



Australian Government

Department of Health and Ageing

DEED OF VARIATION No 1

Between

The Commonwealth of Australia as represented by the Department of Health and Ageing ("the Commonwealth") ABN: 83 605 426 759

and

THE CROWN IN THE RIGHT OF THE STATE OF TASMANIA as represented by the Department of Health and Human Services, ABN 11255872006.

RECITALS:

- A. The Parties wish to vary the agreement relating to *the Bringing Nurses Back into the Workforce Program* dated *27 May 2008* ("the **Principal Agreement**").
- B. Clause *1.6* of the Principal Agreement states that no variation is binding unless it is agreed in writing between the Parties.

OPERATIVE PART:

1. The Parties vary the Principal Agreement as follows:

a. Replace Item C of the Recitals to the Principal Agreement as follows:

'The Commonwealth has agreed to fund the Department of Health and Human Services for the Project Described in this Agreement, in support of the objectives and outcomes of the Bringing Nurses Back into the Workforce Program, on the following terms and conditions.

b. Add the following definitions into clause 1.1 of the Principal Agreement:

'**Community Health Setting** means a community based service that is funded by the Department of Health and Human Services. These may include, but are not limited to palliative care, mental health, school based services, maternal and child health and home visiting services where an Eligible Nurse/Midwife is employed to undertake nursing duties;

Eligible Facility Payment means a cash payment by the Department of Health and Human Services to an Eligible Public Facility for the purposes of the Bringing Nurses Back into the Workforce program.'

'**Eligible Public Facility** includes, but is not limited to, Eligible Public Hospitals, Community Health Settings, and remote health clinics that receive funding from the Department of Health and Human Services.

c. Replace the following definitions in clause 1.1 of the Principal Agreement with the following:

Nurse/Midwife Bonus means a cash payment by the Eligible Public Facility to the Eligible Nurse/Midwife for the purposes of the Bringing Nurses Back into the Workforce program;'

d. Delete the following definitions in clause 1.1 of the Principal Agreement:

'**Eligible Public Hospital** means a Declared public hospital, where the hospital provides treatment that includes part of an overnight stay. 'Declared' means a facility that has been declared a hospital under subsection 121-5 of the Private Health Insurance Act 2007;'

'**Hospital Payment** means a cash payment by the Department of Health and Human Services to a participating Eligible Public Hospital;'

e. Replace references to Eligible Public Hospitals in the Principal Agreement and Schedule to Eligible Public Facilities.

f. Delete the Schedule and Annexures to the Principal Agreement and replace it with the Schedule and Annexures, which are Attachment A to this Deed..

2. The Principal Agreement, as amended by this Deed of Variation, constitutes the entire agreement between the Parties.

Attachment A

SCHEDULE

A. PROJECT (clauses 1.1 and 2.4)

Background

This Project consists of the provision of Funding to the Department of Health and Human Services for the allocation and management of up to 139 Eligible Nurse/Midwife FTE places (as defined at Clause 1) amongst Department of Health and Human Services' Eligible Public Facilities under the Bringing Nurses Back into the Workforce program (BNBW Program) in accordance with the Policy Implementation Principles at Annexure A.

The Department of Health and Human Services must administer the following Payments to Eligible Public Facilities:

1. A \$1,000 Payment when a participating Eligible Public Facility employs an Eligible Nurse/Midwife into an Allocated Place under the BNBW Program; and
2. A \$6,000 Nurse/Midwife Bonus per Eligible Nurse/Midwife (FTE), \$3,000 (FTE) of which must be paid to the Eligible Nurse/Midwife after 6 months of continuous employment with the Eligible Public Facility, and the remaining \$3,000 (FTE) after 18 months of continuous employment with the Eligible Public Facility.

The Nurse/Midwife Bonus is considered assessable income for personal taxation purposes under the *Income Tax Assessment Act 1997*, and will be taxed accordingly. The Department of Health and Human Services must specify this in any written material about the BNBW Program.

Allocation

The allocation methodology for Eligible Public Facilities is to be determined by Department of Health and Human Services, but must be in accordance with the Policy Implementation Principles at Annexure A.

The Department of Health and Human Services must ensure Allocated Places are not offered to an Eligible Public Facility and/or an Eligible Nurse/Midwife when Funds are not available.

Should an Eligible Nurse/Midwife leave the BNBW Program prior to receiving a 6 or 18 month Nurse/Midwife Bonus, another Eligible Nurse/Midwife could be employed, and the Eligible Public Facility would be eligible for another Eligible Facility Payment. This is contingent upon Allocated Places and Funds being available within the Department of Health and Human Services program allocation (see Item D. Funds).

The Department of Health and Human Services must indicate that the available Allocated Places are limited under the BNBW Program in all promotional material.

Operation of the Payments and Bonuses

The Department of Health and Human Services must ensure that the Eligible Facility Payments and Nurse/Midwife Bonuses made under the BNBW Program are made in accordance with the Policy Implementation Principles at Annexure A. The Eligible Public Facility will be responsible for determining the average hours worked per week by the Eligible Nurse/Midwife over the 6 and 18 month periods of continuous employment. This information will be used to calculate pro-rata payments to the Eligible Nurse/Midwife.

An Eligible Nurse/Midwife is able to transfer their employment between one participating Eligible Public Facility and another participating Eligible Public Facility within the same State or Territory under the BNBW Program where there is an Allocated Place and Funds (see Item D. Funds). In this situation the period of continuous employment will be calculated from the date that employment commenced with the first participating Eligible Public Facility. The Department of Health and Human Services must ensure that the Eligible Public Facility notifies the Department of Health and Human Services when an Eligible Nurse/Midwife transfers employment to its facility. The Department of Health and Human Services must ensure that the participating Eligible Public Facilities where the Eligible Nurse/Midwife has transferred their employment to does not receive an Eligible Facility Payment.

