

Minister for Employment and Workplace Relations, the Hon Tony Burke MP (Cabinet Minister) 1 June 2022 | Minister for Skills and Training, the Hon Brendan O'Connor MP (Cabinet Minister) 1 June 2022

PURPOSE

The Department of Employment and Workplace Relations supports people to have safe, secure and well-paid work with the skills for a sustainable future. (Page 13, PBS)

Outcome 1: Foster a productive and competitive labour market through policies and programs that assist job seekers into work, including secure work, and meet employer and industry needs.

Outcome 2: Promote growth in economic productivity and social wellbeing through access to quality skills and training.

Outcome 3: Facilitate jobs growth, including secure work, through policies and programs that promote fair, productive and safe workplaces.

ASL

- ASL Estimate: 2023-24 – 3,557 (p23 PBS)**
 - 2022-23 (Oct PBS): **2,915**
 - 2022-23 (May PBS): **3,016**
- ASL Movements: Budget included approx. 642 new ASL from 2022-23 (at Oct) to 2023-24 (at May)

PEOPLE PROFILE

APS Headcount

- 3,286 people
- 3,132 ongoing / 154 non-ongoing
- 2,782 full-time / 504 part-time

Senior Executive Service (SES)

Data includes long-term acting >3 months only.

- 101 (actual) against 99 (SES Cohort) (100.9 FTE)
- Band 1: 76 (headcount)
- Band 2: 22 (headcount)
- Band 3: 3 (headcount)

Full-time Equivalent (FTE)

- 3,098.7 FTE
- 2,964 ongoing / 134.7 non-ongoing (4.5%)
- 2,737 full-time / 361.7 part-time (13.2%)
- Executive Group – 24.6
- Employment and Workforce – 1,009
- Skills and Training – 663.1
- Jobs and Skills Australia – 154.3
- Workplace Relations – 320.3
- Corporate and Enabling Services – 927.4
 - Corporate Services – 293.6
 - Corporate IT – 633.8 (TSD and DSD)

FINANCES

Department finances 2023-24 (as at 2023-24 PBS)

- \$662.3 million (2022-23), \$679.0 million (2023-24) in departmental appropriations** (to run the department and to manage programs, p56 PBS)
- \$106.8 million (2022-23), \$75.5 million (2023-24) in departmental revenue*** (rental income, resources received free of charge, rendering of services, p56 PBS)
 - *INCLUDES revenue related to machinery of government changes
- \$866.7 million (2022-23), \$838.1 million (2023-24) in departmental expenses** (p56 PBS)

CASUALS/CONTRACTORS

Casual workforce by Group (Total of 8)

Casual staff engaged for irregular or intermittent duties

- Employment and Workforce**, 5 (Behavioural Economics Practitioner, Communication Officer, Data Analyst, Economist, Strategic Policy and Development Officer)
- Jobs and Skills Australia**, 1 (Admin Support)
- Workplace Relations**, 2 (Program Managers)

Contractors

- 976 contractors** (221 decrease from July 2022)
- 526 ICT | 450 non-ICT (273 in Employment and Workforce Group)

PEOPLE MOVEMENTS Jul 22– Mar 23

- Commencements: 705 Separations: 468
- Staff Separation Rate: 19.2%
- Voluntary Redundancies: 1 (Incentive to retire)
- Employment opportunities: 510 (182 Internal and 328 external).

WELLBEING Jul 22 – Mar 23

- COVID-19 cases - 599 confirmed (434 APS and 165 Contractors)
- Harassment complaints – 16 (7 investigations, 9 informal)
- Sexual harassment complaints – 2 (ongoing)

INVOICING

Invoicing

- 99.4% invoices paid within 20 days
- 1 July 2022 to 31 December 2022
- 0 (2020-21) – no comparative data
- e-invoicing delivered by SDO in Dec 2020

REMOTE WORK

- 1,415 APS staff (43.1%) as at 31 March have an approved regular working remotely arrangement. An average of 1.8 days per week. This includes 5 APS employees with an international remote work arrangement).

PEOPLE BY LOCATION

Domestic locations (headcount)

- Adelaide (220)
- Bendigo (27)
- Brisbane (205)
- Canberra (2,405)
- Cairns (1)
- Darwin (16)
- Hobart (39)
- Melbourne (142)
- Newcastle (22)
- Orange (3)
- Perth (50)
- Rockhampton (2)
- Sydney, CBD (74)
- Sydney, Ryde (66)
- Townsville (12)

International locations (headcount)

- Paris (1)
- Geneva (1)

Domestic offices by State

- ACT (2,405)
- NSW (165)
- NT (16)
- QLD (220)
- SA (220)
- TAS (39)
- VIC (169)
- WA (50)

International remote work locations:

- India, ^S22(1), CES Group
- Japan, ^S22(1), WR Group
- Rome, ^S22(1), WR Group
- Solomon Islands, ^S22(1), EW Group
- Washington DC, ^S22(1), WR Group

PROGRAMS

Program expenditure 2023-24 - \$4.7 billion (as at 2023 24 PBS)

- \$1.9 billion for employment (p33 PBS)
 - \$2.2 billion for skills and training (p40 PBS)*
 - \$0.6 billion for workplace relations (p50 PBS)
- *EXCLUDES payments through Treasury to National Partnership

EFFICIENCY

Efficiency Dividend (as at October Budget)

- 2020-21 – 2% (pre DEWR)
- 2021-22 – 1.5% (pre DEWR)
- 2022-23 – 1%
- 2023-24 – 1%
- provided approx. 66 new ASL

DIVERSITY

Diversity Profile

- First Nations – 2.0% (67 incl. 2 SES)
- People with disability – 4.3% (141 incl. 5 SES)
- Employees born overseas – 22.1% (725 incl. 13 SES)
- Employees born in non English speaking country – 15.6% (513 incl. 6 SES)
- Mature age (>55) – 14.6% (479 incl. 26 SES)
- Female – 59.6% (1,960 incl. 75 SES)
- Male – 40.3% (1323 incl. 46 SES)
- Indeterminate – 0.1% (3)
- Gender pay gap 0.4% in favour of men

Employee Networks

- Ability and Carers Network
- Aboriginal and Torres Strait Islander Network
- Culturally and Linguistically Diverse (CALD) Network
- Pride Network
- Gender Equity Network

ENTRY LEVEL PROGRAMS

- 52 graduates including 7 ICT graduates
- 7 apprentices/trainees incl. 2 Indigenous apprentices
- 3 interns - Australian Network on Disability Stepping Into program (2023)

DEWR Workforce Metrics

31 March 2023

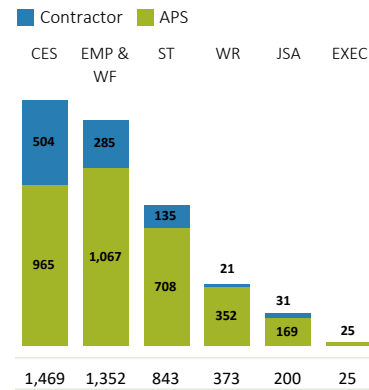
4,262

Total headcount*
(APS and Contractor)

APS		Contractor	
3,286 (77%)		976 (23%)	
Ongoing	Non ongoing	ICT	Non ICT
3,132 (95%)	154 (5%)	526 (54%)	450 (46%)

* Excludes Secretary, inactive staff, casuals, public office holders, committee and board members and locally engaged staff.

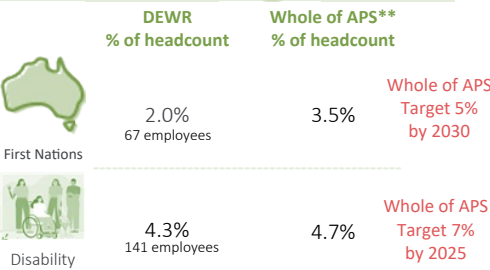
Total headcount by Group



Total headcount by location

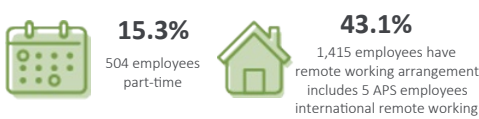
Location	APS		Contractor		Grand Total	
	No.	%	No.	%	No.	%
ACT	2,405	73%	614	63%	3,019	71%
NSW	165	5%	69	7%	234	5%
NT	16	0%	1	0%	17	0%
QLD	220	7%	132	14%	352	8%
SA	220	7%	128	13%	348	8%
TAS	39	1%	5	1%	44	1%
VIC	169	5%	24	2%	193	5%
WA	50	2%	3	0%	53	1%
OS	2	0%	0	0%	2	0%
Total	3,286	100%	976	100%	4,262	100%

APS headcount at a glance

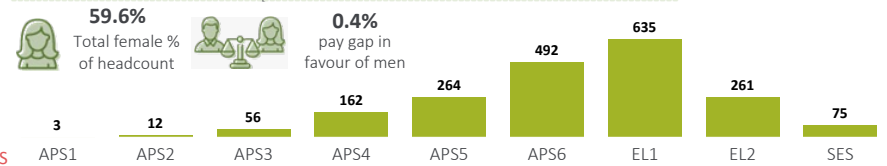


**Source: APS Statistical Bulletin 30 June 2022

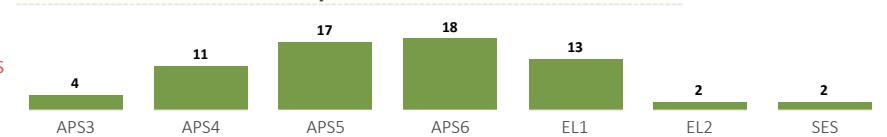
Workplace flexibility



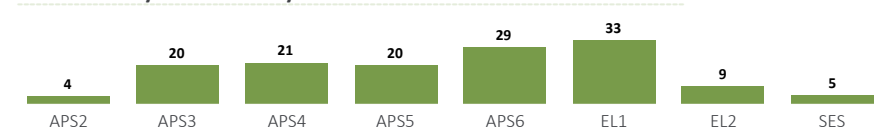
APS Female headcount by classification (total 1,960)



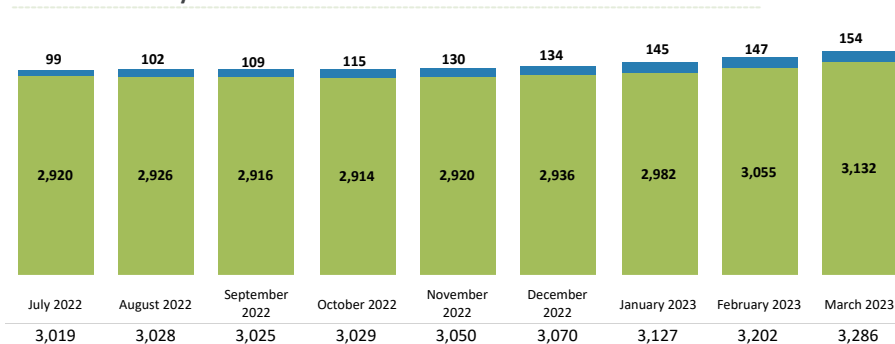
APS First Nations headcount by classification (total 67)



APS Disability headcount by classification (total 141)



APS headcount by month



APS Separations by month

	July 2022	August 2022	September 2022	October 2022	November 2022	December 2022	January 2023	February 2023	March 2023	Total
DEWR Corporate and Enabling Services	14	20	15	19	19	10	13	23	15	148
Employment and Workforce Group	19	13	13	20	7	13	13	22	13	133
Executive Group DEWR								2		2
Jobs and Skills Australia	3	3	3	3	2		4	2	2	22
Skills and Training Group	16	17	13	9	7	12	11	8	11	104
Workplace Relations Group		9	6	12	13	3	7	6	3	59
Total	52	62	50	63	48	38	48	63	44	468

Commencements by type Jul 22 - Mar 23

	Non-SES	SES	Total
Engagement - Ongoing	279		279
Transfer	206	5	211
Engagement - Non-Ongoing	145	1	146
Promotion	49	2	51
Temp transfer	16		16
Transfer - Reduction in Level	2		2
Total Commencements	697	8	705

Separations by type Jul 22 - Mar 23

	Non SES	SES	Total
Transfer	212	9	221
Resignation	139		139
Promotion	45	2	47
Retirement	38	1	39
Completion NOG	15		15
Miscellaneous	4		4
Termination	3		3
Total Separations	456	12	468



Topic Contracts and consultancies

Deputy Secretary Deborah Jenkins, s 22(1)

Key points

- Our focus on **building internal capability first** recognises and responds to the Government's commitment to rebuilding APS capability and capacity, reduce wasteful spending, and will support any related efforts across Government to establish an In-House consulting capability.
- As part of delivering on DEWR's outcomes, there **will continue to be a need to engage consultants** to obtain specialist advice and support, and to enter into contracts for services to supplement existing capabilities within the department.
- In response to recent developments **DEWR is reviewing existing arrangements and guidelines already in place** to ensure they continue to support and guide staff on appropriate use of consultants, how to enter into contracts for services, and how to achieve a value for money outcome when doing so.
- In the current financial year to 24 May 2023, DEWR has had sixty one active Consultancy contracts with a total committed value of \$21,078,245.90.
- Approximately 69% of overall departmental contractual commitments relate to Employment Services.
- Contracts for services will relate to work undertaken under the supervision of the department and will be complementary to the work of departmental staff. Further information on the department's approach to the conversion of external labour hire from some contracts for service to APS positions is set out in brief EC23-002687.
- Consultancy arrangements are only to be entered into where there is a clear business need to do so. The department's **Accountable Authority Instructions and Financial Delegations are clear on the delegation (SES Band 3)** for the approval of consultancy arrangements.
- The Pocock Inquiry was established on 9 March 2023 and will inquire in the management and assurance of integrity by consulting services provided for the Australian Government. Refer IQ23-000193 attached.
- The Pocock Inquiry is considering written submission ahead of further public hearings in June 2023. **DEWR has not provided a written submission but has responded to five of Senator Pocock's written questions** on DEWRs dealings with the Big7, contracts, Commissioned reports and consultancy services. [refer IQ23-000193, IQ23-000194, IQ23-000195, IQ23-000196, IQ23-000197].
- **DEWR manages conflicts of interest by requiring Conflict of Interest (Col) declarations agreed management strategies for any actual or perceived conflict.** To assist DEWR provides advice and guidance for managers and employees to disclose and take reasonable steps to avoid Conflicts of Interest in connection with their APS employment including fact sheets and self-assessment checklists.



What are the Department’s processes and policies for procuring consultants?

- DEWR adheres to the Commonwealth Procurement Rules (CPRs) and associated procurement policies and ensures its compliance via the Accountable Authority Instructions (AAs) and Financial Delegations, as issued by the Secretary, and which apply to all DEWR officials.
- Procurements **over \$80,000 require either an open/limited tender approach to market or use of an existing approved panel arrangement.** Consulting services acquired by DEWR through Department of Finance’s Mandatory Management Advisory Services Panel have require a declaration of any Col prior to commencement and during the provision of services.

Consultancy Arrangements:

Required Approvals	Responsible Delegate Level	Value \$AUD (GST included)
PGPA Section 23¹	SES Band 1	Up to \$200,000
	SES Band 2	Up to \$1 million
	SES Band 3	Limit of available group budget

General Departmental Funded Procurement:

Required Approvals	Responsible Delegate Level	Value \$AUD (GST included)
PGPA Section 23	Executive Level 1	Up to \$30,000
	Executive Level 2	Up to \$100,00
	SES Band 1	Up to \$500,00
	SES Band 2	Limit of available division budget
	SES Band 3	Limit of available group budget

How does DEWR support transparency and accountability regarding contracts, including for consultants?

- DEWR applies transparency requirements of the Procurement Framework, including:
 - reporting all relevant contracts on AusTender within **42 calendar days** per Commonwealth Procurement Rules
 - publish all contracts above **\$100,000 on the internet twice per year and table in the Senate within 2 months**, known as Senate Order 13 Entity
 - participation in regular internal and external ANAO performance audit processes

¹ All consultancy arrangements regardless of value must have a procurement plan approved by a SES Band 3 before committing to the arrangement.



- Contracts entered into by DEWR contain agreed objectives, statement of requirements/terms of reference and guidance on the reporting framework. Milestone deliverables are documented and generally payments are made based on invoice, following satisfactory completion of services.

How does DEWR manage conflict of interests?

- DEWR's Col Policy sets out the application of the Code of Conduct to DEWR staff and the APS Values and outlines common scenarios to support management of potential conflicts.
- All Key Management Personnel (KMP), SES, Statutory Office Holders (SOH) and equivalent staff members (including acting at SES level for more than 3 continuous months) are **required to complete a declaration of personal interests (declaration) at least annually** and upon commencement, promotion, temporary or permanent movement to another role or whenever there is a change in personal circumstances.
- **All non-SES employees and workers must notify** their managers of private interests, both pecuniary and personal, that present a real or apparent conflict with their official duties. If there is something to declare, a declaration must be completed, assessed by the People Branch and placed on the worker's personnel file.
- DEWR recognises the potential for conflict to arise in internal and external committees established by DEWR where the chair and/or members can significantly influence decisions. **DEWR's Col Policy stipulates that committees and boards should establish Col procedures set out in the Committees' Operational Guidelines**, Terms of Reference which are addressed as a standing item on the agenda for continuous disclosure purposes.
- DEWR's Secretary and Deputy Secretary, Corporate and Enabling are **former partners of members of the Big 7** (Deloitte and KPMG respectively) and have declared this as a potential conflict of interest.

Contracted amounts

- From 1 July 2022 to 24 May 2023, **DEWR has had 3,209 active contracts with a total value of : \$9,206,580,441.38:**
 - **475 contracts relating to Employment Services** (These are services that help job seekers overcome barriers and develop the skills they need to gain employment. These services are delivered through a network of not-for-profit and for-profit employment services providers). With a total value \$6,333,973,894.92.
 - That is **14.8% by number of contracts or 68.8% by value.**
 - The balance of 2,734 contracts in the same period is made up of:



Top 7 Categories by number of contracts

Category	No. of Contract	% of Total
Computer services	790	24.6%
Employment services	475	14.8%
Personnel recruitment	263	8.2%
Computer Equipment and Accessories	236	7.4%
Education and Training Services	223	6.9%
Management advisory services	167	5.3%
Other	1,055	32.8%
Total	3,209	100%

Top 7 Categories by contract value

Category	Total Contract Value	% of Total
Employment services	\$6,333,973,894.92	68.8%
Education and Training Services	\$1,288,394,299.81	13.9%
Computer services	\$577,706,708.98	6.3%
Lease and rental of property or building	\$226,599,701.61	2.5%
Personnel recruitment	\$135,881,930.64	1.5%
Components for information technology or broadcasting or telecommunications	\$127,394,036.95	1.4%
Other	\$516,629,868.47	5.6%
Total	\$9,206,580,441.38	100%

- Less than 2% of total contracts (relate to the Big 7) - 41 contracts, 17 consultancy arrangements and 24 non-consultancy arrangements) with a total value of \$ 32,637,014.23.
 - total value of **Big 7 consultancy** contracts is \$10,601,236.77
 - total value of **Big 7 non-consultancy** contracts is \$22,035,777.46



Media

Recent media:

- *The Mandarin* – 27 Jan 2023 - *Push to review government use of private accounting firms and major political donors amid PwC scandal*
[Push to review government use of private accounting firms ...](#)
- *Australian Financial Review* – 27 Feb 2023 - *Push for inquiry into consulting firms after PwC tax leaks*
[Push for inquiry into consulting firms after PwC tax leaks](#)
- *Australian Financial Review* – 5 May 2023 - *Consultants ‘tailor their work’ to win more government contracts*
[Consultants ‘tailor their work’ to win more government contracts](#)
- *Australian Financial Review* – 9 May 2023 - *Senators demand names in PwC leaks scandal*
[Senators demand names in PwC leaks scandal](#)
- *The Sydney Morning Herald* – 28 March 2023 - *Stuart Robert faces fresh questions over parliamentary committee lobbying*
[Stuart Robert faces new questions over Synergy 360 lobbying role \(smh.com.au\)](#)



Relevant QoNs and Parliamentary Questions

PDR Link	Submitted By	Subject	Answer Summary
IQ23-000197	02/05/2023	Written 23 March 2023 'Big 7' DEWR	2 DEWR SES staff are former partners of the big 7, noting no ongoing payments from the big 7, one member of DEWR boards is a previous big 7 partner, notes they are also not receiving any ongoing payments from the firm.
IQ23-000196	26/04/2023	Written 23 March 2023 Contracts awarded to PwC DEWR	There were two contracts awarded to PwC
IQ23-000195	28/04/2023	Written 23 March 2023 Consultancy Contracts DEWR	DEWR has had no contracts terminated or not fulfilled, and no legal action or disputes in relation to contracts.
IQ23-000194	28/04/2023	Written 23 March 2023 Commissioned Reports from Consultants DEWR	No reports from DEWR.
IQ23-000193	26/04/2023	Written 23 March 2023 Consultancy Services Spend DEWR	DEWR current spend is \$4,550,865.28 (as at 28 Feb) & predicted spend is \$5,786,750 on consultancy services.
SQ23-000247	11/05/2023	Consultants	DEWR had 17 consultancy services contracts between 1 July 2022 and 17 Feb 2023. DEWR spent approx. \$5,052,622.63 in this period on consultants.



Key facts, figures or dates

Key facts, figures and dates on active contracts between 1 July 2022 and 24 May 2023 can be found in:

- Attachment A – Top 10 Non-consultancy contracts –by value
- Attachment B – All Consultancy contracts - by value
- Attachment C – Total Big 4 Consultancy and Non-Consultancy contracts
- Attachment D – Contract Characteristics - Consultancy v. Non-consultancy

Last Cleared By	s 22(1)
Date Last Cleared	26 May 2023
Division	Corp Finance and Budget

Top 10 non-consultancy contracts (by value) commenced between 1 July 2022 to 31 March 2023

Note: the below table captures the estimated values of the individual contracts listed and does not capture the estimated contract values an organisation may receive across all current contracts they may have with the department.

Rank	Supplier Name	Expected Contract Value**	Category*	Austender Description	Services Purchased	Group	Start Date	End Date	Funding Source	Austender CN ID / Contract ID
1	Serendipity (WA) Pty Ltd	\$334,943,377.74	Employment services	Workforce Australia Services Licence(s) to deliver Generalist, CALD and Indigenous services	23 Licences issued for the delivery of Workforce Australia Services, the Government's mainstream employment services across 17 Employment Regions.	Employment & Workforce	1-Jul-22	30-Jun-25	Administered	CN3894125 / ES-22-0042
2	Workskil Australia Ltd.	266,436,620.49	Employment services	Workforce Australia Services Licence(s) to deliver Generalist and Ex-Offender services	10 Licences issued for the delivery of Workforce Australia Services, the Government's mainstream employment services across 8 Employment Regions.	Employment & Workforce	1-Jul-22	30-Jun-25	Administered	CN3894145 / ES-22-0017
3	AtWork Australia Pty Ltd	226,643,226.19	Employment services	Workforce Australia Services Licence(s) to deliver Generalist services	9 Licences issued for the delivery of Workforce Australia Services, the Government's mainstream employment services across 9 Employment Regions.	Employment & Workforce	1-Jul-22	30-Jun-25	Administered	CN3893999 / ES-22-0006
4	The Trustee for The Salvation Army (Victoria) Property Trust	190,767,813.69	Employment services	Workforce Australia Services Licence(s) to deliver Generalist services	7 Licences issued for the delivery of Workforce Australia Services, the Government's mainstream employment services across 7 Employment Regions.	Employment & Workforce	1-Jul-22	30-Jun-25	Administered	CN3894201 / ES-22-0025
5	MAX Solutions Pty Ltd	147,705,593.71	Employment services	Workforce Australia Services Licence(s) to deliver Generalist and Ex-Offender services	8 Licences issued for the delivery of Workforce Australia Services, the Government's mainstream employment services across 8 Employment Regions.	Employment & Workforce	1-Jul-22	30-Jun-25	Administered	CN3894113 / ES-22-0043
6	OCTEC Limited	129,527,361.69	Employment services	Workforce Australia Transition to Work Deed 2022-2027	1 contract for the delivery of Workforce Australia - Transition to Work, the Government program which helps young people into work or education across 5 Employment Regions.	Employment & Workforce	1-Jul-22	30-Jun-27	Administered	CN3857162 /
7	Enterprise & Training Company Limited	128,377,277.97	Employment services	Workforce Australia Services Licence(s) to deliver Generalist services	4 Licences issued for the delivery of Workforce Australia Services, the Government's mainstream employment services across 4 Employment Regions.	Employment & Workforce	1-Jul-22	30-Jun-25	Administered	CN3894020 / ES-22-0010
8	Karingal St Laurence Limited (Matchworks)	127,450,412.59	Employment services	Workforce Australia Services Licence(s) to deliver Generalist services	5 Licences issued for the delivery of Workforce Australia Services, the Government's mainstream employment services across 5 Employment Regions.	Employment & Workforce	1-Jul-22	30-Jun-25	Administered	CN3894485 / ES-22-0041
9	Job Futures Ltd	123,978,073.59	Employment services	Workforce Australia Services Licence(s) to deliver Generalist and Indigenous services	9 Licences issued for the delivery of Workforce Australia Services, the Government's mainstream employment services across 7 Employment Regions.	Employment & Workforce	1-Jul-22	30-Jun-25	Administered	CN3894034 / ES-22-0044
10	WISE Employment Ltd	123,688,919.61	Employment services	Workforce Australia Services Licence(s) to deliver Generalist, CALD and Ex-Offender services	7 Licences issued for the delivery of Workforce Australia Services, the Government's mainstream employment services across 5 Employment Regions.	Employment & Workforce	1-Jul-22	30-Jun-25	Administered	CN3894174 / ES-22-0019

*: Category is an Austender reporting requirement that requires procurements to be categorised under the *United Nations Standard Products and Services Code (UNSPSC)*

** These are demand driven programs and contract values published on AusTender are based on Workforce Australia program estimates as at the 2022-23 Budget (i.e. the organisations listed above may not receive these amounts in reality over the life of the respective Licence/Deed).

All consultancy contracts (by value) commenced between 1 July 2022 to 31 March 2023

Rank	Supplier Name	Contract Value	Category*	Austender Description	Services Purchased	Group	Start Date	End Date	Funding Source	CN ID / Contract ID
1	Ernst and Young	\$1,759,050.00	Management advisory services	Consultancy Services	<p>Component 1: a) Analysis and advice on the potential impacts of the AQF Review recommendations on current VET reforms to support engagement with stakeholders.</p> <p>Components 2 & 3: b) Skills Ministers have agreed, through the Jobs and Skills Summit, to simplify and modernise VET qualifications. c) As part of this work, Ministers have asked for specific advice on how a new qualification model would be implemented, including risks, impacts and transition options. d) This consultancy will consider the potential impacts of transition, including for Jobs and Skills Councils and RTOs, and provide advice on possible transition approaches. e) An optional component involves the provision of advice regarding changes that would need to be made to policies and procedures to facilitate the transition</p>	Skills & Training	11-Nov-22	28-Apr-23	Administered	CN3933731 / 4400056077
2	Grosvenor Management Consulting	\$481,877.00	Management advisory services	Review Services for Pacific Labour Mobility Scheme Operations	<p>To support a comprehensive and timely transition, the department needed to engage an independent organisational design and change management services.</p> <p>The department sought funding to source this service under contract from major consultancy / accountancy services in recognition of the current limited public service capacity and expertise in this area, the magnitude of the transition and the need to manage the changes and resourcing carefully considering multiple sensitive PALM stakeholders, including representatives from the participating countries.</p> <p>Work will involve project management of financial and information technology aspects of the insourcing exercise including infrastructure, system integration and data migration and continuing connection to a provider managed by DFAT for the delivery of offshore program elements as well and developing a change management plan for staff and external stakeholders and implementation review.</p>	Employment & Workforce	14-Dec-22	30-Jun-23	Departmental	CN3938096 / 4400056271
3	PWC	\$438,477.88	Research programs	Vocational Education and Training (VET) Student Loans and VET FEE-HELP IT Review	<p>The consultancy is for a review of the release of historical student debt records held in the VET Student Loans (VSL) Payment System (VPAYS), a number of which were released to the Australian Taxation Office on 2 and 3 August 2022 (the issue). The review is divided into two phases.</p> <p>Phase 1 of this review is to: a) Identify the key impact factors that contributed to the failure to process relevant VET FEE-HELP (VFH)/VSL debt data from VPAYS to the Higher Education Information Management System (HEIMS) and the Tertiary Collection of Student Information (TCSI) system relevant to the issue between the period 2017 to 2022. b) Subject to the completion of objective A), commence the identification of impact factors that contributed to the failure to process the remaining VFH/VSL debt data (as identified by the department) from VPAYS to HEIMS and the TCSI system over the period 2009 to 2022.</p>	Skills & Training	20-Oct-22	17-Feb-23	Departmental	CN3928076 / 4400055826

Rank	Supplier Name	Contract Value	Category*	Austender Description	Services Purchased	Group	Start Date	End Date	Funding Source	CN ID / Contract ID
					<p>Phase 2 of the review will assess whether appropriate risk mitigation treatments have been designed and implemented to reduce the likelihood and impact of recurrence in the future.</p> <p>The key deliverables are a report and the presentation of findings to relevant governance forums (as agreed to by the department)</p>					
4	Ernst and Young	\$384,681.00	Research programs	Evaluation Services	<p>An evaluation of the Industry Training Hubs (ITH), Commonwealth Scholarships Program for South Australia (CSSA) and Commonwealth Scholarships Program for Young Australians (CSYA). The evaluation will be conducted in two parts:</p> <p>ITH</p> <p>The evaluation will review the design, implementation and outcomes of the ITH and will explore the efficiency, effectiveness and appropriateness of the services offered to inform a possible full national roll out of the program.</p> <p>The project will involve:</p> <ul style="list-style-type: none"> • evaluation design, instrument development and survey tools (including all relevant documentation); • quantitative and qualitative research to gather information on participation, provider, employer and stakeholder perspectives of the program; and • reports and presentations to the department outlining the key findings, analysis and insights generated from the research. <p>CSSA and CSYA</p> <p>The evaluation will review the outcomes of the CSSA and CSYA and determine whether the programs had an impact on attraction and retention in training.</p> <p>The desktop review will involve:</p> <ul style="list-style-type: none"> • quantitative research drawing on publicly available datasets, such as NCVER, and program data provided by the department, to analyse participation and outcomes including how they compare to other training outcomes for similar groups of students. • a report and meeting with the department outlining key findings, analysis and insights generated from the research. 	Skills & Training	15-Nov-22	31-Mar-23	Administered	CN3930459 / 4400055860
5	Dandolo Partners	\$383,699.00	Research programs	Evaluation of the Digital Skills Cadetship Trial	<p>The contractor is evaluating the Digital Skills Cadetship Trial. This is Trial testing short/sharp training approaches for digital skills which combine training with mentoring and work placement.</p>	Skills & Training	10-Oct-22	30-Apr-24	Departmental	CN3917550 / 4400055376
6	Smarter Knowledge Pty Ltd	\$238,440.00	Management advisory services	Maturation of an Impact Framework and Indicators	<p>Final deliverables included an Impact Framework matured against work already delivered by the NCI. This maturation reflects a closer focus on citizen segments, and allows the NCI to measure impact, not just outputs. Additionally received were maps detailing NCI activity measured against baseline indicators at an SA4 geographic level. These maps provide a possible indication of areas of need compared to services delivered.</p>	Skills & Training	1-Aug-22	31-Oct-22	Departmental	CN3910331 / 4400055081

