

Frequently Asked Questions on the instruction regarding non co-operation with aspects of SNA reassignments

Why has this instruction been issued?

The non-cooperation instruction has issued to SNA members to protect against any inappropriate HSE assignments. SNAs are willing to provide a new remote service to students, families and carers left without support since the schools closed. However, some elements of the HSE proposal could lead to SNAs being asked to work on a one-to-one basis with students and families.

It is not clear how this is consistent with public health advice as SNAs are not designated as essential workers. We are also mindful of the original intention to assign SNAs to work in HSE Elderly Care, therefore to ensure that this cannot happen SNAs are instructed by Fórsa not to co-operate with any non-remote work assignment until further notice.

What can Fórsa do to support me?

We do not believe that any SNA will be approached by the HSE to work in a healthcare assistant role. However if this were to happen, you should inform the union and Fórsa will immediately intervene to defend the interests of our members. We will take any necessary measure to ensure SNA members remain safe. The greatest protection lies in all members sticking to the non-cooperation instruction. That's a message that cannot be ignored.

What does the instruction mean?

If approached by the HSE to take on an assignment that is not remote working you should state that you are refusing to accept the assignment on instruction from your trade union.

Is this industrial action?

No. The non-cooperation instruction is not industrial action. These instructions are issued by trade unions where members are asked by their employer to work in an unsafe manner.

What will the HSE do if I refuse an assignment?

The HSE is not your employer therefore they are not entitled to take any action against any SNA who refuses to accept an assignment. Fórsa members are co-operating with the significant effort to maintain public services during the pandemic, SNAs remain employed by their school or ETB

throughout the reassignment process. The HSE is, in effect, requesting help with maintaining services and cannot take any action against an SNA who refuses an assignment.

What will the DES do if I refuse an assignment?

The DES has not indicated any intention to take any action against an SNA who refuses an assignment. Fórsa members will accept any reasonable assignment which does not require them to put their health at risk or to undertake work for which they are not trained or qualified.

When will more talks with the DES and HSE take place?

We understand that the DES and the HSE are now to engage with each other (this of course should have happened before the announcements on reassignments were made). Once they have concluded that discussion, talks with Fórsa will resume.

Why did the HSE want to use SNAs as care assistants and why didn't the DES stop them?

We are not sure of the answer to this question, which has been raised by many members. It is possible that someone unfamiliar with the work and qualifications of SNAs looked through the list of duties set out in the 2014 SNA Circular and concluded that the SNA role was in some way comparable to the nursing care work carried out by healthcare assistants. It is for the Department to answer as to why they did not rule out this option. When it was disclosed to Fórsa that assignment into Elderly Care was an expectation we insisted that section of the Circular was deleted.

When am I likely to be approached by the HSE?

You are not likely to be approached for some weeks. Firstly the vetting process has to be completed. This may take some time. Then the HSE has to determine how the new remote service will function and what policies and procedures will be in place. Again this may take some time. No matter when you are approached, you should co-operate with any remote working assignment but refuse to undertake any other assignment until such time as the instruction is lifted.

Why does the HSE want SNAs to be Garda vetted?

Child protection regulations dictate that the HSE must conduct vetting for anyone commencing work with children, young people or vulnerable adults. A previous Garda clearance is not sufficient.

What if I have already completed a vetting form with the healthcare assistant designation?

It makes no difference which designation is used as TTM do not make assignments. They are only handling the vetting process as the HSE has no staff available to complete the work. The critical issue is what assignment the HSE propose and that's where the non-cooperation instruction is relevant.

Will SNAs lose public support?

No. The union's media statements are stressing SNA co-operation with the new remote working service for SEN students and families, correctly noting the real need for such services to be provided. In respect of work as a healthcare assistants we are stressing how inappropriate and unsafe that role would be and therefore we have instructed members not to put themselves or others at risk.

ENDS