



**BRANCH COUNCIL
MEETING
9 December 2016 10:00am
Wesley Centre, 220 Pitt Street Sydney**

The meeting opened at 10:30am with Mark Sterrey in the Chair for the Branch Council Meeting, 9 December 2017.

Attendees

Mark Sterrey	Leanne Snow
Gerard Hayes	Steven Fraser
Andrew Lillicrap	Darriea Turley
Peter Mitchell	Sharon Carney
Gilliam Reilly	Stephen Austen
Alan Wilcock	John Holgate
Shirley O'Riley	John Jetty Dore
Suzanne Davis	Joan Catlin

Moved Peter Mitchell/Shirley O'Riley that the identical matters included in the Branch Council meeting of the HSU NSW/ACT agenda 9 December 2016 have been dealt with previously by way of resolution or information purposes at the immediately preceding HSU NSW/ACT Union Council meeting, may not require further discussion after being moved, seconded and voted upon. Consistent with this, Branch meeting times run shorter than would be reflected in the Agenda.

1. Observers/Proxies/Apologies

Resolution: BC 12/2016
Moved: Peter Mitchell/Sharon Carney
"That Gerard Hayes proxy for Leigh Bush, Gerard Hayes proxy for Patricia Reid, apologies Leanne Burns, Warren Boon, Josephine Peacock and observer's Ben Chapman, Angela Nigro, Adam Hall, David Perry, Rob Sheehy, Stuart Hatter, Ayshe Lewis, Tim Thorburn and Linda Zutitis be accepted and admitted to the meeting."
MOTION PUT AND CARRIED

3. Conflict of Interest, Related Party Transaction Disclosers and other Disclosures

No conflicts or disclosures were made.

4. Minutes of Previous Meeting/s:

Resolution: BC 13/2016
Moved: Shirley O'Riley/John Holgate
"That the minutes of the HSU Branch Council meeting 31 August be accepted with the correction of Shirley O'Riley who was in attendance at the meeting"

MOTION PUT AND CARRIED

5. SECRETARY'S REPORTS:

Gerard Hayes, Secretary discussed the implications of the media that had been circulated over the last week in regards to the National Office expenses and will update the Council of any further developments if necessary at the next meeting. QLD Branch fees will be discussed later in the meeting.

Resolution: BC 14/2016
Moved: Steven Austen/Steven Fraser
"That the HSU Branch Council accepts the Secretary's report."
MOTION PUT AND CARRIED

6. ASSISTANT SECRETARY/TREASURER'S REPORT:

Andrew Lillicrap, Assistant Secretary/Treasurer reported on the legal tenders being discussed later in the meeting.

Resolution: BC 15/2016
Moved: John Holgate/Alan Wilcock
"That the HSU Branch Council accepts the Assistant Secretary's/Treasurers report."
MOTION PUT AND CARRIED

7. FINANCE REPORT:

7.1 Finance Reports ending 29 October 2016

Andrew Lillicrap, Assistant Secretary/Treasurer reported on the reports attached for period ending 29 October 2016.

Resolution: BC 16/2016
Moved: Gillian Reilly/Alan Wilcock
"The HSU Branch Council accepts the monthly financial reports, Balance Sheet and Profit and Loss Statement for the period ending 29 October 2016."
MOTION PUT AND CARRIED

7.2 Audited Financial Statements 2015/2016

Resolution: BC 17/2016
Moved: Steve Fraser/Sharon Carney
"HSU New South Wales Branch Council notes that the Audited Financial Statements were received by Branch Council at the meeting of 31 August 2016.

Further, that the audited financial report has been made available to HSU members on the HSU website since 19 September 2016.

HSU New South Wales Branch Council therefore authorises the Assistant Secretary/Treasurer to sign the Designated Officers Certificate for the period ended 30 June 2016 before being filed with the Fair Work Commission in line with reporting requirements."

MOTION PUT AND CARRIED

8. AGENDA ITEMS

8.1 Managers Salaries

The Managers of the Union have shown a great level of commitment and vision within the respective divisions which has led to growth, development and cohesion within the organisation. The Member Services Divisions as well as the Finance and Membership departments have all delivered significant outcomes in 2015-2016.

Resolution: BC 18/2016

Moved: Leanne Snow/John Holgate

“The Branch Council notes the progress of the Union over the period 2015-2016 and acknowledges the collective efforts of the managers in each of the divisions and departments that has led to the enhanced administrative and operational position that the Union is currently experiencing.

Therefore, the Branch Council endorses that the incumbents of the positions of Secretary, Assistant Secretary/Treasurer, Manager MSD, Manager Industrial, Manager Ambulance, Deputy Manager Industrial, Manager Public Health, Manager Aged Care, Manager Private Health, Manager Finance receive a salary increase of 2/5% retrospective to 1 July 2016.

