

**Submission
No 91**

INQUIRY INTO EMERGENCY SERVICES AGENCIES

Organisation: Australian Paramedics Association (NSW)

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PARLIAMENTARY INQUIRY INTO EMERGENCY SERVICES AGENCIES

SUBMISSIONS OF APA (NSW)

23 July 2017

Introduction

The Australian Paramedics Association (NSW) (APA (NSW)) is a registered trade union that represents the interests of paramedics and paramedics support staff employed by NSW Ambulance (NSWA). The Union routinely deals with issues surrounding bullying, harassment, discrimination, mental health and uniforms on behalf of our members.

Our submissions to the inquiry will therefore be limited to the terms of reference of the inquiry that is relevant to paramedic and paramedics support staff employed by the NSWA. Our submissions are based on the feedback of our membership via recent surveys conducted as well as the Union's experiences in dealings with respect to issues of bullying, harassment, discrimination, employee mental health and uniforms.

Should any further information be required upon examination of our submissions, please contact APA (NSW) Secretary, Mr Gary Wilson via email secretary@apansw.com.au or phone on 0414 645 274.

The prevalence of bullying, harassment and discrimination within NSWA

In our dealings with NSWA on behalf of our members, it has been our experience that there is a prevalence of bullying and harassment within NSWA. Starting on page 11 of this document, on a confidential basis, are instances of bullying and harassment which are just a sample of the recent cases in the NSWA service. We ask that pages 11 to 14 of this document, which contains confidential information, not be published.

In a recent survey completed by our membership, 73% of participants indicated that they have experienced bullying, harassment and/or discrimination whilst working for NSWA.

The effectiveness of the protocols and procedures in place to manage and resolve complaints of bullying, harassment or discrimination within NSWA.

While NSWA has made efforts to improve the policy and procedures framework, APA (NSW) do not believe that these are effective or that they have had a significant impact on the culture and experiences of frontline staff. This is due to a number of factors which include but are not limited to:

1. Issue/s not directly addressed by NSWA

In our experience with the NSWA, we have found that often they do not directly address the issue/s of bullying, harassment and/or discrimination. There have been many instances where instead of dealing with the issue/s at hand, the NSWA has forcefully moved the complainant out of the area (please refer to examples given in our confidential material). In these instances, the complainants have been left to feel as though they have been punished for raising the complaint whilst the offender/s were not reprimanded and issue/s not addressed. This has led to the complainant, and other staff, being increasingly hesitant to report future incidents.

2. Employees feel unsupported & lack confidence

Our members have indicated that they currently do not feel supported by NSWA to make a complaint nor do they have confidence that NSWA would handle their complaint appropriately.

Members have reported that they generally feel hesitant and/or reluctant to report bullying, harassment and discrimination due to fear of reprisal, fear of being forced to move to another area and fear of ridicule and isolation. In our dealings with members, a number have indicated they feel this way due to the way NSWA has treated their colleagues who have put in complaints in the past and the failure of NSWA to address complaints adequately. Members have resigned rather than try to resolve the bullying and harassment due to their concerns about how it would be handled and their expectation of long term consequences.

In recent survey conducted, 79% of complainants indicated that they did not feel their complaint was taken seriously by NSWA management.

There is also a lack of confidence by our members in the ability of NSWA's Professional Standards Unit (PSU) to adequately handle complaints of bullying, harassment and discrimination. It is our experience that there is a general distrust of the PSU by the workforce. Work needs to be carried out by NSWA to fix this barrier.

3. NSWA taking excessive amounts of time to address complaint/s or is not addressing the complaint/s at all.

In survey conducted, 59% of complainants indicated that their complaint was left unresolved by NSWA. Members have reported that as a result this has put an unfair burden on the individual to resolve the issue themselves by taking necessary action. The most common action is being forced to remove themselves from the area into another area to get away from the bully.

