

Submission  
No 12

**THE MANAGEMENT AND OPERATIONS OF THE NSW  
AMBULANCE SERVICE**

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Partially Confidential

# AMBULANCE SERVICE NSW (ASNSW) STANDBY SERVICES

## PATIENT TRANSPORT

Section 67E of the *Health Services Act 1997* states:

*(1) A person must not:*

*(a) directly or indirectly provide or take part in the provision of transport for sick or injured persons for fee or reward, or*

*(b) conduct for fee or reward any operations similar to the operations carried on by the Director General under this Chapter,*

*without the consent of the Director-General and except in accordance with such conditions (if any) as the Director-General may from time to time impose.'*

This provision makes it illegal for anyone to supply the services provided by the Ambulance Service of NSW (ASNSW) that is, the transport of sick or injured people for a fee.

In other States, these regulations have been altered to reflect two separate types of Ambulance Transport: Emergency Patient Transport, which remains the province of the traditional state-based public ambulance service and Non Emergency transport which has been deregulated to the private sector.

In NSW, there had been no deregulation and thus both Emergency and Non Emergency patient transport remain the province of the ASNSW.

## ON-SITE AND STANDBY SERVICES BY ASNSW

ASNSW resources (vehicles and staff) are used not only for emergency calls; most large-scale public events will have at least one ambulance present. The Ambulance Service provides this service at a cost to the event organiser. The rates are charged as follows (ASNSW website):

	4 hours minimum charge for two officers	Hourly charge per officer	30 minute increments or part thereof
Week Day	\$775.84	\$96.98	\$48.49
Saturday and Public Holidays	\$998.72	\$124.84	\$62.42
Sunday	\$1,110.72	\$138.84	\$69.42
Vehicles	Rate per kilometre		
All vehicles including ambulances, bikes and administrative vehicles	\$1.51		

Hiring the Ambulance Service is also subject to a number of conditions, one of which states:

*'The Ambulance Service of NSW reserves the right to terminate and/or withdraw from an attendance at any time. If a major incident occurs that exhausts resources the Ambulance Service may withdraw attendance at an event without notice until other resources become available.'*

The Ambulance Service hiring condition, replicated above, states that if a major incident occurs whilst an ambulance is present at an event, they are able to leave the event immediately until such time as another vehicle becomes available. Events with large numbers of people create situations where the threat of medical emergencies and the need for first aid and ambulance services is far greater.

If the Ambulance Service reserves the right to leave such events at any time, the potential for harm to the people at the event raises significantly.

Of course the Ambulance Service should be responding to large-scale emergencies. If private operators were able to provide ambulance services at such events, the public would be far better protected. There would be no concerns over whether the ambulance service would depart during the event.

Provision of ambulance services would be guaranteed pursuant to the agreement reached between the parties. This makes for safer event planning and operating, as well as reducing the strain on the Ambulance Services.

Many event organisers and venues would be horrified to learn that their event might be abandoned, notwithstanding the reasons being laudable.

### **COMPETITIVE NEUTRALITY**

More to the point, it is not in the ASNSW mandate to provide on-site services, but Emergency Responses to accident and injury. Funded by NSW taxpayers through the NSW Health Department directly, with contributions from Private Health Funds and the NSW Ambulance Contribution Scheme, one has to ask why a decision was ever made by the ASNSW to offer location and stand-by services.

Regardless of "user-pays" principles, this is simply not a public ambulance service role.

Private providers may legally provide their services at events or venues, provided they do not transport the patient for fee or reward. Likewise, they can transport a patient provided that individual is not charged, though this would only occur in time-critical scenarios (e.g. cardiac arrest).

Under the National Competition Policy and Related Reforms Agreement (*2001 NSW Government Policy Statement on the Application of Competitive Neutrality*), the Commonwealth, State and Territory Governments agreed to implement the principle of competitive neutrality. This requires that Government businesses, whether Commonwealth, state or local, operate without net competitive advantages over other businesses as a result of their public ownership.

There can be little doubt that the ASNSW breaches these principles when providing location and event services, with staff, vehicle, equipment, medications, consumables and administration costs below those of commercial providers, all subsidised by the NSW Taxpayer and Ambulance Service Scheme Contributors.

#### **A specific example which relates to Competitive Neutrality and the provision of on-site services occurs in the NSW Metropolitan racing Industry.**

ASNSW vehicles and staff are present at track work six-days a week, and on race days at Rosehill Gardens, Canterbury, Royal Randwick and Warwick Farm, as second vehicle is in place. This is ostensibly "in case the on-site ambulance is sent away with an injured jockey" (STC and AJC Racing Regulations stipulate that an Ambulance must be present during racing).

We believe a private service could perform, and be paid for, these roles

Issues arising include:

1. Redundancy of services: only a single vehicle and crew would be required (as above, if transport to hospital is required the ASNSW will be called)
2. There is no definition of this ambulance, but it has been taken to be a vehicle and staff from the ASNSW. Private operators have the same vehicle types and in some case more highly skilled and equipped crew
3. These arrangements are far from transparent, and we believe a Contract is in place but have no knowledge of it. We believe these arrangements should be in the public domain
4. The ASNSW may well be in breach of the Government's own Competitive Neutrality requirements, whereby private operators are being unfairly and ant-competitively treated
5. ASNSW personnel may not be at Intensive Care Paramedic level, given the paucity of these senior staff and well-documented staffing shortages.

## RESPONSE TIMES

Should private providers be responsible for such standby, location or event services appropriate treatment can rapidly be made available where required at these venues, and if a patient needs transport to a hospital for further care, the ASNSW can then be called.

This minimises response time to the patient, and maximises the efficient use of the ASNSW resources.

In 2001, the Auditor-General released an audit titled '*Ambulance Service of NSW Readiness to Respond*'. The findings were highly critical of the way ambulance services are conducted in this state. Among some of the key findings were:

- NSW ambulance response times are worse now than they were in 1997 (*nb. since this report was released, figures have continued to steadily decline*)
- Response times are among the worst in Australia

The Ambulance Service of NSW is already over-stretched enough without having to use their resources on special events. The ASNSW may suggest that extra vehicles are provided to make up for any shortfall occasioned by their staff and vehicles attending events, but such arrangements would by necessity involved overtime provisions and a greater cost to the community.

## AREAS FOR ENQUIRY OF THE NSW GOVERNMENT

1. Are ASNSW response times still worse than 10 years ago?
2. Are ASNSW response times still amongst the worst in Australia?
3. How does the ASNSW response times compare to Worlds Best Practice and guidelines from groups such as the American Red Cross and the International Liaison Committee on Resuscitation (ILCOR)?
4. What are the current staffing shortages in the ASNSW and what measures are being taken to address them?
5. What Commercial Relationships exist between ASNSW and any private organisation, statutory or other governing bodies?
6. Specifically: what is the nature of the arrangement between the NSW Racing Industry (including the AJC and STC) and the ASNSW?
7. Under what authority has the ASNSW role changed from the provision of response to ill and injured persons in NSW to that of a location/event pre-hospital services provider?
8. What is the Government's position on Competitive Neutrality and the on-site arrangements involving the paid provision of ASNSW staff, vehicles and/or equipment, taking them out of service to the general public?
9. Why is the ASNSW competing with private pre-hospital service providers?