

Critical Care Clinicians Association
PO Box 300
HAMPTON VIC 3188
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The Adjudicator
Australian Competition and Consumer Commission
PO Box 1199
DICKSON ACT 2602

Submission from an interested party regarding Health Purchasing Victoria Inquiry

Dear Sir/Madam

We are a group of critical Care Registered Nurses concerned with the current proposal by the Victorian Government to establish a restrictive tendering process for agency nurses in public hospitals through Health Purchasing Victoria

Of the 70 000 registered nurses in Victoria , it is estimated that as many as 10 000 choose not to work as nurses(Sunday Age 14/04/02). As the Victorian Government pursues policies which limit the choice of work and cap wages, more nurses will leave the profession. The Victorian Government claims to be acting in the community interest. To expedite the departure of trained, experienced staff from the profession could not possibly be in the interests of the community. Victoria currently has well known recruitment and retention problems within the public health system. The reasons are many and varied. Nurses universally cite poor wages, draconian rostering practices and a career structure which has few rewards for clinicians choosing to remain at the bedside.

Many nurses choose to work casually because of the pressures of family, study, a second job or are simply fatigued or burnt out after years of full time shift work and choose to greater flexibility in their lives. The effect of the proposed tendering system, and indeed the current directive regarding agency nurse use in public hospitals, is to create an increasingly hostile and dissatisfied workforce which will further compound existing staffing problems within critical care areas. Nursing agencies, by working outside the constraints of an outdated award system, have not only been successful recruiting staff, but have a remuneration package which recognises the true value of an educated, skilled workforce.

The exemption from the Trade Practices Act for which the Victorian Government has applied would lock nurses once more into an award structure which many have chosen to escape. The Victorian Government has adopted a "big stick" approach to monopolise a professional workforce. In its submission to this inquiry the Victorian Government states: "It is hoped that changes in remuneration (ie. downward pressure) will encourage nurses to work more shifts.". It is an inappropriate method to deal with recruitment and retention problems in nursing.

Hospital managers regularly cite compromised quality of care as an argument against

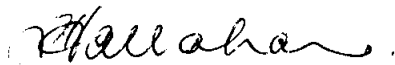
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employing agency staff. They have no evidence to support this. Assessing quality of care is at best a subjective analysis and cannot legitimately be used as a counter to employing agency staff. These same managers have recently embarked on a program of employing unqualified and inexperienced staff to work in critical care areas. This creates further stress for the remaining senior clinicians and exposes patients to unsafe nursing practices. The Nurses Board of Victoria, in its statement on Practice Standards Policies says "Nurses must perform only those clinical procedures for which they have been educationally prepared and which they have a demonstrated competence". Nurses are an educated and increasingly autonomous workforce which will not be bullied into work practices which are clearly unsatisfactory and ultimately affect patient safety.

By having a flexible, mobile and qualified workforce, nursing agencies have historically been able to meet staffing shortfalls. Public hospitals are currently closing beds in critical care areas in preference to employing agency staff. It is difficult to argue that this is in the public interest and does not affect patient safety.

Ultimately a review of the nursing award is required, and is in fact long overdue. This review should recognise the particular demands, skills and education required to work in critical care areas. In the meantime it is pure folly for the Victorian Government to believe we will allow ourselves to be penalised by choosing to work casually.

Yours faithfully

A handwritten signature in cursive script, appearing to read 'Thomas Hallahan', followed by a period.

Thomas Hallahan
Chairman