An Application Form for Nurses and Midwives has been developed by the Commonwealth for each Nurse/Midwife to complete and sign and return to their employer to determine their eligibility under the Program. A copy of this form is at Annexure C.

This Project is not intended to cover allocations to private facilities or residential aged care homes.

Disputes

The Department of Health and Human Services must manage any disputes that arise between a nurse/midwife and an Eligible Public Facility regarding the nurse/midwife eligibility and entitlements under the BNBW Program. The Department of Health and Human Services must make a determination where a dispute arises, and this determination will prevail.

Policy development and program refinement

The Department of Health and Human Services must participate in ongoing policy development with the Commonwealth for the BNBW Program, including, but not limited to:

- the development of an Evaluation Strategy and participation in data collection under the agreed Strategy; and
- the development of a Communication Strategy including a strategy for provision of support to Aboriginal and Torres Strait Islander nurses/midwives. The Department of Health and Human Services must work with participating Eligible Public Facilities and/or Eligible

Nurses/Midwives to implement this Communication Strategy. This will include the provision of a limited number of de-identified nurse/midwife case studies to the Commonwealth to assist with the promotion of the program, as required.

The Department of Health and Human Services must provide timely input to, and comment on, advice and papers prepared by the Commonwealth on the BNBW Program for the Council of Australian Governments, Health Ministers and relevant working groups, as required.

B. PROJECT PERIOD (clause 1.1 and 3.2)

The Project Period is from execution of this Agreement until 30 June 2015. The completion date for the BNBW Program is 30 days after receipt of the final report.

Eligible Facility Payments and Nurse/Midwife Bonuses are only payable to Eligible Nurses/Midwives and Eligible Public Facilities when an Eligible Nurse/Midwife returns to work in an Eligible Public Facility between 15 January 2008 and 14 January 2013, inclusive, and where there is an Allocated Place and Funds available (see Item D).

C. REPORTS (clause 1.1 and 4)

The Department of Health and Human Services must report up to date data as outlined in the Minimum Data Set (MDS) at Annexure D. This information must be prepared and submitted to the Commonwealth in aggregate form using the MDS Reporting Template provided at Annexure E.

Progress Reports as specified at Clause 4.2(b) must also include information on:

1. General program trends for the Department of Health and Human Services;
2. Any promotional material or activities undertaken by the Department of Health and Human Services;
3. Issues associated with the BNBW Program implementation in the Department of Health and Human Services including an explanation of whether uptake was more or less than expected given the 'Target Intake Number' identified in the Funding Table at Item D;
4. Policy issues for consideration by the Commonwealth and the States and Territories; and
5. The Financial Statement referred to in Clause 4.2(a), which must include a completed Financial Acquittal Template, provided at Annexure F.

One electronic copy and one hard copy of Data Reports and Progress Reports are due as specified in the Reporting Schedule below.

National summary data compiled by the Commonwealth will be used to report to Health Ministers, the Council of Australian Governments and relevant working groups. The Department of Health and Human Services must identify any data issues that may impact on this national reporting in each Data Report.

An Eligible Public Facility Data Collection Template has been developed by the Commonwealth for each participating Eligible Public Facility to collect the required data and is at Annexure B.

An Application Form for Nurses and Midwives has been developed by the Commonwealth for each Nurse/Midwife to complete and sign and return to their employer to determine their eligibility under the Program. A copy of this form is at Annexure C.

Both the Eligible Public Facility Data Collection Form (Annexure B) and the Application Form for Nurses and Midwives (Annexure C) can be amended to suit local requirements, however these forms must include the minimum data fields identified at Annexures B and C respectively and enable the Eligible Public Facility to meet reporting requirements identified in this item.

The Department of Health and Human Services must make both the Eligible Public Facility Data Collection Template and the Application Form for Nurses and Midwives available to participating Eligible Public Facilities.

Reporting Schedule:

Data Reports are to be provided quarterly for the first 12 months of the Agreement and six-monthly thereafter.

Progress Reports are to be provided six-monthly in the first 12 months of the Agreement and once per annum thereafter.

Data Reports and Progress Reports are due 30 days after each reporting period. Accordingly, the first report is due 30 days after the end of the corresponding quarter. That is, the first report will be due on 30 August 2008.

The Final Report must include a Financial Report verifying that The Department of Health and Human Services has used the Funds provided in accordance with this Agreement.

Reporting Schedules are outlined in the table below:

Reporting Schedule Table

Reporting Period	Deliverables	Due Date
May-July 2008*	MDS	30 August 2008
Aug-Oct 2008	MDS + Progress Report	1 December 2008
Nov 2008-Jan 2009	MDS	2 March 2009
Feb-Apr 2009	MDS + Progress Report	1 June 2009
May-Oct 2009	MDS	30 Nov 2009

Reporting Period	Deliverables	Due Date
Nov 2009-Apr 2010	MDS + Progress Report	31 May 2010
May 2010-Oct 2010	MDS	30 November 2010
Nov 2010-Apr 2011	MDS + Progress Report	30 May 2011
May 2011-Oct 2011	MDS	30 November 2011
Nov 2011-Apr 2012	MDS + Progress Report	30 May 2012
May 2012-Oct 2012	MDS	30 November 2012
Nov 2012-Apr 2013	MDS + Progress Report	30 May 2013
May 2013-Oct 2013	MDS	2 December 2013
Nov 2013-Apr 2014	MDS + Progress Report	30 May 2014
May 2014-Oct 2014	MDS	1 December 2014
Nov 2014-Jun 2015	MDS + Progress Report – Final Report	30 July 2015

* The first reporting period is to account for nurses/midwives returning to work on or after January 15 2008, in accordance with the Eligibility Criteria at Annexure A.

Monitoring and Review

The Department of Health and Human Services must collect information about the BNBW Program from Eligible Public Facilities and Eligible Nurses/Midwives who receive Payments/Bonuses under the BNBW Program, to be reported to the Commonwealth, as per the Reporting Schedule in this Item.