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7	PFM Advisory Services Pty Ltd	\$123,333.00	Audit services	Engagement of Audit and Assurance Committee Member 2022-2025	<p>Subsections 17(1) and 17(2) of the <i>Public Governance, Performance and Accountability Rule 2014</i> (the Rule) establish mandatory functions for Audit and Assurance Committee members. These functions include reviewing the appropriateness of the department's</p> <ul style="list-style-type: none"> financial reporting performance reporting system of risk oversight and management system of internal control. <p>The AAC will also review:</p> <ul style="list-style-type: none"> internal audit resourcing and coverage in relation to the department's key risks, and recommend approval of the internal annual audit plan Australian National Audit Office (ANAO) audit reports, providing advice to the secretary about significant issues identified, and the implementation of agreed actions in accordance with the department's agreed approach. <p>The AAC meets between 4-6 times a year.</p>	Corporate & Enabling	18-Oct-22	31-Oct-25	Departmental	CN3925230 / 4400055753
8	Jeff Lamond and Associates	\$123,333.00	Audit services	Engagement of Audit and Assurance Committee Member and Performance Reporting Sub Committee Chair	<p>Subsections 17(1) and 17(2) of the <i>Public Governance, Performance and Accountability Rule 2014</i> (the Rule) establish mandatory functions for Audit and Assurance Committee members. These functions include reviewing the appropriateness of the department's</p> <ul style="list-style-type: none"> financial reporting performance reporting system of risk oversight and management system of internal control. <p>The AAC will also review:</p> <ul style="list-style-type: none"> internal audit resourcing and coverage in relation to the department's key risks, and recommend approval of the internal annual audit plan Australian National Audit Office (ANAO) audit reports, providing advice to the secretary about significant issues identified, and the implementation of agreed actions in accordance with the department's agreed approach. <p>The AAC meets between 4-6 times a year.</p>	Corporate & Enabling	13-Oct-22	31-Oct-25	Departmental	CN3925231 / 4400055754
9	KPMG	\$190,383.00	Management advisory services	Consultancy Services	Consultant procured to provide advice on the structure of the Skills and Training Group. KPMG developed a report and supported the implementation of their findings from the report.	Skills & Training	21-Nov-22	14-Apr-23	Departmental	CN3933730 / 4400056076
10	AusSafe Consulting Pty Ltd	\$16,000.00	Audit services	Audit Services - WHS Accreditation	Audit undertaken to verify compliance with WHS Accreditation Scheme requirements. Audit completed and report submitted.	Workplace Relations	5-Jul-22	5-Oct-22	Departmental	CN3900745 / 4400054772
11	AusSafe Consulting Pty Ltd	\$12,400.00	Audit services	Audit Services - WHS Accreditation	Audit undertaken to verify compliance with WHS Accreditation Scheme requirements. Audit completed and report submitted.	Workplace Relations	11-Jul-22	11-Oct-22	Departmental	CN3900747 / 4400054764
12	AusSafe Consulting Pty Ltd	\$12,000.00	Audit services	Audit Services - WHS Accreditation	Audit undertaken to verify compliance with WHS Accreditation Scheme requirements. Audit completed and report submitted.	Workplace Relations	6-Jul-22	6-Oct-22	Departmental	CN3900746 / 4400054763
13	Griffith University	\$153,761.68	Research programs	Research Services	Research project identifying the characteristics of a high-performing multigenerational workplaces and the policies and practices employers implemented to create this environment, which could be promoted to other employers.	Employment and Workforce	6-OCT-22	30-Jun_23	Departmental	CN3887692 / 4400053859
14	Ernst and Young	\$84,700.00	Management advisory services	Management Advisory Services	Workshop facilitation with senior Commonwealth, State and Territory skills officials for the development of a national skills agreement and development of a reform opportunities	Skills and Training	10-Jan-23	27-Jan-23	Departmental	CN3940623 / 4400056353

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15	KPMG	\$545,927.36	Management advisory services	Apprenticeships Data Management System Project	Need for independent research or assessment - This consultancy is intended to obtain independent assurance services over a Tier 1 project, in line with the project management framework.	Corporate and Enabling Services	22-Dec-22	30-Nov-23	Departmental	CN3941669 / 4400056385
16	Runway Consulting	\$20,000.00	Management advisory services	Consultant Facilitator for Leadership Retreat	Professional facilitation services for a 2-day strategic planning meeting	Jobs and Skills Australia	23-Jan-23	24-Jan-23	Departmental	CN3941754 / 4400056432
17	Elizabeth Maria Ilona Montano	\$292,500.44	Audit services	Audit and Assurance Committee Chair	Chair of the DEWR Audit and Assurance Committee (AAC). Role involves: - planning and managing committee meetings and maintaining an open and constructive relationship with the Secretary, department executive, AAC members, the Australian National Audit Office and Internal Audit. - review, monitor and recommend improvements to the department's financial and performance reporting, systems of risk oversight and management and systems of internal controls.	Corporate and Enabling Services	13-Oct-22	13-Oct-25	Departmental	CN3942223 / 4400056197
18	Taylor Fry Consulting	\$33,782.55	Management advisory services	Consultancy Services	The department procured actuarial advice on the cost to the Commonwealth of an alternative insurance arrangement for the Seacare workers' compensation scheme.	Workplace Relations	12-Jan-23	20-Feb-23	Departmental	CN3944234 / 4400056543
19	The University of Adelaide	\$30,800.00	Management advisory services	Skills Supply and Demand Model Review	External evaluation of the Skills Supply and Demand Model. A written report examining the methodology and concepts behind the First Phase of the SSDM project and a presentation of findings to the JSA executive and the SSDM section.	Jobs and Skills Australia	6-Mar-23	6-Apr-23	Administered	CN3950410 / 4400056825
20	Matthews Pegg Consulting Pty Ltd	\$380,000.00	Management advisory services	Consultancy Services	Consultancy for support to finalise and implement revisions to the Standards for Registered Training Organisations 2015 and to develop related measures to support high-quality training delivery.	Skills and Training	1-Mar-23	30-Jun-24	Departmental	CN3952653 / 4400056864
21	Taylor Fry Consulting	\$74,160.00	Management advisory services	Actuarial Services	<ul style="list-style-type: none"> The Department sought actuarial advice from Taylor Fry to consider the impacts of the proposal to implement presumptive workers' compensation provisions under the Safety, Rehabilitation and Compensation Act 1988 for first responders with post-traumatic stress disorder. Taylor Fry provided a final report on 6 March 2023. 	Workplace Relations	8-Feb-23	24-Feb-23	Departmental	CN3957266 / 4400057162
22	PWC	\$770,000.00	Computer services	For Delivery of Independent Assurance: Onboarding of Complementary Programs onto Digital Platform	Provide independent assurance of the implementation of Complementary Programs onto the Workforce Australia Digital Platform.	Employment and Workforce	21-Feb-23	20-Feb-24	Departmental	CN3959588 / 4400056703
23	Monash University	\$210,000.00	Research programs	Implementing Work-related Mental Health Guidelines	<p>IMPRovE: Implementing Work-related Mental Health Guidelines in General Practice</p> <p>The services to be provided to DEWR include delivery of a final report which assesses optimal ways to implement the work-related mental health guidelines which have been developed by Monash University.</p> <p>The material contained in the report is based on Monash providing the following research services:</p> <ul style="list-style-type: none"> Setting up randomised control trial, including dissemination of the guidelines to participating general practitioners in target areas Setting up and managing control groups for the trial, and Undertaking research on the use of the guidelines including progress in diagnosing and treating injured workers. 	Skills and Training	24-Jun-19	30-Jun-23	Departmental	CN3612270 / 4400054945

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					Deliverables also include periodic updates on progress to DEWR through twice yearly steering committee meetings on which DEWR participates as a member.					
24	Dandolo Partners	\$363,500.00	Research programs	Evaluation of Remote Community Pilots for Language, Literacy and Digital Training Program	<ul style="list-style-type: none"> • Evaluation of the Australian Government's Foundation Skills for Your Future Remote Community Pilots (the Pilots) to determine whether proof of concept has been established and inform future delivery of language, literacy, numeracy and digital (LLND) skills training in remote communities and elsewhere. • The evaluation will provide information and advice to governments, Pilot Providers and participating Remote Community stakeholders on the effectiveness of the different approaches undertaken by each Pilot from their implementation in 2020 until June 2023. • Will include analysis of: <ul style="list-style-type: none"> o Success or otherwise of community engagement in co-design; o Recruitment and engagement of training participants; o LLND skills improvement for individuals and the community as a whole; o Strategies that worked, and those that did not, in the provision of wrap around support or support for non-training issues; o Whether the training outcomes aligned to training participant and community expectations. • 30 June 2023 – Final deliverable due, which includes the final report. 	Skills and Training	10-Dec-20	30-Jun-23	Departmental	CN3742226 / 4400047443
25	Synergy Group Australia Pty Ltd	\$342,650.00	Computer services	Extended Proof of Context Readiness Review	The ePoC project is building a cloud-based system that enables near-real-time event based system-to-system data exchange to validate and collect VET data to be used for multiple purposes. Outcome of the readiness review will inform the national roll-out of the VDS. Commonwealth has committed to getting the VDS ready for early adopters from mid 2022.	Corporate and Enabling Services	19-May-21	18-May-23	Departmental	CN3773289 / 4400049137
26	Synergy Group Australia Pty Ltd	\$150,000.00	Computer services	ICT System Security Assessment	ICT System Security Assessment of the Extended Proof of Concept (ePoC) Solution for the VET Data Streamlining program - June-August 2021. The report was delivered in August 2021 and accepted by the department. \$55,440 incl GST paid	Jobs and Skills Australia	29-Jun-21	22-Jun-23	Departmental	CN3788602 / 4400049688
27	Oggi Consulting Pty Ltd	\$99,000.00	Education and Training Services	Quality Assurance and Assessment Services	<ul style="list-style-type: none"> - Consultancy procurement for the Foundation Skills for Your Future [FSFYF] Program - Conduct an assessment of projects and undertake quality assurance services associated with the design and delivery of Accredited and/or Non-Accredited training - Provide advice to the department on the LLND merit of project proposals submitted by contracted service providers to ensure: <ul style="list-style-type: none"> - It clearly articulates training objectives and leads to positive outcomes - Is relevant to the needs of the participant and is supported through quality teaching and assessment processes - Is fit-for-purpose and leads to positive Participant outcomes. - Perform quality assurance services to ensure resources being developed and training being delivered is of a high quality and provide advice on: <ul style="list-style-type: none"> - The appropriateness of training and assessment resources - Validity of assessment decisions 	Corporate and Enabling Services	7-Jun-21	30-Jun-24	Departmental	CN3794432 / 4400049913

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					- Quality of appropriateness of the non-accredited training components Contracts cease on 30 June 2024.					
28	MCGrathNicol Corpotare Advisory	\$375,000.00	Management advisory services	Financial Assessment for Vocational Education and Training Student Loan Providers	<ul style="list-style-type: none"> Contract for financial performance assessments on the requirements of VET Students Loans (VSL) approved course providers for the VET Student Loans Program, and of applicants seeking to become VSL approved course providers. 	Corporate and Enabling Services	12-Aug-21	30-Jun-24	Departmental	CN3807367 / 4400050604
29	Matthews Pegg Consulting Pty Ltd	\$544,748.20	Research programs	Support to Revise the Standards for Registered Training Organisations	The department engaged mpconsulting to provide regulatory expertise to revise the Standards for Registered Training Organisations (RTOs) 2015 and to support the testing of the draft revised Standards with key stakeholders.	Skills and Training	13-Sep-21	7-Dec-22	Departmental	CN3817486 / 4400051074
30	Pragma Partners Pty Ltd	\$992,816.00	Graphic design	AgATTRACT Career Mapping Project	<ul style="list-style-type: none"> As part of the suite of Ag2030 measures announced in the 2020-21 Budget, the National Careers Institute (NCI) was allocated \$2.7 million to design and implement a career map of modern agriculture occupations accessible through an interactive, user driven experience on the Your Career website. Pragma Partners were commissioned by the NCI to undertake the research phase of the project in FY 2021-22. Significant deliverables included the delivery of illustrative career pathways, a comprehensive database of agriculture occupations, a series of 'real-life' case studies, a matrix demonstrating user decision-making factors, a report summarising outcomes from surveys and in-depth interviews with industry stakeholders, as well as usability findings and content guidelines. Findings from Pragma's research have been used to inform the build and design phase of the project in FY 22-23, which involves updating and enriching agriculture careers content across NCI digital platforms. The project is scheduled to be fully implemented by 30 June 2023. 	Employment and Workforce	10-Nov-21	31-Aug-22	Administered	CN3831040 / 4400051710
31	GCG Health Safety & Hygiene	\$354,973.00	Management advisory services	Work for the Dole Work Health and Safety Audit	<p>The supplier of audit services, engaged by this Official Order, will examine whether jobactive Providers delivering Work for the Dole activities have adequate work health and safety management systems in place and applied, are compliant with their documented processes, how these systems are evaluated and updated and make recommendations for improvement.</p> <p>The Contractor shall undertake the work in the following phases:</p> <p>a. Phase 1: Refinement of Comprehensive Audit Tool, Project Establishment and Prioritisation;</p> <p>b. Phase 2: Satisfactory completion of half (50%) of the required audits and individual provider reports. (anticipated 11 audits);</p> <p>c. Phase 3: Satisfactory completion of remaining half (100%) of the required audits and individual provider reports. (anticipated additional 11 audits);</p> <p>d. Phase 4: Satisfactory completion of the final aggregate c. Develop a WHS Safety Training Package for Providers</p>	Employment and Workforce	15-Nov-21	26-Aug-22	Departmental	CN3834039 / 4400051849
32	Newgate Research	\$179,100.00	Information services	Stakeholder Engagement Research	<p>For the National Skills Commission:</p> <ul style="list-style-type: none"> consultation with internal and external stakeholders on current engagement activities and their preferences for engagement with the NSC development of a best practice research report development of an engagement strategy aligns to the strategic objectives of the National Skills Commission. 	Jobs and Skills Australia	14-Dec-21	1-Nov-22	Administered	CN3836769 / 4400051935

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33	Taylor Fry Consulting	\$359,700.00	Research programs	Advisory Services - Analytical Activities	Taylor Fry have been contracted to provide independent actuarial advice on the validity of methodology applied to select records for review under the Rolling Random Sample (RRS), Continuous Assessment of Payment Integrity (CAPI), and Job Search Quality (JSQ) assurance activities. The value of this contract allows for multiple requests for advice.	Skills and Training	13-Jan-22	30-Jun-24	Departmental	CN3842832 / 4400052123
34	Dandolo Partners	\$318,821.22	Research programs	Enhance the Mental Health Capability of Registered Training Organisations	<i>Enhance the Mental Health Capability of Registered Training Organisations</i> The project included research and development of resources to build the capability of registered training organisations (RTOs) to provide prevention support for vocational education and training students with mental ill-health and suicidal ideation, and advice and resources to improve the promotion of mental health in the vocational education and training sector. Dandolo partnered with a youth mental health organisation, Orygen, to support the development of the resources, in consultation with people with lived experience. Resources are currently being finalised for release later this year.	Skills and Training	25-Mar-22	4-Oct-22	Departmental	CN3860300 / 4400052983
35	PWC	\$2,885,802.00	Research programs	Expert Advice on Qualification Reform	<ul style="list-style-type: none"> PwC are engaged to support qualifications reform work, as requested by Skills Ministers in February 2022 and reconfirmed at the September 2022 Jobs and Skills Summit. In particular, PwC are engaged to: <ul style="list-style-type: none"> support commonwealth and state officials to develop a proposed modernised training system architecture, including developing new qualifications and skill sets across a range of industries to support national consultations; support the department in consultations, including 25 meetings with industry and training peaks, 26 jurisdictional workshops hosted by states and territories and 22 technical workshops with training providers, licensing bodies and State Training Organisations. The department required PwC to have strict probity arrangements in place, including information and personnel barriers, as well as conflict of interest and confidentiality forms and probity training that were developed specifically for the project. 	Employment and Workforce	25-Mar-22	30-Jun-23	Departmental	CN3860606 / 4400053006
36	The Nous Group	\$439,120.00	Management advisory services	Vocational Education and Training Markets Consulting Services	Vocational Education and Training Markets Consulting Services Procurement of data and analytical services to develop a classification of Registered Training Organisations (RTOs) operating in the vocational education and training (VET) market. This involved profiling and segmenting RTOs according to an agreed typology of key characteristics. The project required a compilation of data sources, a literature review, targeted consultations and workshops. The classification was tested and analysed to ensure suitability. Outputs included a methodology paper outlining the proposed approach and a report and dashboard to summarise the findings. The project will assist the Department to undertake analysis of the VET market.	Jobs and Skills Australia	31-Mar-22	31-Oct-22	Administered	CN3863693 / 4400053134
37	Ernst and Young	\$345,985.20	Management advisory services	Vocational Education and Training and the Labour Market	Vocational Education and Training and the Labour Market Procurement of data and analytical services to conduct analysis on vocational education and training (VET) and the labour market, particularly the linkages between the VET system and the labour market. This involved quantitative and qualitative analysis on a range of data sources, including National Centre for Vocational Education Research's VET activity data and Australian Bureau of Statistics labour market statistics. Findings were presented in a descriptive report that provided key input into the Department's research and analysis of VET system performance.	Jobs and Skills Australia	4-Apr-22	4-Aug-22	Administered	CN3863758 / 4400053159

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38	Finity Consulting Pty Ltd	\$311,453.00	Management advisory services	Consultancy services - Independent review	The department procured the consultant services to review the Seacare scheme and consider options for the future of the scheme. The consultants developed a report of options identified in the review.	Corporate and Enabling Services	1-Apr-22	30-Sep-22	Departmental	CN3867074 / 4400054792
39	KPMG	\$348,380.00	Management advisory services	Statutory review	The Fair Work Amendment (Supporting Australia's Jobs and Economic Recovery) Act 2021 (Cth) made amendments to casual employment arrangements. It included a requirement that a review of the operation of the legislative amendments must occur as soon as practicable 12 months after commencement, and that it be completed within 6 months. In line with these requirements, an independent review, undertaken by KPMG, commenced on 11 April 2022 and the report was provided to the Minister for Employment and Workplace Relations on 11 October 2022. The report on the review was tabled before the Australian Parliament on 1 December 2022. See Statutory Review of casual employment legislation - Department of Employment and Workplace Relations, Australian Government (dewr.gov.au)	Skills and Training	11-Apr-22	11-Oct-22	Departmental	CN3867079 / 4400054825
40	Pragma Partners Pty Ltd	\$1,270,632.00	Computer services	NSC Data Consultancy and Implementation Services	<ul style="list-style-type: none"> The Consultants were engaged to deliver this fixed-timeframe project work as the specialist capability and expertise required was not available within the National Skills Commission (NSC). They provided strategic and technical advice on the data strategy, technology plan, and delivery of technology products, and development of products in the data lake. They delivered details on the current state architecture and network configurations for the data analytics platform, including potential improvement options. They also advised on the NSC's approach to data governance, data ingestion and data holdings. 	Jobs and Skills Australia	29-Mar-22	23-Dec-22	Departmental	CN3868708 / 4400053636
41	University of Melbourne	\$303,458.00	Research programs	Analysis of Vocational Education and Training Outcomes	Melbourne Institute was also engaged to undertake a review of the development of the VNDA, including the methodology and its application to both the course and provider-level analysis, and the development of the deep dive analysis (students who do not complete their course, students who complete micro-credentials, and students who complete a foundation skills (pathway) qualification). The contract period is from 08 April 2022 to 30 April 2023 with a total contract value of \$303,458.00. Findings were well received by the VNDA project board.	Jobs and Skills Australia	26-Apr-22	30-Apr-23	Departmental	CN3869492 / 4400053381
42	OECD	\$146,220.21	Research programs	Organisation for Economic Cooperation & Development (OECD) Report on Best Practices on Student Outcomes	The contract name is Research consultancies. It was used to deliver the OECD Education Policy Outlook in Australia report. This project was mapped over to the Department of Education in the MoG. Any questions should be directed to the Department of Education.	Employment and Workforce	8-Apr-22	31-Mar-23	Departmental	CN3870494 / 4400053454
43	OECD	\$177,252.58	Research programs	Organisation for Economic Cooperation & Development (OECD) Report on Best Practices on Youth Pathways	The Organisation for Economic Co-operation and Development (OECD) produced the Adolescent Education and Pre-Employment Interventions in Australia: Keeping Young People in Education, Employment and Training report (130 pages) on international best practices in education and pre-employment or employment preparation interventions targeting the grade 7-10 cohort (12-16 years) that could be applied in the Australian context to further reduce the risk of young people becoming NEET after leaving school and improve their longer-term outcomes. This report was published by the OECD on 28 April 2023.	Corporate and Enabling Services	31-Mar-22	24-Apr-23	Departmental	CN3870495 / 4400053456

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44	Outpost Consulting	\$197,780.00	Research programs	Consultancy for Research Services	<p>The Supporting Small Business to Employ Mature Age Workers project is a consultancy contract running under this government – below is the information requested FYC:</p> <ul style="list-style-type: none"> Brief statement on purpose of contract; - To undertake a small qualitative research project on the interventions most likely to support small businesses to employ and retain mature age workers. Value of contract and timeframe - \$197,780 (incl GST), contract timeframe 5 May 2022 to 30 May 2023, with 6 month extension option. What was process for selecting the consultancy (eg competitive tender, direct procurement etc) – Limited tender through an approach to market to Supply Nation consultants on the Research and Evaluation Panel. If direct procurement – what was rationale for not undertaking a competitive process - In line with the Indigenous Procurement Policy and the Department's Indigenous Procurement Strategy, if an Indigenous Supplier is able to provide the services required on a value for money basis, the Department is expected to engage them. How do we know we are getting value for money from the contract - The tender was assessed by a departmental Evaluation Committee following the Commonwealth Procurement Rules. The Committee considered that the provider would be able to meet the Statement of Requirements very well and that the proposed costs were within the expected range for a research project of this size and complexity. Referees validated the claims of the provider and did not identify any risks. The Response was therefore assessed as being value for money. What controls in contract re confidentiality of information – The contract is a standard Commonwealth contract in which confidentiality of information is covered under section C.C.22 B and C. Note that this project did not involve any jobseekers' information. 	Employment and Workforce	5-May-22	30-Apr-23	Departmental	CN3870878 / 4400053462
45	Acil Allen Consulting Pty Ltd	\$437,373.75	Research programs	VET National Data Stakeholder Engagement	ACIL Allen was engaged to conduct stakeholder engagement to obtain broad VET sector input on the format and presentation of outputs from VNDA. The contract period was from 8 April 2022 to 16 December 2022, with a total contract value of \$437,373.75 inc. GST. The communications and dissemination strategy is helping inform the release of VNDA outputs with trusted stakeholders.	Jobs and Skills Australia	8-Apr-22	14-Nov-22	Departmental	CN3872341 / 4400053489
46	KPMG	\$182,575.00	Research programs	Research Services	A consultancy undertook desktop research and fieldwork to assist with a project to identify whether there is room for improvement in how the department identifies and services job seekers with mental health conditions.	Employment and Workforce	13-May-22	31-Aug-22	Departmental	CN3872487 / 4400053513
47	Ernst and Young	\$178,540.00	Research programs	Research Services	<p>Services</p> <ul style="list-style-type: none"> Procurement of research services through the Research and Evaluation Services (RES) panel to support a research project on 'Opportunities for linkages in employment services'. <p>Deliverables</p> <ul style="list-style-type: none"> Report to the department that summarised findings from literature review, qualitative research with participants including job seekers, employers, providers and other community stakeholders, including an external Human Research Ethics Committee (HREC) review process. 	Workplace Relations	26-Apr-22	29-Jul-22	Departmental	CN3873158 / 4400053548
48	Ernst and Young	\$1,109,901.00	Management advisory services	Skills Demand and Supply Model	Detailed economic models constructed in the JSA data environment (datalake) to be transferred to JSA at	Corporate and	11-Mar-22	24-Feb-23	Administered	CN3873694 / 4400053571

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					completion of project (final handover in progress). These assets include: <ul style="list-style-type: none"> • Demand-side model of the Australian labour market integrating employment and vacancy data. • Microsimulation model of the Australian labour supply (all persons 15+) across a 10-year time horizon. • Related modelling infrastructure to allow detailed examination of model results via extraction from the datalake to PowerBI and other software. • Methodology and technical papers and model user guide. 	Enabling Services				
49	DELOITTE	\$439,587.50	Management advisory services	JobTrainer Interim Evaluation	Consultancy services procured to conduct an interim evaluation of the JobTrainer Fund, encompassing the following work: <ul style="list-style-type: none"> • Development of evaluation framework and project plan • Development, distribution, collation and analysis of student surveys and stakeholder interviews • Quantitative analysis of survey data, stakeholder interviews and state and territory monthly reports Final report accepted and final payment approved by the Department on 17/01/2023.	Corporate and Enabling Services	18-May-22	15-Oct-22	Departmental	CN3875059 / 4400053623
50	DELOITTE	\$300,346.20	Management advisory services	Migrant Skills Incentive Evaluation	The Services to be provided include scoping, designing and conducting an evaluation of the Skills Assessment Pilots, as well as delivering a final evaluation report. The services must include development of an Evaluation Strategy with timelines for conducting qualitative and quantitative analysis as well as collaborating with the department to develop and deliver survey instruments to pilot participants.	Skills and Training	16-May-22	30-Jun-24	Administered	CN3875448 / 4400053625
51	Market Access Consulting Research	\$118,996.00	Research programs	Research Services	The purpose of this research project was to better understand the dynamics occurring in the lives of job seekers experiencing financial penalties, sometimes multiple penalties. The research explored elements of the employment services system as experienced by the research cohort, to better comprehend the system interplay that exists for potentially vulnerable job seekers. The research comprised in-depth interviews with 50 job seekers who had received a financial penalty. A further 10 interviews were conducted with service providers supporting populations facing disadvantage. This primary research was supplemented by secondary research from a range of sources. The research findings were presented in a report.	Skills and Training	20-May-22	19-Dec-22	Departmental	CN3876869 / 4400053662
52	DELOITTE	\$341,900.63	Research programs	Review of Micro Credentials for Vocational Education and Training	Pricing VET micro-credentials - the project involved a research report defining micro-credentials and describing the micro-credentials markets in each of the Australian jurisdictions as well as a database of fees (prices) for common non-subsidised micro-credentials (as defined by 2019 enrolment numbers).	Jobs and Skills Australia	12-May-22	31-Jul-22	Departmental	CN3880242 / 4400053764
53	Aussafe Consulting Pty Ltd	\$12,700.00	Audit services	Audit Services - WHS Accreditation	The consultant undertook a safety audit on behalf of the Office of the Federal Safety Commissioner (OFSC). The audits allow the OFSC to establish whether accredited companies are complying with the requirements that are established by the Federal Safety Commissioner. The consultant has specialised knowledge of Work, Health and Safety in the construction industry that enable them to assess a company's level of compliance.	Skills and Training	3-May-22	11-Oct-22	Departmental	CN3881867 / 4400054765
54	Aussafe Consulting Pty Ltd	\$12,900.00	Audit services	Audit Services - WHS Accreditation	The consultant undertook a safety audit on behalf of the Office of the Federal Safety Commissioner (OFSC). The audits allow the OFSC to establish whether accredited companies are complying with the requirements that are	Skills and Training	11-May-22	11-Aug-22	Departmental	CN3884182 / 4400054767

Rank	Supplier Name	Contract Value	Category*	Austender Description	Services Purchased	Group	Start Date	End Date	Funding Source	CN ID / Contract ID
					established by the Federal Safety Commissioner. The consultant has specialised knowledge of Work, Health and Safety in the construction industry that enable them to assess a company's level of compliance.					
55	Aussafe Consulting Pty Ltd	\$14,400.00	Audit services	Audit Services - WHS Accreditation	The consultant undertook a safety audit on behalf of the Office of the Federal Safety Commissioner (OFSC). The audits allow the OFSC to establish whether accredited companies are complying with the requirements that are established by the Federal Safety Commissioner. The consultant has specialised knowledge of Work, Health and Safety in the construction industry that enable them to assess a company's level of compliance.	Skills and Training	10-May-22	10-Aug-22	Departmental	CN3884183 / 4400054768
56	PWC	\$295,000.00	Management advisory services	Data Quality Management and Assurance	Consultancy – a data quality assurance framework including publication checklist and other templates to be used for a number of National Skills Commission (now Jobs and Skills Australia) products	Jobs and Skills Australia	7-Jun-22	31-Aug-22	Administered	CN3885267 / 4400053925
57	Australian Government Actuary	\$45,000.00	Management advisory services	Consultancy Services	Modelling to estimate potential re-credits of VET FEE-HELP student debt in comparison to the previous calendar year to inform program management	Employment and Workforce	21-Jun-22	31-Oct-22	Departmental	CN3886475 / 4400053970
58	AusSafe Consulting Pty Ltd	\$15,700.00	Audit services	Audit Services - WHS Accreditation	The consultant undertook a safety audit on behalf of the Office of the Federal Safety Commissioner (OFSC). The audits allow the OFSC to establish whether accredited companies are complying with the requirements that are established by the Federal Safety Commissioner. The consultant has specialised knowledge of Work, Health and Safety in the construction industry that enable them to assess a company's level of compliance.	Skills and Training	7-Jun-22	7-Sep-22	Departmental	CN3896214 / 4400054771
59	AusSafe Consulting Pty Ltd	\$14,600.00	Audit services	Audit Services - WHS Accreditation	The consultant undertook a safety audit on behalf of the Office of the Federal Safety Commissioner (OFSC). The audits allow the OFSC to establish whether accredited companies are complying with the requirements that are established by the Federal Safety Commissioner. The consultant has specialised knowledge of Work, Health and Safety in the construction industry that enable them to assess a company's level of compliance.	Skills and Training	23-Jun-22	23-Sep-22	Departmental	CN3900743 / 4400054769
60	AusSafe Consulting Pty Ltd	\$11,500.00	Audit services	Audit Services - WHS Accreditation	The consultant undertook a safety audit on behalf of the Office of the Federal Safety Commissioner (OFSC). The audits allow the OFSC to establish whether accredited companies are complying with the requirements that are established by the Federal Safety Commissioner. The consultant has specialised knowledge of Work, Health and Safety in the construction industry that enable them to assess a company's level of compliance.	Skills and Training	27-Jun-22	27-Sep-22	Departmental	CN3900744 / 4400054761
61	Annex Digital Pty Ltd	\$281,528.50	Business intelligence consultancy Services	Unique Student Identifier Student Portal User Centered Redesign	<p>The OSIR is seeking recommendations on best practice for a User Centred Design approach. In particular, any further recommendations to support:</p> <ul style="list-style-type: none"> •Simplifying the structure of tasks to ensure actions required are as intuitive as possible • Improving the visibility of actions, results of actions and feedback (particularly for errors) •Embracing and exploiting the constraints of system. <p>Key justifications for the commitment or expenditure of relevant money:</p> <ul style="list-style-type: none"> •The USI creation process should be a quick and intuitive process to create a seamless and integrated user experience. •The user should be able to complete their task with a minimal number of clicks. •The user interface for the USI student portal should operate cleanly and intuitively on any device a student may wish to use •Help is easily found when barriers are encountered. •The use of plain English is essential for our diverse customer cohort. 	Skills and Training	16-Jun-22	20-Oct-22	Departmental	CN3920648 / 440005497

Rank	Supplier Name	Contract Value	Category*	Austender Description	Services Purchased	Group	Start Date	End Date	Funding Source	CN ID / Contract ID
					The OSIR and colleagues within the Department of Education, Skills and Employment, have identified several opportunities for user experience enhancement.					

