

**DISPUTE REGARDING INDUSTRIAL ACTION BY UNION MEMBERS**  
**WESTERN AUSTRALIAN INDUSTRIAL RELATIONS COMMISSION**

<b>PARTIES</b>	DIRECTOR GENERAL, DEPARTMENT FOR CHILD PROTECTION  -v-  CIVIL SERVICE ASSOCIATION OF WESTERN AUSTRALIA (INCORPORATED)	<b>APPLICANT</b>     <b>RESPONDENT</b>
<b>CORAM</b>	PUBLIC SERVICE ARBITRATOR COMMISSIONER S J KENNER	
<b>DATE</b>	FRIDAY, 14 DECEMBER 2007	
<b>FILE NO/S</b>	PSAC 11 OF 2006	
<b>CITATION NO.</b>	2007 WAIRC 01304	

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**Result**                      Order Issued

**Representation**

**Applicant**                      Mr Eddy Rea

**Respondent**                      Mr Brendan Cusack

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*Order*

HAVING heard Mr Eddy Rea on behalf of the applicant and Mr Brendan Cusack on behalf of the respondent, the Commission, pursuant to the powers conferred on it under the Industrial Relations Act 1979, hereby orders –

1. THAT the Strategy For Caseload Management operate from 1 January 2008 in accordance with the attached schedule.
2. THAT the interim order of the Commission deposited in the office of the Registrar on 29 March 2007 be and is hereby revoked from 1 January 2008.

COMMISSIONER S J KENNER

## SCHEDULE

### STRATEGY FOR CASELOAD MANAGEMENT

- 1
  - (a) This document has been developed after consultation with all Managers and Team Leaders within Country and Metro Services (MS and CS) (formerly CDSS) and with CSA delegates.
  - (b) This document reflects the agreed outcomes from the Interim Workload Management Strategy. The Interim Strategy was developed to ensure that every case worker has a reasonable caseload and that this is managed in a way that enables the Department to meet its legislative and statutory requirements.
- 2
  - (a) The parties recognise that changes in circumstances, including operational and statutory imperatives, may result in the need to review the arrangements. The arrangements in this agreement may be varied with the express consent of the parties.
  - (b) The Department for Child Protection (the Department) will:
    - (i) continue to make decisions and provide timely notification to the CSA in accordance with its obligations under clause 58 - Notification of Change of the Public Service Award 1992, and
    - (ii) undertake timely consultation consistent with the provisions clause 27 - Workload Management, and clause 33 - Joint Consultative Committee of the Public Service General Agreement 2006 or its replacement.
  - (c) If issues arising cannot be resolved between the parties, and if the existing dispute resolution procedures at the workplace level do not provide an acceptable outcome, the parties acknowledge that the matter may be referred to the WAIRC for assistance.
  - (d) Either party may initiate discussions for a review.

#### **1. OBJECTIVES**

- 1.1 The Department is committed to the implementation of the Workload Management System.

#### **2. PREMISE OF WORKLOAD MANAGEMENT STRATEGY**

- 2.1 Work is managed in an efficient and effective manner at all levels and that the statutory requirements of the Department are met.
- 2.2 To ensure that case work unable to be allocated is identified and the responsibility for this is managed at the appropriate level.
- 2.3 That work is prioritised and managed in accordance with the Guidelines for Workload Prioritisation updated 28 August 2006. (**Attachment A**).

### 3. DEFINITIONS

#### 3.1 Case

- 3.1.1 A case is described as an integrated set of activities that collectively seek to address a presented need or issue for an individual or group of people eg for a family or a community of interest.
- 3.1.2 As a general rule the case will be identified by the client name – in case work this group is most often taken to refer to a family or sibling group, however in community work this may refer to a geographical or demographic ‘community of interest’.
- 3.1.3 A case can be:
- a child in care
  - a family in family support
  - an assessment and/or investigation of a child or children in a family, or
  - a group of tasks associated with a community of interest.

#### 3.2 Case Loads

- 3.2.1 For the purposes and duration of this workload management strategy there will in general be an upper limit of 15 cases to apply to each case worker. In certain circumstances this upper limit can be increased to 18 cases to apply to each case worker. Such circumstances may include for example, where a case(s) in an allocated caseload is/are absent from the jurisdiction; where senior and experienced caseworkers have little or no priority work to perform in any given period and have capacity. In the case of such an increase to the caseload a Director MS and CS the Executive Director and the Union will be informed. (Strategy **Form 5**).