The Department of Health and Human Services has been allocated a total of up to 139 Eligible Nurse/Midwife Allocated Places for the BNBW Program. Intake targets are identified in the Funding Table at the column “Target Intake Numbers”, Item D.

Review of uptake will be undertaken by the Commonwealth on an annual basis, with the first interim review to assess the progress towards achieving set targets due by October 2008.

The Commonwealth may re-allocate places and Funds under the BNBW Program following an annual review of the uptake of the allocated positions and if available evidence indicates that the Funds are not required by Department of Health and Human Services. In re-allocating the places and Funds the Department warrants that it will ensure that the Department of Health and Human Services retains sufficient places and Funding to comply with any existing obligation under the agreement to any Eligible Public Facility and/or Eligible Nurse/Midwife.

Should the demand exceed the number of allocated places for a given period, the Department of Health and Human Services may request approval from the Commonwealth for movement of funds to support the extra places.

D. FUNDS (clauses 1.1, 2 and 3)

The Department of Health and Human Services will be funded up to \$1,004,963 (GST Exc) for the BNBW Program.

The Funds provide for up to a total of 139 Eligible Nurse/Midwife places for the Department of Health and Human Services under the BNBW Program. These places are required to be distributed in accordance with the Policy Implementation Principles at Item A.

Funds must be used by the Department of Health and Human Services for making the following payments to an Eligible Public Facility:

- 1 A \$1,000 Eligible Facility Payment when a participating Eligible Public Facility employs an Eligible Nurse/Midwife (FTE) into an Allocated Place under the BNBW Program; and
- 2 A \$6,000 Nurse/Midwife Bonus per Eligible Nurse/Midwife (FTE), \$3,000 of which must be paid to the Eligible Nurse/Midwife after 6 months of continuous employment with the Eligible Public Facility, and the remaining \$3,000 after 18 months of continuous employment with the Eligible Public Facility.

Funds will be provided to the Department of Health and Human Services as identified in the Funding Table below. The total Funding amounts provided in the "Payment Amount" column of the Funding Table include Eligible Facility Payments (FTE) and Nurse/Midwife Bonuses (FTE) and are based on the "Target Intake Numbers" column. Eligible Nurse/Midwife Bonuses have been phased across the relevant financial years to include 6 monthly and 18 monthly payments.

Should an Eligible Nurse/Midwife leave the BNBW Program prior to the payment of a 6 or 18 month Nurse/Midwife Bonus, another Eligible Nurse/Midwife may be employed and the Eligible Public Facility would be eligible for another Eligible Facility Payment. In this instance, it is the responsibility of the Department of Health and Human Services to ensure they have the required Funds under current annual Funding allocations to provide the Payments to the participating Eligible Public Facility and for the Eligible Public Facility to provide the Nurse/Midwife Bonus at the 6 and 18 month payment dates.

The Commonwealth will take into consideration the Funds required for any Eligible Nurse/Midwife commencing the BNBW Program in the above circumstances when places and/or Funding of the program is reviewed annually.

If a Nurse/Midwife is offered an Allocated Place under the BNBW Program, but is later deemed ineligible by the participating Eligible Public Facility, and this is confirmed by Department of Health and Human Services, any Nurse/Midwife Bonuses paid to the Nurse/Midwife must be returned to Department of Health and Human Services. If the Agreement has ceased then Funds must be returned to the Commonwealth.

The Funding Table provides for a 4% compounding indexation on the Eligible Facility Payment from the 2008/2009 financial year onwards. The 4% compounding indexation must in all cases be paid on to participating Eligible Public Facilities.

Funding Table

Calendar Year	Financial Year	Period	Target Intake Numbers	Approximate date of payment	Payment Amount (GST Excl)
2008	2007-08	Jan to Jun	9	30 April 2008	\$9,000
2008	2008-09	Jul to Dec	9	31 July 2008	\$36,360
2009	2008-09	Jan to Jun	0	31 January 2009	\$0
2009	2009-10	Jul to Dec	11	31 July 2009	\$65,898
2010	2009-10	Jan to Jun	11	31 January 2010	\$71,898
2010	2010-11	Jul to Dec	14	31 July 2010	\$75,748
2011	2010-11	Jan to Jun	14	31 January 2011	\$90,748
2011	2011-12	Jul to Dec	18	31 July 2011	\$96,057
2012	2011-12	Jan to Jun	17	31 January 2012	\$115,888
2012	2012-13	Jul to Dec	17	31 July 2012	\$113,683
2013	2012-13	Jan to Jun	17	31 January 2013	\$125,683
2013	2013-14	Jul to Dec		31 July 2013	\$102,000
2014	2013-14	Jan to Jun		31 January 2014	\$51,000
2014	2014-15	Jul to Dec		31 July 2014	\$51,000
Total Intake:			139	Total Funding (GST Excl)	\$1,004,963

Subject to Clause 2, payments will be made by the The Treasury to the relevant State Treasury Department on a schedule provided by the Commonwealth.

The Funds identified in the Funding Table must be acquitted bi-annually on the dates specified at Item C, Reporting Schedule, using the Acquittal Template at Annexure F. The State and Territory Financial Statements provided for the BNBW Program will be collated by the Commonwealth.

Based on this information, the Commonwealth may at its absolute discretion require unexpended Funds to be returned to the Commonwealth. The return of Funds in this instance would be based predominantly on uptake of the BNBW Program. Should the Commonwealth seek to retrieve Funds, the Commonwealth may, by written notice to the Department of Health and Human Services require the Department of Health and Human Services to

repay that part of the Funds, and the Department of Health and Human Services must repay to the Department the amount set out in the notice, within 28 days of receipt of the notice.

