



Health

Our ref: H23/9373  
S23/18

### Determination No. 4 of 2023

#### Non-Standard Remuneration Arrangements for Staff Specialists employed in Radiology at Western Sydney Local Health District

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 to give effect to the agreed confidential settlement with the named Radiologists listed in Schedule 1:

1. Where maximum drawings have not been achieved by named Radiologists in Schedule 1 consistent with their rights of private practice (ROPP) level election (level 1 – 5) under clause 2(b) of the *Staff Specialists Determination 2015*, supplementation may be made monthly by WSLHD from the proportion of the infrastructure charges that would otherwise have been appropriated from the WSLHD Radiologists (Agreed Group) consistent with NSW Health Policy Directive, *Infrastructure Charges for Visiting Medical Officers and Salaried Medical Practitioners* (PD2021\_020 or as amended). That is, WSLHD and NSW Health agrees to reduce its facility fees for the Agreed Group where maximum drawings have not been achieved for the named Radiologists in Schedule 1.

This is conditional on Radiologists in Schedule 1 agreeing to join a single Agreed Group for the No 1 Account (which may also include Radiologists not subject to this agreement) and share entitlements amongst the group as per clause 2(a)(vii) of the *Staff Specialists Determination 2015*. Separate No 1 Accounts may be established at Westmead and Blacktown Hospitals where applicable.

For avoidance of doubt, supplementation under this agreement is limited to the named Radiologists in Schedule 1.

2. Radiologists must work normal duties over a longer roster period, Monday to Sunday inclusive, under clause 4 Part A (c) (ii) of the *Staff Specialists (State) Award*. The roster is to be determined based on clinical need, with each staff specialist to be consulted. Where rostered to provide normal duties (i.e. excluding overtime) over a longer roster period, Radiologists are to receive the shift penalties listed at clause 4 Part A (d) (iii) of the *Staff Specialists (State) Award*.
3. Radiologists may have their medical indemnity costs associated with public and private practice at the WSLHD reimbursed (as outlined at part 5 of NSW Health Policy Directive PD2017\_002) as a first expense from the No 1 Account in circumstances where supplementation is required.
4. Radiologists may choose between:

**NSW Ministry of Health**

ABN 92 697 899 630  
1 Reserve Road, St Leonards NSW 2065  
Locked Mail Bag 2030, St Leonards NSW 1590  
Tel (02) 9391 9000 Fax (02) 9391 9101  
Website: [www.health.nsw.gov.au](http://www.health.nsw.gov.au)

- a. Access of up to \$15,000 per annum of Training, Education and Study Leave (TESL) funding for a period of two (2) years upon application for a TESL activity consistent with NSW Health Policy Directive PD2019\_043 whilst the relevant No 2 Account is being established. This will be funded by the General Fund, akin to a Level 1 arrangement. Radiologists do not retain funding balances linked the previous unauthorised arrangements. This only applies for the 2 years from the commencement of the new arrangement, from 13 February 2023; or
- b. Credited with \$38,000 TESL (equal to the annual allocation to a level 1 Staff Specialist for the 2022/ 2023 financial year as prescribed by NSW Health Information Bulletin IB2022\_037). This will be available upon application for use until the individual exhausts this allocation, with the General Fund being the source of funding for this once-off allocation.

Theses amount will be prorated based on full-time equivalency (FTE).

5. Radiologists will receive the following non-conditional annual allowance, or part thereof for part-time employees, paid fortnightly for a period of 5 years:
  - a. \$50,000 – year 1
  - b. \$40,000 – year 2
  - c. \$30,000 – year 3
  - d. \$20,000 – year 4
  - e. \$10,000 – year 5

From date of the signed Non-standard Determination.

6. The Award is currently being reviewed, with a variation expected to occur in 2023 subject to the outcome by the NSW Industrial Relations Commission. It will be appropriate to review the determination once the Award process is resolved to ensure consistency with any new structure implemented across NSW Health.
7. These Non-Standard Remuneration Arrangements are limited to the named Radiologists listed in Schedule 1. The Determination will remain in force for a period of five (5) years, unless rescinded earlier or superseded by Award variations referred to above, that may occur during the term of the Determination.

Signed at Sydney this 29<sup>th</sup> day of March 2023.



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

**Schedule 1.**

Named Radiologists:

1. Dr Susan Grayson
2. Dr Michael Vowels
3. Dr Raymond Lee

CONFIDENTIAL