



NEW ZEALAND

Voluntary Bonding Scheme Terms and Conditions for Midwives 2018

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1. Introduction

- 1.1 The Voluntary Bonding Scheme (the Scheme) is an incentive based payment scheme that has been introduced by the Government to reward graduates who agree to work in hard-to-staff communities for three to five years after graduation.
- 1.2 Graduates who are part of the Scheme are eligible for their first incentive payment after they have completed three years in their specified hard-to-staff community. Funding is intended to help graduates repay student loans (if they have them) or provide cash payments to top up income if their student loan balance is zero.
- 1.3 To be eligible for the Scheme, you must:
- be a New Zealand citizen or permanent resident ¹ at the time you make an application for payment;
 - have completed your final year of study in 2017 for your undergraduate qualification for your profession at an accredited New Zealand Training Institution (clauses 1.11 to 1.13);
 - be registered, or be eligible to be registered with the Midwifery Council of New Zealand;
 - be working, or intending to work, in the profession for which you have trained, for three to five years;
 - be working, or intending to work, in a hard-to-staff community as per the eligibility criteria for your profession (clauses 4.2 to 4.8); and
 - comply with all other terms and conditions of the Scheme.
- 1.4 Involvement in the Scheme involves four phases:
- Registration of Interest
 - confirmation of place on the Scheme
 - participation (employment)
 - applications for payment.
- 1.5 **In order to be eligible for payment**, you must register for the Scheme, have your place on the Scheme confirmed and meet the Scheme's Terms and Conditions during the participation phase. **You must also apply for payment within twelve (12) months of becoming eligible for payment, under the Terms and Conditions of the Scheme.** The Ministry strongly encourages you to apply for payment no later than six months after becoming eligible to apply under the Terms and Conditions.
- 1.6 The Ministry also recommends that you check your progress while participating in the Scheme (by contacting us via email at ybs@moh.govt.nz), particularly:
- at the three, four and five year points after registering for the Scheme, and
 - if you change employers, communities, practice type, take parental leave or extended leave.
- 1.7 You will not be eligible for any payment from the Scheme if you do not complete at least three full years (36 months) on the Scheme, in accordance with these Terms and Conditions.
- 1.8 The Scheme is a voluntary process and you, not the Ministry of Health (the Ministry), are responsible for any employment decisions you may make based on your intended participation in the Scheme, including decisions about working in hard-to-staff communities.
- 1.9 You are responsible for notifying the Ministry of any change of postal address, email address or other contact details in a timely manner.

¹ For the purposes of the Scheme, Permanent Residents include those who hold a NZ Permanent Resident Visa, or a Returning Resident Visa, or Australian Citizens.

- 1.10 There are limited places available on the Scheme. Where eligible Registrations of Interest exceed the number of places available on the Scheme, a ballot process will be applied for selection. This is not subject to appeal.

Education Prerequisites

- 1.11 You must:
- have completed, in 2017, the requirements of an undergraduate training programme for Midwifery from the list of accredited institutions below (clause 1.12) AND
 - be eligible to be registered with the Midwifery Council of New Zealand
- 1.12 Accredited training institutions for midwifery are:
- Auckland University of Technology
 - Ara Institute of Canterbury (formerly Christchurch Polytechnic Institute of Technology)
 - Otago Polytechnic
 - Waikato Institute of Technology.
- 1.13 New Zealand citizens and permanent residents who gained their base professional qualifications from an overseas training institution in 2017 and who meet the registration requirements of the Midwifery Council of New Zealand may be considered for the Scheme on a case-by-case basis, if they meet all other eligibility criteria and other Terms and Conditions of the Scheme. This will be assessed prior to confirmation of a place on the Scheme.

Definition of a Graduate

- 1.14 Eligible graduates are those who completed their studies in towards their undergraduate degree in 2017 and can provide evidence of having done so, irrespective of the date of their graduation ceremony.