E. LIAISON OFFICERS (clauses 1.1, 5 and 15)

The Commonwealth's Liaison Officer is the person holding, occupying or performing the duties of Director, Nursing Section, Nursing, Allied and Indigenous Workforce Branch, Mental Health and Workforce Division. available at the following address:

Street Address: Level 8, Albemarle Building
Furzer Street
WODEN ACT 2606
Postal Address: Department of Health and Ageing
MDP 142, GPO Box 9848
CANBERRA ACT 2601

And available on the following telephone number and email address:

Telephone: (02) 6289 7599
Fax: (02) 6289 8049
Email: paula.sheehan@health.gov.au

The Department of Health and Human Services's Liaison Officer is: Adjunct Associate Professor Fiona Stoker, Principle Nurse Advisor.

available at the following address:

Level 1
34 Davey Street
HOBART TAS 7001

And available on the following telephone number, fax number and email address:

Telephone: (03) 6233 3133
Fax (03) 6233 6392
Email: Fiona.stoker@dhhs.tas.gov.au

F. ACKNOWLEDGEMENT (clause 8)

The Department of Health and Human Services will provide acknowledgement of the Commonwealth's support and Funding contribution in all formal reports including annual reports, and as required by the Commonwealth with the following statement:

'The Bringing Nurses Back into the Workforce program is funded by the Australian Government Department of Health and Ageing.'

G. EXISTING MATERIAL (clause 7)

Nil

ANNEXURE A BRINGING NURSES BACK INTO THE WORKFORCE PROGRAM

Policy Implementation Principles

Program Overview

The Bringing Nurses Back into the Workforce Program aims to bring an extra 6,200 full time equivalent (FTE) nurses/midwives back into our public health sector and associated community health settings, 1,550 FTE nurses/midwives back into our private hospitals and 1,000 FTE nurses back into aged care homes and community-based aged care within five years.

Program Aims and Approach

The aims of the Bringing Nurses Back into the Workforce program are to:

- Reduce the nursing shortages in many parts of the nursing workforce, both in the public and private sectors, community health settings, residential aged care homes and community-based aged care; and
- Attract 8,750 of the estimated 30,000 qualified nurses/midwives who are currently outside the Australian nursing workforce back into nursing.

The program will provide cash bonuses of up to \$6,000 to eligible nurses/midwives who return to work in eligible facilities* that are participating in the program. The program will also provide cash bonuses of \$1,000 to each eligible facility that employs an eligible nurse/midwife.

Eligibility

Nurses/midwives will be eligible for the Bringing Nurses Back into the Workforce bonuses provided they:

- are an Australian citizen or permanent resident of Australia;
- have previously been employed as a registered nurse/midwife (Division 1 in Victoria) or enrolled nurse (Division 2 in Victoria) in the Australian nursing workforce;
- have not been employed as a registered nurse/midwife (Division 1 in Victoria) or enrolled nurse (Division 2 in Victoria) to provide clinical nursing services in Australia within the previous 12 months;
- are registered or enrolled with the relevant state or territory regulatory authority or have qualifications that make them eligible for such registration or enrolment;
- return to work as a registered nurse/midwife (Division 1 in Victoria) or enrolled nurse (Division 2 in Victoria) as an employee of an eligible facility that has allocated places under this program;
- returned to work on or after the 15 January 2008 to a hospital setting, or on or after 5 December 2008 in a community health setting or day surgery hospital;
- confirm that the eligible facility where they are returning to work has an allocated place available under this program; and
- meet any additional requirements of their relevant state or territory.

* Eligible facility includes but is not limited to, eligible public and private hospitals, public sector community health settings, residential aged care facilities, remote health clinics and community package aged care services that receive funding from BNBW program fundholders.

Nurses/midwives will not be eligible for this program if they:

- returned to work as a registered nurse/midwife or enrolled nurse in Australia before the announcement of this policy; that is, prior to 15 January 2008, or prior to 5 December 2008 for community package aged care services, community health settings or day surgery hospitals;
- are unable to gain registration or enrolment with the relevant state or territory regulatory authority;
- have been employed as a registered nurse/midwife or enrolled nurse to provide clinical nursing services in Australia within the previous 12 months at the time intended to return to work;
- are a registered nurse/midwife or enrolled nurse, or have qualifications that make them eligible for registration or enrolment, but have never been employed as a registered nurse/midwife or enrolled nurse in Australia, i.e. are a new graduate, or a nurse/midwife entering Australia and seeking employment as a nurse/midwife for the first time;
- are currently under investigation or sanctioned under the relevant State or Territory regulatory body;
- are employed as a registered nurse/midwife or enrolled nurse by an independent agency to provide services to an eligible facility;
- are or have been in receipt of a Bringing Nurses Back into the Workforce bonus payment at a previous employment.

Organisations eligible for the Bringing Nurses Back into the Workforce bonuses include but are not limited to:

- Declared public hospital, including day surgery;
- Declared private hospital, including day surgery;
- Community health setting funded by a BNBW fundholder;
- Community package aged care service; and
- Residential aged care home.

'Declared' means a facility that has been declared a hospital under subsection 121-5 of the Private Health Insurance Act 2007.

An organisation will not be eligible for this program if they are:

- an agency that employs nurses/midwives to provide nursing services to hospitals, community health settings or aged care homes.

How will the program work?

This program included a target of bringing 1,000 FTE nurses/midwives back into the hospital and public community health setting nursing workforce and 400 FTE nurses back into residential aged care homes and community package aged care service and to continue to return nurses/midwives to the workforce up to 15 January 2013.

As this is a payment for nurses/midwives to return to the workforce, an individual can only receive bonus payments that are a part of this program once within the five year period from 2008 to 2013; this is inclusive of the six month and eighteen month payments. A nurse/midwife is required to work at the eligible facility that they have returned to in order to receive the two bonus payments.

An eligible facility can only claim a bonus payment for an individual employee once in the five year period and should ensure that an individual has not previously attracted a payment under this program.

