

Voluntary Bonding Scheme Terms and Conditions for Nurses 2016

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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 nursing graduates who agree to work in hard-to-staff communities and/or hard-to-staff specialties 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 specialty or 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 at the time you make an application for payment;
 - have completed your final year of study in 2015 for your base qualification for your profession at an accredited New Zealand Training Institution (clauses 1.10 to 1.12)
 - be registered, or be eligible to be registered with the Nursing 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 either a hard-to-staff specialty or hard-to-staff community as per the eligibility criteria for your profession (clauses 4.2 to 4.4); and
 - comply with all other terms and conditions of the Scheme.
- 1.4 Participation on 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 have had your place on the Scheme confirmed and have met the Scheme's Terms and Conditions during the Participation phase.
- 1.6 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.
- 1.7 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 and specialties.
- 1.8 You are responsible for notifying the Ministry of any change of address, email address or other contact details on an annual basis.
- 1.9 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

- 1.10 You must:
- have completed, in 2015, the requirements of a training programme for Nursing from the list of accredited institutions below; and
 - be eligible to be registered with the Nursing Council of New Zealand.
- 1.11 Accredited training institutions for Nursing are:
- Auckland University of Technology
 - Eastern Institute of Technology
 - Christchurch Polytechnic Institute of Technology
 - Manukau Institute of Technology
 - Massey University
 - Nelson Marlborough Institute of Technology
 - Northland Polytechnic
 - Otago Polytechnic
 - Southern Institute of Technology
 - Te Whare Wānanga o Awanuiāraangi
 - UCOL Universal College of Learning
 - UNITEC New Zealand
 - University of Auckland
 - Waiariki Institute of Technology
 - Waikato Institute of Technology
 - Western Institute of Technology
 - Whitireia Community Polytechnic.
- 1.12 New Zealand citizens and permanent residents who gained their base professional qualifications from an overseas training institution in 2015, and who meet the registration requirements of the Nursing 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 the confirmation of your place on the Scheme.

Definition of a Graduate

- 1.13 Eligible graduates are those who completed their studies in 2015 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 (subject to approval of your application).
- 2.2 To register your interest you must complete the online Registration of Interest application 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, usually taking place between February and March each year. You are responsible for ensuring that you register during this period. Entries outside this period will not be considered.
- 2.3 A Registration of Interest is not an application for 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 (following consideration of your Registration of Interest) to formally confirm you on the Scheme will follow your Registration of Interest. You will be advised in writing whether your place on the Scheme is 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 and/or specialties
- breaks and pauses in your employment
- parental leave
- work you may undertake as an agency nurse or 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 nurse in one of the hard-to-staff specialties for nurses for the next three to five years OR
- work as a nurse in one of the hard-to-staff communities for nurses for the next three to five years

AND

- undertake appropriate entry to practice training, which may include the Nursing Entry to Practice programme, the Nursing Entry to Specialist Practice – Mental Health and Addiction programme and employer-run programmes.

4.3 **The 2016 hard-to-staff specialties** are:

- Aged Care (aged residential care and older persons' health services)
- Mental Health (hospital and community, including addiction services)
- Community Care (including practice nurses, public health nurses, well child (Tamariki Ora) nurses, district nurses and Māori and Pacific provider nurses).

4.4 **The 2016 hard-to-staff communities** are:

- Wairoa District
- West Coast DHB
- South Canterbury DHB.

Changes to Hard-to-Staff Communities, Specialties and Professions

4.5 You must commence working in one of the hard-to-staff specialties or hard-to-staff communities listed in clauses 4.3 and 4.4. If you wish to change either your specialty or the community you are working in, you may only do so in accordance with clauses 4.14 to 4.15.

Commencement Date

- 4.6 Your time on the Scheme is calculated from the Commencement Date of employment.
- 4.7 If you were already working in a hard-to-staff community or specialty on or before 1 January 2016, your Commencement Date is **1 January 2016**. Time employed in an eligible position prior to this date does not contribute towards the bonding period.
- 4.8 If you began (or begin) working in a hard-to-staff community or specialty, after 1 January 2016, your Commencement Date is the date on which your employment began.
- 4.9 If you have indicated in your Registration of Interest that you intend to shift into a hard-to-staff community or specialty, your Commencement Date is the date that your employment in a hard-to-staff community or hard-to-staff specialty begins.
- 4.10 If you have not commenced employment in accordance with these requirements by **30 June 2017** your confirmation on the Scheme will lapse and you will not be eligible for the Scheme in any later year.