Pro rata allocation in consideration for part time staff, performing duty and other unplanned priority work allocated from outside those cases allocated, including work allocated by a Nominated Liaison Officer (NLO).

- 3.2.2 The actual caseload for each caseworker will be monitored through discussions with Directors, Team Leaders and Case Workers through supervision to ensure that every worker has a reasonable and appropriate workload. Consideration will be given to factors such as intensity, complexity, frequency of activity, worker skill level, and geography

Case workers may be required by Team Leaders to undertake some work of a higher priority than planned work arising from their allocated caseload. This work may replace their planned case work and this should be acknowledged and recorded by the Team Leader in supervision.

#### 3.3 Responsibility

- 3.3.1 The Department for Child Protection Quality and Management in MS, and CS developed an Accord in 2005 which guides our approach to improving quality and standards in MS and CS .

The roles and responsibilities highlighted in the Accord represent the basic themes of our work and help ensure that we focus on the right things when we work with children, their families, carers and communities.

The Accord sets out the roles and responsibilities of Case Workers (Field staff), Team Leaders, District Directors, MS and CS Directors and Executive Directors MS and CS to combine to the best effect.

- 3.3.2 Consistent with the Accord there are also responsibilities for managing in an efficient and effective manner work load at each of the levels. District planned work arrangements previously documented are to continue.

- 3.3.2.1 Case Workers - are responsible for planning the work to manage the cases allocated to them. It is the Case Workers responsibility to prioritise the services they provide and if they are unable to complete the priority work it is their responsibility to discuss this with their Team Leader who will decide the priority work to be completed.
- 3.3.2.2 Team Leaders - are responsible for managing the work within their team. However if priority work cannot be done according to departmental standards it is the Team Leader's responsibility to notify the District Director in writing of any priority work unable to be completed who will take responsibility for the management of that work.
- 3.3.2.3 District Directors - are responsible for managing the work within their District. The District Director given their overview of all the resources of the District will determine if/how any priority work can be done. If there are no resources available to do this work, it is the responsibility of the Director to notify the appropriate MS and CS Executive Director who will also take responsibility for the management of that work. If there are no workload issues then this will also be reported.
- 3.3.2.4 MS and CS Directors - The MS and CS Directors given their overview of all the resources of the Division will determine if / how any priority work can be done. The Executive Directors are to review workload issues and queues and with the District Director look for solutions to the issues. If there are no resources available to do this work, it is the responsibility of the Executive Directors to notify the Director General. If there is no workload issue then this will also be reported.
- 3.3.2.5 Executive Directors MS and CS - The Executive Directors given his/her overview of all the resources of the Directorate will determine if / how any priority work can be done. If there are no resources available to do this work, it is the responsibility of the Executive Directors MS and CS to bring this to the attention of the entire Department's Executive.
- 3.3.2.6 Nominated Liaison Officer (NLO) - NLOs have decision making responsibility for tasks arising from a case until the reallocation to a case manager or closure. They can allocate tasks to be completed and negotiate the corresponding adjustments to planned work, but cannot delegate the decision making responsibility.

#### 4. PROCESS

- 4.1 Presently case workers complete and update their individual workload plan (Strategy **Form 1**) on a fortnightly basis. *(NB - Districts have the option to continue to use the original workload management tool if it is working for them).*

This form identifies the cases a worker is responsible for during the next fortnight.

The workload management tool will be completed for each case worker at least three monthly or more frequently upon request by an individual case worker.

- 4.2 During supervision, the Case worker and the Team Leader will discuss the workers planned priorities for that month arising from their caseload.

4.3 Team Leaders complete their caseload summary report (Strategy **Form 2**) on a fortnightly basis. This form provides a summary of cases allocated for the next fortnight.

Team Leaders also complete (Strategy **Form 3**) which identifies the unallocated cases being held by the Team Leader as NLO.

Cases that are not able to be allocated to caseworkers will be the responsibility of the Team Leader as Nominated Liaison Officer (NLO) for a maximum of 2 weeks. The District Director thereafter becomes the NLO for these cases. When staff are on annual, or extended sick leave, or attending training, the team will

manage the cases and these stay allocated to the case worker on CCSS. If however during this period priority work is required, that case will be reallocated formally to another Case Manager or to the Team Leader as NLO.