The bonus payments are based on a nurse/midwife returning full time (38 hours per week) to an eligible facility – a pro rata rate will apply to nurses/midwives who return on a part time or casual basis. Priority may be given to full time nurse/midwives as determined by the employers. This program is also able to target nurses/midwives who have completed a state/territory refresher or re-entry program.

For nurses/midwives:

- To ensure eligibility for the bonus payment, a nurse/midwife should check that the facility where they are returning to work has an allocated place available under this program.
- A nurse/midwife will need to submit an application through their employing organisation. Their applications will be managed by their State or Territory Health Department or an organisation contracted by the Department of Health and Ageing to manage the administration of the program.
- A nurse/midwife can only apply to return to work within an eligible facility under this program, in a full-time, part-time or casual capacity[†], and the hours worked in this place of employment are the only hours that will be attributed to the bonus payments.
- If a nurse/midwife chooses to change employment sectors prior to receiving the bonus payments they will forego all entitlements under the Bringing Nurses Back into the Workforce program.
- The first bonus payment of \$3000 (or pro rata equivalent) will be due for payment by the fundholder 6 months after a nurse/midwife commences employment and can only be paid if employment is continuous during this period. Approved leave will contribute towards the employment period.
- After 18 months continuous employment with the employer a nurse/midwife will be entitled to a final bonus payment from the employer of \$3000 (or pro rata equivalent).
- Payment will be pro rata the hours that have been worked (see Table 1) and will include periods of paid leave that are approved by the employer.

For eligible facilities:

- The Commonwealth will not be responsible for determining the suitability of nursing/midwifery staff – that is the responsibility of the eligible facility.
- Each state and territory has a notional allocation of full time equivalent places. Flexibility around allocations and annual targets may be required should there be difficulty in filling places or should demand exceed the notional allocations.
- Eligible facilities will negotiate with the relevant state or territory health departments or fundholders regarding allocations that they are entitled to receive under the Bringing Nurses Back into the Workforce program.[‡] The usual employment considerations and registration or enrolment conditions will apply to nurses/midwives returning to work under this program.
- Applications should be based on a nurse/midwife being employed full time or the pro rata equivalent. The one off payment of \$1,000[§] per nurse/midwife returning to work is to be paid to the employing eligible facility by the state and territory health departments and fundholders. This amount is not transferable if the nurse/midwife changes organisations.
- The Bringing Nurses Back into the Workforce fundholders will be responsible for paying nurses/midwives the bonuses from funding provided by the Australian Government Department of Health and Ageing and in accordance with the funding agreement obligations.

[†] Aged Care does not fund casual staff under the aged care component of the Bringing Nurses Back into the Workforce Program.

[‡] Aged care places are on a first come first served basis.

[§] Prior to 5 December 2008 this payment is pro-rata for part-time and casual staff

- An eligible facility should provide standard information to any nurse/midwife that they employ under this program outlining their responsibilities and how the program is administered.
- The eligible facility will collect and provide the following minimum data on a nurse/midwife returning to the workforce to the Australian Government Department of Health and Ageing or its nominated administration agency:
 - allocated place;
 - number of full time equivalent and part time employees employed under BNBW;
 - the registration status of those employees, i.e. registered or enrolled;
 - the employing body location – teaching hospital, metropolitan, regional, rural or remote;
 - the type of facility, e.g. general hospital, acute mental health facility, community health, day surgery, aged care home;
 - commencement dates and number of hours each nurse/midwife is to be employed per week;
 - whether the nurse/midwife completed or is completing a refresher or re-entry program;
 - the age of the nurse/midwife;
 - whether the nurse/midwife self identifies of Aboriginal or Torres Strait Islander origin; and
 - payment of bonuses.

This minimum data set will be used for reporting progress against the Bringing Nurses Back into the Workforce program to the Australian Government Department of Health and Ageing and will be required to be provided by the contracted state or territory, private, community and aged care sector on a quarterly basis for the first 12 months and then six monthly. This will monitor activity and performance against targets set by the Australian Government.

Bringing Nurses Back into the Workforce Program

Nurse/Midwife Pro Rata Bonus Payments

Number of hours worked per week	Bonus payments after 6 and 18 months service (26 and 78 weeks)	Total bonus payments after 18 months service
4	\$ 316	\$ 632
5	\$ 395	\$ 789
6	\$ 474	\$ 947
7	\$ 553	\$ 1105
8	\$ 632	\$ 1263
9	\$ 711	\$ 1421
10	\$ 789	\$ 1579
11	\$ 868	\$ 1737
12	\$ 947	\$ 1895
13	\$ 1026	\$ 2053
14	\$ 1105	\$ 2211
15	\$ 1184	\$ 2368
16	\$ 1263	\$ 2526
17	\$ 1342	\$ 2684
18	\$ 1421	\$ 2842
19	\$ 1500	\$ 3000
20	\$ 1579	\$ 3158
21	\$ 1658	\$ 3316
22	\$ 1737	\$ 3474
23	\$ 1816	\$ 3634
24	\$ 1895	\$ 3789
25	\$ 1974	\$ 3947
26	\$ 2053	\$ 4105
27	\$ 2132	\$ 4263
28	\$ 2211	\$ 4421
29	\$ 2289	\$ 4579
30	\$ 2368	\$ 4737
31	\$ 2447	\$ 4895
32	\$ 2526	\$ 5053
33	\$ 2605	\$ 5211
34	\$ 2684	\$ 5368
35	\$ 2763	\$ 5526
36	\$ 2842	\$ 5684
37	\$ 2921	\$ 5842
38	\$ 3000	\$ 6000

Note:

- 1) Pro rata bonuses will be calculated at the end of six and eighteen months service, based on hours worked; and
- 2) The above figures are:
 - based on a 38 hour full time equivalent week;
 - rounded to the nearest dollar; and
 - pre- tax amounts

Glossary

Allocated Places

means the nurse/midwife places available under the Bringing Nurses Back into the Workforce program.

