

In-Camera evidence

IN CAMERA PROCEEDINGS BEFORE¹

GENERAL PURPOSE STANDING COMMITTEE No. 2

**INQUIRY INTO THE MANAGEMENT AND OPERATIONS OF THE
NEW SOUTH WALES AMBULANCE SERVICE**

In-Camera evidence

At Sydney on Friday 4 July 2008

The Committee met in camera at 2.45 p.m.

PRESENT

The Hon. R. M. Parker (Chair)

The Hon. C. M. Robertson

The Hon. G. J. Donnelly

The Hon. M. A. Ficarra

Ms L. Rhiannon

The Hon. H. Tsang

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In-Camera evidence

LOUISE HENNESSEY, Superintendent, Ambulance Service of New South Wales, [REDACTED], New South Wales, sworn and examined:

CHAIR: Before we begin I have some comments to make about in-camera evidence. To assist the Committee we need you to reflect on our terms of reference. We are not able to investigate individual complaints but they can be used to highlight particular concerns and issues. A number of submissions related to individual issues but we aim to achieve general outcomes that will benefit the whole service rather than specifically achieving outcomes for a particular case. This is not a forum for adverse mentions or reflections about other people.

We previously resolved to hear your evidence in camera. At the end of this session I will again ask you how you want your evidence to be treated, and whether you want to keep today's transcript confidential, partially confidential or make it public. In your submission you talked about your appointment to the Health Services Union sub-branch and you referred to difficulties that you experienced when negotiating with Greg Rochford, the chief executive officer. What was the nature of the difficulties that you encountered?

Ms HENNESSEY: They were ongoing. We met on a consultative basis. The Ambulance Service has a joint consultative committee arrangement at a variety of levels. The superintendent sub-branch had the same configuration. Our relationship was that we met under a joint consultative forum on a variety of things—issues relating to staff and issues relating to structure. Predominantly there were always conflicts. I think the most significant one that springs to mind was when one of our State superintendents resigned and the position was vacant. Mr Rochford, the chief executive officer, put forward a proposal that there be no State superintendent.

It presented a certain amount of conflict for members when he said that there would be no uniform service, and that was a fairly long battle. Another conflict related to general wage issues. In the last restructure for superintendents in 1998 we all started off on an annual award that had salary bands. At the time the State superintendent struck the salary bands for each individual. We had a period of six months within which we could apply to have that reviewed. After about two or three years no-one had had it reviewed. They had petitioned to do so but it had not been reviewed.

That was brought forward as a matter of significant dispute. That issue lasted for years before it was resolved. None of the superintendents that were promoted to operations managers were allowed to have their salaries reviewed within the incremental band—very simple and basic award provisions.

The Hon. CHRISTINE ROBERTSON: Were they on senior executive service [SES] positions?

Ms HENNESSEY: No, not at all—health service manager 2, or that equivalent. So it was not SES at all.

CHAIR: You refer in your submission to the restructuring that took place in 2002 when areas went back to being divisions.

Ms HENNESSEY: Yes.

CHAIR: You said that there was change in the style and the attitude of the division and that more emphasis was put on performance agreements than on operations. Could you explain and explore some of those comments?

Ms HENNESSEY: Yes. The service changed in 1998. Prior to 1998 there were divisions and in 1998 we went to areas. The service spent some years with four divisions—Sydney, north, south and west, and those areas were then broken up into eight small areas. In 2002 we went back to divisions. The division managers were then under an SES package and they had to sign contracts. Prior to that there were eight areas and prior to that there were four when they had deputies. We now no longer have deputies.

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That structure has now been withdrawn—the deputy divisional manger has been withdrawn—and divisional managers were on their own. They were put on performance agreements as part of the contract, most understandably. Obviously they had an agreement about what was to be achieved under that performance agreement. One of those was that they would sign performance agreements.

The Hon. CHRISTINE ROBERTSON: Are you an SES worker?

Ms HENNESSY: No, I am not.

The Hon. CHRISTINE ROBERTSON: Are you on a different level?

Ms HENNESSY: Under the Operational Superintendents Award our pay is equivalent to the health service manager level 2.