Of those who's complaints were resolved, 45% of complainants indicated that it took over 2 years to address the issue. It has been reported that the reason for delay is due to NSWA not taking the complaint seriously and often it has required other employees to also report bullying prior to action being taken by NSWA.

Members with complaints resolved also indicated that they had to constantly chase up the NSWA and apply pressure on them to resolve the issue. Members reported that this was often exhausting and put a great deal of stress on them.

4. Failure of NSWA to communicate process and/or keep complainant updated

In our dealings, many members have reported that NSWA has failed to clearly communicate the process by which the complaint would be handled. Furthermore, members have reported that once the complaint has been put in, they receive minimal or no contact from NSWA regarding the complaint.

In survey conducted, 86% of complainants indicated that they were not updated by anyone from NSWA throughout the process of dealing with the complaint. 74% indicated that they were not informed either verbally or in writing the process being used by NSWA to deal with the complaint.

This leaves employees feeling unsupported, ostracised and removed from the process. It also discourages other employees from making complaints.

5. Lack of adequate training for management to deal with complaints & support employees

In our dealings with assisting members with complaints, many have reported they received little to no guidance and support from their management. Many indicated they feel as though management are not aware of the processes or not following the processes adequately. As a result, members are discouraged from making complaints.

In recent survey, of those that indicated that their complaint was handled by their direct line manager, 85% indicated that the complaint was not dealt with effectively by them.

APA (NSW) believes that this feedback from our membership suggests that NSWA is not providing their management with adequate training and/or support in order for them to deal with complaints effectively and efficiently and provide employees with the support and guidance they require.

Membership feedback also leads APA (NSW) to conclude that there are cultural issues within higher level management which is causing ineffective management. Members have reported examples of management looking after their own (ie. other managers) or looking after those they are mates with. A number of our members who are frontline managers have reported instances whereby higher-level management have stepped in and stopped them from enforcing appropriate disciplinary action on a workplace bully.

6. Improper management of complaints

Upon receipt of a workplace conflict, a manager must decide whether the matter is a grievance or a disciplinary matter. The determination of whether a matter should go down a disciplinary or grievance pathway is inconsistently applied by NSWA management. In a number of cases we have dealt with, this determination appears very much to be

dependent on the individual view/s of managers and/or their relationship with the staff involved.

From our dealings and reports by members, APA (NSW) believe that there currently exists a culture within some managers whereby they deliberately misallocate clear bullying and harassment reports to the pathway of an interpersonal grievance in order to ignore their managerial responsibility. In some cases, members who have reported bullying and harassment to management and questioned their managerial actions, have become the subject of intense scrutiny and harassment from manager(s) over long periods of time, leading to further deterioration of the members' mental health and/or wellbeing. APA (NSW) are currently actively advocating for members who are the subject of the inappropriate application of grievance resolution policies and procedures.

7. NSWA policies & procedures used as bullying & harassment mechanism

Members have reported that some managers are using managerial powers contained in NSWA policies and procedures (eg. ability to performance manage staff) as a mechanism to bully and harass staff. Members have reported many instances, and APA (NSW) have intervened in a number of instances, where the management action taken against individuals have been disproportionate to the issue at hand and inconsistent with how the policy/procedure is usually applied or dealt with by NSWA. Upon examination of such instances, in the vast majority of cases, APA (NSW) have found that the disproportionate management action was as a result of bullying and harassment behaviour by the manager/s rather than a genuine misunderstanding by management of how policy and procedure should be applied.

The support structures/services in place to assist employees subject to workplace bullying, harassment and/ or discrimination and/or mental health issues within emergency services agencies

1. Current structures/services

The following is an outline of the structures/services available to assist employees and their effectiveness:

(a) Management

Managers are the first line of protection for members who are suffering from bullying, harassment and/or discrimination. They are there not only to manage the operations of NSWA but also to guide and support employees. Unfortunately, 86% of survey respondents indicated that they did not feel supported by NSWA management with respect to their bullying, harassment and/or discrimination complaint. As already outlined above, APA (NSW) is of the view that this largely stems from lack of appropriate training and support for managers.