Community Health Settings

means a community based service that is funded by a Bringing Nurses Back into the Workforce fundholder. These may include, but are not limited to palliative care, mental health, school based services, maternal and child health and home visiting services where an Eligible Nurse/Midwife is employed to undertake nursing duties.

Community package aged care service

a service providing residential aged care for which it is in receipt of subsidy under Chapter 3 of the Aged Care Act 1997 is an eligible service for the purpose of this initiative.

Eligible Nurse/Midwife

means a nurse/midwife who meets the eligibility requirements set out in the Policy Implementation Principles.

Eligible Facility

includes, but is not limited to, eligible public and private hospitals, community health settings, residential aged care facilities, remote health clinics and community package aged care services that receive funding from Bringing Nurses Back into the Workforce Program Fundholders.

Eligible Public Facility

includes, but is not limited to, Eligible Public Hospitals, Community Health Settings, and remote health clinics that receive funding from a Bringing Nurses Back into the Workforce Fundholder.

Eligible Private Facility

includes, but is not limited to, Eligible Private Hospitals, Community Health Settings, and remote health clinics that receive funding from a Bringing Nurses Back into the Workforce Fundholder.

Eligible Public Hospital

means a Declared public hospital, where the hospital provides treatment that may include day surgery. 'Declared' means a facility that has been declared a hospital under subsection 121-5 of the *Private Health Insurance Act 2007*;

Eligible Private Hospital

means a Declared private hospital, where the hospital provides treatment that may include day surgery. 'Declared' means a facility that has been declared a hospital under subsection 121-5 of the *Private Health Insurance Act 2007*;

Full Time Equivalent (FTE)

means number of hours per week as it applies to employment conditions in the eligible facility employing a nurse/midwife under the program.

Fundholder

means an organisation or state or territory health department who has a Funding Agreement with the Commonwealth Department of Health and Ageing to manage part of the Bringing Nurses Back into the Workforce Program.

Eligible Facility Payment

means a cash payment by a Bringing Nurses Back into the Workforce Fundholder to an Eligible Facility.

Nurse/Midwife Bonus

means a cash payment by the Eligible Facility to the Eligible Nurse/Midwife.

ANNEXURE B

**Bringing Nurses Back into the Workforce
DATA COLLECTION FORM FOR AN ELIGIBLE PUBLIC FACILITY**

SECTION 1: APPLICATION OF ELIGIBILITY

This form should be completed by employers each time they employ an eligible nurse/midwife into an allocated Eligible Public Facility place under the Bringing Nurses Back into the Workforce (BNBW) program and submitted to the relevant state or territory health department. In submitting this form, the employer declares that, to the best of its knowledge, the nurse/midwife has not been employed as a registered nurse/midwife or enrolled nurse/midwife in Australia in the previous twelve months or longer (note, there is an application form for a nurse/midwife to complete and submit to their employer, which includes a Statutory Declaration).

1. Details of employer				
1.1 Name and address (stamp acceptable)				
1.2 Is this employer an Eligible Public Facility?*	YES		NO	
1.3 Location type (select <u>one</u>) (Based on AGSC Remoteness classification)	Major city	Inner regional	Outer regional	Remote Very remote
1.4 The nurse/midwife will predominately be employed in what setting? (select <u>one</u>) (Based on Nursing and Midwifery Labour Force Census questionnaire categories)	Critical care/emergency			
	Mixed medical/surgical			
	Medical nursing			
	Surgical nursing			
	Perioperative			
	Midwifery			
	Aged care			
	Rehabilitation-disability			
	Mental health			
	Family and child health			
Other (please specify)				
2. BNBW nurse/midwife place identification number (to be assigned by the employer)				
3. Commencement date of nurse/midwife				
4. Completion date (for nurses/midwives offered fixed-term contracts)				
5. Registration category (please tick one)	Registered Nurse (Div1 in Vic) <input type="checkbox"/>	Registered Midwife (Div1 in Vic) <input type="checkbox"/>	Enrolled nurse (Div 2 in Vic) <input type="checkbox"/>	
6. Total weekly hours nurse/midwife is employed				
7. Age of nurse/midwife (years)				
8. Is the nurse/midwife of Aboriginal or Torres Strait Islander origin? (please circle one)				
		YES		
			NO	

*An Eligible Public Facility includes, but is not limited to, Eligible Public Hospitals, Community Health Settings, and remote health clinics that receive funding from the Department of Health and Human Services.

ANNEXURE B (continued)

Bringing Nurses Back into the Workforce DATA COLLECTION FORM FOR AN ELIGIBLE PUBLIC FACILITY

SECTION 2: DETAILS OF BONUS PAYMENTS

This form should be completed by employers that have employed an eligible nurse/midwife under the Bringing Nurses Back into the Workforce (BNBW) program and received a cash payment for doing so.

1. Employer payment details

1.1 Employer payment amount: \$ _____

1.2 This employer payment contributed to:

	YES	NO
Advertising		
Supernumerary costs		
Nurse/midwifery-training, re-skilling		
Administration		
Other (please specify)		

1.3 Did the nurse/midwife recently complete a refresher/re-entry program? YES NO

2. Nurse/midwife payment details

2.1 BNBW program nurse/midwife place identification number
(to be assigned by the employer): _____

2.2 Payment of bonus to nurse/midwife:

6 months Average Weekly Hours: _____ Amount: \$ _____

18 months Average Weekly Hours: _____ Amount: \$ _____

3. Cessation of employment

3.1 If the nurse/midwife ceased employment before 18 months continuous employment, please indicate the predominant reason why (select one):

Personal reasons	
Leaving nursing workforce	
Leaving workforce overall	
Unpaid leave	
Other (please specify):	
Not applicable (nurse/midwife remained in continuous employment for 18 months)	

ANNEXURE C
APPLICATION FORM FOR NURSES AND MIDWIVES

This form should be completed by nurses/midwives who consider themselves eligible for bonus payments under the Bringing Nurses Back into the Workforce (BNBW) Program and submitted to their employer (Eligible Public Facility).