2. Registration of Interest

- 2.1 In order to be a participant on the Scheme, you must successfully register your interest and be confirmed on the Scheme.
- 2.2 To register your interest you must complete the online Registration of Interest form. This involves providing information to show that you meet, or intend to meet, the eligibility criteria of the Scheme. The Registration of Interest period is typically six weeks in duration. You are responsible for ensuring that you register during this period. Entries outside this period will not be considered. It is your responsibility to ensure that you successfully register for the Scheme, and obtain an email from the Ministry confirming this.
- 2.3 Completing a Registration of Interest does not guarantee a place on the Scheme. The purpose of the Registration of Interest process is to provide information about your future work plans so that you can be considered for one of the places on the Scheme.

3. Confirmation on the Scheme

- 3.1 There are limited places on the Scheme. Successfully registering your interest for the Scheme does not guarantee you will be confirmed on the Scheme.
- 3.2 A separate process will be conducted by the Ministry (following consideration of your Registration of Interest) to formally confirm you on the Scheme. You will be advised in writing whether your Registration of Interest has been confirmed.
- 3.3 Where the eligible number of Registrations of Interest exceeds the number of places on the Scheme, a ballot process will be applied for selection. This is not subject to appeal.

4. Participation

4.1 Once you are confirmed on the Scheme, your participation is determined by:

- your commencement date on the Scheme
- minimum employment requirements
- movement between hard-to-staff communities
- breaks and pauses in your employment
- parental leave
- work you may undertake as a locum.

In order to be eligible to receive payment from the Scheme you must comply with the eligibility criteria for payment (clause 5).

Eligibility Criteria

4.2 To be eligible for the Scheme, you must:

- work as a midwife in one of the hard-to-staff communities (clause 4.3) for midwives for the next three to five years OR
- work as a Lead Maternity Carer (LMC) in one of the hard-to-staff communities for LMCs (clause 4.5) for the next three to five years AND
- undertake appropriate entry to practice training, which must include the Midwifery First Year of Practice programme and may include employer-run programmes.
- **Note:** you may move between listed areas as per clauses 4.18 to 4.19.

Midwives employed by district health boards (DHBs)

4.3 **The 2018 hard-to-staff communities for midwives employed by DHBs are:**

- Auckland DHB
- Bay of Plenty DHB
- Canterbury DHB
- Counties Manukau DHB
- Northland DHB
- Waikato DHB
- Waitemata DHB

Midwives as Lead Maternity Carers (LMCs)

4.4 The employment requirement for LMC midwives is based on the number of births attended as an LMC each year. This will vary depending on whether you work in an urban or predominantly rural hard-to-staff area (see clause 4.7).

4.5 **The 2018 hard-to-staff communities for LMCs** are (urban or rural) communities within the following DHBs:

- Auckland DHB
- Bay of Plenty DHB
- Counties Manukau DHB
- Lakes DHB
- MidCentral DHB
- Waikato DHB
- Waitemata DHB

4.6 Where communities are defined by reference to a DHB, the area is that specified for that DHB under the New Zealand Public Health and Disability Act 2000. Employment for LMCs is within the community area.

4.7 **The required number of births for LMCs** participating in the Scheme are as follows:

- when the Commencement Date (on the Scheme) is in the first postgraduate year, LMCs working in hard-to-staff **urban** communities are required to attend at least 20 births in their first postgraduate year of practice (clause 4.8) and at least 30 births for

- their second and subsequent years of practice
- when the Commencement Date is in the first postgraduate year, LMCs working in hard-to-staff **rural** communities are required to attend at least 15 births in their first postgraduate year of practice, and at least 21 births for their second and subsequent years of practice
- when the Commencement Date is not the first postgraduate year of practice, the LMC must attend the minimum number of births required for the second and subsequent years of practice.

4.8 You are responsible for verifying the number of births attended as an LMC each year and will be required to make a declaration and **provide a report from your midwifery provider organisation regarding the number of urban and/or rural births** you have attended as an LMC annually (clause 4.7) before each bonding payment is made. If you make birth claims directly via the Ministry of Health, please make contact by emailing vbs@moh.govt.nz for more information.

Changes to Hard-to-Staff Communities

4.9 You must commence working in one of the hard-to-staff communities listed in clause 4.3 (midwives) or clause 4.5 (LMC). If you wish to change the community you are working in, you may only do so in accordance with clause 4.18 to 4.19.

