



Community Nursing BULLETIN No. 37

June 2022

FOR DISTRIBUTION TO ALL DVA COMMUNITY NURSING PROVIDER STAFF

This bulletin is being issued to provide an update to Department of Veterans' Affairs (DVA) Community Nursing (CN) providers about changes to the Social, Community, Home Care and Disability Services (SCHADS) Award and the impact on the Community Nursing (CN) program.

About the SCHADS Award

Modern awards, including the SCHADS Award, set out minimum terms and conditions of employment on top of the National Employment Standards for employees covered by the Award. The SCHADS Award covers the crisis assistance and supported housing, social and community services and home care industries, and provides protections and entitlements including pay, hours of work, rosters, breaks, allowances, penalty rates and overtime.

The Fair Work Commission recently reviewed the SCHADS Award and concluded that changes were needed to ensure that it, together with the National Employment Standards provide a fair and relevant minimum safety net of terms and conditions.

The Department of Veterans' Affairs considers these changes will be beneficial for the sector as improved conditions will help attract more workers to aged care.

What is changing?

From the first pay period starting on or after 1 July 2022, a number of provisions in the SCHADS Award are changing.

Changes that may affect employees and employers, include:

- **Casual** home care employees must be paid for a minimum of two hours for each shift (increased from one hour).
- **Part-time** home care employees must be paid for a minimum of two-hours for each shift.
- There are two new **broken shift allowances** payable when employees work a broken shift, with a higher payment if there are two breaks.
- When an employee is required to work a broken shift, the minimum payment requirement above applies to each period of work in that broken shift.
- The introduction of a damaged clothing allowance.
- The introduction of minimum payment and other requirements for employees who perform remote work as defined under the SCHADS Award.
- There are also new rules around pay and make-up time that apply where a client cancels a shift.

These changes **do not** require employees to spend the entire minimum shift of two hours with one client. All employees can continue to see more than one client, at more than one location, within their minimum two-hour payment time.

The changes will generally not apply to employees covered by a current enterprise agreement.

For the latest information on all changes, please refer to the [1 July 2022 changes to Social and Community Services Award](#) on the Fair Work Ombudsman website and consider subscribing to their [email updates](#).

Implementing changes to the SCHADS Award

Providers may need to consider a range of approaches as they implement the SCHADS changes. These include more efficient scheduling and rostering arrangements:

- Providers should consider how they can update their current business practices and staffing models to comply with the SCHADS Award changes. This could include minimising unbillable time by:
 - Scheduling visits to multiple clients who live in the same or nearby locality
 - Where relevant and appropriate, scheduling their employees for more than one service type for a DVA client in the same visit, subject to assessed care needs and goals
 - Scheduling different employees for sun-up and sun-down activities to minimise broken shifts.
- Providers who engage other organisations or individuals to deliver care and services, such as through sub-contracting arrangements should be aware:

- Regardless of how the services are delivered, providers remain responsible for ensuring services are delivered in a way that meet industry best practice and DVA requirements.
- Where the timing of a visit (not the duration), needs to be reasonably adjusted to accommodate shift times, this should be communicated with the client taking into consideration the client's assessed care needs.

Providers **must not** set unreasonable minimum service times where services are not being delivered (e.g. changing a 30 minute service into a 2 hour service).

See guidance and examples at [Attachment A](#) – Frequently Asked Questions.

Attachment A - Frequently asked questions

Does the minimum payment period need to be in one location or with a single client?

These changes do not require employees to spend the entire minimum shift of two hours with one client. All employees continue to be able to see more than one client, at more than one location, and from 1 July, this can be within their minimum two-hour shift time.

What is a broken shift?

A broken shift includes at least two periods of work and one unpaid break (other than a meal break) in a 12-hour period. For example, a home care worker who works from 9am–12pm and 3pm–6pm would be considered to have worked a broken shift. A meal break does not break a shift.

The changes to the SCHADS Award introduce a broken shift allowance for home care employees, with a higher payment if there are two breaks.

More information is at [1 July 2022 changes to Social and Community Services Award](#)

Can I charge DVA if a client cancels a scheduled visit?

There is no change to current DVA policy

- Under no other circumstances may a DVA provider charge a DVA client.
- Where a visit is cancelled at short notice or the nurse or personal care worker arrives for a visit and the client is not home, the visit that would otherwise have been made can be claimed from DVA. Less than 24 hours' notice of cancellation of a visit is considered short notice. (Refer [Community Nursing Provider Notes](#) section 11.6).

Can I change an existing DVA client's service schedule?

Providers are expected to explore alternative options via other work activities or scheduling arrangements before negotiating or requesting changes to a DVA client's care/service plan.

Each visit is for the purpose of providing the specific nursing and personal care services detailed in the client's nursing care plan. The provider may negotiate with the client regarding the logistics of that visit (date and time) so long as the clinical care needs are being appropriately met.

Providers **must not** charge for time where services are not being delivered (e.g. charging DVA 2 hours for a 30 minute service).

Providers are expected to engage with DVA clients in a timely, open and transparent manner about any changes to their care, taking into account their circumstances, including how they will receive the information and considering whether they may be experience vulnerability.

Where can I find more information?

For the latest information see [1 July 2022 changes to Social and Community Services Award - Fair Work Ombudsman](#) and consider subscribing to their [email updates service](#).

If you have any questions, please contact DVA Community Nursing at nursing@dva.gov.au.

If you have any changes to the email contact for your organisation, please advise your contract manager or email the Community Nursing Contract Management team at Community.Nursing.Contracts@dva.gov.au.