Note: Eligibility for the BNBW Program is subject to registration/enrolment, hours of employment and merit selection processes.

ELIGIBILITY

(Please circle one answer for each question)

1. Are you currently registered or enrolled to practice in your state/territory? (please circle one) YES NO

1a. Please tick relevant boxes to indicate your registration status

Registered Nurse
(Div1 in Victoria)

Registered Midwife
(Div1 in Victoria)

Enrolled nurse
(Division 2 in Victoria)

If you answered no to 1 then you are not eligible under the BNBW program.

2. Have you worked as a registered nurse/midwife or enrolled nurse to provide clinical nursing services in the past 12 months? YES NO

If yes, you are not eligible for the BNBW Program.

If no, please complete the Statutory Declaration attached and provide it to your employer to determine if you are eligible to receive a cash bonus under the BNBW program.

3. How long has it been since you last worked as a registered nurse/midwife or enrolled nurse? Years

Please ensure you have completed and signed the attached Statutory Declaration.

PERSONAL DETAILS (PLEASE PRINT)

Full name

Title (please circle one): Ms Miss Mrs Mr Other (please specify): _____

First Name: _____ Surname: _____

Postal address

State: _____ Postcode: _____ Date of Birth*: ____ / ____ / ____

Preferred Contact phone number: (____) _____

E-mail address: _____

Are you of Aboriginal or Torres Strait Islander origin?* (please circle one) YES NO

Was your decision to return to the nursing/midwifery workforce influenced by the BNBW Program? YES NO

*Voluntary Field

Commonwealth of Australia
STATUTORY DECLARATION
Statutory Declarations Act 1959

1 *Insert the name, address and occupation of person making the declaration*

I,¹

make the following declaration under the *Statutory Declarations Act 1959*:

2 *Set out matter declared to in numbered paragraphs*

2.1 I have not worked as a registered nurse/midwife (Division 1 in Victoria) or enrolled nurse (Division 2 in Victoria) in Australia for the past twelve months or more and I returned to the nursing workforce on or after 15 January 2008 or 5 December 2008 for community settings and day surgery hospitals..

2.2 I have not been employed by any other employer under the Bringing Nurses Back into the Workforce program.

2.3 I have not received any cash bonuses under the Bringing Nurses Back into the Workforce program from 15 January 2008 to 15 January 2013.

2.4 I have familiarised myself with the eligibility requirements in the *Fact Sheet for Nurses and Midwives*.

2.5 I consent to information from this form being provided by my employer to the relevant funding body and/or state or territory government and/or the Commonwealth to assist with its management and accountability provisions for the Bringing Nurses Back into the Workforce Program.

2.6 I understand that a person who intentionally makes a false statement in a statutory declaration is guilty of an offence under section 11 of the *Statutory Declarations Act 1959*, and I believe that the statements in this declaration are true in every particular.

3 *Signature of person making the declaration*

³

4 *Place*

5 *Day*

6 *Month and year*

Declared at ⁴

on ⁵

of ⁶

Before me,

7 *Signature of person before whom the declaration is made (see over)*

⁷

8 *Full name, qualification and address of person before whom the declaration is made (in printed letters)*

⁸

Note 1 A person who intentionally makes a false statement in a statutory declaration is guilty of an offence, the punishment for which is imprisonment for a term of 4 years — see section 11 of the *Statutory Declarations Act 1959*.

Note 2 Chapter 2 of the *Criminal Code* applies to all offences against the *Statutory Declarations Act 1959* — see section 5A of the *Statutory Declarations Act 1959*.

A statutory declaration under the *Statutory Declarations Act 1959* may be made before—

(1) a person who is currently licensed or registered under a law to practise in one of the following occupations:

Chiropractor	Dentist	Legal practitioner
Medical practitioner	Nurse	Optometrist
Patent attorney	Pharmacist	Physiotherapist
Psychologist	Trade marks attorney	Veterinary surgeon

(2) a person who is enrolled on the roll of the Supreme Court of a State or Territory, or the High Court of Australia, as a legal practitioner (however described); or

(3) a person who is in the following list:

Agent of the Australian Postal Corporation who is in charge of an office supplying postal services to the public
Australian Consular Officer or Australian Diplomatic Officer (within the meaning of the *Consular Fees Act 1955*)

Balliff

Bank officer with 5 or more continuous years of service

Building society officer with 5 or more years of continuous service

Chief executive officer of a Commonwealth court

Clerk of a court

Commissioner for Affidavits

Commissioner for Declarations

Credit union officer with 5 or more years of continuous service

Employee of the Australian Trade Commission who is:

(a) in a country or place outside Australia; and

(b) authorised under paragraph 3 (d) of the *Consular Fees Act 1955*; and

(c) exercising his or her function in that place

Employee of the Commonwealth who is:

(a) in a country or place outside Australia; and

(b) authorised under paragraph 3 (c) of the *Consular Fees Act 1955*; and

(c) exercising his or her function in that place

Fellow of the National Tax Accountants' Association

Finance company officer with 5 or more years of continuous service

Holder of a statutory office not specified in another item in this list

Judge of a court

Justice of the Peace

Magistrate

Marriage celebrant registered under Subdivision C of Division 1 of Part IV of the *Marriage Act 1961*

Master of a court

Member of Chartered Secretaries Australia

Member of Engineers Australia, other than at the grade of student

Member of the Association of Taxation and Management Accountants

Member of the Australasian Institute of Mining and Metallurgy

Member of the Australian Defence Force who is:

(a) an officer; or

(b) a non-commissioned officer within the meaning of the *Defence Force Discipline Act 1982* with 5 or more years of continuous service; or

(c) a warrant officer within the meaning of that Act

Member of the Institute of Chartered Accountants in Australia, the Australian Society of Certified Practising Accountants or the National Institute of Accountants