So it was to be that we would move to performance agreements. There was never any discussion with individuals. It was just a matter of continually in a group badgering people just sign. We ended up signing in bulk one day; no process or any discussion with individuals and how that would work. The realignment we currently have is quite clear. That realignment that has just finally finished in the northern division is something that just has to be put. Someone has it in their agreement that needs to go forward. So, not what style that should be or what it should achieve, but that there will be a change.

CHAIR: We have heard many examples of bullying, harassment and intimidation. Has that been your experience? If it has, to what sort of level in the organisation does that go?

Ms HENNESSY: My personal experience?

CHAIR: Yes.

Ms HENNESSY: I feel that I am personally the subject of that. Obviously, that can only come from my superiors. So, I feel that mine is personal from the State executive.

CHAIR: What about upper management? Do you believe it extends further? Or are they oblivious to some of this bullying and harassment?

Ms HENNESSY: My view and my experience is that it is the Chief Executive Officer and the General Manager Operations that are the ones who, for example, have the issues and pursue me in a bullying manner.

CHAIR: Have you made complaints higher up about those concerns, for example, to the director general or the Minister?

Ms HENNESSY: No, I have not. I have managed ICAC matters for the service and I helped set up the PSCU. So, I have been very cautious. I have been conscious that I did not know whom I would go to because I am very aware that it comes back to those people to manage.

CHAIR: Do you believe your personal position is because you are the first female superintendent?

Ms HENNESSY: I do not have a finite view of what the reason is. It is certainly not performance based. I am very conscious that there are no female operational superintendents now left from last week: the last female was not held in her position. And we are not made redundant; we are an oblivion position that is not defined. So, it is clear to me when I was a superintendent in 1993, which was 15 years ago. Two more females were promoted to the rank in 1998 with a restructure. That left three. Three others have come up and they have just done non-operational jobs, like not on-road jobs—I have always been an on-road position. Only two of that group of six are now left.

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The Hon. MARIE FICARRA: Do you believe it is the approach of just those senior executive levels or has it permeated into the middle levels? Has the proper management culture that exists in other government departments left the Ambulance Service behind?

Ms HENNESSY: It has got left behind, but it has got worse. I used to be in the Federal Government in previous years. It was called Employment Education Training and it was in the Commonwealth Employment Service in management. There was quite a lot of work and activity in that. I moved into the Ambulance Service and it was very structured and rigid, rosters and that were very understandable, and it was disciplined. But it has moved out to somewhere that it was not then; it is completely left behind. Compared with my peers in other public sectors or other forums, I identify the organisation I work in as being 1950s. It has moved to a different era to even when I started.

The Hon. MARIE FICARRA: I suppose you would not have had a chance to look at the report published yesterday?

Ms HENNESSY: No, unfortunately. I am aware of some of the matters in it, but with a 14-hour day—

The Hon. MARIE FICARRA: Do you believe that ambulance officers felt that report was a vehicle to which they should contribute and that it was going to achieve anything? We heard that there were 50 email submissions, which, to me, did not seem like much, and two workshops. Was there an attitude towards that?

Ms HENNESSY: Yes. It is very clear amongst the staff and I guess amongst my colleagues that that was a committee people would not report to. I put in a very bland submission about general issues.

The Hon. MARIE FICARRA: Is that because you would be victimised?

Ms HENNESSY: Yes. I had an understanding that that would go back immediately, and particularly since one of our executive was on the committee. That person stayed within Ambulance during that time and everyone was conscious that that person was working for the committee.

The Hon. MARIE FICARRA: Why do you believe you have stayed for so long, given your talent and previous experience in other government departments?

Ms HENNESSY: It is hard work, but you just get committed. It is bad news.

Ms LEE RHIANNON: Has the culture changed or have the recruitment standards dropped?

Ms HENNESSY: I do not see it as the recruitment standards. I spent some time in the Ambulance Service in the human resources [HR] area and doing the industrial relations portfolio. I am very conscious at the moment that there is no HR policy or support of any of the decisions of the service. I do not mean to say that blandly and openly, but if I can just take why I put my personal matters down, take the current realignment. There is a document that was a page and a quarter that went to staff in the area to say there was going to be a change. There was no consultation.

