

DETERMINATION No. 02 of 2023

Sexual Assault Workers – Commencement rate of pay following completion of the NSW Health Aboriginal Qualification Pathway - Graduate Certificate in Human and Community Services (Interpersonal Trauma)

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 sets the commencement rates of pay for staff appointed to the classification of 'Sexual Assault Worker' after having successfully completed the Aboriginal Qualification Pathway - Graduate Certificate in Human and Community Services (Interpersonal Trauma) while employed in NSW Health in the classification of Aboriginal Health Worker or Senior Aboriginal Health Worker in an Aboriginal Wellbeing and Violence Prevention role or otherwise in a PARVAN service (the "Pathway").
2. The Pathway includes the completion of the 'Certificate III in Aboriginal Primary Care', the 'Certificate IV in Aboriginal Family Wellbeing and Violence Prevention', the 'NSW Advanced Diploma of Aboriginal specialist Trauma Counselling' and the 'Graduate Certificate in Human and Community Services (Interpersonal Trauma)'
3. This Determination has been developed specifically to support NSW Health's commitment to increasing the number of Aboriginal Sexual Assault Workers appointed through this Pathway. This Determination recognises the skills and on the job experience obtained through the Pathway. The rates of pay as set out in this Determination ensure that their commencement rate of pay as a Sexual Assault Worker is at a commensurate or higher level than their rate of pay, immediately preceding, as an Aboriginal Health Worker or Senior Aboriginal Health Worker.
4. The commencement rate of pay for a staff member successfully appointed to the classification of Sexual Assault Worker under this Determination is as follows:
 - Sexual Assault Worker Level 1 Year 1 if they were being paid at Aboriginal Health Worker pay rate Year 1 to Year 4
 - Sexual Assault Worker Level 1 Year 3 if they were being paid at Aboriginal Health Worker pay rate Year 5 to Year 6
 - Sexual Assault Worker Level 1 Year 4 if they were being paid at Aboriginal Health Worker pay rate Year 7
 - Sexual Assault Worker Level 2 Year 1 if they were being paid at Aboriginal Health Worker pay rate Year 8 or Year 9.
 - Sexual Assault Worker Level 2 Year 2 if they were being paid as a Senior Aboriginal Health Worker Year 1

- Sexual Assault Worker Level 2 Year 3 if they were being paid as a Senior Aboriginal Health Worker Year 2.
5. This Determination does not give rise to an automatic progression to Sexual Assault Worker on completion of the Pathway. The usual recruitment processes, in accordance with NSW Health policies on Recruitment, continue to apply.
 - Where the staff member, however, has been provisionally offered a position that is classified as a Sexual Assault Worker on condition of successfully completing the Pathway, they remain in the classification of Aboriginal Health Worker / Senior Aboriginal Health Worker until they have successfully completed the Pathway, at which time they should be automatically progressed into a Sexual Assault Worker classification.
 6. This Determination applies only if the appointment to the classification of Sexual Assault Worker immediately follows employment in the classification of Aboriginal Health Worker or Senior Aboriginal Health Worker. The definition of 'immediately follows' is as set out in the NSW Health Policy Directive PD 2023_06 'Leave Matters for the NSW Health Service' as amended from time to time.
 7. Pay rates for staff employed in the classification of Sexual Assault Worker are provided for in the NSW Health Service Health Professionals (State) Award as varied or replaced from time. Pay rates for staff employed in the classifications of Aboriginal Health Workers and Senior Aboriginal Health Workers are provided for in the Health Professional Medical Salaries (State) Award as varied from time to time.
 8. In this Determination, the classification of Sexual Assault Worker refers to staff members who are paid as 'Sexual Assault Workers' under the NSW Health Service Health Professionals (State) Award.
 9. In NSW Health, the classification of Sexual Assault Worker is used for a range of Prevention and Response to Violence, Abuse and Neglect (PARVAN) roles including those in sexual assault services, New Street services, problematic and harmful sexual behaviour roles, SafeWayz, domestic and family violence and child physical abuse and neglect services.
 10. Under the Award, staff employed in the classification of Sexual Assault Worker must hold as a minimum a bachelor's degree in a relevant field such as counselling or other qualification deemed equivalent by the employer. Note: an 'equivalent' qualification must be equivalent to the Australian Qualifications Framework (AQF) level 7 or higher.
 11. In February 2021, the NSW Ministry of Health, in partnership with the Education Centre Against Violence, deemed Sydney University's Aboriginal Qualification Pathway - Graduate Certificate in Human and Community Services (Interpersonal Trauma) to be an equivalent qualification meeting the minimum eligibility requirement for appointment to the classification of Sexual Assault Worker. The Graduate Certificate in Human and Community Services (Interpersonal Trauma) AQF rating is level 8.
 12. The commencement pay rates set out in this Determination do not apply to staff members or other persons who have successfully obtained the Graduate Certificate in Human and Community Services (Interpersonal Trauma) qualification but who are not employed in NSW Health as described in this Determination. Those persons may be appointed to a classification of Sexual Assault Worker through the usual recruitment process, in

accordance with NSW Health policies on Recruitment, and commence at the rate of pay as outlined in the NSW Health Service Health Professionals (State) Award.

13. Staff who, at the date of this Determination, are already employed in the classification of Sexual Assault Worker having completed the Pathway, may apply to have their pay rate reviewed, as per this Determination. Any resultant change in rate of pay however is only effective from the date of the decision of that review.
14. This Determination recognises that there may be staff members already employed as Sexual Assault Workers who have completed the Pathway but who are paid under the classification of Counsellor under the Award. These staff members may also apply to have their pay rate reviewed as per this Determination. Any resultant change in pay however is only effective from the date of the decision in that review.
15. This Determination is made on a without prejudice basis and should not be used as a precedent in any way.
16. This Determination is effective from the date below and remains in force a period of 3 years, unless rescinded earlier.

Signed at Sydney this fourth day of September 2023.

A handwritten signature in black ink, appearing to read 'Phil Minns', with a stylized flourish at the end.

Phil Minns
Deputy Secretary
People, Culture and Governance