MOTION PUT AND CARRIED

2:19am Lindy Twyford joined the meeting.

8.2 Queensland Branch Fees

The members of the former Queensland Branch are now members of the NSW Branch. There are currently 72 members in Queensland who are employed within the Aboriginal Medical Services. These members pay \$7.50 per week. It is proposed to sunset the membership fees for these 72 members and apply the standard NSW membership fee for all new members.

Resolution: BC 19/2016

Moved: Suzanne Davis/John Jetty Dore

“The Branch Council endorses that the fee of \$7.50 will be sun-setted for 72 members employed in Queensland and that all new members employed in Queensland will be subject to the standard HSU NSW membership fee of \$11.10 Branch Council also notes the HSU NSW standard membership may change from time to time.”

MOTION AND CARRIED

8.3 Legal Tender

An Expression of Interest process has been conducted for Legal Services to the HSU. This involved an advertisement in the SMH and specification documents sent to interested parties. Five applications were received including: Maurice Blackburn, McNally's Solicitors, Carroll & O'Dea, Slater & Gordon and MD Legal.

Three firms were invited to provide presentations - Maurice Blackburn, McNally's and Carroll & O'Dea – which occurred at the Audit & Finance meeting on 17th October 2016.

For the last three years, the HSU has used a panel of two legal firms to provide legal services (Maurice Blackburn and McNally's).

Following the presentations, consideration was given to whether the HSU engage one or two firms to provide legal services. It was determined that the use of two firms has been successful for the HSU and that this should continue, as it provides a degree of flexibility and a wider range of skills to call on, when needed.

Carroll & O'Dea stood out as a leading candidate in this field, offering a full range of legal services and a record of service to the HSU in dealing with previous legal matters such as during the period of administration, commercial litigation and recovery of money. The integrity this firm has shown in dealing with complex and contentious matters and the way they have stood by their advice publicly, was noted.

Maurice Blackburn offered the full range of services with the exception of conveyancing. It was noted that Maurice Blackburn had made errors in the past which had caused problems and costs to the HSU, such as the failure to implement rule changes, delay in providing an invoice for legal fees which prevented claiming it on insurance, and poor advice over certain employment matters in the early period of the new leadership.

McNally's offer the full range of services and have provided legal assistance on a number of industrial and professional indemnity matters, as well as services to members on wills, conveyancing and workers' compensation.

The three firms are price competitive with their fees.

After a long debate, the Audit & Finance Committee recommended that:

Resolution: BC 20/2016
Moved: Leanne Snow/Darriea Turley
"That the Branch Council adopts the recommendations of the Audit and Finance Committee that WG McNally Jones Staff Lawyers and Carrol & O'Dea Lawyers be engaged on a legal panel to represent the HSU for the next 3 years. The work is to be divided in the best interests of the Union as decided by management."
MOTION PUT AND CARRIED

8.4 Finance Committee Vacancy

Sharon Joseph has retired from her employment with Western Sydney LHD and as a result has resigned as a Councillor of the Union and member of the Finance Committee. Rule 75 (b)(i) states that members of the Finance Committee must come from and be elected by Union Council.

Members of the Audit & Finance Committee do not have to have prior accounting or finance experience. Much of this can be learnt on the job, and new members of the Committee can soon become familiar with the HSU accounts and reports, thereby enabling them to spot anything unusual.

Members of the Audit & Finance Committee are encouraged to attend the meetings in person. While it is not always essential, there are times where being online makes it harder to review all the information available.

Councillors interested in taking up this vacancy should indicate their interest at the Union Council meeting on the 9th December 2016.

Resolution: BC 21/2016

Moved: Leanne Snow/Darriica Turley

“That Union Council elects John Holgate to fill the vacancy on the Finance Committee that has been created by the resignation of Sharon Joseph.”

MOTION PUT AND CARRIED

9. GENERAL BUSINESS

Future Meeting Dates, check the days to include a Monday over a Tuesday.

There being no further business the meeting closed at 2:24.



Chairperson

26.4.17

Resolutions List and Attachments

BC 12/2016	The apologies and observers be admitted to the meeting
BC 13 /2016	That minutes of the Branch Council Meeting 31 August 2016 be accepted
BC 14/2016	Branch Council accepts the Secretary's report
BC 15/2016	Branch Council accepts the Assistant Secretary's/Treasurer's report
BC 16/2016	The Branch Council accepts the Finance Reports for period 29 October 2016
BC 17/2016	7.2 Audited Financial Statements 2015/2016
BC 18/2016	8.2 Managers Salaries
BC 19/2016	8.2 QLD Branch Fees
BC 20/2016	8.3 Legal Tenders
BC 21/2016	8.4 Finance Committee Vacancy