For my position, it said in the document—which was just a newsletter—that the unsuccessful person would stay in their position until natural attrition. They just put a person in over and above. So there is no offer of redundancy. All the previous superintendents who were displaced onto different priorities were not offered the positions. So they did not follow any of those processes. It is hit and miss, and there is a clear view that everyone knows who is going to get the positions. If the position is advertised everyone already knows in advance who will get it. It is a different level than it was before. It does not feel structured and it feels inappropriate.

Ms LEE RHIANNON: You mentioned human resources. Their work is not percolating out through the service over all; it is done by favours. Is that what you are suggesting?

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Ms HENNESSY: I would suggest that quite comfortably. I know HR people, having been in the portfolio for a long period of time. I know what their work is and I am still close to those people. I know that they are directed to put people in jobs. They are told not to follow process.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Ms LEE RHIANNON: You are saying that people's positions are being upgraded, people are being placed in jobs and proper process is not being followed. Is that correct?

Ms HENNESSY: Yes. I am comfortable saying that. It is broad in certain areas; jobs are created that do not exist.

Ms LEE RHIANNON: Can you describe at what levels this is occurring? Does the whole system work like that or is it only certain levels within the service?

Ms HENNESSY: It is at certain levels. It certainly does not happen for ambulance officers or station officers.

Ms LEE RHIANNON: So you are talking about a level of management where it kicks in.

Ms HENNESSY: Yes, that is right.

Ms LEE RHIANNON: From your experience, at what level is that occurring?

Ms HENNESSY: It happens from a divisional level and they create positions around them. They create specialty jobs that exist around them and they put people in portfolios at that level and at a State level.

Ms LEE RHIANNON: Are you also suggesting that jobs are being created that may not be needed within management?

Ms HENNESSY: At an operational level—a divisional level—I think a lot of jobs are needed. So I cannot say that some jobs are not necessary. But they are not brought through properly under proper process.

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Ms LEE RHIANNON: So that is the main theme of what you are saying; there is no due process.

Ms HENNESSY: That is right—or what anyone would consider reasonable or fair.

Ms LEE RHIANNON: For the public service.

Ms HENNESSY: That is right.

The Hon. GREG DONNELLY: On page 3 of your submission you reflect on your move to Wollongong. There is a short paragraph halfway down that says, "Whilst I was at Dubbo I was awarded the entitlements correctly. However, after a very brief time in the same position at Wollongong it was changed". In the next paragraph you go on to explain about your change in circumstances with respect to your husband and your mother-in-law.

Ms HENNESSY: Yes.

The Hon. GREG DONNELLY: Was having a house without stairs an issue when you moved to Wollongong from Dubbo? It happened after you moved to Wollongong. Is that correct?

Ms HENNESSY: My husband was in the Ambulance Service for 28 years and was a paramedic. He suffered numerous injuries and medically retired in the week we moved. So we knew that he would be medically retired. I applied for the Wollongong position, was successful and we moved. His ability at the time to manoeuvre stairs was unknown because our previous house had no stairs. When we moved in it quickly became apparent that he was not able to function in the house. It caused him anxiety and further physical pain.

The Hon. GREG DONNELLY: With respect to alternative accommodation that the Ambulance Service may have been able to provide in Wollongong, did the service endeavour to find you another place without stairs?

Ms HENNESSY: No. Housing is part of our award but it is not interpreted equitably among all my colleagues. It is an entitlement of being on call. As operational superintendents, we have our phones with us 365 days a year, 24 hours a day and we respond to any incident that occurs. We also manage any issue that occurs within our sector, and perhaps more broadly. Perhaps you already understand that. We were in a house, which was part of that entitlement, and I asked whether there were any other housing opportunities. I put it in writing. I knew that someone else was going to be promoted soon and they would be looking for other housing. I received no response. I discussed it further and put it in writing. I continued to do that for such a long time without a response.

The Hon. GREG DONNELLY: No-one came back to you and said, "Sorry, there is no other accommodation without stairs". There was just nothing.

Ms HENNESSY: There was no response.