Commencement Date

4.10 If you were already working in a hard-to-staff community on or before 1 January 2018, your Commencement Date on the Scheme is **1 January 2018**. Time employed in an eligible position prior to this date does not contribute towards the bonding period.

4.11 If you began (or begin) working in a hard-to-staff community, after 1 January 2018, your Commencement Date is the date on which your employment began.

4.12 If you have indicated in your Registration of Interest that you intend to shift into a hard-to-staff community your Commencement Date is the date that your employment in a hard-to-staff community or hard-to-staff specialty begins.

4.13 If you have not commenced DHB employment or LMC work in accordance with these Terms and Conditions by **30 June 2019** your confirmation on the Scheme will lapse and you will cease to be eligible for the Scheme and payments.

Minimum Employment Requirements

4.14 To be eligible for payments, DHB-employed midwives must be employed for a minimum 0.6 Full Time Equivalent (FTE). This may be an average FTE for any 12 month period of employment if your hours worked fluctuated for any reason.

4.15 The eligibility criteria for LMCs (clause 4.7) have been developed to match an LMC's workload as closely as possible to the 0.6 FTE requirement for midwives employed by DHBs.

4.16 You will not be eligible for payment from the Scheme if you undertake substantive or continuous locum work which means that you cannot meet the breaks and pauses clauses (clauses 4.20 to 4.22 and 4.26 to 4.28).

4.17 You are responsible for verifying that the FTE or birth requirements have been met and will be required to make a declaration and provide a certificate of service from your employer(s) or midwifery provider organization before each bonding payment is made (clause 5).

Moving Between Hard-to-Staff Communities

- 4.18 You may move between hard-to-staff communities:
- listed in clause 4.3 (midwives) or clause 4.5 (LMCs)
 - listed in any Voluntary Bonding Scheme Terms and Conditions for midwives after 2018.
- 4.19 You cannot move to a hard-to-staff community that is listed in any Voluntary Bonding Scheme Terms and Conditions before 2018.

Breaks and Pauses in the Term of Service

- 4.20 You can take up to 14 weeks absence (total paid and unpaid leave, not including Parental Leave) in any 12 month period from your position in a hard-to-staff community without affecting your eligibility for bonding payments. Such an absence is known as a “break”.
- 4.21 A “pause” is any time beyond the 14 weeks break allowance that you spend away from the hard-to-staff community. Time taken as pauses must be added to the term necessary to complete the bond, and no more than ten weeks may be added during the course of any one year. No more than 50 weeks in total can be added to the five year bonding term.

Total absences of more than 24 weeks in any 12 month period (not including Parental Leave) will render an applicant ineligible for the Scheme and payments.

- 4.22 Breaks and pauses include any leave or absence from employment, with or without pay, including normal employment leave entitlements, such as annual leave and sick leave. Locum work will also be considered against the breaks and pauses provisions (see clauses 4.26 to 4.28).

Parental Leave

- 4.23 You may take up to 52 weeks parental leave, in accordance with the Parental Leave and Employment Protection Act 1987 and remain on the Scheme.
- 4.24 Time spent on parental leave does not accrue towards your bonding period and must be made up. The bonding period will automatically restart as soon as you return to work in one of the hard-to-staff communities listed in clause 4.3 (midwives) or clause 4.5 (LMCs).
- 4.25 Time spent on parental leave is separate to the break and pause provisions (clauses 4.20 to 4.22).

Working as a Midwifery Locum

- 4.26 Locum work that you may undertake is considered an absence under these terms. If you undertake locum work such that you cannot meet the breaks and pauses clauses (clauses 4.20 to 4.22), you will not be eligible for payment from the Scheme.
- 4.27 For the purposes of the Scheme, a locum is considered to be someone who provides the services in the stead of another midwife or LMC within the same scope of practice.
- 4.28 When you apply for payments from the Scheme, you will be asked to confirm that you have not engaged in “substantive” locum work.