*: Category is an Austender reporting requirement that requires procurements to be categorised under the *United Nations Standard Products and Services Code (UNSPSC)*

Total Big 7 contracts (by value) active between 1 July 2022 to 31 March 2023

Contract Value	Category*	Description	Services Purchased	Group	Start Date	End Date	CN ID / Contract ID
Deloitte							
\$8,507,004.29	Computer Services	Solutions Management for Modern Apprenticeships IT System Project	Solution management for the Apprenticeship Data Management system (ADMS). Providing design and requirements gathering for the ADMS project.	Corporate & Enabling	08/12/2020	30/06/2023	CN3737267 / 4400047101
\$1,988,987.00	Computer Services	IT Project Management Office as a Service DAT ID 14074	The contract had 2 separate streams, detailed below: <ul style="list-style-type: none"> The first stream was the delivery of a IT PMO maturity assessment. The maturity assessment included an environment scan and pain point analysis and a PMO modernisation roadmap. The second stream was seeking capability supplementation to bolster the existing team's existing capability and to support the delivery the PMO modernisation roadmap. 	Corporate & Enabling	27/08/2021	26/02/2023	CN3809344 / 4400050690
\$880,000.00	Computer Services	Identity and Access Management Services	This is an ICT Services contract to supply cyber security and identity and access management specialist resources to fill short term project requirements. The resources are embedded and work with Technology and Services Division teams. The contract was initiated following a competitive RFQ process to multiple potential vendors via the Digital Market Place.	Corporate & Enabling	1/7/2022	30/6/2023	CN3895659 / 4400054256
\$439,587.50	Management advisory services	JobTrainer Interim Evaluation	Consultancy services procured to conduct an interim evaluation of the JobTrainer Fund, encompassing the following work: <ul style="list-style-type: none"> Development of evaluation framework and project plan Development, distribution, collation and analysis of student surveys and stakeholder interviews Quantitative analysis of survey data, stakeholder interviews and state and territory monthly reports Final report accepted and final payment approved by the Department on 17/01/2023.	Skills and Training	18/05/2022	15/10/2022	CN3875059 / 4400053623
\$341,900.63	Research programs	Review of Micro Credentials for Vocational Education and Training	Pricing VET micro-credentials - the project involved a research report defining micro-credentials and describing the micro-credentials markets in each of the Australian jurisdictions as well as a database of fees (prices) for common non-subsidised micro-credentials (as defined by 2019 enrolment numbers).	Jobs and Skills	12/05/2022	31/07/2022	CN3880242 / 4400053764
\$300,346.20	Management advisory services	Migrant Skills Incentive Evaluation	The Services to be provided include scoping, designing and conducting an evaluation of the Skills Assessment Pilots, as well as delivering a final evaluation report. <p>The services must include development of an Evaluation Strategy with timelines for conducting qualitative and quantitative analysis as well as collaborating with the department to develop and deliver survey instruments to pilot participants.</p>	Skills and Training	16/05/2022	30/06/2024	CN3875448 / 4400053625
\$250,000.00	Research programs	Evaluation Services for Supporting Apprentices and Trainees and the Australian Apprenticeship Wage Subsidy	The department requires evaluation and research services to evaluate the delivery of the SAT measure and the AAWS trial against their objectives, impact and stakeholder perspectives. Deliverables include fortnightly meetings and status reports, and a final report for both SAT and AAWS on the impact of the wage subsidies on apprentices and employers and an analysis of the objectives of the measures, which will be due in May 2022.	Skills and Training	08/03/2022	31/07/2022	CN3860894 / 4400052933
\$170,390.00	Management advisory services	Management Advisory Services	As a newly established Department, DEWR engaged Deloitte to assist in conducting a strategic review of the new Department's baseline funding to identify key funding challenges and gaps, focussing on sustainability of funding to support and maintain workforce capability and capacity. The review consolidated current and historical financial data with stakeholder interviews with group senior executives and other functions to understand the funding gaps and pressures facing the new Department.	Corporate & Enabling	3/11/2022	28/2/2023	CN3931923 / 4400055931
\$133,936.00	Research programs	Research, Evaluation and Data Analysis Services	Delivery of a benchmarking evidence base to inform future policy approaches as part of the Regulatory Technology roadmap for modern awards, including engaging Dynata to find and establish focus groups with small business.	Employment and Workforce	03/05/2022	31/08/2022	CN3870603 / 4400054787
\$25,063.50	Public Administration & Finance Services	QRN0020607 - IN2F Services Pty Ltd	A contract to procure Fair Entitlement Guarantee (FEG) Verification Services. This involves the identification and verification of employment entitlement amounts owing to claimants, as evidenced by the books and records of the former employer, in accordance with the Fair Entitlements Guarantee Act 2012 and FEG criteria.	Workplace Relations	14/11/2022	30/06/2023	CN3959262 / 4400055808
\$13,037,215.12							
Ernst & Young							

Contract Value	Category*	Description	Services Purchased	Group	Start Date	End Date	CN ID / Contract ID
\$1,759,050.00	Management advisory services	Consultancy Services	<p>Component 1:</p> <ul style="list-style-type: none"> Analysis and advice on the potential impacts of the AQF Review recommendations on current VET reforms to support engagement with stakeholders. <p>Components 2 & 3:</p> <ul style="list-style-type: none"> Skills Ministers have agreed, through the Jobs and Skills Summit, to simplify and modernise VET qualifications. As part of this work, Ministers have asked for specific advice on how a new qualification model would be implemented, including risks, impacts and transition options. This consultancy will consider the potential impacts of transition, including for Jobs and Skills Councils and RTOs, and provide advice on possible transition approaches. An optional component involves the provision of advice regarding changes that would need to be made to policies and procedures to facilitate the transition 	Skills and Training	11/11/2022	28/4/2023	CN3933731 / 4400056077
\$1,109,901.00	Management advisory services	Skills Demand and Supply Model	<p>Detailed economic models constructed in the JSA data environment (datalake) to be transferred to JSA at completion of project (final handover in progress). These assets include:</p> <ul style="list-style-type: none"> Demand-side model of the Australian labour market integrating employment and vacancy data. Microsimulation model of the Australian labour supply (all persons 15+) across a 10-year time horizon. Related modelling infrastructure to allow detailed examination of model results via extraction from the datalake to PowerBI and other software. Methodology and technical papers and model user guide. 	Employment and Workforce	11/03/2022	24/02/2023	CN3873694 / 4400053571
\$457,974.00	Computer services	Apprenticeships-Discovery and Environmental Scan and Content Review	<p>EY was contracted to undertake a detailed analysis of information across ten apprenticeships websites, a survey and follow up interviews and workshops, and to develop a suite of practical and technical guidance materials and recommendations to inform the future state for apprenticeships information. Deliverables included:</p> <ul style="list-style-type: none"> Environment Scan Report – detailed analysis of 10 websites identified by the department Tree Testing Report – technical report which outlines search engine optimisation i.e., how people navigate websites based on google analytics Content Review – in-depth review of the AAPathways website and the department's Australian Apprenticeships website Content Strategy – practical and technical guidance on how to construct a new website, building on a survey and follow up interviews with apprentices and employers and workshops with departmental staff Information Architecture – an information taxonomy that responds to apprentice and employer needs and takes a citizen focussed approach 	Skills and Training	15/8/2022	30/11/2022	CN3908190 / 4400055068
\$384,681.00	Research programs	Consultancy Services	<p>An evaluation of the Industry Training Hubs (ITH), Commonwealth Scholarships Program for South Australia (CSSA) and Commonwealth Scholarships Program for Young Australians (CSYA), conducted in two parts:</p> <p>ITH - The evaluation will review the design, implementation and outcomes of the ITH and will explore the efficiency, effectiveness and appropriateness of the services offered to inform a possible full national roll out of the program. The project will involve:</p> <ul style="list-style-type: none"> evaluation design, instrument development and survey tools (including all relevant documentation); quantitative and qualitative research to gather information on participation, provider, employer and stakeholder perspectives of the program; and reports and presentations to the department outlining the key findings, analysis and insights generated from the research. <p>CSSA and CSYA - The evaluation will review the outcomes of the CSSA and CSYA and determine whether the programs had an impact on attraction and retention in training. The desktop review will involve:</p> <ul style="list-style-type: none"> quantitative research drawing on publicly available datasets, such as NCVET, and program data provided by the department, to analyse participation and outcomes including how they compare to other training outcomes for similar groups of students. a report and meeting with the department outlining key findings, analysis and insights generated from the research. 	Skills and Training	15/11/2022	31/3/2023	CN3930459 / 4400055860
\$345,985.20	Management advisory services	Vocational Education and Training and the Labour Market	<p>Vocational Education and Training and the Labour Market</p> <p>Procurement of data and analytical services to conduct analysis on vocational education and training (VET) and the labour market, particularly the linkages between the VET system and the labour market. This involved quantitative and qualitative analysis on a range of data sources, including National Centre for Vocational Education Research's VET activity data and Australian Bureau of Statistics labour market statistics. Findings were presented in a descriptive report that provided key input into the Department's research and analysis of VET system performance.</p>	Jobs and Skills	04/04/2022	04/08/2022	CN3863758 / 4400053159

Contract Value	Category*	Description	Services Purchased	Group	Start Date	End Date	CN ID / Contract ID
\$178,540.00	Research programs	Research Services	<p>Services</p> <ul style="list-style-type: none"> Procurement of research services through the Research and Evaluation Services (RES) panel to support a research project on 'Opportunities for linkages in employment services'. <p>Deliverables</p> <ul style="list-style-type: none"> Report to the department that summarised findings from literature review, qualitative research with participants including job seekers, employers, providers and other community stakeholders, including an external Human Research Ethics Committee (HREC) review process. 	Employment and Workforce	26/04/2022	29/07/2022	CN3873158 / 4400053548
\$84,700.00	Management advisory services	Consultancy Services	Workshop facilitation with senior Commonwealth, State and Territory skills officials for the development of a national skills agreement and development of a reform opportunities	Skills and Training	10/01/2023	27/01/2023	CN3940623 / 4400056353
\$4,320,831.20							
KPMG							
\$2,791,914.73	Management advisory services	Career Revive Expansion Business Consultant	Work with medium to large businesses to develop a tailored action plan for each business that identifies and implements changes to improve the workplace to better attract and retain women.	Employment and Workforce	30/08/2021	30/06/2024	CN3807383 / 4400050641
\$545,927.36	Management advisory services	Apprenticeships Data Management System Project	Need for independent research or assessment - This consultancy is intended to obtain independent assurance services over a Tier 1 project, in line with the project management framework.	Skills and Training	22/12/2022	30/11/2023	CN3941669 / 4400056385
\$348,380.00	Management advisory services	Statutory review	<p>The Fair Work Amendment (Supporting Australia's Jobs and Economic Recovery) Act 2021 (Cth) made amendments to casual employment arrangements. It included a requirement that a review of the operation of the legislative amendments must occur as soon as practicable 12 months after commencement, and that it be completed within 6 months.</p> <p>In line with these requirements, an independent review, undertaken by KPMG, commenced on 11 April 2022 and the report was provided to the Minister for Employment and Workplace Relations on 11 October 2022. The report on the review was tabled before the Australian Parliament on 1 December 2022. See Statutory Review of casual employment legislation - Department of Employment and Workplace Relations, Australian Government (dewr.gov.au)</p>	Employment and Workforce	11/04/2022	11/10/2022	CN3867079 / 4400054825
\$290,421.50	Computer services	Collaboration and leadership services	Build deliberate and productive ways of working together across the WR Group that genuinely foster collaboration.	Workplace Relations	30/09/2021	30/08/2022	CN3822167 / 4400054824
\$283,837.95	Research programs	VDS Regulatory Impact Statement & Benefits Plan Phase 1	KPMG was procured to assist and advise in stakeholder engagement on regulatory impact assessment and benefits.	Skills and Training	19/7/2022	23/12/2022	CN3900707 / 4400054344
\$190,383.00	Management advisory services	Consultancy Services	Consultant procured to provide advice on the structure of the Skills and Training Group. KPMG developed a report and supported the implementation of their findings from the report.	Workplace Relations	21/11/2022	20/1/2023	CN3933730 / 4400056076
\$182,575.00	Research programs	Research Services	A consultancy undertook desktop research and fieldwork to assist with a project to identify whether there is room for improvement in how the department identifies and services job seekers with mental health conditions.	Employment and Workforce	13/05/2022	31/08/2022	CN3872487 / 4400053513
\$79,002.00	Management advisory services	Workplace Relations Management Advisory Training	Entitlements Safeguards Divisional Training	Workplace Relations	27/03/2023	30/06/2023	CN3953224 / 4400056970
\$74,250.00	Accounting services	Financial Management Advisory Services	Provision of the KPMG Accelerated Annual Reporting model and associated support.	DEWR Corporate and Enabling	21/02/2023	20/02/2025	CN3947276 / 4400056643

Contract Value	Category*	Description	Services Purchased	Group	Start Date	End Date	CN ID / Contract ID
\$67,599.75	Management advisory services	Management advisory services	Informed by previous work with the FEG Branch, KPMG will delivered three workshops designed to support the FEG leadership team to build a high-performing team culture. The workshops were designed to support the FEG leadership team and the broader branch to: - Realign a shared sense of purpose. - Assist the FEG Executive leadership to shape Branch culture and set the Branch up for on-going success. - Reflect on and consider ways of working beyond individual projects and teams. This will involve supporting each other to test the tension between individual accountability for project delivery, against the collective responsibility for shared outcomes. - Propose and test new models of collaboration specific to the FEG Branch context, progress to date, and sharpened practices (interactive mechanisms and soft controls) to test alignment and effectiveness as a whole. The theme of each workshop was as follows: - Workshop 1: FEG Program and team purpose and outcomes for 2023. - Workshop 2: Revisit workshop one outcomes; collaboration approaches and working as a team; and psychological safety. - Workshop 3: Revisit workshop one and two outcomes and building resilience with high performing teams	Workplace Relations	1/02/2023	31/03/2023	CN3941668 / 4400056422
\$44,550.00	Accounting services	Financial Management Advisory Services	Provide monthly actuals model license for a period of 3 years. Assistance to set up the new Departmental and Administered monthly actual models fit for purpose for DEWR.	DEWR Corporate and Enabling	21/02/2023	21/02/2025	CN3947277 / 4400056644
\$18,900.00	Accounting services	Monthly Profiles for Business Services	The department is required to provide monthly profile data to the Department of Finance in CBMS. The KPMG monthly profile model helps to collect and then produce the data in the required CBMS format. Price includes service for the monthly profile model to be updated for 2022-23 budget round and additional support for the implementation of monthly profiles for 2022-23 budget round.	Corporate & Enabling	10/11/2022	30/6/2023	CN3931921 / 4400055910
\$11,594.00	Public Administration & Finance Services	QRN0020518 - B & R Workforce Pty Ltd	A contract to procure Fair Entitlement Guarantee (FEG) Verification Services. This involves the identification and verification of employment entitlement amounts owing to claimants, as evidenced by the books and records of the former employer, in accordance with the Fair Entitlements Guarantee Act 2012 and FEG criteria.	Workplace Relations	11/10/2023	30/06/2023	CN3959560 / 4400055601
\$4,929,335.29							
PWC							
\$3,228,805.00	Audit services	Audit services	Undertake internal audit and assurance activities on behalf of the Chief Internal Auditor. PwC provides the majority of outsourced audit and assurance activities under the internal audit and assurance program.	Corporate & Enabling	03/02/2022	30/05/2025	CN3850520 / 4400052524
\$2,885,802.00	Research programs	Expert Advice on Qualification Reform	<ul style="list-style-type: none"> PwC are engaged to support qualifications reform work, as requested by Skills Ministers in February 2022 and reconfirmed at the September 2022 Jobs and Skills Summit. In particular, PwC are engaged to: <ul style="list-style-type: none"> support commonwealth and state officials to develop a proposed modernised training system architecture, including developing new qualifications and skill sets across a range of industries to support national consultations; support the department in consultations, including 25 meetings with industry and training peaks, 26 jurisdictional workshops hosted by states and territories and 22 technical workshops with training providers, licensing bodies and State Training Organisations. The department required PwC to have strict probity arrangements in place, including information and personnel barriers, as well as conflict of interest and confidentiality forms and probity training that were developed specifically for the project. 	Skills and Training	25/03/2022	30/06/2023	CN3860606 / 4400057124
\$1,925,000.00	Computer services	Identity and Access Management Services	This is an ICT Services contract to supply identity and access management specialist resources to fill short term project requirements. The resources are embedded and work with Technology and Services Division teams. The contract was initiated following a competitive RFQ process to multiple potential vendors via the Digital Market Place.	Corporate & Enabling	1/7/2022	30/6/2023	CN3895661 / 4400054245
\$770,000.00	Computer services	For Delivery of Independent Assurance: Onboarding of Complementary Programs onto Digital Platform	Provide independent assurance of the implementation of Complementary Programs onto the Workforce Australia Digital Platform.	Employment and Workforce	21/02/2023	20/02/2024	CN3959588 / 4400056703
\$503,048.94	Components for information technology or broadcasting or telecommunications	CyberArk Licenses	This is a multi-year contract for CyberArk software licences. The software is a tool that manages Privileged (administrator) level access to the DEWR network.	Corporate & Enabling	21/12/2022	17/06/2024	CN3942919 / 4400056485

Contract Value	Category*	Description	Services Purchased	Group	Start Date	End Date	CN ID / Contract ID
\$438,477.88	Research programs	Vocational Education and Training (VET) Student Loans and VET FEE-HELP IT Review	<p>The consultancy is for a review of the release of historical student debt records held in the VET Student Loans (VSL) Payment System (VPAYS), a number of which were released to the Australian Taxation Office on 2 and 3 August 2022 (the issue). The review is divided into two phases.</p> <p>Phase 1 of this review is to: A) Identify the key impact factors that contributed to the failure to process relevant VET FEE-HELP (VFH)/VSL debt data from VPAYS to the Higher Education Information Management System (HEIMS) and the Tertiary Collection of Student Information (TCSI) system relevant to the issue between the period 2017 to 2022. B) Subject to the completion of objective A), commence the identification of impact factors that contributed to the failure to process the remaining VFH/VSL debt data (as identified by the department) from VPAYS to HEIMS and the TCSI system over the period 2009 to 2022.</p> <p>Phase 2 of the review will assess whether appropriate risk mitigation treatments have been designed and implemented to reduce the likelihood and impact of recurrence in the future.</p> <p>The key deliverables are a report and the presentation of findings to relevant governance forums (as agreed to by the department)</p>	Skills and Training	20/10/2022	17/02/2023	CN3928076 / 4400055826
\$295,000.00	Management advisory services	Data Quality Management and Assurance	Consultancy – a data quality assurance framework including publication checklist and other templates to be used for a number of National Skills Commission (now Jobs and Skills Australia) products	Jobs and Skills	07/06/2022	31/08/2022	CN3885267 / 4400053925
\$142,183.80	Management advisory services	Protected Uplift Project Assurance Health Checks	<p>The Protected Uplift Project was classified as a Tier 2 project and therefore was required to have an assurance plan be independently developed and verified. PWC were engaged and provided:</p> <p>a. Assessment of the management practices on the Project through document review and insights gathering in order to confirm the appropriateness of management practices established by the Project. Recommendations were continually tracked during project delivery.</p> <p>b. Go-live readiness assessment in order to confirm the project can demonstrate readiness to go-live (planned mid-2022) against key risk areas (e.g. through the use of a go-live criteria).</p> <p>c. Project team and stakeholder sentiment insights gathering in order to support high-level document review for the Health Check and Go-live readiness assessment.</p> <p>Final health check and report was provided in May 2022.</p>	Corporate & Enabling	18/02/2022	31/07/2022	CN3864844 / 4400053191
\$85,415.00	Research programs	Facilitator for Skills for Education and Employment Remote Consultations	PWC is facilitating a series of workshops seeking feedback from stakeholders on changes to the delivery of language, literacy, numeracy and digital literacy skills (LLND) training to Australians living in remote Australia. They will also deliver a report which collates feedback from the sessions for the department's use. This work will support the Future delivery of foundation skills training in remote Australia discussion paper and the co-design of a new delivery model.	Skills and Training	10/10/2022	28/2/2023	CN3922893 / 4400055591
\$42,900.00	Accounting services	Financial Management Advisory Services	Preparation and lodgement of the Department's Fringe Benefits Tax (FBT) Return for the years to 31 March 2023, 31 March 2024 and 31 March 2025 including associated working papers. The preparation of the FBT return should also incorporate a detailed quality assurance review of the information to be included in the return, and comparison to prior year returns. Internal Audit??????	Corporate & Enabling	1/02/2023	30/11/2025	CN3947275 / 4400056633
\$33,000.00	Accounting services	Audit Services	Review DEWR's Business Activity Statement (BAS) processes in the shared general ledger environment to ensure that DEWR is meeting its GST obligations.	Corporate & Enabling	5/12/2022	31/1/2023	CN3933729 / 4400056075
\$10,349,632.62							

*: Category is an Austender reporting requirement that requires procurements to be categorised under the *United Nations Standard Products and Services Code (UNSPSC)*

** this contract appears to be a duplicated and is being investigated. Until it is confirmed duplicate record it has been included in the data

DEWR currently have no contracts with Boston Consulting, Accenture or McKinsey.

Shaded cells relate to Consultancy contracts.

Data includes contracts that have originated before the establishment of DEWR, and subsequently varied by DEWR.

Contract Characteristics — Consultancy v. Non-Consultancy (Department of Finance)

It is often difficult to distinguish between a contract for services and a contract for consultancy services. The difference generally depends on the nature of the services and the level of direction and control over the work that is performed to develop the output.

- The below table outlines the characteristics that define each.

The below characteristics has been extracted from the associated guidance relating to the [Commonwealth Procurement Rules – 1 July 2022](#), which have been made in accordance with section 105B(1) of the *Public Governance, Performance and Accountability Act 2013 (PGPA Act)*.

Characteristics of consultancy contracts	Characteristics of non-consultancy contracts (only some may apply)
<p>Nature of Services</p> <ul style="list-style-type: none"> • Involves specialist professional knowledge or expertise that may not be maintained in-house. • There is a need for independent research or assessment. • Involves development of an intellectual output, e.g., research, evaluation, advice, and recommendations, to assist with entity decision-making. <p>Involves a one-off task, a set of tasks or irregular tasks (making employment of permanent staff impractical or undesirable).</p>	<p>Nature of Services</p> <ul style="list-style-type: none"> • Services performed are the day-to-day duties of the entity – e.g., a recruitment firm providing personnel to fill a temporary vacancy for a personal assistant, or in a program area. • The skills required to perform the services would normally be maintained within the entity. <p>Involves professional or expert services to implement an existing proposal or strategy – e.g., training specialists to deliver training in line with an existing strategy.</p>
<p>Direction and Control</p> <ul style="list-style-type: none"> • Performance of the services is left largely up to the discretion and professional expertise of the consultant. • Performance is without the entity's direct supervision. • The output reflects the independent views or findings of the individual or organisation. • The output is being produced for the entity. 	<p>Direction and Control</p> <ul style="list-style-type: none"> • Services are performed under supervision of the entity. The entity specifies how the work is to be undertaken and has control over the final form of any resulting output. • Professional or expert services provided under non-consultancy contracts are generally delivered without a high level of supervision and direction from the entity, however, the output produced will not necessarily represent the independent views of the service provider – i.e., the entity controls the form of the output.

The output may not belong to the entity.	<ul style="list-style-type: none"> The output is being produced on behalf of the entity. <p>The output is generally regarded as an entity product.</p>
Characteristics of consultancy contracts	Characteristics of non-consultancy contracts (only some may apply)
<p>Integration or Organisation Test</p> <p>Work performed is an accessory to the entity's business.</p> <p>the assignment.</p>	<p>Integration or Organisation Test</p> <p>Work is an integral part of the entity's business.</p>
<p>Use of Equipment and Premises</p> <ul style="list-style-type: none"> The Consultant provides their own equipment. <p>The Consultant may work from their own premises for some or all of the assignment.</p>	<p>Use of Equipment and Premises</p> <ul style="list-style-type: none"> The entity provides all equipment and supplies. <p>The Contractor will usually be engaged to work in the entity's premises.</p>
<p>Remuneration</p> <p>Consultancy payments are usually made when agreed milestones are reached or when a task or project is completed.</p>	<p>Remuneration</p> <p>Remuneration is based on the time worked, usually calculated on an hourly rate.</p>

Link to webpage: [Contract Characteristics | Department of Finance](#)



Conversion of External Labour Hire to Australian Public Service (APS) Positions

Key Points

- In the 2022 Federal Election, the Government committed to create more secure employment where temporary forms of work are being used inappropriately and to **rebuild the capacity and capability of the APS by converting labour hire, casual or contract roles into ongoing APS jobs.**
- The Audit of Employment led by the Department of Finance commenced **in late 2022**. It reported on entities as at 30 June 2022. DEWR's input to the audit was attributed to returns reported for other Departments including DESE, Attorney General's and Foreign Affairs and Trade (refer to Attachment C)
 - For the purposes of the Audit, DEWR's response related to external labour forming part of the department's workforce. Service providers procured through program delivery (such as the Pacific Labour Mobility Scheme and Workforce Australia) were not included.
- When established in July 2022, DEWR engaged **1,197 contactors** (28.4% of workforce) which has reduced to **935** as at 30 April 2023 (21.8% of workforce).
- DEWR's ASL is increasing from **2,915 in 2022-23** (2022-23 October Budget) to **3,557 in 2023-24** (2023-24 Budget) driven by the conversion of external labour to APS roles, the consolidation of domestic operations of the Pacific Labour Mobility Scheme into the department, and other measures.
- To reduce its reliance on external labour hire and to build internal capability of the APS, DEWR is converting external labour hire positions, such as service delivery and administration roles, to new ongoing ASL positions.
- As at 26 May 2023, conversion work includes:
 - **101 staff** onboarded through vacancies advertised at the APS3 – EL1 classifications to reprofile the workforce in the Contact Centres Branch from contractors to APS employees. All merit pools from this process have been exhausted.
 - **33 staff** onboarded through vacancies advertised at the APS3 – EL2 classifications within the Digital Solutions and Technology and Services Divisions.
 - Commenced onboarding for an additional **6** non-ongoing staff through DEWR's temporary employment register, currently engaged as contractors.

- Commenced the initial phases of running further bulk recruitment at the APS3 – APS6 classifications for the Contact Centres Branch to continue reprofiling the workforce.
- Further work is continuing to reduce use of contractors and reprofile the workforce. External labour will continue to be used as a part of DEWR’s overall workforce to deliver our outcomes.
- DEWR’s approach is consistent with limitations on fixed term contracts under Secure Jobs, Better Pay.

Breakdown of contractors (headcount) in DEWR by contractor type*

Type	Jul-22	Aug-22	Sep-22	Oct-22	Nov-22	Dec-22	Jan-23	Feb-23	Mar-23	Apr-23
ICT**	527	515	538	530	521	504	483	502	526	510
Non-ICT	670	657	676	577	577	517	516	516	450	425
Total	1,197	1,172	1,214	1,107	1,098	1,021	999	1,008	976	935

*Figures provided as 26 May 2023

** ICT contractors provide support to a number of agencies including Department of Education, Department of Foreign Affairs and Trade, and Services Australia

Fixed Term Contracts

- The conversion of external labour hire is consistent with limits on the use of fixed term contracts in the *Secure Jobs, Better Pay Act 2022* which will commence on **6 December 2023, 12 months after Royal Assent**.
- Employees can be engaged on fixed term contracts for the same role (or substantially similar work) for only **2 consecutive contracts or for a period of no more than 2 years unless**, the employee:
 - is engaged to perform only a **distinct and identifiable task involving specialised skills**
 - is engaged to perform **essential work** during a peak demand period, emergency, or a temporary absence of another employee
 - is engaged under a **training arrangement** or government funding arrangement of no more than two years
 - earns above the **high-income threshold** for the year in which the contract is entered into
- Other exemptions also apply.
- Some of the exemptions may apply in relation to **certain employees engaged by DEWR under fixed term contracts who provide specialist skills at high rates of remuneration, including ICT contractors**.

APSC Guidance

- The **APSC is developing a *Strategic Commissioning Framework*** to assist managers in determining the most appropriate resourcing option and ensure the APS employs and leverages external expertise in a considered, effective way.
- The *State of Service Report 2021-22* (released Nov 2022) considers the functions that should be performed in-house are those that:
 - are inherently the responsibility of government or require the exercise of public authority
 - contribute to goods and services to support the public good or public interest
 - should be resources using public service employees as a first principle to ensure the ongoing stewardship role of the APS.

DEWR Actions

What is the department's recruitment strategy to fill all these positions?

- DEWR will recruit roles as required to achieve government deliverables, including to implement new measures.

What steps is the department taking to convert specialist/ ICT contractor positions in the future?

- The department is finalising an ICT Workforce Strategy setting out a targeted approach to identify ICT roles and classification for conversion. The strategy will include:
 - A staged approach to **offer APS development** opportunities and appropriate remuneration for **ICT specialist contractors** to convert to APS positions.
 - **Increasing digital entry level intake** in collaboration with APSC to create a future APS pipeline and reduce dependency on ICT contractors.
 - **Expanding APS recruitment across geographical locations** for specific technology skills and potentially establishing ICT Hubs outside of Canberra such as Sydney, Melbourne and Adelaide.

Why aren't more conversions occurring across DEWR?

- The conversion of contractors needs to happen in a staged approach to ensure balance between contractors, market needs and recruitment activities is maintained and the ability to deliver on policies to be implemented in the next few years.
- DEWR will work towards further conversion processes to capture additional job groupings.
- There will continue to be a role for use of external labour in DEWR including for specialist and surge roles, having regard to the Secure Jobs Better Pay legislation.

Casuals

- DEWR has only 7 casual employees.

Background

- To reduce its reliance on external labour hire and to build internal capability of the APS, DEWR has begun converting external labour hire positions, such as service delivery and administration roles, to new ongoing ASL positions.
- DEWR is an IT service provider to over 30 other Departments and Agencies, including providing the outsourced IT functions for the Department of Education.

Budgeted ASL Impacts

Table 1: 2023-24 Budget ASL Impacts*

	2022-23	2023-24
DEWR Contractor conversion (new ASL)	49	248
Other ASL Impacts**	52	394
Total impact	101	642

*ASL Impact refers to the change in the budgeted ASL for DEWR relative to the estimate for 2022-23 at the 2022-23 October Budget (2,915). Numbers recorded for 2022-23 are initial impacts, with impacts for the following financial years inclusive of the figures previously recorded, and are not cumulative.

**Other ASL Impacts refers to estimate variations and decisions from the 2023-24 Budget.

Table 2: ASL point-to-point

	2022-23 ASL – as at October Budget	2023-24 ASL – as at 2023-24 Budget	ASL Increase
DEWR Total	2,915	3,557	642
As published in BP4	2,915	3,593	678

*The variance in ASL increase between DEWR total and BP4 relates to a duplication of some figures in BP4, prepared by the Department of Finance. The correct total ASL for DEWR is 3,557 (reconfirmed by the Department of Finance).

