators, particularly in science-based areas.

## Appropriate PPE / cleaning of PPE for fire related activities from carcinogenic agents

Members working in the ACTPS that undertake fire related activities, whether it be Rural Fire Service (RFS) or the Parks and Conservation Service often work with carcinogenic chemical agents that utilised to prevent the spreading of bush fires. These agents often contain salts, phosphates or other chemicals that are utilised to reduce the fire impact.

While the techniques used in the ACT often only used limited to certain chemical agents, it is not uncommon for RFS and PCS staff to work cross border in areas where it is outside the chemical agents utilised cannot be controlled. These chemical agents have in the past and can include<sup>32 33</sup>:

- Brominated flame retardants (BFRs) linked to endocrine disruption and thyroid disfunction;
- Hexabromocyclododecane (HBCD) which can be linked to alterations in immune and reproductive systems, neurotoxic effects, and endocrine disruption.
- Organophosphate flame retardants (OPFRs) has been linked to bone and brain health;
- Polybrominated diphenyl ethers (PBDEs) links exposure to neurodevelopmental disorders;
- Tetrabromobisphenol A (TBBPA) has been linked to cancer in rats and mice.

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<sup>32</sup>[https://www.niehs.nih.gov/health/topics/agents/flame\\_retardants#:~:text=Adverse%20health%20effects%20may%20include,child%20development%20and%20neurobehavioral%20function.](https://www.niehs.nih.gov/health/topics/agents/flame_retardants#:~:text=Adverse%20health%20effects%20may%20include,child%20development%20and%20neurobehavioral%20function.)

<sup>33</sup> <https://www.epa.vic.gov.au/about-epa/publications/1721-1>

While workers in this area are provided with PPE to assist in mitigating the impacts of these fire retardants, the risk grows when the cleaning, care and replacement of the PPE is considered.

**Recommendation 25:**

That the ACT Government fund risk mitigation considerations, and preventative actions to prevent any and all risks of the use of chemical agents utilised as fire retardants. This should consider all options including the appropriate issuing, cleaning and maintaining of PPE used in fire related activities.

Once again, thank you for the time to consider the CPSUs input into the budget process for the ACTPS. For further information on the CPSUs submission, please contact the action officer for this matter, Brenton Higgins via email [brenton.higgins@cpsu.org.au](mailto:brenton.higgins@cpsu.org.au) or on 0400 380 248.

Kind regards,

Maddy Northam

**Regional Secretary**