Exemptions and Reviews in Exceptional Circumstances

- 4.29 If there is a change in your circumstances that is exceptional and results in an inability to meet the 2018 Terms and Conditions, you may request an exemption from the Ministry for a specified period. Exemptions from the standard Terms and Conditions will only be granted in exceptional circumstances, at the discretion of the Ministry. It is strongly recommended that you seek an exemption prior to becoming ineligible under the normal

terms. If you are applying for payment, and have not met the terms due to exceptional circumstances, you can also request a retrospective review.

- 4.30 Applications for exemptions under exceptional circumstances must be made in writing, with a clear explanation as to what clauses cannot be met and the exceptional circumstances which have prevented you from meeting the Terms. These can be sent to vbs@moh.govt.nz, or submitted along with an application for payment.

5. Payment

- 5.1 You are responsible for initiating the first claim for payment after three full years (36 months) have been completed on the Scheme, in accordance with these Terms and Conditions, starting from your Commencement Date (see clauses 4.10 to 4.13).
- 5.2 If you remain on the Scheme for a fourth and fifth year, you are responsible for initiating the second and third claims for payment.
- 5.3 **To receive payment under the scheme, you must apply for payment within twelve (12) months of becoming eligible for payment under the Terms and Conditions.** The Ministry strongly encourages you to apply for payment no later than six months after becoming eligible to apply, under the terms and conditions.
- 5.4 The Ministry also recommends that you check your progress while participating in the Scheme (by contacting us via email at vbs@moh.govt.nz), particularly:
- at the three, four and five year points after registering for the Scheme, and
 - if you change employers, communities, practice type, take parental leave or extended leave.
- 5.5 You will only be eligible for payments if you have:
- worked for at least three full years (1st payment) in accordance with these Terms and Conditions. Up to two additional payments can be applied for upon completion of a fourth or fifth year.
 - met the minimum full time equivalent (FTE) employment requirements for midwives (clauses 4.14 to 4.17) OR
 - the required number of births for LMCs (clause 4.7) AND
 - complied with the rules governing breaks and pauses (clauses 4.20 to 4.22), Parental Leave (clauses 4.23 to 4.25), and locum work (clauses 4.26 to 4.28) for the Scheme.
- 5.6 No payments will be made until you have:
- applied for payment in accordance with the application for payment process
 - submitted a declaration confirming that you have met these Terms and Conditions
 - provided a certificate of service from your employer(s) or midwifery provider organisation confirming that your employment has complied with the Terms and Conditions of the Scheme during the bonding period.
- 5.7 Details of further information required to confirm that you have met the Terms and Conditions of the Scheme and to enable payment to be made (e.g. proof of identity) are outlined in the payment application form, which will become available on the Ministry of Health website in January 2021.
- 5.8 If you have a student loan, the net Scheme payment will be made against your student loan. If the balance of your student loan is less than the Scheme payment, you will need to contact Inland Revenue once the payment has been made to enable the difference to be paid to you.
- 5.9 If you do not have a student loan, the net Scheme payment will be paid directly to you.
- 5.10 Payment for DHB midwives and LMCs for each period of 12 months completed on the Scheme is **\$3,500** after tax (net)

- 5.11 If you are an independent contractor, a gross payment will be made and the net amount you receive will depend upon your personal tax situation.
- 5.12 Scheme payments are subject to income tax and may affect your tax situation, for example, in relation to provisional tax, Working for Families and child support payments.
- 5.13 The Ministry recommends that you seek independent advice on how the payment will affect your tax position. For further tax information, contact Inland Revenue.

6. Privacy Statement

- 6.1 All of the information you provide in the Registration of Interest form will be treated as personal information and will be used, stored and disclosed in accordance with the provisions of the Privacy Act 1993.
- 6.2 By submitting the Registration of Interest form, you are authorising the Ministry of Health to collect personal information about you , and consenting to relevant information being shared with other key stakeholders, including your employer, for the purposes of the Voluntary Bonding Scheme. This information will be stored and used by the Ministry for purposes associated with the Scheme, in accordance with the provisions of the Privacy Act 1993.
- 6.3 The information will be kept confidential and will not be disclosed to any person except in connection with the purposes for which it is obtained, or by operation of law.
- 6.4 You have the right to contact the Ministry to request access to and correction of any personal information held about you.
- 6.5 We suggest you print a copy of these Terms and Conditions for your records.