Other ASL impacts (the below is not publicly available)

- In addition to the ASL positions agreed through the conversion of contractor process, the department's ASL increased by 394 ASL in 2023-24 relative to 2022-23.
- Measures that have contributed to this increase in ASL include but are not limited to:
 - Pacific Australia Labour Mobility Scheme (PALM) – Insourcing
 - Targeted Support for Apprenticeships
 - Australian Skills Guarantee - Implementation
 - New Workforce Australia Servicing Arrangements for the Broome Employment

Development of a phased approach

- The department undertook a scoping exercise to determine suitable contractor positions for conversion. A phased approach will allow DEWR to undertake suitable and balanced recruitment activities within a market experiencing a labour shortage.

Department of Employment and Workplace Relations 2023-24 Portfolio Budget Statements Extract

- The portfolio continues to contribute to the Government's Ambitious and Enduring Reform Plan for the Australian Public Service by reducing spending on external labour. The department is implementing an ongoing process of identifying roles, filled using external labour hire, and converting these into Australian Public Service positions where appropriate to do so. Specific roles will continue to be filled through external labour hire where appropriate to ensure that the department can attract staff with specialist skills.

Attachments

- Attachment A – Contractors and Non-ICT contractors
- Attachment B – DEWRs contingent workforce (non-ongoing vs contractors)
- Attachment C – Audit of Employment
- Attachment D – DEWR actions in response to Secure Jobs Better Pay

BPB | PCPG | Contractors incl Non-ICT Contractors

All figures provided as at 30 April 2023.

- IT divisions within Corporate and Enabling Services account for most ICT contractors (86%) and deliver IT Services to DEWR and a number of other entities
- Employment and Workforce group account for the majority of Non-ICT Contractors (56%) with a majority delivering call centre support to people seeking access to employment services
- Skills and Training group engages 99 Non-ICT Contractors (23%) to build data capability, provide compliance and regulation, support migrant skills assessments, provide careers advice to school leavers and support for apprenticeship programs

Table 1 - Contractor numbers by group

Group	ICT	Non-ICT	Total
Corporate and Enabling Services	440	52	492
Employment and Workforce Group	11	240	251
Skills and Training Group	39	99	138
Workplace Relations Group	0	21	21
Jobs and Skills Australia	20	13	33
Total	510	425	935

Table 2 - Contractor numbers by location and group

Location	DEWR Corporate and Enabling Services		Employment and Workforce Group		Skills and Training Group		Workplace Relations Group		Jobs and Skills Australia		Grand Total	
	No.	%	No.	%	No.	%	No.	%	No.	%	No.	%
ACT	416	85	34	14	120	87	6	29	17	52	593	63
NSW	49	10	11	4	1	1	0	0	4	12	65	7
NT	0	0	1	0	0	0	0	0	0	0	1	0
QLD	9	2	86	34	4	3	15	71	5	15	119	13
SA	5	1	99	39	8	6	0	0	1	3	113	12
TAS	0	0	2	1	2	1	0	0	0	0	4	0
VIC	12	2	7	3	1	1	0	0	4	12	24	3
WA	0	0	2	1	0	0	0	0	1	3	3	0
Total	492	100	251	100	138	100	21	100	33	100	935	100

Table 3 – Top 5 Contractor numbers by branch and APS level equivalent

Branch	APS Class.	Total
Contact Centres Branch	APS 3	36
	APS 4	127
	APS 5	12
	APS 6	3
	EL1	1

	ICT	9
Contact Centres Branch Total		188
Digital Experience and Services	ICT	142
Digital Experience and Services Total		142
Architecture, Design and Development	ICT	101
Architecture, Design and Development Total		101
Data Platforms and Education Systems	ICT	91
Data Platforms and Education Systems Total		91
Digital Security and Operations	ICT	56
Digital Security and Operations Total		56

Table 4 – Top 10 Contractor numbers by job roles and by APS equivalency

Job Role	APS Class.	No.	Avg. Pay rate (\$)
Call Centre	APS 3	29	\$58.38
	APS 4	128	\$62.42
	APS 5	8	\$68.85
	APS 6	2	\$77.26
	EL1	1	\$121.48
Call Centre Total		168	\$62.56
Business Intelligence Developer	ICT	104	\$159.85
Business Intelligence Developer Total		104	\$159.85
Test Analyst/Tester/Performance Tester	ICT	64	\$136.32
Test Analyst/Tester/Performance Tester Total		64	\$136.32
Development and Programming	ICT	53	\$155.45
Development and Programming Total		53	\$155.45
Program Support Officer	APS 2	1	\$42.61
	APS 4	2	\$65.78
	APS 5	7	\$82.03
	APS 6	13	\$101.31
	EL1	2	\$131.36
	ICT	26	\$151.18
Program Support Officer Total		51	\$122.72
Web Developer	ICT	42	\$167.84
Web Developer Total		42	\$167.84
Systems Analyst	ICT	39	\$161.73
Systems Analyst Total		39	\$161.73
Administrative Support Officer	APS 2	2	\$41.53
	APS 3	9	\$54.36
	APS 4	13	\$61.58
	APS 5	3	\$74.81

	APS 6	3	\$86.50
	ICT	1	\$110.00
Administrative Support Officer Total		31	\$63.44
Helpdesk/Support Officer	APS 2	18	\$43.42
	APS 3	7	\$45.12
	APS 4	1	\$59.28
	APS 5	2	\$70.95
	APS 6	1	\$90.52
Helpdesk/Support Officer Total		29	\$47.90
Regulation Officer	APS 4	22	\$68.11
	APS 5	1	\$79.86
	APS 6	2	\$111.00
	EL1	1	\$135.96
Regulation Officer Total		26	\$74.47

Table 5 – Contractor numbers by job family

Job Family	ICT	Non-ICT	Total
Accounting and Finance	0	9	9
Administration	1	41	42
Communications and Marketing	1	5	6
Compliance and Regulation	0	34	34
Human Resources	1	6	7
ICT	428	32	460
Intelligence	7	9	16
Legal and Parliamentary	0	6	6
Monitoring and Audit	0	5	5
Project and Programme	44	55	99
Research	27	16	43
Service Delivery	0	197	197
Strategic Policy	1	9	10
Trades and Labour	0	1	1
Grand Total	510	425	935

Table 6 – Contractor numbers by APS classification equivalency and per hour pay rates

Classification Equivalent	Count	Min of Pay Rate (\$ p/h)	Max of Pay Rate (\$ p/h)	Average of Pay Rate (\$ p/h)
APS 1	1	28.04	28.04	28.04
APS 2	24	40.44	46.28	43.30
APS 3	59	42.62	65.31	56.18
APS 4	186	43.32	82.32	63.63

APS 5	56	48.57	95.70	76.96
APS 6	46	72.97	143.74	97.75
EL1	51	96.33	236.50	151.68
EL2	2	209	225.73	217.37
ICT	510	75.9	307.00	160.44
Grand Total	935	28.04	307.00	123.01

Note: Hourly rates have been adjusted from 1 July 2022 due to the 0.5 per cent rise in the minimum Superannuation Guarantee rate.

The hourly rate is the amount DEWR pays the labour hire firm, not the amount the contractor receives. Hourly rates are elevated to compensate for the absence of employee entitlements, for example annual and personal leave.

Table 7 - Contractors broken down by category, headcount and lowest and highest hourly pay rate

Category	Number of Contractors	Lowest Hourly Rate	Highest Hourly Rate
ICT Specialist	510	75.90	307.00
Non-ICT Contractor	425	28.04	236.50

Supplier Details

- 209 suppliers provided the 935 labour hire contractors.
- Of these, 190 suppliers provided less than 10 contractors each to the department.

Table 8 – breakdown of category type by number of contracts and contract value

Type	Number of procurement contracts	Total Value of Contracts \$ Million
ICT	510	285
Non-ICT	199	133
Total number of individual contracts	709	418

Table 9 - Largest supplier breakdown of contract type and contract value

Supplier	Type	Number of Contracts	Number of Contractors	Total Value of all Contracts \$
Hays Specialist Recruitment (Australia) Pty Limited	Non-ICT	31 (In addition to their 28 ICT contracts) 59	97	48,445,392
Subject to third party review rights				



DEWR's contingent workforce (non-ongoing and contractors)

Key Points

Snapshot of DEWR's contingent workforce

- As at 30 April 2023 DEWR had a total of 163 Non-Ongoing (NOG) employees and 935 contractors. A breakdown by classification is provided below.

Table 1: Total workforce by status and classification equivalent

Classification	Ongoing	NOG	% NOG	ICT Contractors*	Non-ICT Contractors
APS1-3	126	34	21.3%	N/A	84
APS4	240	41	14.6%		186
APS5	389	28	6.7%		56
APS6	797	28	3.4%		46
EL1	1096	24	2.1%		51
EL2	433	5	1.1%		2
SES	116	3	2.5%		0
Total	3,197	163	4.9%		510
Total APS/Contractors	3,360 (78.2%)			935 (21.8%)	
Total Workforce	4,295				

* ICT contractors are not assigned an equivalent classification

- For the period 1 July 2022 – 30 April 2023, there was a total of:
 - 170 x non-ongoing engagements, 169 were non-SES and one SES
 - 33 x Section 26 temporary transfers into the department.
- DEWR's contractor workforce has reduced by a total of 262 (approximately 21.9 per cent) since 31 July 2022 due to a range of factors such as planned ending of contract periods and initial work on conversions of contractors to APS employment in Contact Centres Branch.

Interaction between the Fair Work Legislation Amendment (Secure Jobs, Better Pay) Act 2022 and the Public Service Act 1999 for non-ongoing contracts

- The Fair Work Legislation Amendment (Secure Jobs, Better Pay) Act 2022 (the Act) limits the use of fixed term contracts for the same role beyond two years (including renewals) from 6 December 2023.
- The PS Act provides for an individual to be engaged on a non-ongoing or temporary basis, for:
 - a specified term which must not exceed 3 years, including any extensions.
 - the duration of a specified task
 - irregular or intermittent (casual) duties.
- Both the FW Act and PS Act contain provisions limiting the length of fixed-term contracts, however where there is conflict between them, the FW Act provisions will apply.
- The PS Regulations specifically provide for transition to the new FW Act provisions regarding non-ongoing employment (i.e. the 2-year limit and maximum of one contract extension) from 6 December 2023.

Questions previously asked during hearings

PDR Link	Submitted By	Subject	Answer Summary
SQ22-001236	<i>Michalea Cash</i>	<i>Contractors</i>	<i>Total 1,214 contractors and 109 non-ongoing (NoG). Contractor breakdown hourly rate and NoG classifications by salary range</i>
SQ23-000243	<i>Jacqui Lambie</i>	<i>Non-ongoing employees between 1 July 22 -17 February 2023</i>	<i>Employment detail including FT, PT status and recruitment activity</i>
SQ23-000249	<i>Jacqui Lambie</i>	<i>Contractors between 1 July 22 -17 February 2023</i>	<i>Employment detail including FT, PT status and recruitment activity</i>



Audit of Employment within the Australian Public Service (APS)

Key Points

- The Government's Audit of Employment within the APS (Audit) is an **election commitment** and initiative under Priority four of the Government's *APS Reform Agenda* which aims to build an 'APS that has the capability to do its job well'.
- The **Audit commenced in late 2022** and was led by the Department of Finance and the Australian Public Service Commission.
 - *The Australian Government's report on the Audit of Employment* (the Report) is publicly available on the Department of Finance website. **It reports on entities as at 30 June 2022, which excludes DEWR due to its establishment on 1 July 2022.**
- DEWR's **input to the Audit** is attributed to the returns reported for the Department of Education, Skills and Employment (DESE), Attorney-General's Department (AGD) and the Department of Foreign Affairs and Trade (DFAT).
- DEWR's response to the audit related to external labour as at 30 June 2022 that formed part of the department's workforce that transferred to DEWR following its establishment on 1 July 2023 from its predecessor departments.
 - Service providers procured through program delivery (including Pacific Labour Mobility Scheme and Workforce Australia) were not included.
 - Questions concerning whether ancillary services (such as cleaners and security) were included are best directed to DEWR's predecessor departments or their successors (Department of Education for DESE, AGD, and DFAT).
- The Secretary of the Department of Finance, Jenny Wilkinson PSM, advised Senate Estimates on 25 May 2023 that this was the first time data of this nature has been collected and information provided was subject to what was available from existing systems. Finance accepted that some information could not be provided in the format requested.

Snapshots from the Report

- The Report identified consultants and contractors represented **27% of total expenditure** in 2021-22 and **36% of the total external labour FTE workforce** across Commonwealth agencies.
 - Of the 112 entities surveyed, the former **DESE ranked 7th for expenditure** on contractors.
 - DESE was not in the top 10 entities for expenditure on **consultants**.
- Data published for whole of APS was external labour 53,911 against ASL of 144,271 which is 27% of headcount or the equivalent of nearly \$21 billion for 2021-22.
- The report published (the former) Education, Skills and Employment Portfolio data detailed in the table below:

Table 1:

Education, Skills and Employment	
2021-22 Total External Labour (FTE)	1,272.4
2021-22 Total ASL (FTE)	4,063.1
2021-22 Total FTE (APS and External)	5,335.5
2021-22 Total External Labour Expenditure (\$m)	201.1

Table 2: Top 10 entities – use of contractors in 2021–22:

Entity	Exp (\$m)	FTE
Dept. of Defence	2,487.2	8,311
Services Australia	550.8	1,737
Dept. of Home Affairs	395	1,377
Dept. of Agriculture, Water & Environment	350.9	1,905
Dept. of Veterans' Affairs	134.3	463
Australian Taxation Office	119.3	509
Dept. of Education, Skills & Employment	107.5	476
Bureau of Meteorology	104.5	612
Dept. of Foreign Affairs & Trade	73.1	456
Dept. of Industry, Science, Energy & Resources	59.6	318

Key public themes associated with the Report

- Shadow workforce, shadow public service
 - Media coverage has framed the report as exposing the 'shadow workforce' that operated under the previous government.
- Job security
 - Prior to the 2022 Federal Election, the Government's key statements on its intention to undertake the Audit made a connection between the Audit and job security in the APS.
 - *Labor's plan to improve the public service* notes the intent to "conduct an audit of employment within the APS, and as a model employer, take steps to create more secure employment where temporary forms of work are being used."
 - The Minister for Finance, Minister for Women, and Minister for the Public Service released an op-ed which noted that "Labor will focus on reducing the job insecurity which has become rampant across key agencies and conduct an audit of employment arrangements across the APS."
- Tech recruitment failure
 - The Mandarin's article '*APS tech recruitment failure casts \$21 billion-long shadow workforce*' of 8 May 2023 framed the Report as exposing the loss of internal tech skills in the APS.

Media Coverage

- As the Report focused on the former Department of Education, Skills and Employment, there has not been direct reporting on the current department in relation to the Report.

Background

- DEWR contributed to the Audit (which was Protected information) through:
 - **A consultation survey** which invited views on **when the use of external labour has worked well** and when it has not, along with barriers or opportunities foreseen in the conversion of external labour hire to APS positions.
 - An **Entity Baseline Workbook** which required advice on expenditure on external labour hire in the 2021-22 financial year and FTE as at 30 June 2022.
 - As at 30 April 2023 DEWR had **510 ICT contractors and 425 non-ICT contractors** to deliver outcomes – a total of 935 (**21.8%** of the total workforce).
 - Consistent with the Government's policy of identifying where Department work can be done more efficiently and effectively by public servants using ASL, DEWR is converting contract roles into ongoing APS jobs.
 - DEWR has **7** casual workers as at 31 March 2023.

DEWR Input

- Data presented below is an aggregate reflection of DEWR's response.

DEWR Audit input	30 June 2022 FTE	2021-22 EXPENDITURE \$m
Accounting and Finance	18	2
Contractors	7	1
Labour Hire	11	1
Administration	36	3
Contractors	1	0
Labour Hire	35	3
Communications and Marketing	6	1
Contractors	0	0
Labour Hire	6	1
Compliance and Regulation	38	3
Contractors	0	0
Labour Hire	38	3
Data and Research	115	23
Contractors	97	21
Labour Hire	18	2
Human Resources	1	0
Contractors	0	0
Labour Hire	1	0
ICT and Digital Solutions	281	66
Contractors	264	65
Labour Hire	17	1
Information and Knowledge Management	2	0
Labour Hire	2	0
Intelligence	18	3
Contractors	15	3
Labour Hire	3	0
Legal and Parliamentary	13	2
Contractors	13	2
Monitoring and Audit	0	3
Consultants	0	3

DEWR Audit input	30 June 2022 FTE	2021-22 EXPENDITURE \$m
Policy	21	21
Consultants	0	18
Contractors	13	2
Labour Hire	8	2
Portfolio, Program and Project Management	148	28
Consultants	7	3
Contractors	72	16
Labour Hire	69	9
Service Delivery	423	25
Contractors	3	1
Labour Hire	420	25
Grand Total	1,121	183

Row Labels	30 June 2022 FTE	2021-22 EXPENDITURE \$m
Consultants	7	24
Contractors	485	112
Labour Hire	629	48
Grand Total	1,121	183

OFFICIAL

DEWR action in response to *Fair Work Legislation Amendment (Secure Jobs, Better Pay) Act 2022 (Cth)*

Measure	Description of amendments	APSC Guidance	DEWR action
Abolition of ROC	<ul style="list-style-type: none"> Abolish the ROC and the role of the RO Commissioner. 	N/A	N/A
Abolition of ABCC	<ul style="list-style-type: none"> Abolish the Australian Building and Construction Commission. 	N/A	N/A
Objects of the Fair Work Act, modern award objective, minimum wages objective	<ul style="list-style-type: none"> Introduce job security and gender equality into the object of the Fair Work Act, to support the Government's priorities of delivering secure, well-paid jobs and ensuring women have equal opportunities and equal pay. Introduce improved access to secure work and gender equality into the modern awards objective as matters the Fair Work Commission would be required to take into account when setting terms and conditions in modern awards. Introduce gender equality into the minimum wages objective as a matter the Fair Work Commission would be required to take into account when setting minimum wages. 	<p>The <i>Australian Public Service Gender Equality Strategy 2021-26</i> was released on 7 December 2021.</p> <p>The Strategy provides a flexible framework to enable agency-level conversations and targeted actions on shared areas of focus, outlining how the APS can remain a leader in gender equality, and integrate the principles of gender equality into all aspects of work.</p>	As at 31 March 2023, the DEWR workforce was 59.6% female (headcount).
Equal remuneration	<ul style="list-style-type: none"> Empower the Fair Work Commission to make an equal remuneration order on its own initiative. Clarifies evidence of a 'male comparator' is not required for an equal remuneration order to be granted, nor is the Fair Work Commission required to find discrimination on the basis of gender. Require that the Fair Work Commission's consideration of work value reasons, for the purposes of varying modern award minimum wages outside of the Annual Wage Review, be free of assumptions based on gender, and include consideration of whether there has been historical gender-based undervaluation of the work under consideration. 	N/A	<p>As at 31 March 2023, DEWR had a gender pay gap of 0.4 per cent in favour of men.</p> <p>Future gender pay gap figures will be shared more broadly through public sector gender equality reporting, made publicly available to further improve transparency.</p> <p>This initiative has been facilitated by the recent passing of the <i>Workplace Gender Equality Amendment (Closing the Gender Pay Gap) Bill 2023</i>.</p> <p>The Workplace Gender Equality Agency (WGEA) will release 2023 APS pay gaps in late 2024, for agencies with 100 or more employees. We expect this to include DEWR.</p>
Expert panels	<ul style="list-style-type: none"> Establish two new Expert Panels in the Fair Work Commission—one for Pay Equity and one for the Care and Community Sector—to hear wage-related matters. 	N/A	N/A
Prohibiting pay secrecy	<ul style="list-style-type: none"> Provides employees with a new workplace right of an employee to disclose, or not disclose, their remuneration, or to ask any other employee about the other employee's remuneration. Provide a term of a fair work instrument or contract of employment has no effect to the extent it is inconsistent with the new right. From 7 June 2023, prohibits employers from including pay secrecy clauses in new employment contracts and other written agreements where the contract or agreement includes a term that is inconsistent with the new right. 	N/A	The department's letters of engagement and individual section 24(1) determinations for SES do not include secrecy provisions.
Prohibiting sexual harassment in connection with work	<ul style="list-style-type: none"> Makes it unlawful for a person to sexually harass another person where: <ul style="list-style-type: none"> a) the other person is a worker in a business or undertaking, seeking to become a worker in a particular business or undertaking, or conducting a business or undertaking; and b) the harassment occurs in connection with the other person being a person of the relevant kind. Allows applications to be made to the FWC for stop sexual harassment into the Fair Work Act, and an accompanying dispute resolution function for the Fair Work Commission. orders. 	APSC guidance for preventing and responding to sexual harassment in the APS .	<p>DEWR has reviewed and updated its <i>Managing Workplace Discrimination and Harassment Policy</i>, including but not limited to:</p> <ul style="list-style-type: none"> - change the threshold for harassment on the basis of sex - include a positive duty on PCBUs to take reasonable and proportionate measures to eliminate, as far as possible, conduct that is prohibited - include a new prohibition on subjecting persons to a hostile working environment on the ground of sex. <p>Reviewed and made amendments to the department's:</p> <ul style="list-style-type: none"> - <i>Manager's Guide to Preventing and Responding to Workplace Harassment</i>

OFFICIAL

Measure	Description of amendments	APSC Guidance	DEWR action
			- <i>Manager's Conversation Guide: Addressing Concerns with Behaviour.</i>
Anti-discrimination and special measures	<ul style="list-style-type: none"> Extends the anti-discrimination framework in the Fair Work Act, by adding three further protected attributes—breastfeeding, gender identity and intersex status—to the existing provisions that provide protections against discrimination. Clarifies that enterprise agreements can include 'special measures to achieve equality'. 		The department's <i>Managing Workplace Discrimination and Harassment Policy</i> addresses protected personal attributes, including those added to the existing provisions.
Fixed-term contracts	<ul style="list-style-type: none"> Limits on the use of fixed term contracts made by the <i>Secure Jobs, Better Pay Act 2022</i> will commence on 6 December 2023, 12 months after Royal Assent. Employees can be engaged on fixed term contracts for the same role (or substantially similar work) for only 2 consecutive contracts or for a period of no more than 2 years unless, the employee: <ul style="list-style-type: none"> is engaged to perform only a distinct and identifiable task involving specialised skills, is engaged to perform essential work during a peak demand period, emergency, or a temporary absence of another employee, is engaged under a training arrangement or government funding arrangement of no more than 2 years, earns above the high-income threshold for the year in which the contract is entered into. Other exemptions also apply. Some of the exemptions may apply in relation to certain employees <u>engaged by DEWR</u> under fixed term contracts who provide specialist skills at high rates of remuneration, including ICT contractors. 		Refer EC23-002687 - Conversion of External Labour Hire to Australian Public Service Positions for additional information on fixed-term contracts.
Flexible work	<ul style="list-style-type: none"> The amendments made by the <i>Secure Jobs, Better Pay Act</i> will: <ul style="list-style-type: none"> expand the circumstances in which an employee experiencing family and domestic violence can request a flexible working arrangement, strengthen employer obligations when considering a request for flexible work, and enable the Fair Work Commission to make orders where an employer refuses an employee's request or does not respond within 21 days. The amendments will commence on 6 June 2023. 	<p>The Secretaries Board has endorsed a principles-based approach to flexible work developed by the Secretaries' Future of Work Sub-Committee.</p> <p>The approach included extensive consultation with APS agencies and was informed by research into best practice approaches offered by other Australian and international employers in both the public and private sectors.</p> <p>Workplace flexibility is an important issue in the current APS service-wide bargaining process. The Principles will be a consideration in negotiation of a common flexibility term for inclusion in all APS enterprise agreements.</p>	<p>DEWR has updated its Family and Domestic Violence (FDV) Policy to align to the expanded circumstances for flexibility requests.</p> <p>Devolved delegations for approving flexible work arrangements.</p> <p>Development of additional resources and guidance, including remote work 'check in' with DEWR employees in March; creation of a 'Remote Work Portal'; and improvements to departmental processes.</p> <p>Workplace flexibility is an important issue in the current APS service-wide bargaining process. The Principles will be a consideration in negotiation of a common flexibility term for inclusion in all APS enterprise agreements.</p>
Bargaining (various)	<ul style="list-style-type: none"> Bargaining reforms made by the <i>Secure Jobs, Better Pay Act 2022</i> commencing 7 December 2022, including reforms to: <ul style="list-style-type: none"> clarify that the Fair Work Commission can only terminate an agreement on the unilateral application of a party in limited circumstances provide for the sunseting of all remaining transitional instruments currently preserved by the <i>Fair Work (Transitional Provisions and Consequential Amendments) Act 2009</i> simplify the process for initiating bargaining empowering the Fair Work Commission to correct or amend obvious errors, defects or irregularities, and validate agreements where the wrong version of the agreement was inadvertently submitted for approval. 	<p>Australian Government released the <i>Public Sector Workplace Relations Policy 2023 on 28 March 2023</i>.</p> <p>The policy seeks to re-establish the public service as a model employer, reduce fragmentation of pay and conditions over time and provide pay increases for APS employees which are underpinned by productivity growth and delivered through</p>	<p>DEWR is required to comply with the Government's policy on Workplace.</p> <p>The department is participating in service-wide bargaining (Part A) and will comply with legislative and policy requirements when Part B bargaining commences.</p>

OFFICIAL

Measure	Description of amendments	APSC Guidance	DEWR action
	<ul style="list-style-type: none"> Bargaining reforms made by the <i>Secure Jobs, Better Pay Act 2022</i> commencing 6 June 2023, including reforms to: <ul style="list-style-type: none"> simplify requirements that need to be met for an enterprise agreement to be approved by the Fair Work Commission amend the better off overall test to make it fit for purpose: simple, flexible and fair increase scope for the Fair Work Commission to provide effective assistance to parties to resolve intractable bargaining disputes promote efficiencies relating to protected action ballots, de-escalate disputes before industrial action is taken and new notice requirements before commencing employee industrial action for certain types of multi-enterprise bargaining low-paid bargaining to create the supported bargaining stream single interest employer bargaining multi-enterprise bargaining to be known as the cooperative workplace bargaining stream preclude multi-enterprise agreements from covering employees working in general building and construction. 	<p>fair and genuine negotiations between employers, employees, and unions.</p> <p>The Government seeks to achieve this through the effective implementation of genuine service-wide bargaining for pay and conditions.</p>	
Enhancing the small claims processes	<ul style="list-style-type: none"> Increases the monetary cap for small claims from \$20,000 to \$100,000 and enable successful applications in a small claims matter to recover their filing fee as costs. 	N/A	N/A
Prohibiting employment advertisements with pay rate that would contravene the Act	<ul style="list-style-type: none"> Prohibits national system employers from advertising employment at a rate of pay that would contravene the FW Act or a fair work instrument, with special provision regarding piece rates 	N/A	N/A
Establishment of the NCIF	<ul style="list-style-type: none"> The National Construction Industry Forum will be established on 1 July 2023. The function of the NCIF is to provide advice to the Government in relation to work in the building and construction industry, including in relation to workplace relations, skills and training, safety, productivity, diversity and gender equality and industry culture. The NCIF will consist of the Minister for Employment and Workplace Relations (the Minister) (as Chair), the Industry Minister, the Infrastructure Minister and other members appointed by the Minister (including employer and employee representatives). 	People Branch does not have visibility of this matter.	People Branch does not have visibility of this matter.
Certain additional matters in performing functions	<ul style="list-style-type: none"> These amendments require the Fair Work Commission and Fair Work Ombudsman to have regard to the need to provide guidance in multiple languages in relation to certain of their functions. 	N/A	N/A
<i>Related measure</i>			
Paid family and domestic violence leave	<ul style="list-style-type: none"> The <i>Paid Family and Domestic Violence Leave Act</i> replaced the previous entitlement to 5 days of unpaid family and domestic violence leave with an entitlement to 10 days of paid leave per year. The entitlement commenced for national system employees employed other than by small business on 1 February 2023. This included employees of DEWR. 	<p>APSC published Circulars 2022/12 - <i>Changes to the Fair Work Act 2009 to include 10 days' paid family and domestic violence leave in the National Employment Standards</i> and 2023/2 - <i>Update to Family and Domestic Violence leave reporting requirements under the Fair Work Regulations 2009</i> inform APS agencies on the FW Act changes and required changes to their practices to support these changes.</p> <p>The APSC is currently reviewing its family and domestic violence policy framework template to further assist APS agencies.</p>	<p>The department's Leave and FDV Policies allows the delegate to approve leave consistent with the FW requirements.</p> <p>An updated Leave Policy, specifying the changes and providing explicit information on FDV has finalised, following staff consultation and feedback through from the department's consultative committee and is in the process of being updated on our intranet.</p>

KEY MESSAGES

- The 2023-24 Budget includes portfolio initiatives which deliver on the Government’s agenda to **foster an inclusive, productive economy** that generates **high quality skills** and opportunities for people to **participate in safe, secure and well-paid work**.
- Key Budget announcements include:** voluntary ParentsNext, insourcing PALM, delivering on the National Skills Agreement (\$3.7 bn in the Contingency Reserve), supporting apprentices, addressing silica, responsible savings through ceasing some programs.
- DEWR **total expenses of \$5.5 bn in 2023-24** (↑\$176.9m since October 2022-23 Portfolio Budget Statement)
 - Departmental expenses of **\$838.1m** in 2023-24 (↑\$113.7m since October 2022-23)
 - Administered expenses of **\$4.7bn** in 2023-24 (↑\$63.2m since October 2022-23), not including Treasury or CR
- DEWR **ASL of 3,557 in 2023-24** (↑642 since October 2022-23) – driven by the consolidation of PALM domestic operations within the department and conversion of external labour to ASL positions.
- Savings of \$56.9m over 4 years (\$14.7m in 2023-24) from **Savings from External Labour, Advertising, Travel and Legal Expenses** (estimates variation in 2023-24 Budget). Including savings taken at October 2022-23 for APS Reform (\$1.4m over 3 years) and External Labour (\$11.7m in 2022-23) – total savings of \$70.1m taken.
- The **indexation framework for Wage Cost Indices** has been updated, providing increased funding, over and above usual indexation rates, to some programs including Jobs and Skills Councils, Skills for Education and Employment, National Training System COPE, and Fair Entitlements Guarantee Recovery program.
- A **2022-23 PAES** has been produced, in addition to 2023-24 PBS, primarily due to \$995.8m increase in 2022-23 for Apprenticeship program estimate variations.
- PALM has seen a shift in spending from administered to departmental as a result of consolidating domestic operations in the department.

KEY MEASURES

\$ in millions across FEs (2022-23 to 2026-27) including DEWR and portfolio entity impacts.
Refer to PBS Table 1.2 (pp. 25-28) and PAES Table 1.1 (pp. 4-5).

Spending Measures Led by EWR Portfolio

- Boosting Employment Support (\$25.7m) – includes establishing Y Careers, extending TWES, services in Broome, Local Jobs Program – Net Zero
- Targeted Support for Apprenticeships (\$54.3m)
- Improving the Administration of Student Loans (\$41.8m)
- Extension of National Skills Agreement Negotiation Resourcing (\$5.5m)
- National Careers Institute – continuation (\$5.1m)
- Foundation Skills Programs – redesign and pilot extension (\$0.0m)
- Australian Skills Guarantee – Implementation (\$8.6m)
- Safe and Fair Workplaces (\$27.4m) – includes PET Fund boost and resourcing for WR agenda
- Addressing Silicosis and Silica-Related Diseases (\$10m)

Savings Measures Led by EWR Portfolio

- Employment and Workplace Relations – Reprioritisation (\$212.9m) – includes reducing Self-Employment Assistance places, ceasing Entrepreneurship Facilitators, reviewing the Fair Work Ombudsman, reducing uncommitted funding in Skills.

