

Allied Health Site Director Role HSU position

Background

- [1] The position of Site Director Allied Health, Sydney Childrens Hospital Network is proposed as part of the SCHN clinical regrade to be classified as level 7, grade 3 under the Health Professionals Award.
- [2] The HSU contends this grading is incorrect, and it should be graded at Level 8, grade 4.
- [3] The basis for this contention is the Award descriptors.

Award descriptors

- [4] Level 7 HoD's descriptors are:
 - a. The work requires considerable co-ordination, and the position is responsible for human, physical and financial resources. The position contributes directly to the development of policy for the work area and must have a sound understanding of the broader policy and strategic context.
 - b. Programs, strategies, and priorities are generally decided at a higher management level but positions at this level have the authority to decide how to achieve results within the limits of available resources.
 - c. Decisions at this level have direct consequences on the achievement of results for the area for which the position is responsible.
 - d. Level 7 positions may maintain a clinical load or may be required to provide an expert speciality consultancy role in their area of expertise.
- [5] Level 8 descriptors are:
 - a. Positions at this level lead, direct, co-ordinate and provide strategic advice on major functions or work areas within a Local Health District(s), a geographic region, zone or clinical network. Positions at this level will make a major contribution towards the development and achievement of the strategic directions of the Local Health District(s). They have significant responsibility for the resources under their control.
 - b. Discipline Directors/Advisors will exercise a high degree of independence in the determination of overall workforce and clinical

service strategies, priorities, work standards and the allocation of resources.

- c. The position will make independent decisions related to area wide expert practice in their field and will be responsible for outcomes for clients and the organisation from the practice of other health professionals and staff. The position participates in strategic management and service development decisions.
- d. The position requires expert professional knowledge of methods, principles and practice and skills across client groups and work area.
- e. Positions at this level are required to apply senior strategic processes in the management of departmental resources and services.
- f. Positions at this level have a combination of operational and strategic roles as follows:
 - i. has professional responsibility with regard to strategic workforce and service development and professional practice across a Local Health District(s), a geographic region, zone or clinical network.
 - ii. provides professional co-ordination and leadership across a Local Health District(s), a geographic region, zone or clinical network to department heads.
 - iii. acts as a central point of contact for strategic consultation and liaison with Senior Executive management and the Allied Health Director/Advisor
 - iv. may have a dual role of department head.
 - v. may be required to provide an expert speciality consultancy role in their area of expertise.
 - vi. may be involved in the provision of relevant clinical or leadership training, management development and/or mentoring to staff within the Local Health District(s), geographic region, zone, or clinical network.

Health Services Union East v Director General, NSW Health [2014]

- [6] In the above matter, the Commission considered the question of the correct classification of an employee according to the above descriptors.

[7] The first consideration, is listed above at [5], a. Justice Backman expressed the following:

Under the Level 8 descriptors the expression is used in conjunction with the provision of strategic advice on major functions and work areas within a Local Health District, a geographic region and zone. The expression therefore cannot be considered in isolation. It is predicated upon the requirement to “lead, direct, co-ordinate and provide strategic advice on major functions and work areas”. Moreover, it is expressed to be in the alternative to a local health district, a geographic region and zone which may suggest, of itself, that a clinical network is something more than an acute hospital network such as the GNAHN, located within a Local Health District.¹

[8] Further definition of what constituted a Clinical Network was provided:
a clinical network is akin to a system of integrated care which shifts the emphasis from buildings and organisations towards services and commissions/carers.²

[9] In relation to what constitutes a geographic area or zone, Justice Backman did not determine this issue, in full, but agreed with the Respondent that simply being at a tertiary hospital did not necessarily qualify as a geographic region.³

[10] Rather, this question must be considered alongside the rest of the clause, specifically, provision of “strategic advice on major functions”.

[11] The Justice accepted the position of the Respondent that the Applicant did not have authority to lead and co-ordinate strategy, required significant approval for changes and the Applicant had limited ability to spend money or make decisions regarding human resources.⁴

[12] In relation to the Site Director of Allied Health, SCHN, the position description aligns with the Award descriptors and Justice Backman’s analyses in the following ways:

¹ *Health Services Union East v Director-General, NSW Health* [2014] NSWIRCOMM 6[55]

² [58]

³ [75]

⁴ [82]

- a. Strategic and operational management of Allied health Services, including allocation of resources; human resources management; utilisation of data.
- b. Provide effective financial management, development of budget and analysing budgets for optimal resources and service provision.
- c. Provide high level leadership, guide overall service development and planning.
- d. Lead the development and implementation of standards and procedures in alignment with national standards.
- e. Provide leadership and direction for workforce planning and capability strategies to ensure optimal and safe clinical services and sustainability of Allied Health resources.
- f. Assist Allied Health managers and staff to establish meaningful networks and partnership across network services.
- g. Work as part of Site leadership team to develop, implement and evaluate patient flow.
- h. Work in collaboration with senior leadership team.
- i. Represent members of the SCHN executive and the organisation as required.

[13] The above descriptors, illustrate the role is expected to lead, co-ordinate and provide strategic advice on major functions within the work area.

[14] As a specialised paediatric hospital, the role of site Director of Allied Health is distinct to that of a tertiary hospital. The role is responsible for paediatric services within a geographic area, zone, and clinical network of Allied Health professionals working on or in relation to the site.

[15] The specialised paediatric services provide a catchment within distinct parts of Sydney which warrant definition as either a geographic area or zone.

[16] In relation to the descriptors at [5], b. The HSU contends the position descriptors above also fit these criteria.

[17] In relation to [5], c. The HSU contends that the descriptors listed above at [12] a, c, d, e, f and g are persuasive examples of this descriptor.

[18] In relation to [5], d. the HSU contends the above points at [17] example this descriptor.

- [19] In relation to to [5], e. the HSU contends the following descriptors listed above at [12] a, b, e and g illustrate persuasive examples of this descriptor.
- [20] In relation to [5], f. a range of considerations may be considered. The HSU contends the above analyses illustrates the role requirements are both strategic and operational with clear responsibility for leadership of staff and services, and management of resources. Specifically, to a range of Allied Health Department heads as expressed in the Key relationships: “provide advice and reporting: consult and negotiate on key matters”.
- [21] On this basis, the HSU requests the the Allied Health Director position be re-classified to Level 8, with grading at the grade of 4.

Level 7 Descriptors

- [22] Level 7 Descriptors express this position as responsible for: large units, teams, or departments. The Allied Health Director role sits above this definition, responsible for service provision strategically and operationally across departments, units, and teams.
- [23] Further, the descriptor express level 7's as not having decision making authority over programs, strategies, and priorities. The Allied Health Director role has decision making authority over strategic management of Allied Health Services, including allocation of Human resources, financial management, guides overall service development, leadership of workforce planning and development strategies and sits in site leadership relating to broader interdepartmental considerations such as patient flow.
- [24] For these reasons, level 7 is not, in the HSU's view, the appropriate classification.
- [25] For example, a Level 7 has authority to achieve “results within the resources available”.
- [26] This is supported by Justice Backman's view:
On any view of it, these limited financial and human resources functions attached to Ms Watterson's position are not indicative of the level 8 descriptors which require that the person has “significant responsibility for resources under their control”.

- [27] The Allied Health Site Director in contrast, includes “allocation of resources; human resources management; utilisation of data”. As well as control over financial planning and budgeting.
- [28] This indicates that the role is beyond the more limited restraints of level 7 and sits in the role of strategic decision-making over the level of a Head of Department and requires allocation of resources across departments, from which level 7’s must achieve results utilising the resources provided.