Management are also often the first line of protection for members suffering from workplace trauma and mental health. Members have reported that the majority of management do not know how to deal with employees with mental health issues which often leaves employees feeling very unsupported and may also further exacerbate employees' mental health issues. It is APA (NSW)'s view that this is due to a number of reasons:

- NSWA is not providing management with adequate and consistent training with respect to monitoring the well-being of staff and supporting staff with mental health issues. As a result, management do not have the necessary skills or confidence to support their staff.
- Due to NSWA being under-resourced, management are unable to allocate the required time to fulfil their responsibilities. Their heavy workload often prevents them from having the necessary time to adequately manage the well-being of their staff. Managers are required to carry out management duties in addition to normal on road duties. Management therefore do not have and cannot have enough time to complete all management tasks within their rostered shifts.
- There is not enough regular support and contact in place for management to assist them to deal with staff with well-being/mental health issues.

(b) Grievance Contact Officers

NSWA has in place Grievance Contact Officers (GCOs) who's role it is to provide advice and support to staff about grievances and workplace concerns. There currently exists a number of issues which limit the effectiveness of GCOs:

- There are not enough GCOs for the workforce (currently only 9 for the entire State).
- GCOs are employees who take on the role in addition to their full-time role with NSWA. As such, this restricts the time they can dedicate to the role. Members have reported instances where they have not heard back from a GCO they have rung or have heard back from them quite some time after the initial phone call. For members that require urgent assistance this is problematic and can be quite stressful.
- GCOs do not receive enough support from NSWA. A number of GCOs have informed us that despite being required to submit a report to the Healthy Workplace Strategies department of NSWA, they have received little to no feedback with respect to the reports. Further, GCOs have reported instances where NSWA have failed to provide them with guidance when specifically sought, making their roles challenging and leaving them feeling overwhelmed.
- There is currently a lack of ongoing training for GCOs. Since the original training provided at the inception of the GCO program in or around 2009, GCOs inform us that they have not been provided with any further training.
- Despite commitment by Healthy Workplace Strategies to monitor the wellbeing and welfare of GCOs we do not believe this is currently occurring effectively. GCOs inform us that they do not receive regular contact from NSWA.

(c) Peer Support Officers

NSWA has put in place Peer Support Officers (PSOs) who are NSW staff whose role is to support colleagues who may require assistance after traumatic events. There currently exists a number of issues which limit the effectiveness of PSOs:

- PSOs are employees who take on the role in addition to their full-time role with NSW. As such, this restricts the time they can dedicate to the role. Members have reported instances where they have not heard back from PSOs they have rung or have heard back from them quite some time after the initial phone call. For members that require urgent assistance following a traumatic event this is problematic and can be quite stressful.
- There is a lack of consistent and regular training for PSOs. PSOs indicate they would prefer yearly training and refresher courses however have indicated that this is currently not occurring.
- PSOs have indicated that they feel they could be better supported by NSW by providing regular contact and routine check-ups on their welfare which currently does not occur.
- PSOs are required to attend two psychological counselling sessions every year however many report this does not occur. NSW currently has no measures in place to ensure PSOs attend the required sessions or to prompt/remind the PSOs of the requirement.

(d) Employee Assistant Program

NSWA has in place an Employee Assistant Program (EAP) which aims to provide face to face counselling, phone counselling for crisis situations or traumatic workplace incidents, phone advisory services for managers, mediation services and group support sessions. EAP services are provided by an external consulting firm.