Other Measures with EWR Portfolio Impacts

- DFAT-led Enhancing Pacific Engagement (\$166.7m) (including PALM and Job Fair saving)
- DSS-led measures (\$113.3m) including Parenting Payment (Single) – improved support for single parents
- Home Affairs-led measures (three measures) (\$22.0m)
- PM&C-led APS Capability Reinvestment Fund (\$0.4m)
- Defence-led Nuclear-Powered Submarine Program – initial implementation (\$3.9m)

POINT-TO-POINT 2023-24

	Admin (\$m) ¹	Dept (\$m) ^{1,2}	Total (\$m) ¹
DEWR Expenses as at October 2022-23 Budget	4,633.4	724.4	5,357.9
Measures	-7.3	122.7*	115.4
Savings from external labour allocation	-0.1	-14.7	-14.7
WCI framework revision	2.0	2.3	4.3
Other, e.g., Estimate Variations	68.6	3.3	72.0
Net Change	63.2	113.7	176.9
DEWR Expenses as at 2023-24 Budget	4,696.6	838.1	5,534.8

* Including capital

POINT-TO-POINT ACROSS FEs (2022-23 to 2026-27)

	Admin (\$m) ¹	Dept (\$m) ^{1,2}	Total (\$m) ¹
DEWR Expenses as at October 2022-23 Budget	19,108.0	2,914.7	22,022.8
Measures	-81.0	369.8*	288.8
Creation of 2026-27	3,902.1	582.5	4,484.6
Savings from external labour allocation	-0.3	-56.9	-57.2
WCI framework revision	22.7	30.6	53.3
Other, e.g., Estimate Variations	1,333.1	277.1	1,610.2
Net Change	5,176.7	1,203.1	6,379.7
DEWR Expenses as at 2023-24 Budget	24,284.7	4,117.8	28,402.5

* Including capital

ASL

	2023-24	Net change
O1 Employment and Workforce	1,844	+348
O2 Skills and Training	1,310	+232
O3 Workplace Relations	403	+62
DEWR Total	3,557	+642

Note: Corporate ASL is allocated to Outcomes for PBS reporting.
Net change is calculated as ASL in the 2023-24 Budget less ASL in the October 2022-23 Budget.
Refer to PBS Table 2.1.1 (p. 33) for O1, 2.2.1 (p.41) for O2 and 2.3.1 (p. 50) for O3.

EXPENSES 2023-24

	Admin (\$m) ¹ (Net change)	Dept (\$m) ^{1,2} (Net change)	Total (\$m) ¹ (Net change)
DEWR	4,696.6 (+63.2)	838.1 (+113.7)	5,534.8 (+176.9)
O1 Employment and Workforce	1,920.2 (-166.3)	453.4 (+45.2)	2,373.6 (-121.1)
O2 Skills and Training	2,206.3 (+95.2)	301.6 (+56.4)	2,507.9 (+151.6)
O3 Workplace Relations	570.2 (+134.3)	83.1 (+12.0)	653.3 (+146.3)
Portfolio Agencies	0.5 (nil change)	659.0 (+0.2)	659.5 (+0.2)
Treasury Payments (S&T)³	1,900.1 (+7.5)	- (nil change)	1,900.1 (+7.5)
Skills and Training Total⁴	4,106.4 (+102.8)	347.6 (+55.8)	4,454.0 (+158.6)
Workplace Relations Total⁵	570.7 (+134.3)	696.1 (+13.3)	1,266.8 (+147.6)

Note: Net change is calculated as expenses for 2023-24 in the 2023-24 Budget less expenses for 2023-24 in the October 2022-23 Budget.

Refer to PBS Table 2.1.1 (p. 33) for O1, 2.2.1 (p. 40) for O2 and 2.3.1 (p. 50) for O3.

EXPENSES ACROSS FEs (2022-23 to 2026-27)

	Admin (\$m) ¹ (Net change)	Dept (\$m) ^{1,2} (Net change)	Total (\$m) ¹ (Net change)
DEWR	24,284.7	4,117.8	28,402.5
O1 Employment and Workforce	9,938.6	2,300.8	12,239.4
O2 Skills and Training	11,753.6	1,412.0	13,165.6
O3 Workplace Relations	2,592.5	405.0	2,997.5
Portfolio Agencies	2.5	3,230.3	3,232.8
Treasury Payments³	9,807.5	-	9,807.5
Skills and Training Total⁴	21,561.1	1,636.9	23,198.0
Workplace Relations Total⁵	2,595.0	3,410.4	6,005.4

Refer to PBS Table 2.1.1 (p. 33) for O1, 2.2.1 (p. 40) for O2 and 2.3.1 (p. 50) for O3.

¹ Totals may not add up due to rounding.

² Departmental expenses include expenses not requiring appropriations.

³ Treasury Payments (S&T) refers to payments for skills programs made to the State and Territories through Treasury.

⁴ Skills and Training Total consists of: DEWR O2 Skills and Training, Australian Skills Quality Authority and Treasury payments to States and Territories.

⁵ Workplace Relations Total consists of: DEWR O3 Workplace Relations, Asbestos Safety and Eradication Agency, Comcare, Fair Work Commission, Office of the Fair Work Ombudsman and Safe Work Australia.

Cyber Security

DEWR is committed to the protection of government and public information, and the integrity and availability of ICT systems, from the threat of cyber security incidents. DEWR has adopted a PROTECTED network

Department Cyber Position

Activity
<ul style="list-style-type: none"> DEWR adopts a risk-based approach to the management of information risk in accordance with: <ul style="list-style-type: none"> the Protective Security Policy Framework (PSPF) the Australian Cyber Security Centre's (ACSC) Information Security Manual the ACSC's Strategies to Mitigate Cyber Security Incidents, in particular, the 'Essential Eight'. the Privacy Act 1988 and guidance issued by the Office of the Australian Information Commissioner.
<ul style="list-style-type: none"> DEWR takes privacy seriously and only collects and holds personal information that is reasonably necessary for, or directly related to, the department's functions or activities, or where otherwise required or authorised by law.
<ul style="list-style-type: none"> To ensure the ongoing safeguarding of information held by DEWR, we do not publicly discuss the details of our information security arrangements. However, DEWR closely monitors cyber events, working closely with relevant agencies to understand and remediate where appropriate any potential risks to DEWR and/or our clients.

PSPF and Essential 8 Maturity

Event or action
<ul style="list-style-type: none"> DEWR provides an annual report on its protective security maturity to the Attorney-General's Department under the PSPF. Publicly reporting on DEWR's protective security maturity and vulnerabilities would provide details that malicious actors may exploit and increase the department's risk of its protective security arrangements. Questions relating to the PSPF are a matter for the Attorney-General's Department, who can respond on behalf of the Commonwealth.

PSPF Direction

Critical Date	Event or action
4 April 2023	<ul style="list-style-type: none"> On Tuesday 4 April 2023 the Attorney General issued direction 001-2023 relating to the TikTok application. DEWR confirmed has IT controls in place that prevent the use of TikTok on work issued devices.

Data Breaches

Item	Provider
Optus, Medibank Private, Latitude Financial	DEWR has reviewed the potential impact of the Optus, Medibank Private and Latitude Financial data breaches as well as the release of credentials on the dark web and implemented appropriate mitigation measures.

Related Questions received on notice

PDR Link	Submitted By	Subject	Answer Summary
QoN 1337	Senator James Paterson	TikTok	DEWR has IT controls in place that prevent the use of TikTok on work issued devices.
QoN 1759	Senator James Paterson	DJI technology	DEWR and Portfolio Agencies do not use any technology manufactured or sold by DJI.
QoN 1093	Senator James Paterson	Hikvision or Dahua	DEWR has identified Hikvision manufactured devices installed for one portfolio agency. The portfolio agency has identified 17 Hikvision units across four sites.



Cyber Security

What has been announced

- On Tuesday 4 April 2023 the Attorney General issued direction 001-2023 relating to the TikTok application.
- The department confirmed has IT controls in place that prevent the use of TikTok on work issued devices.

Key Government statements

- The department is committed to the protection of government and public information, and the integrity and availability of ICT systems, from the threat of cyber security incidents.
- The department takes privacy seriously and only collects and holds personal information that is reasonably necessary for, or directly related to, the department's functions or activities, or where otherwise required or authorised by law.
- The department adopts a risk-based approach to the management of information risk in accordance with:
 - the Protective Security Policy Framework (PSPF)
 - the Australian Cyber Security Centre's (ACSC) Information Security Manual
 - the ACSC's Strategies to Mitigate Cyber Security Incidents, in particular, the 'Essential Eight'.
 - the Privacy Act 1988 and guidance issued by the Office of the Australian Information Commissioner.
- To ensure the ongoing safeguarding of information held by the department, we do not publicly discuss the details of our information security arrangements.
- However, the department closely monitors cyber events, working closely with relevant agencies to understand and remediate where appropriate any potential risks to the department and/or our clients.

Current status of the policy (*i.e. in development, implementation, evaluation etc*)

- The department provides an annual report on its protective security maturity to the Attorney-General's Department under the PSPF.
- Publicly reporting on the department's protective security maturity and vulnerabilities would provide details that malicious actors may exploit and increase the department's risk of its protective security arrangements. Questions relating to the PSPF are a matter for the Attorney-General's Department, who can respond on behalf of the Commonwealth.

Data Breaches

- The department has reviewed the potential impact of the Optus, Medibank Private and Latitude Financial data breaches as well as the release of credentials on the dark web and implemented appropriate mitigation measures.

Stakeholders consulted

N/A

Recent media on this policy

N/A

Next steps, including consideration by Government where expected

N/A

Expenditure/Budget (if relevant)

N/A

Related Questions received on notice

PDR Link	Submitted By	Subject	Answer Summary
QoN 1337	Senator James Paterson	TikTok	The Department of Employment and Workplace Relations has IT controls in place that prevent the use of TikTok on work issued devices.
QoN 1759	Senator James Paterson	DJI technology	The Department of Employment and Workplace Relations and Portfolio Agencies do not use any technology manufactured or sold by DJI.
QoN 1093	Senator James Paterson	Hikvision or Dahua	The Department of Employment and Workplace Relations has identified Hikvision manufactured devices installed for one portfolio agency. The portfolio agency has identified 17 Hikvision units across four sites.

DEWR engagement with PwC

- DEWR has **11 current Contracts** with PriceWaterhouseCoopers (PwC) to the **value of \$10.4 million**
- DEWR is **aware of the actions** by PwC Australia's former head of international tax, **Mr Collins** and understands that The Treasury and the Department of Finance are leading work in relation to this matter.
- DEWR received an **initial email from the acting CEO of PwC on 16 May** outlining a range of actions being undertaken, including the **commencement of an independent review** of the firm's governance, culture, and accountability.
- DEWR is also aware **The Treasury referred the matter to the Australian Federal Police** on 24 May 2023.
- DEWR understands that the **Department of Finance will be taking ongoing action** under the procurement framework and whole-of-government panel arrangements. These actions are **aimed at strengthening the ethical accountability of entities awarded Government contracts**. This has **included varying the significant event clause** for all **413** Management Advisory Services Panel suppliers.
- Department of Finance has already published **further guidance on considering ethical behaviour** in procurement that focuses on the importance of ethical conduct as a **key value for money consideration**.
- On **24 May 2023**, drawing on the updated Department of Finance Guidance, **DEWR reminded staff of their requirements** to consider and manage confidentiality and ethical behaviour in any procurement. This included:
 - Focussing on confidentiality considerations throughout the procurement process
 - Ethics and probity requirements in procurement
- DEWR **also became aware** that the **Department of Finance wrote to PwC on 19 May** to:
 - Direct PwC to **stand down any personnel involved in the PwC confidentiality breach** from all existing and future Management Advisory Services Panel engagements; and
 - Recommend PwC stand down any personnel involved in the PwC confidentiality breach from all existing and future contracts across the Commonwealth, **regardless of engagement type**.

And that on **22 May 2023**, **PwC confirmed** that it would be **standing down 52 personnel** who appear on the emails released by the Tax Practitioners Board to the Senate Inquiry on 2 May 2023 from all Commonwealth contracts (PwC has not provided the names of these individuals).

- On **25 May 2023**, DEWR's **Chief Operating Officer wrote to the acting CEO** of PwC seeking assurances that this has occurred for all existing contracts with DEWR.
- This letter also **sought advice** on any **additional steps that are being taken by PwC to assure themselves** that remaining **PwC personnel** involved in delivering existing DEWR contracts **remain suitable** to deliver this work (noting that some DEWR contracts provide wide access to confidential and sensitive information held by DEWR).
- DEWR **will continue to monitor this situation closely**, including PwC's responses to our request for additional assurance. DEWR **will proactively engage in any further enhancements** to the procurement framework, including the development of a Supplier Code of Conduct by the end of this year.

- DEWR has **completed an internal review of existing PwC contracts** to assure ourselves that the objective and requirements of these contracts have been applied (refer attachment A)
 - DEWR **has not identified issues with the PwC engagements** with respect to their deliverables, application of confidentiality requirements, outcomes of their engagements, or conduct of their personnel.
 - **Where appropriate non-disclosure agreements have been completed** and all contractors will hold a minimum of a **baseline security clearance**.
 - DEWR **also sought and received additional assurances** from the PwC partner responsible for the **delivery of the existing Internal Audit contract on 18 May** regarding the treatment of confidential information relating to this engagement **which have been assessed as appropriate** (including confirmation of the information security arrangements within PwC to protect information generated during any internal audit). Further, the **DEWR Chief Internal Auditor** and their team **continue to maintain an appropriate level of oversight and control** for all internal audit engagements.

Questions

How many contracts does DEWR have with PwC?

DEWR has **11 Contracts** to the value of **\$10.4 million**.

Do they all have confidentiality clauses?

General confidentiality clauses, **in the form set out in the Commonwealth Contracting Suite**, were included in all PwC contracts as the department uses the standard confidentiality terms limited to the goods purchased under the contract.

Where may also be required to complete a non-disclosure agreement necessary personnel

Have you sought assurance from PwC? when did you seek assurance?

Yes, **assurance has been sought from individual contract managers** (such as Internal Audit) **and broadly from the interim CEO based** on developments and guidance received from the Department of Finance

Have you instructed staff not to use PwC?

No blanket ban has been applied to PwC contracts. **Emphasis has been given to VFM** (and the need to consider ethical behaviour specifically) and **confidentiality requirements**.

Assurance has been sought from PwC on existing personnel and their continuing suitability to work on DEWR contracts.

Contract ID	Contract Value	Contract Manager	Contract Details	Deliverables (What are the deliverables from the final engagement)	Confidentiality - Are you satisfied that all confidentiality requirements have been met (and on what basis)? - Has this contract included any broader consultation processes, and how was confidentiality managed?	Contract Outcome - Has the contract been fulfilled to your satisfaction? - Has the Contract progressed to your satisfaction?	Personnel - have personnel been removed following DoF direction of 19 May 2023?
4400054245	\$1,925,000.00	Kym Thomson	This is an ICT Services contract to supply identity and access management specialist resources to fill short term project requirements. The resources are embedded and work with Technology and Services Division teams. The contract was initiated following a competitive RFQ process to multiple potential vendors via the Digital Market Place.	Supply of specialist cyber security personnel who are embedded to work in TSD teams on cyber security functions and projects for defined periods of time.	This ICT Services contract with PwC includes the following confidentiality provisions. In addition, PwC personnel engaged under this contract are required to agree to confidentiality and non-disclosure provisions and sign a declaration before they can commence work with the department. Declaration attached. There are no broad consultation processes required, or included in this contract.	Yes, the personnel supplied by PwC to work with TSD are highly skilled cyber security specialists who share their knowledge and transfer skills to our APS staff. The PwC personnel who administer this contract meet regularly with the TSD contract manager. A good working relationship has been established through open, honest communication between both parties. PwC is responsive to TSD's reYes, the personnel supplied by PwC to work with TSD are highly skilled cyber security specialists who share their knowledge and transfer skills to our APS staff. The PwC personnel who administer this contract meet regularly with the TSD contract manager. A good working relationship has been established through open, honest communication between both parties. PwC is responsive to TSD's requests, they are willing to swap staff out to ensure that TSD has access to the skillset it needs as priorities change.	No, TSD has not received advice, or the list of PwC staff identified by DoF to be removed from APS contracts. Based on the nature of the PwC confidentiality breach, the likelihood of any PwC staff that are engaged to work with TSD having being involved in that breach is extremely low.
4400055591	\$85,415.00	Brigette Bergin Contessa Hall	PWC is facilitating a series of workshops seeking feedback from stakeholders on changes to the delivery of language, literacy, numeracy and digital literacy skills (LLND) training to Australians living in remote Australia. They will also deliver a report which collates feedback from the sessions for the department's use. This work will support the Future delivery of foundation skills training in remote Australia discussion paper and the co-design of a new delivery model.	<ul style="list-style-type: none"> •Completion of draft report, feedback round, and final report. •Final report contains a summary of feedback and recommendations for future foundation skills program design for remote Australia. •A total of seven online workshops and several 1:1 conversations with key stakeholders were conducted alongside several meetings with the Department. 	Yes We are satisfied that confidentiality requirements have been met, as workshop feedback has been deidentified, and there have been no names or details contained in the final report, that could identify individuals or organisations.	Yes the contract has been fulfilled to our satisfaction.	No
4400056075	\$33,000.00	David Donovan Daniel Griffiths	Review DEWR's Business Activity Statement (BAS) processes in the shared general ledger environment to ensure that DEWR is meeting its GST obligations.	A report on DEWR's GST and BAS arrangements in a shared company code environment.	I have not made an assessment of confidentiality compliance, however, no information of a highly confidential nature was provided to PWC. Education was provided with a copy of the final report out of courtesy.	Yes. Contract complete.	I was not aware of a DoF direction of 19 May, however, this procurement is completed and all deliverables finalised, so no.
4400056485	\$503,048.94	Kym Thomson	This is a multi-year contract for CyberArk software licences. The software is a tool that manages Privileged (administrator) level access to the DEWR network.	Perpetual software licences for CyberArk privileged access management, maintenance and technical support for the software to ensure it can be maintained at the vendor's latest version and vendor security patches can be applied.	This contract is the purchase of perpetual CyberArk software licences, plus maintenance and technical support for the licences. DTA Software Marketplace contracts include standard confidentiality terms limited to the goods purchased under the contract.	Yes – this is standard DTA Software Marketplace contract for the purchase of software licences, technical support, and maintenance.	No – this is a standard DTA Software Marketplace contract for the supply of software licences. No PwC personnel are engaged, or have access to confidential information under this contract.
4400056633	\$42,900.00	David Donovan Daniel Griffiths	Preparation and lodgement of the Department's Fringe Benefits Tax (FBT) Return for the years to 31 March 2023, 31 March 2024 and 31 March 2025 including associated working papers. The preparation of the FBT return should also incorporate a detailed quality assurance review of the information to be included in the return, and comparison to prior year returns	Preparation of FBT returns for the years to 31 March 2023, 31 March 2024 and 31 March 2025 including associated working papers.	I have not made an assessment of confidentiality compliance, however, no indications to suggest that confidentiality requirements have NOT been met has been received. Information was shared with Education in the process of preparing the 2023 FBT return.	Yes.	I was not aware of a DoF direction of 19 May, so no.

Contract ID	Contract Value	Contract Manager	Contract Details	Deliverables (What are the deliverables from the final engagement)	Confidentiality - Are you satisfied that all confidentiality requirements have been met (and on what basis)? - Has this contract included any broader consultation processes, and how was confidentiality managed?	Contract Outcome - Has the contract been fulfilled to your satisfaction? - Has the Contract progressed to your satisfaction?	Personnel - have personnel been removed following DoF direction of 19 May 2023?
4400055826	\$438,477.88	Kathy Dennis	The consultancy is for a review of the release of historical student debt records held in the VET Student Loans (VSL) Payment System (VPAYS), a number of which were released to the Australian Taxation Office on 2 and 3 August 2022 (the issue). The review is divided into two phases. Phase 1 of this review is to: A) Identify the key impact factors that contributed to the failure to process relevant VET FEE-HELP (VFH)/VSL debt data from VPAYS to the Higher Education Information Management System (HEIMS) and the Tertiary Collection of Student Information (TCSI) system relevant to the issue between the period 2017 to 2022. B) Subject to the completion of objective A), commence the identification of impact factors that contributed to the failure to process the remaining VFH/VSL debt data (as identified by the department) from VPAYS to HEIMS and the TCSI system over the period 2009 to 2022. Phase 2 of the review will assess whether appropriate risk mitigation treatments have been designed and implemented to reduce the likelihood and impact of recurrence in the future. The key deliverables are a report and the presentation of findings to relevant governance forums (as agreed to by the department)	A report to the department.	Yes. The work did not require access to any information on policy direction nor any personal information. Access to all information was tightly managed. All consultation was internal.	Yes, contracted has been completed to our satisfaction.	No
4400056703	\$770,000.00	Greg Martin	Provide independent assurance of the implementation of Complementary Programs onto the Workforce Australia Digital Platform.	<ul style="list-style-type: none"> An overarching assurance plan. Project health checks. Deep dives. Independent assurance of ICT Program Increment Planning. 	Yes. The Department approached panel members from the Digital Transformation Agency's managed Panel "Digital Marketplace standing offer number (SON) 3413842" with a Request For Quote (RFQ) on 13 December 2022 to engage these project assurance services.	Yes, noting the contract is ongoing. Yes, noting the contract is ongoing.	No
4400052524	\$3,228,805.00	Vicki Press	Undertake internal audit and assurance activities on behalf of the Chief Internal Auditor. PwC provides the majority of outsourced audit and assurance activities under the internal audit and assurance program.	<ul style="list-style-type: none"> PwC was engaged by the previous Department of Education, Skills and Employment as an external service provider to deliver internal audit and assurance activities from 3 February 2022 to 20 December 2024, with the option to extend for a further 2 years to 20 December 2026, for a total contract value of \$1,769,000.00 excluding GST. Following the machinery of government change, the department renegotiated the contract with PwC on 22 February 2023 to provide services for DEWR through to 30 June 2025, with an option to extend for a further period to 20 December 2026, for a total contract value of \$1,166,277.27 excluding GST. 	<ul style="list-style-type: none"> Under the department's contract, if PwC comes across any information that may lead to a perceived, potential or actual Conflict of Interest that wasn't declared during the initial tender stage, they must immediately contact the contract manager informing them of any such conflict and indicate what strategies they have put in place to deal with this conflict. Under the department's contract, PwC must follow the Internal Audit protocols for all audit activities, and follow the department's protocols for management of departmental information, management of data and information, communication with stakeholders, format of documents, clearance processes, consultation timeframes and security arrangement. 	Yes, for all work completed to date, noting the contract term is to June 2025.	No
4400053006, 4400057124	\$2,885,802.00	Paula Zylstra	Expert Advice on Qualification Reform	<ul style="list-style-type: none"> PwC are engaged to support qualifications reform work, as requested by Skills Ministers in February 2022 and reconfirmed at the September 2022 Jobs and Skills Summit. In particular, PwC are engaged to: <ul style="list-style-type: none"> o support commonwealth and state officials to develop a proposed modernised training system architecture, including developing new qualifications and skill sets across a range of industries to support national consultations; o support the department in consultations, including 25 meetings with industry and training peaks, 26 jurisdictional workshops hosted by states and territories and 22 technical workshops with training providers, licensing bodies and State Training Organisations. The department required PwC to have strict probity arrangements in place, including information and personnel barriers, as well as conflict of interest and confidentiality forms and probity training that were developed specifically for the project. 	<ul style="list-style-type: none"> The department is satisfied that all confidentiality requirements have been met. The department included a specific clause in the Work Order to give effect to information separation protocols and confidentiality conditions. The department actively sought assurances to confirm these conditions were met during regular project updates, obtained copies of confidentiality deeds for personnel involved in the project and attended probity briefings with PwC personnel. The contract involves a significant component of stakeholder consultation. Confidentiality was managed through the strict probity requirements of the contract. 	<ul style="list-style-type: none"> The department is satisfied that project requirements have been met. The department is satisfied with contract progress. The project has involved a substantial amount of high-quality work to support qualification reform, demonstrating value for money and reflecting the significant experience and expertise of PwC personnel in training product development and stakeholder engagement. 	<ul style="list-style-type: none"> No personnel have been removed from the project

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4400053925	\$295,000.00	Eleanor Newby	Data Quality Management and Assurance	Consultancy – a data quality assurance framework including publication checklist and other templates to be used for a number of National Skills Commission (now Jobs and Skills Australia) products	Yes – confidentiality was managed through the panel arrangements and contracts including confidentiality clauses in the work order consistent with the panel. No personal or business level data was shared with the consultant at any stage. Documents were shared securely using a govteams sharepoint which was deleted after the project. Pwc did not have access to the DEWR system. - No	- Yes to a very high standard - Contact is complete and Yes – to a very high standard	Contract concluded in 2022 and personnel did not have access to the system.
4400053191	\$142,183.80	Kristy Mantle	The Protected Uplift Project was classified as a Tier 2 project and therefore was required to have an assurance plan be independently developed and verified.	PWC were engaged and provided: a. Assessment of the management practices on the Project through document review and insights gathering in order to confirm the appropriateness of management practices established by the Project. Recommendations were continually tracked during project delivery. b. Go-live readiness assessment in order to confirm the project can demonstrate readiness to go-live (planned mid-2022) against key risk areas (e.g. through the use of a go-live criteria). c. Project team and stakeholder sentiment insights gathering in order to support high-level document review for the Health Check and Go-live readiness assessment. Final health check and report was provided in May 2022.	I am satisfied that all confidentiality requirements have been met in relation to this consultation. The nature of the consultation did not broach any commercial or privacy matters. The nature of the consultation was to measure the rigour and transparency of the project governance arrangements of a unique time-framed project, and to measure the readiness of that project and the organisation, to go-live with the tactical changes associated with implementation. This contract included or referred to NO OTHER broader consultation process	Yes	Contract and services have been completed. There on no longer any personnel from PWC engaged in any capacity by this business area.



Workplace Relations Reforms Agenda 2023

Key Government statements

- The Government is delivering on its election and Job Summit commitments.
- The Government is improving and modernising Australia’s workplace relations framework, with a focus on closing loopholes that disadvantage workers to ensure a sustainable system that promotes wellbeing and economic growth.
- In his National Press Club address on 1 February 2023, the Minister for Employment and Workplace Relations announced the following reforms for the 2023 agenda:
 - Key election commitments to be implemented in 2023 include (further detail on measures in **Attachment A**):
 - inserting the right to Superannuation in the National Employment Standards to help workers access superannuation entitlements
 - legislating a fair, objective test to determine when a worker can be classified as casual, providing a pathway to permanent employment
 - supporting employee-like workers, including those in the gig economy, by allowing the Fair Work Commission to set minimum standards
 - ensuring indirectly employed workers are paid at least as much as directly employed workers doing the same job, by legislating a Same Job, Same Pay measure, and
 - implementing reforms to address recommendations of the Migrant Workers’ Taskforce to combat migrant worker exploitation, including criminalising wage theft, increasing civil penalties for wage underpayment, and enhancing to the civil penalties framework in the Fair Work Act, to better protect workers and their families.
 - Key Jobs and Skills Summit outcomes to be implemented include (further detail on measures in **Attachment A**):
 - providing stronger protections for workers against discrimination, adverse action, and harassment
 - ensure workers have reasonable access to representation to address genuine safety and compliance issues at work
 - giving workers the right to challenge unfair contractual terms
 - considering allowing the Fair Work Commission to set fair minimum standards to ensure the Road Transport Industry is safe, sustainable and viable, and
 - bringing forward a package of reforms to address migrant worker exploitation (*Note: this is being progressed jointly by Home Affairs and DEWR*).
 - The Government will be progressing other reforms, including:
 - Enhance the coverage of occupational disease legislation to include silicosis and silica-related diseases.

<p><i>National Press Club Address</i> <u>Address - National Press Club Ministers' Media Centre (dewr.gov.au)</u></p>	<p>1 February 2023</p>
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What other workplace relations reform is occurring in 2023

- On 29 March 2023, the Government introduced the Protecting Worker Entitlements Bill.
- Work is also underway to implement non-legislative activities announced through the October 2022-23 Budget, including to:
 - review the small claims process to identify further reform opportunities
 - reinstate the Productivity, Education and Training Fund and provide funding to support Safe Work Australia union and employer members
 - support small businesses to understand and implement the entitlement of 10 days of paid family and domestic violence leave, and
 - finalise the design of the new funding and governance model to fund and establish Working Women’s Centres across Australia.
- Work is underway to implement work health and safety measures announced through the May 2023-24 Budget:
 - A “train-the-trainer” program on workplace psychosocial hazards for health and safety representatives in the Commonwealth jurisdiction, and
 - Measures to address the incidence of silicosis and silica-related diseases amongst workers including expanding the Asbestos Safety and Eradication Agency’s functions to silica dust; national awareness and behaviour change initiatives and scoping the effects of an import ban on engineered stone.

Current status of the policy

- 29 March 2023 - Government introduced the Protecting Worker Entitlements Bill. The Bill aims to enhance worker protections, promote gender equality, remove unnecessary administrative burden, and clarify aspects of the workplace relations system by:
 - providing greater certainty for the work status of migrant workers by dealing with the interaction between the Fair Work Act and the Migration Act 1958
 - providing stronger access to unpaid parental leave (UPL)
 - inserting an entitlement to superannuation in the National Employment Standards
 - clarifying the operation of Fair Work Commission workplace determinations
 - expanding the circumstances in which employees can authorise employers to make deductions from payments, where the deductions are principally for the employee’s benefit, and
 - ensuring that casual employees working in the black coal mining industry are treated no less favourably than permanent employees in the accrual, reporting and payment of their long service leave entitlements.
- Further reforms are still being developed, with consultation papers released on 13 April 2023 on the following topics (further detail on measures in **Attachment A**):
 - Same Job, Same Pay
 - compliance and enforcement: Criminalising Wage Theft
 - extend the powers of the Fair Work Commission to include ‘employee-like’ forms of work, which also covers giving workers the right to challenge unfair contractual terms and allowing the Fair Work Commission to set minimum standards to ensure the road transport industry is safe, sustainable and viable, and

- Provide stronger protections against discrimination, adverse action and harassment.
- Consultation is also occurring on enterprise bargaining provisions to close loopholes including:
 - Fair Work Commission issuing model terms for enterprise agreements, and
 - preserve arrangements for employers already using single interest agreements
- Further details about these reforms are subject to consultation, funding considerations and Government decisions.

Stakeholders consulted

- Consultation on the workplace relations reform agenda is underway and will continue occur over the coming months as part of an extensive program of consultation with employer groups, unions, and other stakeholders (EC23-002690 (Consultation) refers).

Recent media on this policy

Media Article, *'Employers to face \$4m-plus fines for breaking workplace laws'*

Employer groups have united with the Business Council of Australia in their resistance to the Albanese government's upcoming workplace reforms. Jennifer Westacott stating there is insufficient time for the discussion papers to be open, and noted if the policies are wrong every job in the economy would be impacted.