If allocated to a Case Manager workload adjustments are made to compensate for the extra responsibility.

Any absence of an officer in excess of 4 weeks requires the allocated work to that officer to become unallocated at the conclusion of that four week period and the normal rules apply.

- 4.4 During supervision, the Team Leader and District Director will discuss the priority work that cannot be allocated that fortnight.

The outcome of the supervision will be documented and agreement will be reached on priority work unable to be allocated to the team and which will become the responsibility of the District Director.

District Directors complete their individual workload summary (Strategy **Form 4 & Form 5**) on a monthly basis i.e. Directors report to Executive Directors on staff carrying more than 15 cases during the month and the number of cases held by Team Leaders and District Directors as NLO. The CSA will receive monthly notification of caseloads that have exceeded 15 that have occurred in the preceding month.

- 4.5 The District Management Group is to establish/develop a structural response for dealing with work arising from cases held by the Director/Team Leader as the NLO. These processes are to be documented and communicated to District Staff and Executive Directors. Executive Directors will be responsible for monitoring the effectiveness of these strategies to ensure safety concerns for children are prioritised.

Strategies could include the use of existing duty system to receive contacts and carry out minor tasks; or apportioning work to specific positions; or creating "blitz" teams.

Where it is demonstrated that District strategies have not resolved workload issues associated with cases allocated to the Director as NLO for 2 months, Directors will provide advice of these cases to Executive Directors MS and CS for sign off

- 4.6 Where strategies cannot be put in place at a Directorate level the Executive Director MS and CS will bring this to the attention of the Department's Executive.

## **5. START UP TRAINING AND INDUCTION**

Inexperienced workers must complete Start Up training prior to being allocated cases for management. They can be co-workers and given tasks arising from cases as long as they are closely supervised.

New experienced workers must complete the initial one week induction before being allocated cases for management. This Induction Form must be registered with the Human Resources Department.

These workers should then attend relevant modules of Start Up to ensure they are trained in departmental policy and practice.

## **6. IMPLEMENTATION**

The implementation of the work load management strategy will be overseen by a joint Departmental and CPSU/CSA working party as determined between the parties.

## Attachment A

**GUIDELINES FOR WORKLOAD PRIORITISATION  
ARISING FROM CASELOADS**

28 August 2006

1. Children's safety as determined by professional assessment and judgement is the overriding principle
  - 1.1 There is reasonable likelihood of significant harm resulting to a child. This requires an immediate response and normally would include an Assessment of Child Concern (ACC) which requires intervention or investigation Under Section 32 of the *Childrens Services Act 2004* (the Act). It is a priority to complete all Action and Outcome reports.
 

Should intervention action require placing the child in the CEO's care then registration of carers is mandatory. Screening of other service providers in accordance with departmental policy is also mandatory. These are actions that are required to ensure the safety of the child.
  - 1.2 Attending to, or preventing placement breakdown for children in the CEO's care.
    - Quarterly Care Reviews and visiting children under the care of the CEO.
  - 1.3 Requirements under the Act:
    - Provisional care plan;
    - Care Plan;
    - Annual review of the care plan;
    - Quarterly Care Review
    - Carer reviews

and the timely recording of these plans and reviews.
  - 1.4 Maintain Placement for children in the CEO's care
  - 1.5 Concern for the child's wellbeing that results in Child Focused Family Support.
    - A priority is to prevent a child coming into care.
  - 1.6 Ministerial and other Parliamentary briefing – Priority responsibility for Directors.
2. Staff work normal hours as prescribed by their General Agreement.
  - 37.5 hours per week;
  - Flexi time;
  - Overtime; and
  - TOIL - as per Best Practice
3. Directors and Team Leaders ensure work is spread equitably within teams.
4. If work cannot be allocated the reason must be recorded by Team Leaders on the blue form and the Team Leader or Manager becomes NLO. This is reflected on the Client and Community Support System (CCSS)..
5. Formal casework supervision of case workers and Team Leaders is essential to workload management and sound practice.
  - New workers fortnightly up to 6 months
  - Other workers, including Team Leaders, 4 – 6 weeks or as negotiated.