Our members have identified the following shortfalls of EAP services which limits its effectiveness:

- Members have found that the counsellors, psychologists and other experts offered in the EAP program often do not have knowledge of the work that paramedics are exposed to and the environment they work in. Further, they often do not have an idea of the structure of NSW and the way it operates. Members have reported that this makes it very difficult and frustrating to explain to the service provider the issue/s they are facing and also makes it hard for the service provider to properly understand the issue/s. This may then result in poor rapport which could prevent employees from trusting the service provider to deal with their confidential issues.
- Management do not have the time to adequately utilise EAP support services available to them due to their high volume of work. Often, this has resulted in management not contacting EAP prior to dealing with an issue despite wanting to do so or would otherwise have done if time permitted.
- Members have reported EAP has either failed to provide access to a phone counsellor within an appropriate amount of time or in some cases have failed to provide a phone

counsellor at all. There have been instances where members have rung the EAP phone line for urgent assistance and informed that a trauma counsellor would ring them back, only to receive no return phone call or to receive return phone call within the next few days. This is unacceptable for those requiring urgent assistance.

- Members, particularly those in the rural areas, have reported that it can take too long to obtain a face to face appointment.
- Members have indicated that experts attending EAP workplace is rare and can take some time to organise. APA (NSW) believes that NSWA should have counsellors/psychologists from EAP attend NSWA stations and hospitals on a regular basis to offer support to paramedics.
- EAP is only effective in providing short term assistance for employees. Employees are capped at the number of EAP sessions they can utilise per incident/issue (we believe this currently a maximum of 6 sessions). This cap prevents employees from being able to access the full support and assistance required and thereby limits the effectiveness of the service. It is APA (NSW)'s view that no limitation or cap should be in place to maximise the benefits and support provided by the EAP to staff.

(e) Chaplaincy services

NSWA has chaplains available to provide individual counselling and pastoral and spiritual support to staff and their families.

Members reports the effectiveness of chaplaincy services are hindered by the following issues:

- Whilst some areas within NSWA seem to have a good presence of chaplains, other areas (in particular rural areas) do not have the same presence or involvement.
- The success of the chaplaincy service is often heavily reliant on local management. Members report that some local management are much more involved with the local chaplain (ie. inviting them to station meetings and notifying them of major traumatic incidents which have occurred) whilst others are rarely involved which may limit the effectiveness of the Chaplain.
- Members have indicated in some areas they do not come in contact with their chaplains and would like to see chaplains attend workplaces, hospitals etc of paramedics and paramedic support staff more often.

2. Future support structures/systems

APA (NSW) believes the NSWA should consider implementing the following:

- a) NSWA should put in place an inhouse Workplace Mental Health Department staffed by paid professionals that are well aware of the working environment of paramedics and paramedic support staff and who have the necessary qualifications and skills to assist staff with mental health issues.
- b) Employees should be given a paid day off every quarter of the year where they are encouraged to attend to their mental health – this may include but not limited to accessing

EAP services, seeing their GP or other specialist, meeting with PSOs face to face or accessing chaplain services.

- c) Many paramedics and paramedic support staff are reluctant to seek help and/or have difficulty recognising when they should ask for assistance. NSW needs to do more to change this culture. Education, encouragement and support from management is key.
- d) NSW needs to have more of a focus on early intervention to prevent staff suffering from mental health issues. Examples of such intervention include but are not limited to:
 - o Comprehensive debrief system – currently NSW does not have an adequate debriefing system for employees after being exposed to traumatic events. Members have reported that often no debriefs occur and they are just referred by management to EAP, Chaplain or Peer Support service. This is problematic for those who are unable to recognise the impact of a traumatic event or for those who are resistant to support services. Having more frequent or compulsory debriefs (like NSW Police) may more efficiently assist employees experiencing or potentially facing mental health issues as a result of traumatic events and it may also prevent employees from suffering mental health issues.
 - o Better mechanisms of monitoring employees' mental health – such as voluntary psychological testing.
- e) The current support structures/systems in place by NSW has too much of an onus on the individual (ie. the individual must seek the assistance). Mechanisms needs to be put in place whereby the employer undertakes some of the onus in order to ultimately look after the mental health and well-being of employees.