Minimum Employment Requirements

- 4.11 To be eligible for the Scheme you must be employed for a minimum of 0.6 FTE (this may be an average FTE during any 12 month period of employment if the hours worked fluctuated for any reason).
- 4.12 You will not be eligible for payment from the Scheme if you undertake substantive or continuous locum work or agency nurse work (clauses 4.22 to 4.25).
- 4.13 You are responsible for verifying that the FTE requirements have been met and will be required to make a declaration and provide a certificate of service from your employer(s) before each bonding payment is made (clause 5).

Moving Between Hard-to-Staff Communities and/or Specialties

- 4.14 You may move between hard-to-staff communities and specialties
- listed in clause 4.3 and 4.4 OR
 - listed in any Voluntary Bonding Scheme Terms and Conditions for nurses after 2016.
- 4.15 You cannot move to a hard-to-staff community or specialty that is listed in any Voluntary Bonding Scheme Terms and Conditions before 2016.

Breaks and Pauses in the Term of Service

- 4.16 You can take up to 14 weeks absence (total paid and unpaid leave, not including Parental Leave) in a 12 month period from your position in a hard-to-staff community and/or hard-to-staff specialty without affecting your eligibility for bonding payments. Such an absence is known as a “break”.

4.17 A “pause” is any time beyond the 14 weeks break allowance that you spend away from the hard-to-staff community and/or hard-to-staff specialty. Time taken as pauses is 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.

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.

4.18 Breaks and pauses include any leave from your employment, with or without pay, including normal employment leave entitlements, such as annual leave and sick leave.

Parental Leave

4.19 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.

4.20 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 a hard-to-staff community and/or hard-to-staff specialty listed in clauses 4.3 and 4.4.

4.21 Time spent on parental leave is separate to the break and pause provisions (clauses 4.16 – 4.18).

Working as a Locum or Agency Nurse

4.22 If you undertake substantive or continuous locum work or agency nurse work you will not be eligible for payment from the Scheme.

4.23 The Ministry defines “substantive” locum work or agency nurse work as being a period of six weeks or more, but does not include undertaking additional duties for your employer.

4.24 For the purposes of the Scheme, a locum is considered to be someone who provides the services in the stead of another nurse within the same scope of practice during normal working hours.

4.25 When you apply for payments from the Scheme, you will be asked to confirm that you have not engaged in “substantive” locum or agency nursing work.

Exceptions

4.26 If there is a change in your circumstances that results in an inability to continue to meet the 2016 Terms and Conditions, you may request an exemption for a specified period. Please refer to clause 7.

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 4.6 to 4.10).

5.2 If you stay on the Scheme for a fourth and fifth year, you are responsible for initiating the second and third claims for payment.

5.3 You must apply for payment within nine months of becoming eligible.

- 5.4 You will only be eligible for payments if:
- you have been employed for three full years in accordance with these Terms and Conditions
 - you have met the minimum full time equivalent (FTE) employment requirements (clauses 4.11 to 4.13)
 - you have complied with the rules governing breaks and pauses (clauses 4.16 to 4.18), Parental Leave (clauses 4.19 to 4.21) and locum and agency work for the Scheme (clauses 4.22 to 4.25).
- 5.5 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) confirming that your employment has complied with the Terms and Conditions of the Scheme during the bonding period.
- 5.6 Details of further information required to confirm that you have met these Terms and Conditions and to enable payment to be made (e.g. proof of identity) are outlined in the application for payment. Application for payment forms will be available on the Ministry of Health website early January 2019.
- 5.7 If you have a student loan, the full 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.
- 5.8 If you do not have a student loan, the Scheme payment will be paid directly to you.
- 5.9 Payment for nurses for each period of 12 months completed on the Scheme is **\$2,833** after tax.
- 5.10 Scheme payments are subject to income tax and may affect your tax situation, for example, in relation to provisional tax, Working for Families child support payments.
- 5.11 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. 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.

7. Review in Special Circumstances

- 7.1 If your circumstances change, and the break, or pause or parental leave clauses do not apply, you may apply for a review by the Review Panel.
- 7.2 Applications to the Review Panel must be made to ybs@moh.govt.nz and in accordance with its procedures.