The Hon. CHRISTINE ROBERTSON: Is housing part of the award for all ambulance officers?

Ms HENNESSY: It is only under the superintendents' operational award. It reads down in the award that it is in lieu of overtime and call-out money to be on call. It is meant to compensate you for that.

The Hon. GREG DONNELLY: It is quid pro quo for your being available.

Ms HENNESSY: That is right. Many years ago the Ambulance Service had dozens and dozens of houses but for budgetary reasons they were never maintained. A lot of them were sold for cash flow and those types of things. So there are very few houses left. But some superintendents could pick and choose where they wanted to live regardless of what houses were available.

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The Hon. GREG DONNELLY: Could it have been the case that there was no house in Wollongong at the time without stairs?

Ms HENNESSY: That is correct, but—

The Hon. GREG DONNELLY: Are you saying that could have been correct or you know it to be correct?

Ms HENNESSY: I know the circumstances; there were no other houses. But the practice of the service would be that those who were in the club would be allowed to rent any property they liked. Previous superintendents in the area rented a flat near the beach and my colleague at the time was afforded a two-storey five-bedroom house with a pool for himself.

CHAIR: So there were different rules for different people.

Ms HENNESSY: There still are. Yes, that is correct.

CHAIR: When you received no response, what did you do?

Ms HENNESSY: I anticipated that I would get a response; I had faith that I would. I put it in writing and in one letter I explained that I had had to move because we really needed to be in another house. It was quite inappropriate and distressing for my mother-in-law, so we moved. Then I wrote again and then some time afterwards to say that I needed to take the matter further. Then the union became involved. I had difficulties because I was on the sub-branch at the time. I did not want to pursue my matters industrially because I do not believe it is appropriate for an executive on the sub-branch to pursue their own matters. So that delayed how I would have handled it. I just did it privately in writing to the General Manager, Operations over years.

The Hon. GREG DONNELLY: But the matter did ultimately go to the New South Wales Industrial Relations Commission.

Ms HENNESSY: When I was no longer on the sub-branch it was discussed at the JCC for a period of time and then the HSU took it to the commission. But it was one of three matters and it did not get followed up because the HSU is still in the commission about our outstanding overall pay matters.

The Hon. CHRISTINE ROBERTSON: So it is currently before the commission.

Ms HENNESSY: No, it is unresolved. It has not been followed up for some time.

The Hon. CHRISTINE ROBERTSON: But it has been taken to the commission. Is it sitting there?

Ms HENNESSY: Yes, but it is some time ago because the HSU has put their efforts into more—

CHAIR: When you say "some time ago", how long ago?

Ms HENNESSY: 2006. That is when the HSU continued with the other, broader superintendent issues.

CHAIR: You were then still living in housing—

Ms HENNESSY: No, I moved. I purchased my own home because I had to move; they had to adjust the house.

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The Hon. CHRISTINE ROBERTSON: With regard to the managers that were not SES-type managers being told they had to sign a performance contract, was it a different kind of contract to SES employees?

Ms HENNESSY: It is an appraisal. It is a very simple matter that in other public sector forums you would have done routinely. But the Ambulance Service has not put that culture in; it does not have that method of doing business. So even at my level—and ambulance officers as well—there is no appraisal system.

The Hon. CHRISTINE ROBERTSON: We have discussed this issue this morning: that they are working on implementing one. You were talking about that level of management having to sign—

Ms HENNESSY: It is an appraisal, not a contract. The award that came in, I think in about early 2001, said that we would have appraisals at certain levels and that they would be discussed and put in at a certain stage as to how that would occur.

The Hon. CHRISTINE ROBERTSON: They have not yet carried out the education to deliver these appraisals? Who did your appraisal?

Ms HENNESSY: My appraisal, when I finally signed it to allow us to move to that salary band we discussed earlier—we wrote it after a meeting, a group of us from the southern division, and it was signed off that afternoon without any further or private discussion as a group.

The Hon. CHRISTINE ROBERTSON: You did not have general meetings?

Ms HENNESSY: No.

The Hon. CHRISTINE ROBERTSON: Currently, especially after the review, they are talking about implementing these processes across the board and working to give more information and skills base to the station managers at that level as well, so that this process can become more entrenched. What do you think about that?