The appropriateness of uniforms provided to personnel in emergency services agencies

The appropriateness and suitability of the current uniforms provided to paramedics by NSW is a major issue for our membership. Our members feel very passionate about the inadequacy of the current uniforms and have brought a number of work health and safety issues to our attention. APA (NSW) has been liaising with NSW with respect to the state of the current uniforms for a significant period of time. The deficiency of the current uniform has received a significant amount of media attention & the matter was also the subject of a dispute between the NSW and APA (NSW) requiring the assistance of the Industrial Relations Commission of NSW.

Our member feedback and recent uniform survey (which received an overwhelming number of responses) identified the following issues with respect to uniforms:

- The material of current uniforms is inadequate and have led to:
 - o Heat retention – 54% of survey participants indicated they have suffered from heat stress as a result of the uniform.

- Perfuse sweating
- Dehydration
- Fatigue
- Discomfort
- Development of skin conditions – 1/3 of survey participants indicated that the uniform has resulted in them developing skin conditions.

All the above has also had a negative impact on work performance.

- No alternative measures have been implemented by NSWA whilst current uniform issues are resolved, leaving staff to believe that presentation is more important to NSWA than staff welfare.
- Incorrect uniform sizing – poor manufacturing lead to peculiar uniform shapes and sizes being produced.
- Lack of uniform material options - staff would like to be able to choose between synthetic fibres and natural fibres where the opportunity exists. An example of this is thermal underwear. NSWA only offers synthetic thermals outside the snowfields who can order wool thermals. Staff who would prefer cotton work shirts, as opposed to the 65% polyester, are required to get a doctor's certificate.
- Lack of supply of uniforms:
 - Members have found it very difficult to obtain winter uniform items, including basic items such as thermal underwear, and have been faced with having to go without necessary items in the winter season.
 - Members in the Control Centre have had to wait for over six months for uniforms to be provided to them, with staff resorting to sharing uniform items to meet the uniform policy.
 - NSWA has recently moved to Velcro patches for identification and clinical/operational grade, reducing the number of uniform stock items required (and one would presume cost). However, staff are only allowed very limited numbers of patches (in some cases one) requiring staff to remove and reapply patches if they wish to change uniform items to suit their work environment.
- Members would like shorts introduced as an optional uniform item for the warmer weather – this is already offered to employees of NSW Police, Ambulance Victoria and Queensland Ambulance Service.
- Members would like polo-shirts introduced as an optional uniform item for the warmer weather.
- NSWA uniform policy is overly prescriptive, exceeding general community expectations and impractical. Efforts to have the policy revised have been met with steadfast resistance to even minor matters. While members are supportive of looking

professional, the NSW policy and its enforcement has been problematic. Some examples include:

- The uniform policy is based on the position that if it is not explicitly listed then it not allowed unless an exemption is provided by the Executive. As a result, paramedics are unable to support mainstream charities or groups by wearing a ribbon/badge/rosemary or poppy. Staff have also been refused permission to wear an appropriate alternative lanyard, showing their support of the union, on the basis that it is a “security issue” even though many staff don’t wear the lanyard at all as it is appropriately optional.
- In the some work circumstances staff are allowed to roll up the long sleeves of the over shirt however they are not permitted to do the same on the winter work shirt.
- Given Australia’s environment many staff wear sunglasses and for convenience, and a lack of practical alternatives, intermittently wear their sunglasses on top of their head (as do a large number of the general population). This is against uniform policy and some staff have been counselled and threatened with disciplinary action under the performance management policies.

Paramedics are required to work in a variety of different environments. As such, their uniforms need to be able to adequately meet the demands of these environments so that they can efficiently carry out their duties. Similarly, the uniform policy enforced by NSW needs to be practical and allow for flexibility.

APA (NSW) has been trying to get NSW to resolve the abovementioned issues for a significant period of time. We are continuing consultation with NSW and hope that by continuing to apply pressure directly and through forums such as the inquiry, we will be able to achieve suitable uniforms our members in the near future.