Member of:

(a) the Parliament of the Commonwealth; or

(b) the Parliament of a State; or

(c) a Territory legislature; or

(d) a local government authority of a State or Territory

Minister of religion registered under Subdivision A of Division 1 of Part IV of the *Marriage Act 1961*

Notary public

Permanent employee of the Australian Postal Corporation with 5 or more years of continuous service who is employed in an office supplying postal services to the public

Permanent employee of:

(a) the Commonwealth or a Commonwealth authority; or

(b) a State or Territory or a State or Territory authority; or

(c) a local government authority;

with 5 or more years of continuous service who is not specified in another item in this list

Person before whom a statutory declaration may be made under the law of the State or Territory in which the declaration is made

Police officer

Registrar, or Deputy Registrar, of a court

Senior Executive Service employee of:

(a) the Commonwealth or a Commonwealth authority; or

(b) a State or Territory or a State or Territory authority

Sheriff

Sheriff's officer

Teacher employed on a full-time basis at a school or tertiary education institution

ANNEXURE D
MINIMUM DATA SET (MDS)

Data Item	Definition	Responsibility for Collection
BNBW Allocation FTE	Number of FTE BNBW EN/RN/RM Allocated per State/Territory for public sector	Commonwealth, to be set out in Funding Agreements
Employed FTE/Head Count	Number of FTE BNBW EN/RN/RM Employed within the reporting period per: <ul style="list-style-type: none"> ▪ State/Territory ▪ Eligible Public Facility 	<ul style="list-style-type: none"> ▪ Department of Health and Human Services ▪ Commonwealth to collate state/territory figures
Unsuccessful applicants*	Indicative number of applications from nurses/midwives that do not lead to payment of bonuses. <ul style="list-style-type: none"> ▪ Reasons why? 	<ul style="list-style-type: none"> ▪ Eligible Public Facility ▪ State/Territory to report to Commonwealth ▪ Commonwealth to collate national data
Registration category of BNBW EN/RN/RM	Number of FTE BNBW EN/RN/RM in each registration category per: <ul style="list-style-type: none"> ▪ State/Territory ▪ Eligible Public Facility 	<ul style="list-style-type: none"> ▪ Eligible Public Facility ▪ State/Territory to report to Commonwealth ▪ Commonwealth to collate national data
Hospital location (Australian Standard Geographical Classification, ASGC, Remoteness classification)	<ul style="list-style-type: none"> ▪ Major city ▪ Inner regional ▪ Outer regional ▪ Remote ▪ Very remote 	<ul style="list-style-type: none"> ▪ Eligible Public Facility ▪ State/Territory to report to Commonwealth ▪ Commonwealth to collate national data
Clinical Setting the nurse/midwife will predominantly be employed in (Based on Nursing and Midwifery Labour Force Census questionnaire categories).	<ul style="list-style-type: none"> ▪ Critical care/emergency ▪ Mixed medical/surgical ▪ Medical nursing ▪ Surgical nursing ▪ Perioperative ▪ Midwifery ▪ Aged care ▪ Rehabilitation-disability ▪ Mental health ▪ Family and child health ▪ Other (please specify) 	<ul style="list-style-type: none"> ▪ Eligible Public Facility ▪ State/Territory to report to Commonwealth ▪ Commonwealth to collate national data
Hospital Payment use	<ul style="list-style-type: none"> ▪ Advertising ▪ Supernumerary costs 	<ul style="list-style-type: none"> ▪ Eligible Public Facility

Data Item	Definition	Responsibility for Collection
	<ul style="list-style-type: none"> ▪ Nurse/midwifery-training, re-skilling ▪ Administration ▪ Other (please specify) 	
BNBW EN/RN/RM details	<ul style="list-style-type: none"> ▪ Number of years out of the nursing/midwifery workforce ▪ Decision to return influenced by BNBW? Yes/No ▪ Commencement date ▪ Completion date ▪ Reason/s for ceasing employment ▪ Age ▪ Number of hours worked per week ▪ Re-entry Program Undertaken through employing hospital? Yes/No* ▪ Payment of Bonuses (date and amount) <ul style="list-style-type: none"> ○ 6 months ○ 18 months ▪ Aboriginal or Torres Strait Islander origin? Yes/No 	<ul style="list-style-type: none"> ▪ Eligible Public Facility ▪ State/Territory to report to Commonwealth ▪ Commonwealth to collate national data

Key

BNBW: Bringing Nurses Back into the Workforce
FTE: Full Time Equivalent
EN/RN/RM: Enrolled Nurse/Registered Nurse/Registered Midwife
ASGC: Australian Standard Geographical Classification

* Voluntary Field

ANNEXURE E
MINIMUM DATA SET REPORTING TEMPLATE
(See Attached Excel File)

ANNEXURE F
FINANCIAL ACQUITTAL TEMPLATE
(See Attached Excel File)

To be included with reporting requirements for 15 January and 15 July for all years covered under the Agreement

EXECUTED AS A DEED

SIGNED, SEALED AND DELIVERED

for and on behalf of the COMMONWEALTH OF AUSTRALIA

By

ALLAN GROTH

(Print name)

[Handwritten Signature]

(Signature)

AS, NAIWB

(Print the position held)

Date: 26/ 8 /200 9

in the presence of

TANIA CEGLINSKI

(Witness's name)

[Handwritten Signature]

(Signature)

SIGNED

THE CROWN IN THE RIGHT OF THE STATE OF TASMANIA as represented by the Department of Health and Human Services, ABN 1125587006.

By

[Handwritten Signature]

(name and position of signatory)

[Handwritten Signature]

(signature)

3.8.09

(date)

The signatory warrants that he/she has authority to bind the Department of Health and Human Services

in the presence of:

Erin Makarewicz

(witness)

[Handwritten Signature]

(signature of witness)