Ms HENNESSY: I have fully supported appraisals. But I understand why ambulance officers and my level are reticent to be involved in them, because they do not have any faith that they will be fairly dealt with, that they will not be appropriate.

The Hon. CHRISTINE ROBERTSON: Even if the station managers and the next level up, or whoever is doing them, receives the training to deliver them?

Ms HENNESSY: There would need to be a change in how people trust each other and management before it could happen, in an appropriate forum. There would need to be a cultural shift for that to be a satisfactory outcome for staff, and for my level as well.

CHAIR: We have had conflicting information, which is concerning me personally, with regard to the support given to ambulance officers. Some submissions say that after a major or critical incident the fire brigade offers a debriefing-type service, that the Ambulance Service does not have the same facility, and that there are varying levels of support to officers, who are distressed either through a grievance issue or through some of the incidents they have been involved with. What is your experience of the support to officers?

Ms HENNESSY: That support comes from whoever is in charge of the area and how they wish it to run. For example, when I went to Illawarra in 2001 the peer support system was available. The same level of support is available, regardless of whether it is accessed or referred for staff. I certainly know supervisors who said we would not do that, that we would not refer staff. But it is something, for example, that I would do. So after any major incident, I would personally speak with the staff and put in place peer support. We have a debriefing with all the staff, I invite the ambulance chaplain, and we do that for all the

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staff. But that is not a broad-based business in the service; there is no standard that would say you would now do this. It tends to be interpreted on the manager's style.

CHAIR: We have heard of instances of ambulance officers being pushed to the brink, where they either leave the service or take things even further, that is, take their own lives. Have you have experiences with those sorts of situations, and have they been worked-related or simply related to the person's psychological issues?

Ms HENNESSY: My personal experience—and I have been an operations manager for 12 years, out on the road for staff—is that most of my staff would come and tell me what is happening. I am a mother figure, being a female superintendent for so long. I have personally made counselling phone calls for them, and have sat them down and left the room. I am comfortable with the staff I have had and supervised over my time. I am well aware that some of them have got to the brink of being suicidal or very depressed, partly through some of their personal issues but a lot it because of the anxiety and stress the job brings. That makes those personal issues more difficult for them to deal with. I have spent a lot of time counselling. I actually find the job very fatiguing, because you are working on it all day and all night, both with staff and having to be available. I know that staff get that way, and I have been to quite a number of funerals of people—not my staff—who have passed away through suicide.

The Hon. CHRISTINE ROBERTSON: Did you refer very often?

Ms HENNESSY: Yes, regularly. A lot of staff get ill, and we have very poor flexibility in our work practices. I have had a lot of staff go through cancer and cancer treatment, and I would make arrangements for them to be flexible with their leave, and have put them through counselling, along with their families. I personally do benefit nights and all that sort of thing as well. That is a regular thing.

CHAIR: Working in your area is a good spot to be, by the sounds of things.

Ms HENNESSY: Yes. I am very fond of my staff.

CHAIR: With regard to the evidence you have given today, because your submission is confidential—and we can guarantee that that will remain the case—your evidence today is in camera, which means it is not publicly available at all. However, it also means that if it remains partially or wholly in camera, we cannot use a lot of the valuable information you have given us. I want to give you a couple of options and let you think about how you would like to go forward. The first option is that you maintain that information as completely confidential. Alternatively, you can opt to have identifying information taken out, so it is partially confidential. You can do that by making a statement now as to which way you want to go, or you can talk to the Committee Secretariat after you have read the transcript of your evidence.

On behalf of the Committee, we want to make sure that you are comfortable with whatever decision you make. We also assure you that the information you have given us is very valuable and the time you have put into your submission and the information you have given us today will be good for us to use. If you could have a think about that and let us know what you would like to do.

Ms HENNESSY: Thank you, Madam Chair.

CHAIR: I also advise you that you cannot be disadvantaged at all as a result of the evidence you have given today. We are very grateful to you for attending today. We want to make sure that your career is long and prosperous.

Ms HENNESSY: Thank you.

(The witness withdrew)