<p><i>Australian Financial Review</i> Industrial relations changes: Employers to face \$4m-plus fines for breaking workplace laws (afr.com)</p>	<p>14 April 2023</p>
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2023-24 Budget announcements

- \$10 million over four years to **tackle the incidence of silicosis** and other silica-related diseases in the workplace.
- \$27.4 million over four years to improve the safety and fairness of workplaces and continue detailed consultation with key industries. Funding includes:
 - \$20 million over two years for the **Productivity, Education and Training Fund grant program** (in addition to the \$5 million over three years announced in the October 2022-23 Budget).
 - \$4.4 million over four years to establish the **National Construction Industry Forum** (legislated by the Secure Jobs, Better Pay Act 2022).
 - \$2 million over two years from 2023-24 to support implementation of new Commonwealth **Work Health and Safety (WHS)** regulations relating to psychosocial hazards in the workplace.
 - \$800,000 in 2023-24 to support the Fair Work Commission to conduct a **review of modern awards**.
 - \$300,000 in 2023-24 for a specialist review into the operations of the Office of the Fair Work Ombudsman.

Note: funding announced in the October 2022-23 Budget is outlined in *EC23-002769 Impact of Secure Jobs Better Pay*.

Casual workers

- The Government made an election commitment to legislate a fair, objective test to determine when an employee can be classified as casual, so people have clearer pathway to permanent work.
- Under the Fair Work Act as amended by the *Fair Work Amendment (Supporting Australia's Jobs and Economic Recovery) Act 2021*, a person's employment status as a casual is set at the point of engagement and the definition of casual employee explicitly excludes consideration of any subsequent conduct of the employer or employee. This can result in an employee being classified as casual, even though they work regular, predictable hours. Almost one in three casual employees have regular and predictable working arrangements.

Same Job, Same pay

- In the lead up to the 2022 Federal Election, the Government committed to legislate the proposal that if you do the same job as someone else, you should get the same pay. This is the Same Job, Same Pay measure.
- The Government's Same Job, Same Pay measure seeks to address circumstances in which host employers use labour hire to deliberately undercut the bargained wages and conditions set out in enterprise agreements made with their employees.

Criminalising wage theft

- The Government made an election commitment to implement the recommendations of the Migrant Workers' Taskforce.
- The Taskforce identified that underpayments were occurring with a severity and magnitude that suggested maximum penalty levels in the Fair Work Act were not sufficient to adequately deter wrongdoing and drive cultural change.
- In 2021-22, the Fair Work Ombudsman recovered over half a billion dollars' worth of underpayments for nearly 385,000 workers, indicating that non-compliance is widespread and requires stronger deterrence through stronger penalties.
- The Government's proposed reforms seek to strengthen the compliance and enforcement framework in the Fair Work Act and ensure that the framework contains a graduated scale of penalties and enforcement tools which address the full spectrum of non-compliance with workplace obligations.
- The proposals would implement recommendations 5 and 6 of the Migrant Workers' Taskforce.

Employee like, Unfair contractual terms and Minimum standards for the road transport industry

- Ahead of the May 2022 Federal Election, the Government committed to empowering Australia's workplace tribunal, the Fair Work Commission, to set minimum standards for workers in 'employee-like' forms of work, including the gig economy.
- The significant difference between the rights and protections afforded to employees compared to workers who perform work as independent contractors is a key 'loophole'.
- At the Jobs and Skills Summit in September 2022, the Government further committed to progress work to:
 - consider allowing the Fair Work Commission to set fair minimum standards to ensure the Road Transport Industry is safe, sustainable and viable; and
 - amend relevant legislation to give workers the right to challenge unfair contractual terms.
- The Government is utilising five guiding principles in developing the details of the three commitments:
 - Australia's workplace relations system must reflect modern working arrangements and be capable of evolving with emerging forms of work and business practices.
 - All workers should have access to minimum rights and protections regardless of whether they are characterised as an employee or an independent contractor, including access to freedom of association and dispute resolution.
 - Businesses should benefit from a level playing field among industry participants while promoting competition and innovation.
 - The Fair Work Commission should set minimum standards that:
 - are fair, relevant, proportionate, sustainable, and responsive
 - reflect workers' independence and flexible working arrangements. For example, choosing which tasks to accept and refuse; how to undertake their work; where and when they work; and which businesses to contract with, and
 - mitigate, to the greatest extent possible, unintended consequences for workers, businesses, consumers, and other aspects of the labour market.
 - The standard-setting framework should be accessible, transparent, fair and offer a high degree of certainty to affected parties.

Stronger protections against discrimination, adverse action and harassment

- At the 2022 Jobs and Skills Summit, the Government committed to update the Fair Work Act to provide stronger protections for workers against discrimination, adverse action and harassment.
- This presents an opportunity to consider options to improve the effectiveness and consistency of the Fair Work anti-discrimination and adverse action framework.
- The following principles will guide development of reforms to the Fair Work Act anti-discrimination framework:

- alignment and consistency with key features of anti-discrimination law, including terminology and definitions
- protected attributes in the Fair Work Act are consistent with community expectations and best practice language
- exemptions from anti-discrimination provisions are clear and relevant, and
- protections for national and non-national system employees are consistent and fair.

Labour hire regulation

- The Government has committed to establishing national labour hire regulation. This measure would implement part of the Government's election commitment, in its Plan to Build a Stronger Pacific Family, by implementing a key recommendation of the Migrant Workers' Taskforce (recommendation 14).
- National labour hire regulation will help to deter non-compliance, protect workers from exploitation, and promote accountability and transparency in the labour hire sector and a level playing field for businesses operating lawfully. A single national scheme would also reduce red tape for LHPs that are currently required to understand and comply with multiple state and territory labour hire licensing schemes, and pay multiple licence fees.
- The objectives of national labour hire regulation would be to:
 - provide a level playing field for business and promote accountability and transparency
 - protect labour hire workers from exploitation by providers and in supply chains
 - promote greater compliance with relevant laws and drive behavioural change, and
 - reduce red tape and confusion for LHPs operating across multiple jurisdictions.

Addressing the consequences of the small business redundancy exemption in insolvency contexts

- The National Employment Standards provide an entitlement for an employee to be paid redundancy pay if their employment is terminated at the employer's initiative because their role has been made redundant or because of the insolvency or bankruptcy of the employer.
- Small businesses (those with fewer than 15 employees) are exempt from the obligation to pay redundancy pay to their employees. The test on the size of the business is made immediately before the time of the termination of the employee, or at the time when the person was given notice of the termination - whichever happened first.
- Unintended and inequitable outcomes occur for employees affected by the small business redundancy exemption in insolvency contexts (such as liquidation or bankruptcy of the employer).
- These outcomes occur when an employer progressively downsizes from a larger business into a small business in connection with insolvency, becoming exempt

from paying redundancy. As a result, certain employees (those last remaining in employment) lose their entitlement to redundancy pay, including where employees have agreed to remain employed for short periods to assist insolvency practitioners with the orderly winding up of the business.

- The department is seeking views on a discrete measure confined to addressing the unintended and inequitable outcomes for employees whose employment is terminated after their employer becomes a small business employer in connection with the insolvency process, while preserving the effect of the small business redundancy exemption on viable small businesses.

Reforms to enterprise bargaining provisions

Model terms

- The current model flexibility, consultation and dispute resolution terms for enterprise agreements have remained largely unchanged over the last decade. Currently, the Minister for Employment and Workplace Relations has responsibility for preparing these model terms.
- The Fair Work Commission is responsible for preparing flexibility, consultation and dispute resolution terms in modern awards. The Fair Work Commission also has responsibility for approving enterprise agreements.
- To align model enterprise agreement terms with model modern award terms, the Government is inviting stakeholder views on a proposal to amend the Fair Work Act to provide for the Fair Work Commission to issue model terms for enterprise agreements.

Preserve arrangements for employers already using single interest agreements

- The *Fair Work Legislation Amendment (Secure Jobs, Better Pay) Act 2022* (Secure Jobs, Better Pay Act) removed unnecessary limits on employers accessing multi-enterprise bargaining, including through single-interest authorisations obtained under the Fair Work Act.
- When these amendments commence on 6 June 2023, employers and their workers that have successfully bargained in the single-interest stream previously will be required to apply new entry and procedural requirements.
- Transitional provisions were included in the Secure Jobs, Better Pay Act to ensure applications and agreements made in the single-interest bargaining stream continued to operate under the existing framework.
- Until 6 June 2023, two or more employers that will be covered by a proposed enterprise agreement may still apply to the Minister under s 247 of the Fair Work Act for a declaration that they may bargain together. This allows employers who have used the single-interest bargaining stream previously to seek a declaration before the Secure Jobs, Better Pay Act reforms take effect.
- In order to ensure the single-interest bargaining stream remains accessible to all who want to use it, the Australian Government is seeking stakeholder views on the merits of introducing further transitional arrangements to the single-interest bargaining stream.

- The Australian Government is considering repealing the 2020 amendments to the *Fair Work (Registered Organisations) Act 2009* (RO Act) made by the former Coalition government about the withdrawal of a constituent part from an amalgamated organisation.
- Specifically, the Government is considering limiting the Fair Work Commission's capacity to accept applications for a ballot of members of a constituent part of a registered organisation to withdraw, where that application is made more than five years after amalgamation. Applications would need to be made no less than 2 years and no more than 5 years after amalgamation.
- Some amendments made in 2020 provide clarity and obligations on the constituent part and amalgamated organisation, including in relation to the transfer of members to the constituent part upon registration as an organisation, and modernising the ballot process to allow a secret ballot to be conducted other than as a postal ballot. These provisions may be retained.
- Any changes to the RO Act should aim to restore and clarify the long-standing requirement in previous iterations of that Act that an application for a ballot to withdraw from the amalgamation must be made within 2 to 5 years after the amalgamation occurred.
- Any changes to the RO Act should restore the previous definition and understanding of a constituent part that is able to withdraw from amalgamation to only those parts associated with a previous organisation deregistered in connection with forming the amalgamated organisation. The 2020 amendments mean any branch, division, or part of an amalgamated organisation that is separately identifiable under organisation rules may be a constituent part.

Election Commitment and Jobs Summit Outcomes Implementation

Implemented by Secure Jobs, Better Pay Act:

Election Commitments	<ul style="list-style-type: none"> Abolish the ABCC Abolish the ROC Limit the use of fixed-term contracts Put gender equality and job security as objects of the Act 	<ul style="list-style-type: none"> Legislate a statutory equal remuneration principle Prohibit pay secrecy clauses Establish two new FWC Expert Panels Implement recs of the Respect@Work report (<i>partial</i>) Implement recs of the MWT (<i>Partial</i>)
Jobs Summit Outcomes	<ul style="list-style-type: none"> Establish a tripartite National Construction Industry Forum Ensure all workers can negotiate in good faith for agreements Removing limitations to single and multi-employer agreements Allow businesses and workers who already successfully negotiate enterprise level agreements to continue to Make the BOOT simple, flexible and fair Give the FWC the capacity to help workers and businesses reach agreements 	<ul style="list-style-type: none"> Revitalise a culture of good faith negotiation and genuine agreement Ensure the process for agreement terminations is fit for purpose and fair, and sunsets so-called 'zombie' agreements Options to support the FWC build cooperative workplace relationships Provide stronger protections for workers against adverse action, discrimination and harassment (<i>partial</i>) Stronger access to flexible work and UPL (<i>partial</i>)

For further consultation in 2023

Election Commitments	<ul style="list-style-type: none"> Include a right to Super in the NES (intro'd March 2023) Criminalise wage theft Stand up for casual workers Implement recs of the MWT 	<ul style="list-style-type: none"> Extend the powers of the FWC to include 'employee-like' forms of work Same job, same pay
Jobs Summit Outcomes	<ul style="list-style-type: none"> Give workers the right to challenge unfair contractual terms Allow the Fair Work Commission to set fair minimum standards to ensure the Road Transport Industry is safe, sustainable and viable 	<ul style="list-style-type: none"> Ensure workers have reasonable access to representation to address genuine safety and compliance issues at work Provide stronger protections for workers against adverse action, discrimination and harassment (<i>partial</i>) Stronger access to flexible work and UPL (<i>partial</i>)

Underway

Election Commitment	<ul style="list-style-type: none"> Consult on a portable entitlements scheme Implement recs of the MWT 	<ul style="list-style-type: none"> Implement recs of the Respect@Work report (<i>Ratify C190; WHS Code of Practice; Working Women's Centres</i>)
Jobs Summit Outcomes	<ul style="list-style-type: none"> Initiate consultation and research on the concept of a living wage Consider WR settings on work and care, including childcare Consider improvements to modern awards and the NES 	

Separately implemented

Election Commitments

- Make a submission to the FWC's Aged Care Work Value Case
 - Submission filed 8 August 2022
- Paid family and domestic violence leave
 - Passed by the Paid Family and Domestic Violence Leave Act

Jobs Summit Outcomes

- Provide proper support for employer bargaining representatives and union delegates
- Consider how to best help employer representatives and unions to improve safety, fairness, and productivity in workplaces
- Strengthen tripartism and constructive social dialogue in Australian workplace relations (*additional work underway*)



MINISTERS' MEDIA CENTRE

Ministers of the Employment and Workplace Relations Portfolio

Transcript

1 February 2023

Address - National Press Club

The Hon Tony Burke MP
Minister for Employment and Workplace Relations
Minister for the Arts

THE HON TONY BURKE MP, MINISTER FOR EMPLOYMENT AND WORKPLACE RELATIONS, MINISTER FOR THE ARTS: Thank you very much, Laura. Thank you to the Press Club. I acknowledge the traditional owners of the land that we're on and their Elders past and present. Also, I acknowledge all the members of the gallery and everybody who's back for the start of the year and, of course, the Secretary of my own department, Natalie James, and the members of the department who are here.

I want to start by giving you a statistic that you haven't heard before – 61 hours. I give you that statistic as an example of the way governing and the use of Parliament has changed with the change of Government.

61 hours. In any ordinary parliamentary week, there's 23 hours of Government time. During the life of the previous Government, that Parliament spent 61 hours voting that people be not allowed to speak; 61 hours of people being flown around the country, Clerks of the Parliament, all the resources that goes into here. We had figures that I'm reluctant to rely on from Paul Fletcher – given the way the Leppington Triangle figures turned out – but the figures from Paul Fletcher where he says a million dollars a day for the Parliament to sit. 61 hours dedicated to making sure no opposing voices were heard.

You will have people say what it was like to work with the previous government when consultation is talked about now. Back then, what the previous mob were requesting was confirmation and if you didn't deliver confirmation, you were given confrontation. The consultative approach that we have applied to the Parliament itself and to the way we have governed is of itself not just a difference in the way Government functions. It also delivers a difference in the quality of the outcomes. I want to be able to refer to quite a bit of that.

In terms of legislation, for the same number of sitting days as we had last year, we had 25 extra hours of debate. The legislative achievements for that time, for last year, ensured we enshrined the climate change targets in law; we implemented the recommendations of the

Respect@Work report; we delivered on our commitment to the early childhood education sector for cheaper child care; we established the National Anti Corruption Commission; we established world-leading paid family and domestic violence leave; we restored dignity in aged care; we made medicines cheaper with the first decrease in the Pharmaceutical Benefits Scheme in its 75-year history; we had the Secure Jobs, Better Pay Bill; we provided energy price relief for families and businesses; established Jobs and Skills Australia and expanded the Commonwealth Seniors Card. In all of that, there was a consistent guarantee that different opposing views were part of the debate. I'll get a bit later as to what that meant in terms of changed outcomes.

For the year ahead, though, it's not like with all of that agenda our job is done. Some people after the talk of so called small target during the campaign, then quickly said "This agenda is big" and now have said, "Oh, did you get it all done in the first six months?" No.

The year ahead: in the autumn session alone, we will be progressing the establishment of the Housing Australia Future Fund, the legislation required to hold a referendum in the second half of this year to enshrine an Aboriginal and Torres Strait Islander Voice to Parliament in our Constitution, to guarantee superannuation as a right under the National Employment Standards and to affirm beyond any doubt that temporary migrant workers are entitled at all times to workplace protections. Establishing the National Reconstruction Fund, delivering – and this will be one for next week – delivering on our commitments to extend paid parental leave, reform of the safeguard mechanism to enable Australia to meet our new emissions reduction targets of 43 per cent by 2030 and net zero by 2050 and, of course, the changes to cultural policy that the Prime Minister and I announced only on Monday, establishing Creative Australia – and I acknowledge the presence of Adrian Collette here, the CEO of the Australia Council. Establishing Creative Australia, including within it Music Australia and a Centre for Arts Entertainment Workplaces in legislation in the coming months.

We will be dealing next week with the legislation to protect what was thought to be presumed and that is the recommendations of the Bell inquiry into Scott Morrison's secret ministries to make sure that it never happens again. Later this year, there will be further legislation to abolish the Administrative Appeals Tribunal and replace it with an administrative review body that actually serves the interests of the Australian community. To implement a new package of national environmental legislation, as outlined in the Government's Nature Positive Plan. To deliver on the remainder of our election commitments in my own workplace relations portfolio, and I'll say more about that a little bit later, and to set obligations for streaming services to make sure that there are Australian content obligations whether you are watching your television through free to air, on the public broadcaster, whether you're watching through cable television or whether you're watching through a streaming service.

The way the Parliament conducts itself has changed in two key ways. It's changed as a result of the recommendations from Kate Jenkins and it's changed as a result of some standing order changes and a different approach that this Government has taken to the Parliament itself.

The Kate Jenkins recommendations are seen right through to the sitting calendar itself. The fact that we are now not sitting during school holidays makes a real difference for a Parliament where more of its members look like modern Australia. The fact that there is one week of school that we are avoiding, quite deliberately – this week – is because we want it to be possible to be a member of Parliament and still to be around on the first day of school with your family – notwithstanding that I'm here!

We've also, for example, when somebody goes on leave of absence for parental leave, the Parliament formally votes that they're on leave of absence, but then as a result of that, they have no way, traditionally, of being able to continue to engage or to represent their electorate during that time. The Federation Chamber, the second chamber to the House of Representatives, will now be available where members who are on official leave – that's

been voted on by the Parliament – will be able to deliver speeches from their electorate office, beamed into the Parliament so even while on parental leave, they'll still be able, in a way that's effective, to get the comments that they need to get into the Hansard on behalf of their electorates.

We also, of course, are establishing the Parliamentary Workplace Support Service, and next week, on Wednesday, the Annual Statements will take place to the House of Representatives, and a similar process in the Senate, in terms of party leaders and members of Parliament being able to update the House on making sure that not only are we delivering a better Parliament, we are also delivering a decent workplace for the people who work in the building.

They're the Jenkins recommendations, and we've been responding to all of those. But the second part is to make sure the Parliament itself is allowed to do its job. If you ask anyone, "What's the job of Parliament?", it doesn't start for anyone with that 61 hours of spending time making sure that voices are not heard. The whole purpose of a Parliament is meant to be to allow the cut and thrust of debate. When people offer "Why can't the Parliament be kinder?", there's an extent to which we're just up front. When it's an argument and it's when it's fierce, and when it's real, is one of the functions of Parliament. It's not our job to be constantly agreeing.

It is the fact that you want the conflicts and different views that exist around the nation to be brought from 151 different places into the one room to be battled out. That's a healthy thing to happen. That's a democratic thing to happen. Every time we silence voices, we lose that, the very reason that a Parliament exists. The methods that we've changed here have been in a few different ways.

First of all, the all-night sittings we've gotten rid of. If you take two conscience votes that have happened, we had one on Territory rights last year. We had one the year before with respect to the Religious Freedom Bill. Under the previous government, the way to deal with a conscience vote, because you can't gag a conscience vote – no one's tried that and nor should they – was to simply keep everyone there until 5.00 am for a Bill that was not ultimately proceed with anyway. What we did this time with the Territory Rights Bill was list that and nothing else in the Federation Chamber. Everybody who wanted to make a speech made a speech. It was dealt with and ready for the Senate after a week. Similarly, we're making sure that at 6.30 pm, after that there's no divisions so that people who have family responsibilities are able to be a member of Parliament and know that if they need to leave the building, they can. Having that has had a couple of impacts. One of which is it has been a way of more people leaving at 6.30 pm at a more reasonable hour and that has been one of the impacts on the drinking culture that historically has existed in the building.

We have also – and this is something that can't be enshrined in standing orders; can only be done with the goodwill of a Parliament that wants to work with the Parliament – said the Senate is not only place you'll deal with amendments. We had, for example, on the Climate Change Bill seven different amendments which were moved by the crossbench which became part of the law. On my Secure Jobs, Better Pay Bill, there was a set of amendments moved by the crossbench. On Respect@Work there was a set of amendments moved by the crossbench carried by the Parliament. We can't have a situation where the different voices are only heard in a hung Parliament where they need to be. People are elected with a range of views representing Australian citizens. They have every right to make sure that when these views are put, they are heard, listened to and where the Government can agree, it does agree.

That said, we still had plenty of occasions where it's been argued it's the exact opposite. Plenty of occasions where it's been argued that somehow nothing has changed in the Australian Parliament. When we have had an urgent bill, what we've been doing is saying,

“Okay, Parliament can continue into the night. People who need to leave at 6.30 pm can. We’ll do all the votes in the morning and everyone who wants to make a speech can make a speech.”

We had then – in a parliamentary procedural sense I find this amusing though I may be alone in the room – we had a series of speeches where people would then argue that they were being gagged and prevented from making a speech while making the speech! Keith Pitt, for example, said “There’s 151 members in this House who have just been gagged by the Labor Government. I will go on to speak about ...” and continued. He continued for another 10 minutes. The debate continued for another three and a half hours.

My favourite was Colin Boyce, the member for Flynn: “It is an attack on the democracy of Australia. The people of Australia put people like me here to speak on these things and for the Government to guillotine this debate by calling it an emergency bill is just absolutely appalling.” He was objecting to not being given the full 15 minutes speaking time because we had shortened the debate to 10 minutes. After eight minutes he ran out of material and sat down.

So, the mechanisms we’ve been using, while there will always be the arguments from our opponents, “Well, nothing’s changed”, the truth is a lot has and people are being given the chance to speak. There will be times I suspect – and particularly after this speech, the Opposition will be taunting me into trying to create times – where we have to make resolutions to try to get through debate more quickly. But 61 hours of time in Parliament, of public money being wasted, simply making sure that people couldn’t speak. Sometimes there were more votes, more times spent on voting to stop people from speaking on a particular bill than there were speakers remaining on the list in terms of their speaking time. It is an irresponsible and undemocratic way to run things.

Question Time itself, I’m often asked about in terms of, “Well, have you changed the culture of Question Time?” It will always be the cut and thrust and it will always be a mixture of information and performative art. That’s what Question Time will be. I do find it interesting though, the silence that we’ve had. I do find it interesting that while every Minister has answered questions, every backbencher on the Government side has asked questions, senior frontbenchers such as Luke Howarth, Dan Tehan and Alan Tudge are yet to say a word during Question Time. Some of our Ministers, Minister for Education Jason Clare; Communications, Michelle Rowland; Ed Husic; Pat Conroy – yet to be asked a question by their opponents.

In terms then of workplace relations and a bit about the agenda going forward. When the Secure Jobs, Better Pay Bill reached in the House of Representatives the time to discuss amendments, after consultation with business, I moved amendments 1 to 100. Government amendments where we already had the numbers in the House for the bill, but amendments being moved as a result of the consultation, principally the changes of different things that business had asked for; some had come from the union movement as well. My political opponents, at that time, were saying, “You’re losing control.” I actually take it as a strength that we had been listening, consulting and where changes could be made – even before it got to the Senate and you had to make changes to reach a majority – those changes were occurring.

The agenda for this year for workplace relations will involve a lot of the election commitments that we hadn’t dealt with last year. We have time this year and so while there will be some legislation that comes up in the first half of the year, the more controversial parts of our election promises that we haven’t yet dealt with will be in the second half of the year. The consultation will start next week. Next week I’ve now called a meeting for Wednesday with both the leading business groups and unions: so it will be ACCI, AiG, the BCA, Master Builders, National Farmers, the ACTU and COSBOA I’ve invited as well. To be able to start the consultation now on legislation that won’t be introduced until the second half of this year.

That legislation will deal with a number of election commitments. It will deal with a number of issues but effectively, if I put it in summary this way: last year's legislation with the title of the bill was about taking significant steps on job security and getting wages moving. This year's legislation and the election commitments we have to get to are about closing loopholes that can undercut the principles that we put through last year.

The issues that we'll start the consultation on Wednesday and some of the consultation my department has already got moving on last year, but this will be the beginning of it with me directly involved; same job same pay, the definition of a casual, employee-like and how do we deal with the gig economy, wage theft, safety principles and minimum standards for long-haul drivers, having a low-cost jurisdiction at the Fair Work Commission to deal with unfair contract disputes for independent contractors, stronger protections against discrimination and the need to act on the dangers that are becoming increasingly obvious to everyone with respect to silica dust.

That consultation will commence, but obviously Wednesday's meeting will just be the start of it and there will be a detailed process as we work through before we get to introducing legislation in the second half of the year. I have no doubt, whatever I might have in my mind as the legislation right now, will progress and be better as a result of that consultation that will be taking place and starting on Wednesday.

So, allow me now just to also point to – while I've focused on consultation helping us through with respect to legislation. It also helps us through with respect to policy development generally. The National Cultural Policy that I've released on Monday, was very different to what I had in mind when I was in Opposition. Lots of people said to me, "Well, if you're serious about National Cultural Policy" – and some journalists would ask, "Why don't you write it out now and make it an election commitment and have the mandate for it?"

The simple fact is this: conducting consultation with the full resources of Government and the support of the Australian Public Service gets you to better policy than you can ever get to on your own.

There are a number of issues in Monday's launch of Revive that were not on my radar nor of my department until we had opened the process of consultation. Music Australia, which has received so much publicity over the last couple of days came from that process of accepting that not all the good ideas come from Government. Industry came forward with it. There will be legislation to establish it from 1 July this year; the money will be there and it will start work.

Similarly, for here in Canberra, the concept of sharing the collection for the National Gallery of Australia came from a submission from the National Gallery. What that will mean from the submission from both Ryan Stokes and from Nick Mitzevich, is that a collection where 99 per cent of it – it's all great but 99 per cent of it is always kept in darkness at any one point in time will start to find its way to galleries around the country on long-term loans. Not "Here's the National Gallery on tour" but "Here's a work which you have for a period of something like 10 years that makes your gallery a destination and gives you a destination exhibit." It's a completely different way of using the national collection, but it's a lot more useful than works being kept in darkness.

The third one that has received a lot of publicity that came from consultation is the National Poet Laureate. As I mentioned in a speech last year when we were just talking about the concept before the Government had committed to it, we're not the first to do this. Governor Macquarie beat us to this with Michael Massey Robinson who in the articles that you've read over the last couple of days it's been made clear that he was paid to be the Poet Laureate with two cows. What's not often mentioned is he was a convict actually sent here and his crime was for writing rhyming couplets. He was sent for the crime of poetry. He'd been

bagging out a politician that he then tried to use as blackmail. This is the risk that every Minister knows you have with artists! But, yeah, he was paid in two cows. We think, “What a silly little payment.” Let’s think in terms of authors today. The annual average income for an author in Australia is \$18,200. In today’s dollars, that’s nine cows – half a bull. That’s the current rate. So, what this will mean in terms of elevation of the sector in treating all of our artists and arts workers as workers, as being part of a real industry and a driver of the economy as well as something that touches our soul is something that warrants the attention of a national policy.

Looking forward, the consultation will continue though, and the area of consultation that’s probably most significant is what we have to do with respect to streaming. Streaming – and some people say, “Will you commit to the 20 per cent? Where are you at?” The reason we haven’t committed to a number is because the consultation is real and there’s a few moving parts here. One of the moving parts is: what do you define as Australian stories and Australian content? Some people have put together statistics where they’ll say the streamers are already meeting 20 per cent; nothing to worry about. I saw the movie; I loved the movie, but very few Australians watch Elvis and think, “I’m watching an authentically Australian story.”

There are two issues that we need to work through here. To what extent are the quotas about Australian jobs and to what extent are they about Australian stories? How we work those principles through affects what percentage we land at. That consultation will be happening. It will be led by Michelle Rowland and myself, and we will be working through those principles and introducing legislation in the second half of the year.

But what I’ve largely spoken about today is how we benefit from listening to views. We benefit from listening to good new ideas and we benefit from listening to people who are opposed to us. If you don’t have the courage of your argument to be willing to listen to the opposite argument, then it may say something about the argument you’re advancing as well. But I also – not as Leader of the House, but as Australia’s Arts Minister – just want to remind you as well it’s not only the ideas and views that we benefit from.

Some of you will remember back to the days of the Hawke and Keating Government when Paul was Treasurer and he had a house at Red Hill that used to be a diplomatic residence. On a Sunday afternoon he would bring colleagues around – John Button, John Dawkins, a series of them – and they’d talk about Cabinet agenda. One day he stops the proceedings with his friends and said, “I just want you to listen to this.” He had a Mahler album of Symphony No. 2 “Resurrection” and put that on, played it and everyone had to be silent. At the end, it stopped and Paul looked at them all and said, “So, what does it mean?” And the answers came back, “Oh, yeah classical music.” “No, what it does it mean?” “It’s a good recording.” And no one either had an answer or had an answer that satisfied Paul. And Paul then said, “It means we have to do better. How can you listen to something that elevating and then just walk away with the lowest point of compromise?” National Cultural Policy, if we get it right, and we start to go through with the vision that the Prime Minister released on Monday, I think should remind us that the voices we need to listen to and be willing to be affected by and advanced by don’t just go to opinion, don’t just go to policy but go to those who touch our hearts and soul as well.

[Applause]

LAURA TINGLE: Thanks so much, Minister. The Voice is obviously going to be a really dominant issue in Parliament as well as in the national conversation. I thought it might be useful to ask you if you could explain to us the processes that will be involved in Parliament. We’ve got the machinery of Government – well, the machinery-of-referendum bill, the referendum question itself. Is it possible for you to just lay out for the audience what’s involved in getting a referendum sort of through the Parliament, what are the opportunities for debate and what’s the timeline?

BURKE: Okay. So, there are two different pieces of legislation. The first is the machinery of Government to be able to conduct the referendum itself, and that's before us now. The second piece is the legislation that contains the actual question and the changes that would be made to the Constitution. The first piece of legislation needs to be dealt with before we can contemplate having a referendum because you need to update machinery of Government principles. But once the second piece of legislation goes through, you're then on a very strict timeline. I don't have the dates in my head, but there's a set number of weeks within which you cannot have the referendum and a set number of months within which you must have the referendum. So, the moment that second piece of legislation goes through, the window will become very clear for when the referendum will be held. The Prime Minister has been making clear the second half of this year, but there will be a tighter frame that will be clear once that legislation goes through.

TINGLE: But the crucial issue being that the Parliament will actually have the sign-off on what the question is and what the constitutional changes are.

BURKE: That's right. Every word of the question and every word of the changes to the Constitution will have gone through the Parliament itself.

TINGLE: Tom Connell.

TOM CONNELL: Tom Connell from Sky News. Casting our mind back to the election, we had an inflation figure of 5.1 per cent and Labor saying despite any concerns that wages could contribute to more inflation, that real wages should not go backwards. Inflation is now 7.8 per cent. Does Labor still hold that view?

