



YOUR NEW ADVOCATE

Hello everyone, my name is Yotheeya Naicker and I am the latest addition to the APEX team here at Contract Negotiation Services. I am excited to be the new Advocate for Psychologists and as a group I look forward to assisting you with any matters that may arise now and in the future.

I hold a BSc (biochemistry and physiology) from Massey University and an LLB from Victoria University. I have previously worked in the general and criminal law practices.

In addition to advocating for Psychologists, I will be assisting with aspects of medico-legal representation for members as well as employment matters for NZRDA members.

Did you know?

You see things differently than the way you perceive them

According to a research study at Cambridge University, it doesn't matter in what order the letters in a word are. The only important thing is that the first and last letters be in the right place. The rest can be a total mess and you can still read it without a problem. This is because the human mind does not read every letter by itself, but the word as a whole. Your brain is constantly processing the information it receives from your senses and the way you end up perceiving this information (as words) is usually vastly different from how you sense it (as scrambled letters).

Dear Members

'WHAT'S ON YOUR MIND?' is APEX's newsletter for psychologists and will be forwarded to you in March, July and November of each year. As this is our first newsletter for psychologists, the name is a work in progress and we welcome any suggestions you may have!

'WHAT'S ON YOUR MIND?' will keep you updated on what's been happening within your profession. It will be a source of information about issues you have raised with us that you as psychologists may face at one time or another in your employment.

Continued Professional Development

Clause 14.2 of the MECA recognises and acknowledges that continued professional development ("CPD") is a way to value staff and is essential to the maintenance and development of a quality and efficient service to clients. Staff maintaining and developing their roles is understood as critical to the delivery of effective client care. The respective District Health Board ("DHB") signatories to the MECA acknowledged the value of CPD when they signed the MECA and need to be reminded that CPD is not a luxury but an essential requirement of a psychologist's development in a profession that is constantly evolving. Innovative treatment therapies and theories are continually being developed and you as psychologists are entitled to remain informed and educated in these advancements in the profession, as you are entitled to improve your knowledge to become more contemporary and effective in the treatment of clients.

APEX is acutely aware of the ongoing issues psychologists face when acquiring funding for CPD from your respective DHBs. APEX undertook an investigation into the matter and sought information on budget allocations for CPD from all DHB signatories to the MECA for the 2010/2011, 2011/2012 and 2012/2013 financial years. We utilised clause 14.7 of the MECA (which allowed us to officially request budget allocations for CPD per psychologist,

per year) and the Official Information Act.

Some DHBs respected their obligations under clause 14.7 of the MECA, some did not; as a result some DHBs have been more forthcoming with information than others. It would seem that the information gathering process has been akin to "herding cats" in some instances. Therefore at this stage APEX will need to do more investigating in order to provide you with more accurate data pertaining to DHB allocations of funding for CPD.

Preliminary findings

At the time the initial information request was made in late 2012 to early 2013, information for the 2012/2013 financial year could not be provided as the information had not yet been collated or was incomplete. Therefore the budget allocation discussed below is referring to the 2011/2012 financial year which will give you an idea of the variation of allocations of CPD among DHBs.

From the information acquired by APEX thus far we can provide you with the following information:

- The average leave allocated to psychologists to attend CPD ranges from less than 2 days to greater than 9 days per psychologist, per year.
- The maximum total of DHB spending for CPD ranges from \$15,848.25 with 17 employed psychologists to \$52,657.97 with 17 employed psychologists.

The variation gap between the lowest and highest CPD allocation and the lowest and highest leave allocation per psychologist, per year, among DHBs is substantial. APEX recognises the need to improve many of these allocations to

ensure that psychologists across the country are being treated reasonably and fairly.

What you can do to assist

APEX requires updated information with regard to CPD allocations per psychologist, per year, for each DHB signatory to the MECA. In addition to requesting this information from respective DHBs, APEX will be approaching members directly to confirm what they have individually been allocated in funds and leave for CPD for the 2012/2013 financial year. We can then compare the information provided by each DHB to the information provided by you our members.

This information will then be collated, and produced as a transparent and accurate depiction of DHB allocations of funding for CPD across DHBs. This will also assist APEX to calculate and determine what allocations of funding for CPD should be (and what we can argue for) across DHBs, per psychologist, per year.

APEX will be requesting this information from members via email. We would appreciate you all providing us with this information as efficiently and accurately as possible.

Once complete and accurate information has been obtained from all DHB signatories to the MECA and from you, our members, APEX will endeavour to provide you with updated information and will update you on the progress of the matter.

Long Service Leave

"Service" in the context of "long service leave" is defined in clause 2.0 of the MECA, as service with the employer (including any individual employees' service previously recognised at the commencement date of the MECA) and all other service as a psychologist the employer agrees to recognise.

As an existing employee any service that was recognised at the time the MECA came into force continues to be recognised and forms part of your total

service with your employer. Moving from one DHB to another DHB should not be interpreted as a break in continuous service. Clause 16.2 of the MECA regarding annual leave refers to what service should be recognised by a DHB. It states that "on completion of five years continuous service recognised by the DHB... the employee shall be entitled to 5 weeks annual leave". The clause does not specify that continuous service is only recognised if you are employed with one DHB for a continuous period of time.

The broad interpretation of clause 16.2 with regard to the recognition of continuous service by a DHB should therefore be interpreted as follows, for example:

- You are employed by DHB (A) for 3 years as a psychologist
- You are then employed at DHB (B) who recognised your 3 years of previous service at DHB (A) when you are placed in employment with DHB (B)
- You are employed with DHB (B) for a further 2 years

This should be recognised by DHB (B) as 5 years of continuous service and triggers your entitlement to service leave.

Open Office Spaces for Psychologists

It is of significant concern that some DHBs have moved or are planning to move psychologists to shared open office spaces. Psychologists require a quiet, private space with minimal disruptions to assess clients and write reports for them without constant interruptions. This ensures the integrity of client care and client reports are maintained.

Not providing psychologists with their own office space to treat clients places a risk on both the profession and client care. Confidentiality cannot be guaranteed in an open office space and busy open spaces can cause distress

to patients. This in turn can affect their ability to relay information to the treating psychologist.

This is a potential breach of Patient Rights under the Health and Disability Commissioner Code of Health and Disability Services Consumers' Rights Regulation 1996 ("the Code").

- Right One: entitles every consumer to have his or her privacy respected and;
- Right Five: entitles every consumer to an environment that enables both the consumer and provider to communicate openly, honestly, and effectively.

Clients are therefore entitled to be attended to in a private, familiar and comfortable environment. Clients require a space that allows them to speak freely, with confidence and trust, as what they are discussing is generally sensitive in nature.

Further clause 13 of the MECA requires that prioritisation of office space be based on the health practitioners need for such space. They are required to have suitable office space with phone and computer facilities for the purposes of performing their duties, along with appropriate space for meeting clients.

Mental health is as important as physical health. Providers of mental health services need to be in a space that is conducive to providing that service in a manner that supports the rights guaranteed to clients in the Code and supports the entitlements to Psychologists guaranteed in the MECA. Having shared open office spaces with limited access to phones and computers does not meet these guarantees and entitlements.

A move to shared open office spaces for any psychologists in any DHB should not be accepted and if there are any proposed plans to start this movement within your DHB, please contact us at the APEX offices.

APEX AGM

The APEX AGM was held in Auckland on 17 July 2013. To view the full report you can go to the APEX website at www.apex.org.nz