



Form 65 (version 2)
Work Health and Safety Act 2011 – Pt 5, Div 7A

NOTIFICATION OF A WHS DISPUTE

Pursuant to Division 7A of Part 5 of the *Work Health and Safety Act 2011*

COURT DETAILS

Court	Industrial Relations Commission of NSW
Case number	2026/356592

TITLE OF PROCEEDINGS

Notifier	Health Services Union NSW/ACT/QLD
Respondent	Health Secretary in respect of NSW Ambulance

FILING DETAILS

Filed for	Notifier
Representative	Health Services Union
Contact number	0488 133 953
Contact email address	holly.thorpe@hsu.asn.au
Respondent contact name, telephone and email	Alison Phan 0439 543 813 Alison.phan@health.nsw.gov.au

DETAILS OF DISPUTE

Workplace where dispute exists

NSW Ambulance

WHS matter the subject of the dispute

- ☐ Work group determination matter.
- ☐ Work group variation matter.
- ☐ Access to information by a health and safety representative under s 70(1)(c).
- ☐ A request by a health and safety representative for a person assisting the representative to have access to the workplace under s 70(1)(g).
- ☐ A matter mentioned in s 72(2)(a) or (b) or (4) relating to training for a health and safety representative.
- ☐ A health and safety committee matter.
- ☒ A matter about work health and safety that is an issue to which Division 5 applies.
- ☐ An issue about cessation of work under Division 6.

Has an inspector been appointed to assist the parties to reach an agreement or resolve a dispute?

- ☐ Yes
- ☒ No

DESCRIPTION OF DISPUTE AND RELIEF SOUGHT

Note: Set out below a summary of the dispute and the relief sought. Please **be brief** – you will have the opportunity to provide more details to the Commission at the conciliation and during any arbitration.

Pursuant to s 102C(3) of the *Work Health and Safety Act 2011* (NSW) this notice is required to be published on the Commission's website as filed. Accordingly, do not attach documents or include material that is inappropriate to be published on the Commission's website, including personal information of individuals such as email addresses or phone numbers. Relevant documents that you wish the Commission to have available to it to assist to resolve the dispute should be filed separately after the application is filed in accordance with Practice Note No. 37.

- 1 This dispute relates to a dispute before the commission, under the case number 2026/00333006-001.
- 2 NSW Ambulance is seeking to implement a role within the NSW Ambulance Aeromedical Division, which includes some of the following duties:
 - a. Clinical governance,
 - b. Clinical oversight,
 - c. Clinical strategy,
 - d. Clinical planning,
 - e. Responding and providing operational leadership and clinical expertise in complex and multi-agency incidents,

- f. Professional development of staff,
 - g. Management of staff psychological wellbeing, and
 - h. Monitor and oversee Group compliance with all applicable legislation, NSW Ambulance policies, procedures and standards, including those relating to work health and safety, workers compensation and health and wellbeing.
- 3 NSW Ambulance has not developed the position description with the Health Services Union as required under the NSW Ambulance Paramedic (State) Award 2023, clause 9(c), nor has the organisation consulted as per the requirement under both the award or the *Work Health and Safety Act 2011*, clause 47.
- 4 The role is required to:
 - a. oversee safe systems of work as per the position description.
 - b. manage the highest clinically credentialled paramedic in the service as per the position description
 - c. provide clinical advice to the highest clinically credentialled paramedic in the service as per the position description.
 - d. provide psychological safety to the staff it manages as per the position description.
- 5 The *Work Health and Safety Act 2011*, within section 47 requires that a PCBU consults with staff in regard to matters that are likely to, or will directly affect matters relating to work, health and safety (WHS).
- 6 From the position description it is very clear the role is required to manage the psychological safety of staff and provide high level clinical advice, training, monitoring and strategy expertise to critical care paramedics and the events that they attend to. These are all matters relating to work health and safety.
- 7 Under section 49(d), (e)(iii) and (e)(v) of the *WHS Act 2011*, consultation is required when proposing changes where a worker's work health and safety may be impacted and when making decisions on the procedures about monitoring the health of workers.
- 8 The proposed role of Aeromedical Group Manager has not been subject to any consultation, despite that the role is not only likely to but will have a direct impact on work health and safety.

- 9 The Industrial Relations Commission, in the *Work Health and Safety Act 2011*, section 102C. under section 102E the Commission may deal with the dispute in any way it sees fit.

LISTING DETAILS

The parties will be advised of the date, time and place when the Commission will list this matter for directions. Any enquiries should be made to the Industrial Relations Commission Registry on 02 8688 3516.

SIGNATURE



Capacity Industrial Officer

Date of signature 27/08/2026

COMPLIANCE WITH PRACTICE NOTES

Parties must comply with the Practice Notes of the Commission. The Practice Notes may be found at the following website:

<https://www.irc.nsw.gov.au/irc/practice-and-procedures/practice-notes.html>

REGISTRY ADDRESS

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or

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