BURKE: The Prime Minister answered this yesterday, which is: we're going through a Cabinet process and I accept absolutely that for these sorts of issues Cabinet processes have been rare over the last 10 years. But part of us going through due process is that we make a collegiate decision. Obviously, no one ever wants anyone's wages to go backwards. No one ever wants that. And so we – in terms of the timing of that though, people have been asking this at a bit of a pace at the moment but let's remember two things. One, the decision itself doesn't take effect until 1 July, so we're in January at the moment. But, secondly, the Fair Work Commission hasn't even started its process. There's no capacity at the moment for anyone – for that decision to be made. But the principles that the Government will apply will be worked through collegiately. That's the right way to do it and it's something that Australia hasn't seen for a very long time.

TINGLE: Rosie Lewis.

ROSIE LEWIS: Rosie Lewis from *The Australian*, Minister. Your Government has proposed laws to criminalise wage theft which you referenced in your speech. When caught out, employers often argue their conduct was inadvertent or they seek leniency. Do you expect any bosses to actually be jailed under your proposed law and what would the bar for jail time be?

BURKE: These are issues that will be part of the consultation that I just described and that consultation is real. There's three different categories that we need to be able to work through as we put these laws together. The first are the people who inadvertently make a completely honest mistake. The second group are the people where it might not have been deliberate, but they were reckless to the extent of really not making an effort to do the proper checks and they had the capacity to do so. The third group are people who it's absolutely eyes wide open that they are ripping staff off.

So, what we will be working through is how do you deal with those three different categories and, you know, certainly for the final group, criminal penalties are clearly applicable there. How do you then work through the rest? Because the other thing you want to do is you want

to make sure that you keep an incentive for businesses to find out themselves and come forward and say: "This has gone wrong and I want to fix it". So, you want to keep those incentives in place while also creating enough of a disincentive that people are really strict on making sure that people aren't being ripped off in the terrible situations we've seen.

Some of the examples that we've seen, you know, probably the most glaring was 7-Eleven, but there's, you know, we can't – I'll put it in these terms. We can't continue to have a situation where if the employee steals money from the till, it's a criminal offence and if the employer steals money from the worker, it's not. We're fixing that this year.

TINGLE: David Crowe.

DAVID CROWE: Thanks, Laura. Thanks for your speech, Minister. David Crowe from The Sydney Morning Herald and The Age of Melbourne. Given the way inflation is going at the moment, real wages simply aren't going up; they're going backwards. Wages were such a big theme at the last election. You did promise to increase wages. You're now talking about getting wages moving again. Are you now grappling with the reality or, sorry, actually I'll rephrase that. Do you think that by the end of this term, by the time you get to the next election, you will be able to point to wages going up in real terms for workers or will you have to explain to workers that even though despite the promise at the last election you won't be able to get real wages higher?

BURKE: Every worker knows that we are fighting to improve their wages. We did that from the moment we were in with the submission to the Annual Wage Review. Now, we made our commitments to that before we were in Government – where obviously we didn't have the resources of Government which we have now. We have the processes of Cabinet which you do not have in Opposition, and you have now. The second thing we did was with respect to the submission on the aged care pay and the third part was the Secure Jobs, Better Pay Bill. Secure Jobs, Better Pay is having an impact already and there are businesses that had refused to bargain that are back at the table now negotiating with their staff and those negotiations will result in pay deals. So, people are already seeing a fight for their wages.

The legislation this year will deal with how do you – even if you get those agreements moving, how do you deal with the different ways that the system gets undercut through different loopholes? We will be closing those loopholes in the legislation that we deal with in the second half of this year. People know that we are fighting for better wages, better pay for them and for them to be going forwards. Obviously, there are issues with inflation that are international that we have no control over. But we do want to see people moving ahead in real terms in their household incomes. So, the timeline you've given I certainly hope that's true and people will know that we have been fighting to deliver a better wage outcome for them from the day that we were elected.

CROWE: Thanks.

TINGLE: Ron Mizen.

RON MIZEN: Mr Burke, Ron Mizen from the *Financial Review*. Union leaders have called for the Albanese Government to bring in fees to cover non union members given support from EBAs to solve the so called free rider or – that's the phrase. Is that something you're contemplating and I've also just been asked to see whether you'd clarify which of your IR legislation is for the second half of the year and which is for the first half of the year?

BURKE: Okay. On the first question, I've gone through the list of what we're contemplating and that one is not on the list. But, you know, unions are free to argue whatever issues they want for their members. I'm not critical of them for arguing that. But it's certainly something that is not on our list that's – you know, I've given you the agenda I've gone through it. It's not there. Sorry, the second part, Ron, was?

MIZEN: Just in relation to managing –

BURKE: All of those ones that I went through that I will be consulting about on Wednesday, they are all for the second half of the year. All of those. So, the issues on the first half of the year are issues such as superannuation being able to claim through the Fair Work Commission if underpaid. Things like that. It's much more straightforward issues. We've kept the controversial stuff for the longer period of consultation, but it's overwhelmingly issues for the second half of the year that were election commitments that we didn't get to last year.

MIZEN: Thank you.

TINGLE: Anna Henderson.

ANNA HENDERSON: Anna Henderson, SBS World News and NITV. Some of your most vocal critics in the No campaign for a referendum are questioning why Labor wouldn't put forward legislation on urgency to set up a Voice to Parliament now and then hold a referendum, but be upfront about what an initial structure would look like and eventually stress test it ahead of a big national vote. What is your argument for why you are not taking that approach?

BURKE: That's not how the Constitution works. It's just not. The Defence power doesn't list how many submarines we'll have. The way the Constitution works is you establish what are the things the Parliament should deal with, and it's for the Australian people to decide whether or not we should do the two things that the Government will be putting to them. Whether we should be recognising First Australians in the Constitution, and, secondly, whether we should consult with people on issues affecting them.

For the First Australians, recognition and consultation are the two things that will be in the Constitution, and what we are putting to the Australian people is exactly the full detail of what we are asking them to consider whether or not they want to change. The Constitution is their document. The Parliament will be in control of what legislation goes through if the Australian people make that decision.

But it's a very straightforward issue of the two things and what the – look, one thing that I've noticed is I'm yet to hear an argument from the No campaign that is actually about voting no to the question that will be put forward. I'm yet to hear that from the No campaign. It's either been about issues that are nothing to do with it or issues that would be determined by Parliaments in decades and years to come if this constitutional change is made.

The constitutional change is really simple. Recognition and consultation. That's what we're asking the Australian people to decide on. That's what the Uluru Statement of the Heart has requested in a really generous and gracious request and I'm hopeful that the Australian people respond with the same generosity.

TINGLE: Andrew Probyn.

ANDREW PROBYN: Mr Burke, Andrew Probyn from the ABC. In his monthly essay, Jim Chalmers has talked about values-based capitalism and re-imagining and redesigning markets. Could you define for us what's values-based capitalism – in your own words? And, secondly, would you explain how your definition of values-based capitalism would apply itself to workplace reform, whether it's more intervention and the like?

BURKE: Well, in terms of the second principle, I think you can get that answer by what we've already done in terms of the argument that has been used for so long, which is "Oh, look, we can't give people a wage rise because inflation is low. We can't give people a wage rise because inflation is high. Productivity – if business profits go up, wages will automatically increase." All of those arguments were put and the truth is if you value and you have the

principle that you want people to have a better chance of being able to pay their bills, then Government has to pass laws that help people get more remuneration. That, in terms of principles, make a difference to people's lives at home is huge and it is exactly what we've been doing and what this year's agenda in terms of the legislation I went to will go to as well.

The only other thing I'd say in terms of the first half of the question with the different comments that have been out there, I think you can actually find a lot of these values in the mission statements of major companies. You can actually find some pretty strong values in the various mission statements that are put forward by the BCA itself. So, I know there's been a rush to say, "Oh, how could we deal with anything like this?" Have a look at what a whole lot of major companies put in black and white as the principles that they espouse as mattering. It's a lot more than the bottom line. For Government to be backing those concepts, it is right and proper and I'm really glad that Jim's written the essay.

PROBYN: So, in your own words what is values based capitalism?

BURKE: No, I have given you the answer. You get one go. I have given you the answer and I explained it's not going to be in the terms that you want. But I have given you the terms of my answer and I hope you loved it!

[Laughter]

LAURA TINGLE: Thank you, Minister, for imposing that discipline. It's obviously your parliamentary experience. Ben Westcott.

BEN WESTCOTT: Thanks very much for your speech, Minister. Ben Westcott from Bloomberg. You spoke a lot about consultation in your speech and obviously during the first few months of the Government there was the Jobs and Skills Summit, which was a major point of consultation, but over the following months there were some complaints, particularly from business leaders, that the consultation had not been as thorough when it came to multi-employer bargaining; and then later on when it came to the gas price cap there were complaints from business it didn't feel like it was being listened to. You talk about now, next week, you're going to meet with business and union leaders again. How can business be sure that your consultation is genuine?

BURKE: For any of the criticism that was made last year, you would be hard-pressed to find a business leader who says that the previous government consulted more than we did – even on that Bill. So, notwithstanding that, business have asked for there to be a higher level of consultation than there was last time. I think that's reasonable. We've got time to be able to do it and so, rather than just focus on the non-controversial areas that we're dealing with the Bill in the first half of the year, I thought it's right and proper; let's start the consultation now on what the Parliament won't be dealing with until the second half of the year. That won't change the fact that we – consultation doesn't mean what it meant for the previous government, I'm not asking for confirmation. If people disagree with me, they're not going to suddenly discover they've got confrontation.

What will happen though is different issues will be put where there will be a case where we think, "Yeah, we can make that adjustment and it will work better." For example, from the first draft of the legislation to what happened becoming law on Secure Jobs, Better Pay, a lot was changed to make sure we kept a primacy of single-enterprise agreements. That's part of why we're now seeing people come to the table in ways that they didn't used to. The push for that primacy of single enterprise agreement came from the business organisations. It improved the bill. It caused me to move amendments in the House and there were further amendments to do exactly that in the Senate. So, I think you've certainly got three stages. You've got the lack of consultation that used to happen under the previous mob, you've got the Jobs and Skills Summit and the genuine changes that did happen last year and you've had a higher

level of consultation and engagement which business have requested for this year and they'll get it.

TINGLE: If I can pick up that point about consultation and higher wages, what's happening with the implementation of the aged care Fair Work decision and what role is the Government playing in that?

BURKE: So, the Government has made – the Fair Work Commission came out initially with an interim report, with a 15 per cent pay rise concept there. They have then asked the parties to come back on how that might be timed. The Government's submission has been made on that and is public in terms of 10 per cent and five. That will be sorted through in the Fair Work Commission, as to what the commission determines on that timing. Then the Fair Work Commission will do more work in terms of – particularly for other people, ancillary staff in aged care, who weren't necessarily assisted by that first decision – and where they land on that I don't know obviously, but that's the further process that will happen.

TINGLE: So, what sort of timetable are you looking at for people who are still just sort of hanging out for some more money?

BURKE: Yeah, it is reasonable to presume that this year – normally pay increases come around 1 July so normal time that these things happen, but it's in the hands of the commission when they take the next round of evidence to be able to set exact dates on that. There is no doubt that aged care workers will during the course of this year end up being paid significantly more than they otherwise would have had, because there's been a change of Government and a Government that was willing to advocate a pay rise with the commission.

TINGLE: Catie McLeod.

CATIE McLEOD: Hi, Minister. Thanks for your speech. Catie McLeod from the NCA NewsWire. You spoke today about how your Government is changing Parliament and delivering a decent workplace for the people in the building. How is it then that the Commonwealth is facing legal action along with an Independent MP from a member of staff who claims that her boss tried to sack her for allegedly working unreasonable hours? Does the fact that this has arisen six months from the election reflect the fact that there's more work to be done to improve conditions for workers in Parliament? And just on this particular case, could it have been avoided if the Albanese Government hadn't cut the number of staff that Independents are allowed to have?

BURKE: Thank you for the question. First of all, no one in the room, me included, knows the facts on this particular case. None of us do, and so it's difficult for me to really offer much other than there's a system to be able to deal with it. Secondly, we have followed through on the recommendations from Kate Jenkins. We've established, as I said in the speech, the Parliamentary Workplace Support Service, so various changes have been made. There is no level of changes that anyone can make that will eliminate all disputes. There will be occasions where there are disputes so I don't think zero disputes should ever be the test as to whether or not a system has improved. There's no doubt a lot has been done and when you hear the speeches on Wednesday from the party leaders, I think it will be pretty clear some of the changes that have been made. But that said, I don't think any of us can comment on in any detail, really, on that particular case because none of us know the facts.

On the final part of what you've asked in terms of number of staff, I don't think there is a single office Government backbencher, Opposition backbencher, Minister, frontbencher or crossbencher office where all the staff aren't working incredibly hard. But certainly we made a decision on the number of staff for the crossbenchers based on the original ask was that the crossbenchers would receive more additional staff than the Assistant Treasurer would have, and certainly that was something that was viewed as simply not tenable.

McLEOD: Thank you.

TINGLE: Paul Karp.

PAUL KARP: Thanks very much for your speech. In answer to Ron's question, you said that bargaining fees are not on the list for the Industrial Relations Bill this year. Can I please ask why? Is it because you don't think free riding is a problem or this is the right solution or you don't want to imperil a bill to pass your election commitments but you could come back to it alert?

BURKE: All my focus and all the Government's focus has been about getting people better job security and about delivering on getting wages moving, and that's been what our focus has been. There's been no discussion within Government on this issue at all and we will be flat out on the different issues that we'll have to deal with to be able to get wages moving. Be in no doubt; after we put through the closing loopholes bill, which, hopefully, makes its way through both houses of Parliament this year, someone will try something new. Someone will go to the courts and try to find a new way of undercutting wages. Someone will come up with a new model to try to see wages run down. We'll come back trying to close further loopholes.

Getting wages moving and delivering job security in a country where you have an extraordinary number of people without any access to leave is a huge task, and so in terms of priority it simply isn't on this year's list; it's not on any list that I have.

KARP: Is it a loophole that employees get the benefit of union-negotiated pay rises if they are not union members and don't make any contribution?

BURKE: No, no, I hear your point. I'm not critical of the unions for making the argument. I'm simply saying there is no Government policy about to happen, happening, that goes down this path.

KARP: You rule it out then?

BURKE: I've said there's no Government policy that's about to happen or happening here.

TINGLE: Julie Hare.

JULIE HARE: Mr Burke, thank you for your speech. Julie Hare from the Australian Financial Review. Labor frontbenchers, including yourself, have some of the most multicultural electorates in the country. Is the Voice among the top issues raised by your constituents and are you confident the people of Watson will vote yes?

BURKE: First of all, I'm not going to presume on the people of my electorate. They will make their own decisions. I will be encouraging them to vote yes. And, you know, there's been some occasions when there's been national votes where they've voted yes. There's been occasions when they voted no in my part of Sydney. As a multicultural nation, though, people have – particularly when you consider some of the places that people have fled, in my part of Sydney they have a very good understanding of how there should be occasions where the first peoples of the land end up doing really badly and if they were consulted and respected and spoken and listened to, then the outcomes might have been different. Certainly, the lived experience of many people in my part of Sydney is the lived experience that exactly points to why we would want to vote yes.

HARE: When you talk to your constituents, what's the feeling you get?

BURKE: In terms of you asked, "Is this the number one issue?", no, it's people's wages not keeping up with their bills.

HARE: Is it on the –

BURKE: That's the number one issue. But I can also say I have had people raise this with me. I wouldn't pretend it's a scientific poll. Maybe the people who disagree are avoiding the conversation. But certainly, I'm yet to have somebody come up to me and complain about it. I've had plenty of people coming up saying how important it is, some of whom have linked it back to experiences in countries they might have been born in.

TINGLE: Maurice Reilly.

MAURICE REILLY: I'm asking this question on behalf of our director Tim Shaw who's out there watching. Minister, can you rule in or out 20 per cent of streaming quota plans are new Australian stories and not – and doesn't include reruns of Skippy the Bush Kangaroo and Number 96?

BURKE: If I were to – well, the answer was in the speech is the answer to the question. There is a whole lot of moving parts here. One is the percentage, which is what most people have focused on, but the other, as this question focuses on, is what do you include in the Australian content. Is it all new? Is it not? Of what's new, how Australian does it have to be? These are all principles which have been dealt with in a different way with respect to free to air. Now, with free to air, you've got a different way of doing things because you have it got set broadcast times. You can say at this time of day, as we used to, this time of day has to be children's, this time of day you've got various Australian content. You used to have a guarantee of scripted drama that the previous government got rid of it. With free to air, you can do it that way.

With streaming, we have no control over what time people watch or, ultimately, what they choose to watch so you have to approach it in a different way. I know that the Shadow Minister said, "This will mean we'll end up having three different systems." We already have three different systems. We have a system on free to air TV of particular quotas. We have a system on Foxtel of a dollar amount and we have no system at all on streaming. Complete free for all. That can't go on. So, what we announced on Monday is from 1 July next year there will be Australian content obligations for the streaming services. First half of this year, Michelle Rowland and I will be working out exactly what the formula, exactly how you cut it, what that is, with genuine consultation, with all three stakeholders. You know, there's three groups that have a lot at stake here. You've got people who produce the content and the actors and all the people in the industry, you've got the streaming companies themselves and you have got the Australian audience that is a right to make sure that they see stories that reflect them on their own screen in their own home. Second half of the year we'll have the legislation.

TINGLE: Tom Connell.

CONNELL: Second go at it. There's been a few warnings over the past few years around domestic gas supply in Australia. Since coming to power the one decisive action Labor has taken is to make domestic gas supply less profitable. What has the Government done to increase domestic gas supply?

BURKE: On this one, as part of a Cabinet Government, I'm just going to refer to the relevant Minister. I'm not going to give a half-answer on that.

CONNELL: Nothing at all?

BURKE: We've got the appropriate Minister. It's a serious issue. It's a very serious issue. And I'm just not going to offer it.

LAURA TINGLE: Rosie Lewis.

LEWIS: Minister, just following up on your earlier response to wage theft, you made clear that only the most egregious cases would attract a criminal penalty. Could you confirm – I understand consultation will get underway shortly – that the criminal penalty would include jail time? And do you foresee that there would be people captured and jailed under such laws or do you think such laws would be enough to prevent that behaviour?

BURKE: The objective – well, first of all, in terms of the way I described it, I said for that worse category, that's where they would have to apply.

LEWIS: So, they could apply to the earlier categories?

BURKE: That's something we haven't made a decision on. But certainly, if you're going to talk about criminalising, you have to talk about the worst category. That's part of the consultation we'll work our way through. I don't want to imply I ruled it out, but certainly for that third category it would have to be there.

The hope with criminalising anything is the law doesn't get used because it has a behavioural effect. That's always the hope. Reality often is that sadly you have a couple of high-profile uses of law before the behavioural effect takes place. I hope that's not the case.

You sort of have two worlds. One world is where people continue to be ripped off and people get jailed, while that's bad for the people getting ripped off and it's not so great for the person who suffers a criminal penalty. The alternative world is one where the mere fact of criminalising gives a behavioural change. Think of it in these terms. People say, "Oh, it's too complicated." People are used to the fact you have to comply with tax law. You make sure you get your tax return right and you get some advice to make sure you're getting it right. People are used to the fact that you have to comply with planning law. If you're undergoing a major build, you get some advice to get your planning law right. There's been an attitude for too long that you can second guess your employment law.

That's part of the story of the underpayment scams that we've seen over the last few years, that there's been a view that, "Oh, yeah, we don't have to take this as seriously paying our workers as we do paying the Commonwealth or as we do complying with Local Government." I want to see that behaviour change and I have no joy, to be honest; of all the things that we will be dealing with, I'm least excited about criminalising wage theft. I have no joy in doing it or that we have to do it. But from what I saw, particularly during the last term, I have no doubt whatsoever that it will take something like this to deliver behavioural change.

TINGLE: David Crowe.

CROWE: Thank you, again, on arts policy, Minister, a quick question on one of the things you spoke about last year that there's been some reaction to this week. Setting perhaps in legislation a minimum pay for performers. I know the Greens want that in law. Do you think you would put that into law and while we're on laws, you want a poet laureate. Who do you think should get the job? Could it be Paul Kelly, could it be Sia, could it be Nick Cave? You're a muso. I personally don't think Bob Dylan should have got the Nobel Prize, but do you think a muso could be the poet laureate?

BURKE: Let me deal with the poet laureate. What was the first one?

CROWE: The first one was about minimum pay for performers.

BURKE: I'll deal with that first because the second part is fun.

[Laughter]

BURKE: On minimum pay, I have not ruled out that we ever get there. I wasn't able to get there in the seven months that we were consulting on National Cultural Policy because you want to make sure that you don't end up with perverse outcomes. For example, if we think of the volunteers at various festivals, if someone's getting their tickets and they're performing as part of getting their tickets and their accommodation, to what extent are they a volunteer? To what extent is that a payment? How do you deal with that? What should the rate be? What does that mean in terms of smaller venues? Working all that through is complex and it's not something I would rush through.

I am deeply frustrated and always have been at the presumption that every artist when they're asked to help with something it's presumed that they'll do it for free or that exposure is their payment. They're workers – on many occasions, musicians – who have put this request put on them; some of them have been training in their craft since the age of three or four. We talk about how long doctors train. Musicians and the work and discipline that's gone into their craft is extraordinary. To have them on such low rates of pay is horrific. Exactly how you fix it, I wasn't confident that we had landed on the right answer yet. Establishing the Centre for Arts and Entertainment Workplaces, a lot of its work will be about delivering safe workplaces, but there will be questions of remuneration that the centre works through as well.

On the poet laureate, I think everyone was really moved by Sarah Holland Batt at the launch on Monday. Her poems – I've listened online to quite a few of her poems about her father and they're just beautiful, elegant works of poetry. I read a poem out loud every day. I've done so since I was 18. Today was Peter Carey. Typewriter Music. Sorry, David Malouf, Typewriter Music. But great poetry – you mentioned musicians. Great poetry already has great music to it. It already does. I've been very determined with the cultural policy that there's never a decision about artistic merit taken by the Minister so you've named a whole lot that I love.

CROWE: So, you won't get a say?

BURKE: No, I won't get a say. But as the member for Watson, I'll remind people of the Bankstown Poetry Slam being the largest poetry gathering in Australia and let's not just think of the famous published poets. There is a culture out there of young people putting their words to paper and then to the microphone with the audience clicking in time when they hear something they like that's become one of the most wonderful ways that words are using used in Australia. It's going to be exciting. I don't know who they'll pick, but I won't be the one doing the selecting.

TINGLE: If I could just ask finally, we've talked about video streaming. You and the Prime Minister are obviously major contemporary music tragics. What's going to happen about music streaming, things like Spotify and getting decent returns for artists from them?

BURKE: There's two issues for streamers that are principally Spotify and Apple, but there are other services as well. Dealing with video streaming is complex but easier than music. The challenge with – the reason it's easier with video is the producing of the work is – it can be done directly by the streaming service itself, whereas Spotify or Apple aren't actually involved in the producing of the music. So, it's a different mechanism. It's one of the things that by having Music Australia as very much a corporate body, not simply dealing through peer review but being able to make strategic decisions in ways that the Australia Council traditionally couldn't, will be able to provide advice to Government on this.

When people think about Spotify or Apple music, for example – I'll give you a simple example, we all think about it in terms of, "How can you have quotas there because I choose what songs I like and that's my business and I don't want the Government telling me what I choose?" Of course. But play an Australian album on one of those and have the feature on that it keeps choosing music for you after. By the third or fourth song if you haven't gone to North America in the choices that it's taken you to, then you're getting a different experience

to what I get. The streaming services do not only have available what you might choose; they also push music to you. Getting inside those algorithms and getting a better deal for Australian music will make a huge difference for Australian artists. But I need the expertise and the advice of Music Australia for us to be able to take that next step.

TINGLE: Please thank Tony Burke for his time today.

Data – Gender Equality

The Government is delivering on its commitment to help close the gender pay gap (13.3% record low)

- The gender pay gap, calculated from average weekly ordinary full-time earnings, is 13.3 per cent (ABS Average Weekly Earnings, November 2022). This is a record low, but more needs to be done.

Current	Recent quarters		Record low	Recent high
Nov 2022	May 2022	Nov 2021	Nov 2022	Nov 2014
13.3%	14.1%	13.8%	13.3%	18.7%

- On average, **men working full-time earn \$253.50 more than women working full-time per week.**
- An alternative measure of the gender pay gap, using the ABS Employee Earnings and Hours survey, is based on hourly rates of pay. In May 2021, the average hourly total cash earnings (including overtime) gender pay gap was 9.7% for all full-time and part-time non-managerial employees and 11.5% for all full-time, part time, managerial and non-managerial employees.
- The Workplace Gender Equality Agency (WGEA) collects pay data annually from non-public sector organisations with 100 or more employees. This data includes superannuation, bonuses and other additional payments. The WGEA average yearly FTE gender pay gap for full-time total remuneration was 19.5% at March 2022.

The gender pay gap is influenced by several interrelated factors

- Women do more unpaid care and domestic labour** – so have more career interruptions and work reduced hours (refer *WGEA (2016) Unpaid Care Work and the Labour Market*).
 - women only make up 39.3% of full-time workers in Australia, compared to 67.4% of part-time workers (ABS Labour Force, April 2023).
 - full-time non-managerial men work 2.3 more total hours and 0.9 more ordinary-time hours per week than women (ABS Employee Earnings and Hours, May 2021)
- Industries and occupations are segregated**
 - Only 46.5% of WGEA reporting organisations are gender mixed organisations (refer *WGEA (2019) Gender Segregation in Australia’s Workforce Fact Sheet*).
- Inequities in education, work experience, and seniority**
 - In 2021, although women accounted for 41% of all levels of managers in Australia, less than one in five CEOs or business leaders were women and only one in four organisations had a gender-balanced leadership team (refer *KPMG (2022) She’s Priced(less): The economics of the gender pay gap*).
- Gender discrimination** – may explain the remaining difference between the contribution of the above factors to the gender pay gap and equal pay (refer *KPMG (2022) She’s Priced(less): The economics of the gender pay gap*).

The Secure Jobs, Better Pay Act put gender equality at the heart of the workplace relations system

The Fair Work Commission must now consider gender equality and job security when making decisions

- Gender equality is an object of the Act, a Modern Awards Objective, and a Minimum Wages Objective.
- Job security is an object of the Act and secure work is a Modern Awards Objective.
- In March 2023, the Government made a submission to the 2022-23 Annual Wage Review recommending the Commission ensure real wages of Australia’s low paid workers do not go backwards. The new gender equality objectives mean the Commission must take into account gender equality in its decision making processes.

It is easier for the Fair Work Commission to order pay rises for low paid workers

- Work value and equal remuneration provisions amended:
 - Equal remuneration – not limited to comparing similar work, no male comparator required, and isn’t required to find gender discrimination.
 - Work value – consideration must be free of gender-based assumptions and must consider if the work has been undervalued in the past because of gender-based assumptions.

...and the Government has funded new expertise and resourcing to help it do so

- \$20.2 million** (in Budget October 2022-23) over four years from 2022-23 for new Expert Panels in the Fair Work Commission, focused on Pay Equity and the Care and Community Sector, backed by a dedicated research unit.
- On 6 March 2023, the Expert Panels commenced, and Government appointed three new Expert Panel Members.
- Deputy President Bernadette O’Neill is National Practice Leader for pay equity and care and community sector.
- Next phase of the Aged Care Work Value case will be heard by an Expert Panel.

Lower-paid and feminised sectors also have improved access to bargaining through the supported bargaining stream, which will help workers to negotiate better pay and conditions for themselves

- From 6 June 2023, agreements can be made in the supported bargaining stream to cover multiple employers where they have clearly identifiable common interests, and where low rates of pay prevail in the sector.

The rights to request flexible work and an extension of unpaid parental leave will be enforceable rights

- From 6 June 2023, the Fair Work Commission can deal with disputes about requests for a flexible working arrangement or an extension of unpaid parental leave, including by arbitration.

Pay secrecy clauses will be banned, improving transparency at workplaces

- Pay secrecy clauses included in new employment contracts from 7 December 2022 have no effect, and from 7 June 2023 will be prohibited and attract penalties.
- Pay secrecy clauses in current employment contracts will continue to operate, until those contracts are varied.

Up to 11 million workers now have access to paid family and domestic violence leave (ATTACHMENT A)

- Workers are entitled to 10 days paid leave, at full rate of pay, including for casuals.
- Commenced **1 February 2023**, except for small business (< 15 employees) which commences **1 August 2023**.
- The October 2022-23 Budget included the Small Business Assistance package (**\$3.4 million** over 4 years - \$2.2 FWO to update existing resources and \$1.2 DEWR).
- \$1.2 million will be allocated through a tender process to develop and disseminate targeted information to small business, and to fund an independent review.
 - The approach to market was published on AusTender on **31 March 2023** with applications closing on **28 April 2023**. The outcome is currently being finalised.
 - The independent review will commence as soon as practicable after **1 February 2024**.
- 4 February 2023** - regulations commenced requiring paid FDV leave to be reported on a payslip as ordinary hours of work or another kind of payment for performing work, such as an allowance, bonus or overtime payment unless the employee requests it to be recorded as another type of leave such as annual leave or personal / carer’s leave.

Wage increases for women depend on circumstances of each case

- Wage increases resulting from recent amendments to the Fair Work Act would depend on specific circumstances, including the Fair Work process a wage claim is brought under and the coverage of the claim.
- The Government has supported wage increases in aged care. Certain aged care workers will get a 15 per cent pay rise from 30 June 2023 following the Commission’s decision in the Aged Care Work Value Case on 21 February 2023.
- Questions about Government funding for any wage increases should be directed to the funding agency.

The Government is ensuring workplace relations reforms contribute to broader work on gender equality

- National Strategy to Achieve Gender Equality (Office for Women)**
 - Due in second half of 2023 – will guide whole-of-community action to achieve gender equality in Australia; includes consideration of work and care responsibilities, informal care and returning to work.
- National Strategy for the Care and Support Economy (PM&C)**
 - Due 30 June 2023 – will set long-term vision for aged care, disability care and support, veterans care and ECEC; will set roadmap of early actions; includes focus on quality care, decent jobs and workforce.
- Employment White Paper (Treasury)**
 - Due end of September 2023 – will include consideration of barriers to women’s workforce participation.



Attachment A: Paid family and domestic violence leave

Small Business Resources on Paid Family and Domestic Violence Leave

- The tender process will allocate funding to develop and disseminate resources for small business. The outcomes will be published on AusTender shortly.
- The Approach to Market sought proposals for concise, targeted content in a format suitable for small businesses, distributed through trusted networks, and available free of charge for 2 years minimum.
- In the Approach to Market, the essential requirements successful supplier(s) must demonstrate were:
 - Domestic Violence Expertise: the successful supplier(s) must demonstrate relevant expertise to ensure the material developed for distribution is appropriately trauma-informed or alternately propose how they will obtain this expertise. Potential Suppliers were strongly encouraged to consult, partner with, or procure services from relevant family and domestic violence sector experts.
 - Industry Association: the successful supplier(s) must be, or partner with, a peak industry or occupational-based association of employers or employees, to ensure that the materials are distributed to the Target Audience.
- Of the 1.2 million allocated to DEWR over 2 years, it is intended around half will be expended for this program with the remainder to fund the statutory review.

Employee Resources on Paid Family and Domestic Violence Leave

- Employees will be supported through a range of government resources:
 - \$2.2 million for the FWO to update resources and provide workplace advice and education
 - 1800RESPECT - the national domestic, family and sexual violence counselling, information and support service
 - DV-Alert training - we understand the social services portfolio are developing a free training package for small business on how to recognise signs of violence, respond appropriately and refer employees to support ahead of small business commencement on 1 August 2023, and it is being guided by advice from the small business sector.

