

**DETERMINATION No. 37 of 2023**

**Aboriginal Health Practitioner classification – commencement rate of pay**

In accordance with the provisions of section 116A (1) of the *Health Services Act 1997* and delegation S117 of the NSW Ministry of Health's Combined Delegations Manual, I, Phil Minns, Deputy Secretary People, Culture and Governance, at the Ministry of Health make the following Determination:

1. This Determination only applies to staff employed / being employed in the classification of 'Aboriginal Health Practitioner' under the NSW Health Service Aboriginal Health Workers' (State) Award (the Award) and being paid the pay rates of 'Aboriginal Health Practitioner' as set out in the Health Professional and Medical Salaries (State) Award.
2. Under the Award, the classification of 'Aboriginal Health Practitioner' means a person who is appointed as such and holds a Certificate IV in Aboriginal Primary Health Care (Practice) and who is registered with the Australian Health Practitioner Regulation Agency. Aboriginal Health Practitioners perform a range of clinical practice and primary healthcare duties for the community in which they work under direct or indirect supervision at more experienced years.
3. This Determination has been developed specifically to support NSW Health's commitment to recruiting more Aboriginal Health Practitioners. This Determination recognises that the skills and experience of an Aboriginal Health Worker are relevant for the work to be undertaken as an Aboriginal Health Practitioner.
4. This Determination sets the commencement rates of pay for staff appointed to the classification of 'Aboriginal Health Practitioner' where such an appointment immediately follows their employment in NSW Health in the classification of Aboriginal Health Worker. The definition of 'immediately follows' is as set out in the NSW Health Policy Directive PD 2023\_006 'Leave Matters for the NSW Health Service' as amended from time to time.
5. The rates of pay as set out in this Determination ensure that their commencement rate of pay as an Aboriginal Health Practitioner is at a commensurate or higher level than their rate of pay, immediately preceding, as an Aboriginal Health Worker.
6. The commencement rate of pay for a staff member successfully appointed to the classification of Aboriginal Health Practitioner under this Determination is as follows:
  - Aboriginal Health Practitioner Year 1 if they were being paid at Aboriginal Health Worker pay rate Year 1 to Year 2
  - Aboriginal Health Practitioner Year 2 if they were being paid as an Aboriginal Health Worker pay rate Year 3
  - Aboriginal Health Practitioner Year 3 if they were being paid as an Aboriginal Health Worker pay rate Year 4

- Aboriginal Health Practitioner Year 4 if they were being paid as an Aboriginal Health Worker pay rate Year 5
  - Aboriginal Health Practitioner Year 5 if they were being paid as an Aboriginal Health Worker pay rate Year 6
  - Aboriginal Health Practitioner Year 6 if they were being paid as an Aboriginal Health Worker pay rate Year 7
  - Aboriginal Health Practitioner Year 7 if they were being paid as an Aboriginal Health Worker pay rate Year 8.
  - Aboriginal Health Practitioner Year 7 if they were being paid as an Aboriginal Health Worker pay rate Year 9.
7. The commencement pay rates set out in this Determination do not apply to staff members or other persons who have been appointed to the classification of Aboriginal Health Practitioner where such appointment does not immediately follow being employed in NSW Health as described in this Determination. Those persons may be appointed to a classification of Aboriginal Health Practitioner through the usual recruitment process, in accordance with NSW Health policies on Recruitment, and commence at the rate of pay as outlined in the industrial instruments. For the avoidance of doubt however, time spent employed as an Aboriginal Health Practitioner outside of NSW Health may be counted as years of service for the purpose of determining commencement rate of pay with NSW Health.
8. Staff who, at the date of this Determination, are already employed in the classification of Aboriginal Health Practitioner may apply to have their pay rate reviewed, as per this Determination. If there is any resultant change in rate of pay however, it is only effective from the date of the decision of the review.
9. This Determination is made on a without prejudice basis and should not be used as a precedent in any way.
10. This Determination is effective from the date it is made and remains in force for a period of 3 years, unless rescinded or replaced by an Award.

Signed at Sydney this fifteenth day of December 2023.



**Phil Minns**  
Deputy Secretary - People, Culture and Governance