Independent review into operation of the provisions

- The *Fair Work Amendment (Paid Family and Domestic Violence Leave) Act 2022* (Amendment Act) requires the Minister to commission an independent review of the operation of the paid family and domestic violence leave provisions.
- The independent review must commence as soon as practicable after **1 February 2024**.
- The review will assess the support to small business and the effectiveness of the legislation.
- In accordance with the Amendment Act, it must consider:
 - the impact of the amendments on small businesses, sole traders and people experiencing family and domestic violence, and
 - both quantitative and qualitative research.

- The review must be provided as a written report to the Minister within 3 months of commencement of the review and be tabled in both Houses of Parliament within 15 sitting days from the report being given to the Minister.
- DEWR is preparing advice on the options for conducting the independent review of the legislation. Final decisions on its form are a matter for Government.

Updates to the Fair Work Regulations

- The Fair Work Regulations have been updated to prohibit certain information in relation to paid family and domestic violence leave from being included on a pay slip.
- These changes addressed concerns around privacy and reducing the risk to an employee's safety when accessing paid family and domestic violence leave.
- Employers need to keep a record of leave balances and any leave taken by employees. However, pay slips must not mention paid family and domestic violence leave, including any leave taken and leave balances.
- From **4 February 2023**, an amount paid to an employee for taking paid family and domestic violence leave has to be recorded on a pay slip as:
 - ordinary hours of work, or
 - another kind of payment for performing work, such as an allowance, bonus or overtime payment.
- However, if an employee requests it, their employer can record time taken as paid family and domestic violence leave as another type of leave on their pay slip (for example, annual leave).
- Until **4 June 2023**, a period of paid family and domestic violence leave can be recorded on a pay slip as an amount paid for taking another type of leave (for example, other leave).
- This grace period is intended to give employers time to update payroll systems to comply with the requirement to report paid family and domestic violence leave on pay slips as ordinary hours of work or another kind of payment for performing work.

Stakeholders consulted

- DEWR consulted stakeholders in development and implementation of the entitlements, including in relation to:
 - development of the legislation prior to its introduction to Parliament on 28 July 2022
 - the Small Business Assistance package in December 2022 (with FWO and DSS)
 - amendments to the Fair Work Regulations in December 2022 and January 2023.
- Implementation of the new entitlement was discussed with the National Plan Advisory Group (8 December 2022).



Impact of Secure Jobs, Better Pay

What has been announced

- The Secure Jobs, Better Pay package was a crucial first tranche of reforms to modernise the workplace relations system.
- The package was designed to make measured improvements to the workplace relations system and deliver necessary outcomes for workers, including increased pay and job security.
- The Secure Jobs, Better Pay Act is:
 - Strengthening the bargaining framework and improving workplace relationships
 - Improving workplace conditions and protections
 - Increasing job security and gender equality
 - Restoring balance to workplace relations institutions.
- The Act is expected to support productivity and sustainable wage growth - particularly for workers in lower-paid, award-reliant industries - and help to reduce the gender pay gap.
- The Act has built-in safeguards to protect businesses and the broader economy against intractable bargaining disputes and reduce the prospect of industrial action.

Key Government statements

Media Release, 'Delivering secure jobs and better pay'

Joint announcement from the Minister and Prime Minister regarding the passage of the Act through Federal Parliament and announcement there will be a second tranche of reforms to close the loopholes in 2023.

<p>Minister's Media Centre https://ministers.dewr.gov.au/anthony-albanese/delivering-secure-jobs-and-better-pay</p>	<p>2 December 2022</p>
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Current status of the policy

- The Secure Jobs, Better Pay Act received Royal Assent on 6 December 2022, with many reforms now in effect. Reforms related to bargaining, unpaid parental leave, flexible work and small claims come into effect mid-year, with reforms to fixed-term contracts coming into effect on 6 December 2023 (see Attachment A).
- Bargaining
 - The majority of bargaining related measures from the Secure Jobs, Better Pay Act have not commenced.
 - All reforms to enterprise bargaining will take time before having measurable effects on bargaining coverage and wages.
 - Bargaining takes time. The impact of an enterprise agreement becomes measurable once an agreement is made, the Fair Work Commission approves it, and it starts having effect in the workplace.
 - Secure Jobs, Better Pay empowered the Fair Work Commission to deal with intractable bargaining disputes sooner and is anticipated to shorten the duration of bargaining in some cases.

- Some employers and employees will not be able to bargain for some time and must wait until existing enterprise agreements nominally expire. This means the Secure Jobs, Better Pay reforms will have an incremental impact on increasing wages over times.
- Gender equality
 - The Fair Work Commission must consider gender equality and job security when making decisions:
 - Gender equality is an object of the Act, a Modern Awards Objective, and a Minimum Wages Objective.
 - Job security is an object of the Act, secure work is a Modern Awards Objective.
 - Work value and equal remuneration provisions include consideration of gender-based undervaluation of work and make it easier for the Commission to order pay rises for low paid workers. Importantly there is no longer a need for a male comparator group when seeking an order for equal remuneration.
 - The Government committed \$20.2 million (Budget October 2022-23) over four years from 2022-23 for new Expert Panels in the Fair Work Commission, focused on Pay Equity and the Care and Community Sector, backed by a dedicated research unit.
 - The right to request flexible working arrangements and right to request an extension of unpaid parental leave will be enforceable rights, from 6 June 2023.
 - Pay secrecy clauses in new employment contracts from 7 December 2022 have no effect, and from 7 June 2023 will be prohibited and attract penalties.

Impact of the policy

- The success of all the reforms in the Secure Jobs Better Pay Act will be measured when the Government reviews the Act. The review must commence prior to 7 December 2024, and must be completed within six months of its commencement. The review will be able to make use of a variety of methods and sources to evaluate the impacts of the reforms.
- It is difficult to distinguish the impact of individual measures in the Secure Jobs, Better Pay Act, due to the varied and complex factors that drive economic growth, and the interconnectedness of the measures. But some indicators are showing signs of improvement.
- Wages growth
 - While it is still too early to measure success, recent data on wages shows that they are growing strongly, with the March 2023 Wage Price Index increasing by 3.7 per cent over the year. This is the strongest annual increase in wages since September 2012.
 - High inflation has meant real wages fell by 3.3 per cent over the year to March 2023, but Budget forecasts show positive real wages growth is expected by early 2024, with real wages expected to grow by $\frac{3}{4}$ per cent by the June quarter.
 - The latest data from the ABS shows that a larger than usual March quarter contribution to the Wage Price Index came from jobs covered by enterprise agreements, driven by newly negotiated enterprise bargaining agreements across both private and public sectors, and changes to public sector wage caps.
- Inflation

Inflation remains high at 7.0 per cent over the year to the March quarter 2023 but has likely peaked and is expected to continue to decline. Inflation is expected to return to the RBA's inflation target band in 2024-25.

 - The high Inflation environment has been principally driven by global price shocks, including pandemic-related supply chain disruptions and the invasion of Ukraine.
 - There is no evidence of a wage-price cycle developing.

- Bargaining
 - The majority of bargaining related measures from the Secure Jobs, Better Pay Act have not commenced.
 - However, the latest data from the Fair Work Commission shows that since the passage of Secure Jobs, Better Pay, 1,370 agreements have been lodged with the Fair Work Commission, covering 219,164 employees with an average annual wage increase of 3.5 per cent. (Source: Fair Work Commission, 5 December 2022 to 7 April 2023)
 - The Fair Work Commission database reports on agreements lodged rather than approved and does not include greenfield agreements. Not all lodged agreements are approved.
 - Changes to rules regarding agreement termination to promote good faith negotiations by stopping agreement terminations from being used as a bargaining tactic are seeing employers return to the bargaining table to engage in good faith bargaining:
 - On 18 April 2023, Workplace Express reported that tugboat operator Svitzer Australia had withdrawn its 'long-running application' to terminate its national enterprise agreement in favour of focussing on continuing negotiations with maritime unions to reach a new deal.
 - Zombie agreements will automatically sunset on 7 December 2023 (unless extended by the Fair Work Commission). The Fair Work Commission has published information on its website about the operation of these provisions.
 - Workers covered by a nominally expired enterprise agreement can now initiate bargaining with their employer via written notice, rather than having to obtain an order from the Fair Work Commission.
 - The department is aware that Coles and ANZ have returned to the bargaining table as a result of the Secure Jobs, Better Pay Act (Part 15 – Initiating Bargaining).
- Gender equality
 - As an outcome of the Commission's decision on 21 February 2023 in the Aged Care Work Value case, minimum wages for certain aged care workers will increase by 15 per cent from 30 June 2023.
 - On 18 May 2023, the Commission published its reasons for the 21 February decision, including the following:
 - The amendment to the modern awards objective to include gender equality weighed in favour of the interim increase. The need to improve access to secure work was a neutral consideration in this case.
 - The amendment to the minimum wages objective to include gender equality weighed in favour of the interim increase.
 - Regarding the amendment to the work value provisions requiring the Commission to consider whether historically the work has been undervalued because of gender-based assumptions – the Commission noted the Full Bench in its Stage 1 decision adequately considered the question of historical undervaluation because of gender-based assumptions, and noted the provisions require the Commission to consider, but not make a positive finding about, historical gender-based undervaluation.
 - In March 2023, the Government made a submission to the 2022-23 **Annual Wage Review** recommending that the Fair Work Commission ensure real wages of Australia's low paid workers do not go backwards.

- These workers are more likely to be women and the new gender equality objectives in the Fair Work Act (Secure Jobs, Better Pay) mean the Commission must take into account gender equality in its decision-making processes.
- For example, when applying the new gender equality considerations in the minimum wages objective and modern awards objective, the Commission's consideration could include the potential for increases to minimum wages to narrow the gender pay gap for women workers covered by particular modern awards or employed in particular classifications, having regard to levels of award reliance.
- It would also be open to the Commission to consider the historical setting of wages in low paid, feminised industries and occupations as part of its consideration of gender-based undervaluation of work.
- How the Commission takes the broader consideration of gender equality into account will depend on circumstances and evidence available to it.

Stakeholders consulted

- On 1-2 September 2022 the Jobs and Skills Summit was held in Canberra and brought together unions, employers, civil society and governments.
- The department also held consultations with states and territories, unions, employer groups, businesses and academics to discuss the development of the Secure Jobs, Better Pay Act.

Recent media on this policy

Article, 'Supermarket giant Coles forced to bargaining table under new IR laws'

Report on bargaining negotiations between Coles and retail unions, three years after the nominal expiry of Coles' last enterprise agreement. The Minister stated that the Government had promised that the Secure Jobs, Better Pay Act would bring people back to the bargaining table, 'and that's exactly what's happening'.

<i>Sydney Morning Herald</i> https://www.smh.com.au/politics/federal/supermarket-giant-coles-forced-to-bargaining-table-under-new-ir-laws-20230105-p5cah6.html	6 January 2023
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Article, 'BCA slams Labor's new workplace rules'

Workplace Relations Minister Tony Burke had assured business it would be more involved in the next round of reforms, due after July, in contrast to the rushed talks on multi-employer bargaining (during Secure Jobs, Better Pay) that resulted in 150 legislative amendments.

<i>Australian Financial Review</i> https://www.afr.com/work-and-careers/workplace/bca-takes-hard-line-on-casuals-labour-hire-changes-20230413-p5d07e	13 April 2023
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Next steps, including consideration by Government where expected

- A statutory review of the Secure Jobs, Better Pay Act must commence no later than 6 December 2024.
- This review will consider whether the operation of the amendments is appropriate and effective and undertake to identify any unintended consequences.
- The review will also consider if further amendments are necessary to improve the operations of the Secure Jobs, Better Pay Act, or to rectify unintended consequences.

Expenditure/Budget

- The Government is providing a **total of \$160.4 million** from 2022-23 over the forward estimates to support the Secure Jobs, Better Pay package.
 - This funding includes **\$111.6 million** for measures in the Secure Jobs, Better Pay Act, and
 - a further **\$48.8 million** to support non-legislative activities.
- Significantly, abolishing the Australian Building and Construction Commission will **save the Budget \$130.9 million** over the forward estimates, **reducing the total cost of the package to \$29.5 million over the forward estimates.**



Attachment A – Summary and Commencement of Measures in the Secure Jobs, Better Pay Act

Secure Jobs, Better Pay Act Part	Commenced?	Commenced?
Part 1- Abolition of the Registered Organisations Commission	✓	6 March 2023
Part 2 – Additional registered organisations enforcement options	✓	6 March 2023
Part 3– Abolition of the Australian Building and Construction Commission	✓	6 February 2023
Part 4 – Objects of the Fair Work Act	✓	7 December 2022
Part 5 – Equal remuneration	✓	7 December 2022
Part 6 – Expert Panels	✓	6 March 2023
Part 7 – Prohibiting pay secrecy	✓	7 December 2022
Part 8 – Prohibiting sexual harassment in connection with work <i>Note: Amendments relating to ILO convention have not yet commenced</i>	✓	6 March 2023
Part 9 – Anti-discrimination and special measures	✓	7 December 2022
Part 10 – Fixed term contracts	✗	6 December 2023
Part 11 – Flexible work	✗	6 June 2023
Part 12 – Termination of enterprise agreements after nominal expiry date	✓	7 December 2022
Part 13 – Sunsetting of “zombie” agreements etc <i>Note: ‘zombie’ agreements, will automatically sunset at the end of 6 December 2023.</i>	✓	7 December 2022
Part 14 – Enterprise agreement approval	✗	6 June 2023
Part 15 – Initiating bargaining	✓	7 December 2022
Part 16 – Better off overall test	✗	6 June 2023

Secure Jobs, Better Pay Act Part	Commenced?	Commenced?
Part 17 – Dealing with errors in enterprise agreements	✓	7 December 2022
Part 18 – Bargaining disputes	✗	6 June 2023
Part 19 – Industrial action	✗	6 June 2023
Part 20 – Supported bargaining	✗	6 June 2023
Part 21 – Single interest employer authorisations	✗	6 June 2023
Part 22 – Varying enterprise agreements to remove employers	✗	6 June 2023
Part 23 – Cooperative workplaces	✗	6 June 2023
Part 23A – Excluded work	✗	6 June 2023
Part 24 – Enhancing the small claims processes	✗	1 July 2023
Part 25 – Prohibiting employment advertisements with pay rate that would contravene the Act	✓	7 December 2022
Part 25AA – Having regard to certain additional matters in performing functions	✓	7 December 2022
Part 25A – Establishment of the National Construction Industry Forum	✗	1 July 2023
Part 25B – Unpaid parental leave	✗	6 June 2023
Part 26 – Application, saving, transitional and miscellaneous consequential provisions <i>Note: Variation of enterprise agreements not yet commenced</i>	✓	7 December 2022
Part 27 – Amendment of the Safety, Rehabilitation and Compensation Act 1988	✓	7 December 2022
Part 28 – Paid family and domestic violence leave	✓	1 February 2023



Review of the Office of the Fair Work Ombudsman

What has been announced

- An independent review of the Office of the Fair Work Ombudsman's (FWO) resourcing will be conducted to identify efficiencies and opportunities for savings given recent changes to its role.
- This measure is consistent with the Government's commitment to budget repair and responsible spending.
- Efficiencies identified by the review will support the implementation of a **2.5 per cent** ongoing saving that the Government has applied to the budget of the Office of the Fair Work Ombudsman, to ensure it is operating effectively and efficiently.
- The Government will save **\$15.8 million** over the next four years from the Fair Work Ombudsman's budget (and **\$3.9 million** per year ongoing). The Department of Employment and Workplace Relations will spend **\$0.3 million** in 2023-24 on the review.

Current status of the policy

- In development. The Department is developing project materials including terms of reference, and preparing to engage a consultant to undertake the review.
- The review is operating in the context of changes to the FWO's operating environment. Its activities have changed significantly as the labour market has grown, laws have changed and new issues have emerged. New functions have been given to, or removed from, the FWO over successive Budgets.
- In that context, the review will seek to identify further efficiencies without negatively impacting the FWO's core service delivery; including educating workers and businesses about their rights and obligations, monitoring compliance with the *Fair Work Act 2009* (Cth), taking enforcement action where necessary and assisting employees to recover entitlements.
- The review will consider the full range of the Fair Work Ombudsman's work – not just the functions assumed following the abolition of the ABCC and the ROC.
- An independent external consultant will be selected to conduct this review.
- The Review will occur over the course of this year.
- **Attachment A** contains more detailed information about the FWO's funding departmental expenses and funding measures for compliance, enforcement and education activities.

Stakeholders consulted

- The Department is engaging with the FWO in relation to the conduct of the review.

Recent media on this policy

- Albanese Budget Kneecaps Fair Work Ombudsman - Senator Cash Media Release 11 May 2023
 - Claims the Government is meeting the CMFEU's demands for a review. Comments that the 2.5% funding reduction is being applied despite the FWO taking over some ABCC functions. Claims that women in the construction industry will be worse off and building costs for infrastructure will increase.
- Building industry fears FWO review 'caves' to CFMEU demands - Australian Financial Review (David Marin-Guzman) 10 May 2023
 - Reports on industry concerns the review will lead to the FWO diverting resources away from regulation of the CFMEU.
- Review to examine Fair Work Ombudsman's construction remit - Australian Financial Review (David Marin-Guzman) 9 May 2023
 - Reports on the review and 2.5% budget reduction, while noting overall funding for the FWO is increasing in 2023-24. The article suggests the review is associated with the FWO's building and construction remit in particular.

Next steps, including consideration by Government where expected

- The terms of reference and methodology for the review are currently under consideration.
- An independent external consultant will be selected to conduct the review.
- The report will be provided to the Minister, the Department and the FWO.

Expenditure/Budget

Table 1: Total Funding

	2023-24 (\$m)	2024-25 (\$m)	2025-26 (\$m)	2026-27 (\$m)	Total FE (\$m)
Department of Employment and Workplace Relations	-0.3	0.0	0.0	0.0	-0.3
Office of the Fair Work Ombudsman	4.1	3.9	3.9	3.9	15.8
Total	3.8	3.9	3.9	3.9	15.6

Source: 2023-24 Budget

Related Questions received on notice

PDR Link	Submitted By	Subject	Answer Summary
SQ23-000531	Senator Jane Hume	FWO 2022-23 October Budget Savings	The Fair Work Ombudsman and Registered Organisations Commission Entity (FWOROCE) was requested to deliver \$2.520 million in savings as per the 2022-23 October Portfolio Budget Statements. The FWOROCE has identified savings of \$1.42 million related to external labour hire and \$1.1 million related to legal expenses to achieve this reduction.

Attachment A: EC23-002776 – FWO departmental expenses and funding

FWO departmental expenses and current funding measures for FWO

FWO departmental expenses for Outcome 1

	Budgeted expenses	Actual expenses
2023-24	\$170,398,000	Not available.
2022-23	\$167,011,000	Not available.
2021-22	\$173,418,000	\$167,207,000
2020-21	\$159,628,000	\$142,946,000
2019-20	\$136,910,000	\$133,588,000
2018-19	\$121,125,000	\$120,936,000
2017-18	\$121,270,000	\$122,544,000
2016-17	\$112,639,000	\$123,105,000
2015-16	\$121,987,000	\$126,327,000
2014-15	\$126,242,000	\$123,747,000
2013-14	\$125,408,000	\$124,910,000
2012-13	\$136,648,000	\$135,552,000
2011-12	\$143,475,000	\$143,868,000
2010-11	\$149,478,000	\$152,383,000
2009-10	\$154,741,000	\$154,636,000

Note: all figures taken from FWO Annual Reports except 2022-23 and 2023-24 taken from the 2022-23 and 2023-24 FWO Portfolio Budget Statements (table 2.1.1) respectively.

Breakdown of current/ongoing funding measures– compliance, enforcement and education activities

2023-24 Budget	Pacific Australia Labour Mobility (PALM) Scheme Improving and expanding the PALM scheme through providing resources to FWO, and others including DEWR, to a baseline of 35,000 PALM workers and provide demand driven funding for each group of 5,000 workers beyond that 35,000 baseline.	\$27.321 million over four years from 2023-24 <i>\$9.095 million per year ongoing from 2027-28</i>
October Budget 2022-23	Abolish the ABCC and Provide Additional Resources for FWO For the FWO to regulate the Fair Work Act across the entire building and construction industry	\$69.859 million over four years from 2022-23 <i>\$18.040 per year ongoing from 2026-27</i>
October Budget 2022-23	Paid Family and Domestic Violence Leave To support the development and delivery of education, technical advice and support services targeting the needs of small business following the legislation of 10 days paid family and domestic violence leave.	\$2.221 million over four years from 2022-23 <i>\$0.247 per year ongoing from 2026-27</i>
October Budget 2022-23	Secure Australian Jobs – Respect@Work To enforce the explicit prohibition on sexual harassment to be introduced into the Fair Work Act.	\$3.127 million over four years from 2022-23 <i>\$0.647 ongoing from 2026-27</i>
MYEFO 2021-22	Scaling up the Seasonal Worker Program and the Pacific Labour Scheme For the FWO to scale up its educative and enforcement functions commensurate to an expected doubling in intake under the Seasonal Worker Program and the Pacific Labour Scheme under the Pacific Australia Labour Mobility (PALM) scheme	\$9.444 million over four years from 2021-22 <i>\$2.422 million per year ongoing from 2025-26</i>

Attachment A: EC23-002776 – FWO departmental expenses and funding

MYEFO 2021-22	Agriculture visa arrangements Funding provided to the FWO to support the proposed Australian Agriculture Worker Visa, which has been redirected to fund activities under the expanded PALM Scheme including monitoring, on-arrival briefings, and compliance and enforcement activities.	\$8.701 million over four years from 2021-22 <i>\$2.781 million per year ongoing from 2025-26</i>
2020-21 Budget	Helping Australian businesses comply with workplace laws <ul style="list-style-type: none"> • \$11.3 million to improve awareness of the FWO and to develop enhanced tools and education resources for businesses • \$12.9 million to establish a new Employer Advisory Service for small business • \$22.3 million to establish a Large Corporates Branch 	\$47.291 million over four years from 2020-21 <i>Terminates June 2024</i>
Economic Update July 2020	Helping businesses to navigate coronavirus <ul style="list-style-type: none"> • \$9.7 million for an additional 38 call centre staff to provide advice through a dedicated COVID-19 advice line and webpage • \$17.5 million to establish a Workplace Legal Advice Program – a panel of external legal service providers to whom the FWO could refer eligible employers and employees, for free legal advice on COVID-19 related workplace matters • \$4.5 million for the FWO to provide grant funding to the ACTU, ACCI, and Ai Group, to supplement their advice and hotline services • \$8.1 million for a dedicated FWO COVID-19 communications campaign. This campaign was not required, and of the \$7 million that was not spent, \$1.8 million was allocated to the Employer Advisory Service, and the rest returned to consolidated revenue • \$6.5 million for ASL to manage the above 	\$46.313 million over three years from 2019-20 <i>Terminated June 2022</i>
MYEFO 2019-20	Employing your first person: For the FWO to assist in the development of an online service that guides employers through the steps to becoming an employer for the first time.	\$1.467 million over two years from 2019-20 <i>Terminated June 2021</i>
MYEFO 2019-20	Seasonal Worker Program To increase education, monitoring and investigation activities relating to Seasonal Worker Program employers	\$6.416 million over three years from 2019-20 <i>Terminated June 2022</i>
Budget 2019-20	Protecting vulnerable workers To enhance FWO's capacity to conduct investigations into underpayment and related issues, and deliver information and education activities	\$10.796 million over four years from 2019-20 <i>\$2.618 million per year ongoing from 2023-24</i>
Budget 2019-20	Sham contracting To establish a dedicated sham contracting unit within the FWO to address sham contracting behaviour	\$9.245 million over four years from 2019-20 <i>\$2.335 million per year ongoing from 2023-24</i>

Attachment A: EC23-002776 – FWO departmental expenses and funding

Budget 2019-20	Seasonal Worker Programme: For the FWO to increase education, monitoring and investigation activities relating to employers participating in a trial to increase small farmers' access to SWP workers.	\$1.577 million over two years from 2018-19 <i>Terminated June 2020</i>
MYEFO 2018-19	Seasonal Worker Programme: For the FWO to undertake compliance activities to protect the welfare of workers under the trial expansion of the program.	\$1.388 million over three years <i>Terminated June 2021</i>
MYEFO 2018-19	Working holiday makers To support an increased number of working holiday makers as a result of changes to visa arrangements	\$6.675 million over four years <i>\$1.845 per year ongoing from 2022-23</i>
MYEFO 2017-18	Pacific Labour Solution To increase direct engagement with migrant communities, expand the Overseas Workers Team and find new ways of delivering services	\$6.424 million over four years <i>\$1.625 million per year ongoing from 2021-22</i>



Wage theft, civil penalties and sham contracting

What has been announced

- The Government committed during the election to make wage theft a criminal offence at a federal level (*Secure Australian Jobs Plan*).
- The Government also committed to implement the recommendations of the Migrant Workers Taskforce (*Labor's Plan to Build a Stronger Pacific Family*).
 - Proposed reforms implement recommendations 5 (increasing penalties for wage-exploitation related civil remedy provisions) and 6 (criminalise serious exploitative conduct).
- On 4 April 2023 the Government published its response to the Senate Economics References Committee report *Systemic, sustained and shameful: unlawful underpayment of employees' remuneration* (Unlawful Underpayments Inquiry), in which it accepted the Committee's recommendations to criminalise wage theft and increase civil penalties for wage theft.

Key Government statements

- Commitment to criminalise wage theft: *"Wage theft rips more than \$1 billion off Australian workers each year. The Morrison Government doesn't think it's a problem, but Labor does, and we will make wage theft a crime at a national level."* (Secure Australian Jobs Plan (current))
- Statements on the interaction of a federal offence with existing state offences:
 - Secure Australian Jobs Plan (April/May 2022 version):
"Labor's federal wage theft laws will not override existing State and Territory laws where they currently operate." (this version of the Plan is no longer available online)
 - Then-Opposition leader Albanese media release, 11 November 2021:
"Labor's federal wage theft laws will not undercut or undermine existing State and Territory laws where they currently operate."
 - Then-Shadow Minister Burke's media release, 13 May 2021:
"Labor's laws will not water down any wage theft laws already passed by the states."
- Type of behaviour to be covered by the offence: Minister Burke indicated there is a middle category, between honest mistake and deliberate underpayment, that he wants to consult on: *"...it might not have been deliberate, but they were reckless to the extent of really not making an effort to do the proper checks and they had the capacity to do so."* (Minister Burke National Press Club Address, 1 February 2023)

Current status of the policy

- The department published a consultation paper on its website on 13 April 2023, and written submissions were requested by 12 May 2023.
- The paper asked stakeholders for their views on parameters of the reforms, including:
 - what types of underpayment should be covered by the offence, and the appropriate fault element and penalty for the offence
 - whether criminal offences should be introduced for serious record-keeping misconduct
 - whether, and how, the existing serious civil contraventions regime (which involves knowing and systematic conduct) should be adjusted to align with new criminal offences
 - the framework for attributing liability of directors and bodies corporate
 - The method for increasing maximum civil penalties in the *Fair Work Act 2009*, and
 - Reforms to the defence for sham contracting.

- The department will use stakeholder feedback to finalise the measures for introduction.
- In December 2022, the Wage Inspectorate Victoria commenced the first prosecution of wage theft relating to Fair Work Act entitlements under Victoria's *Wage Theft Act 2020*.
 - On 15 March 2023 the defendant filed proceedings in the High Court of Australia, challenging the constitutional validity of this legislation.

Stakeholders consulted

- Stakeholders have been consulted on these measures as part of a co-ordinated process for all WR measures set for introduction in the second half of 2023.
- Stakeholders consulted include employee representative groups, business representative groups, academics and community groups.
- More detailed information about the consultation process for 2023 WR measures is provided in EC23-002690: WR Consultation.

States and territories

- Consultation with state and territory governments is ongoing and is intended to ensure the offence and complementary compliance and enforcement reforms to the Fair Work Act will be effective and workable.

Recent media on this policy

- [Ai Group opposes criminal penalties for the underpayment of wages](#) - Ai Media Release 14 May 2023
 - Outlines Ai's opposition to criminal penalties, favouring civil penalties only, claiming that criminal proceedings would disadvantage workers through creating delays and would discourage employers self-disclosing underpayments.
- [Labor 'repudiating' wage theft election promise: ACCI](#) - AFR (David Marin-Guzman) 12 May 2023
 - Outlines ACCI's support for only criminalising wage theft "knowingly" carried out, rather than "'honest' mistakes", and ACCI's opposition to increased civil penalties.
- [Deliberately not paying superannuation is 'wage theft' and the government is cracking down on it](#) ABC News (Nassim Khadem) 24 April 2023
 - Primarily about ATO targets for recovering unpaid superannuation; touches on Unlawful Underpayments Inquiry recommendations and Government response.
- [Wage theft law 'will do nothing to help underpaid'](#) - Accountants Daily (Josh Needs) 19 April 2023
 - Quotes Ai Group chief executive, who argues the reforms will hinder productivity and fail to resolve the complexity which causes the majority of underpayments.
- [Company bosses face wage theft fines](#) - The Australian (Ewin Hannan) 17 April 2023
 - Covers discussion of officer/ancillary liability in the consultation paper and potential negative impact for directors and senior managers of companies.

Next steps, including consideration by Government where expected

- Government will consider written and verbal feedback from stakeholders provided from March to May when finalising the measures for introduction.
- Continued engagement with states and territories, including Queensland and Victoria.
- Government is considering options for the appropriate investigatory agency for this new criminal jurisdiction. This will include ensuring that it has the capability to conduct criminal investigations and make referrals to the Commonwealth Director of Public Prosecutions.



WHS Budget Measures

Addressing the rise of silicosis and silica-related diseases

- **What has been announced:** \$10.0 million over 4 years from 2023-27 to address the incidence of silicosis and other silica-related diseases amongst workers in silica-dust generating industries.

This includes:

- \$4.2 million ongoing funding over 4 years to expand the functions of the Asbestos Safety and Eradication Agency (ASEA) to include silica dust
- \$1.2 million non-ongoing funding over 2 years for Safe Work Australia (SWA) social partners to deliver national awareness and behaviour change initiatives relating to silica dust in the workplace, and
- \$4.7 million non-ongoing funding over 4 years for the department to progress these reforms, and to scope an importation ban on engineered stone and its effects.
- **Current status of the policy:** The department has commenced initial scoping work on a potential import ban on engineered stone and its effects.
- The department is working with the Office of Parliamentary Counsel to draft the necessary amendments to the *Asbestos Safety and Eradication Agency Act 2013* to allow ASEA to take on silica-related functions.
- The department will work with Business Grants Hub to provide funding to SWA social partners to deliver national awareness and behaviour change initiatives relating to silica dust in the workplace.
- **Stakeholders consulted:** The Asbestos Safety and Eradication Council (ASEC) considered a proposal to expand the functions of ASEA to include silica dust on 16 November 2022. The Council has representatives from the Commonwealth, Queensland, Tasmania, Northern Territory, ACT, Australian Council of Trade Unions (ACTU), Ai Group; as well as observers from asbestos victim support groups.
- **Next steps, including consideration by Government where expected:** The department has commenced scoping work on an importation ban on engineered stone. This work is closely related to SWA's consideration of a prohibition on the use of engineered stone under the model WHS laws.

- The department will shortly commence targeted stakeholder consultation with states and territories; businesses and union representative groups; victim support groups; and other industry and professional representative groups on the expansion of ASEA.
- **Expenditure / Budget:**

	2022-23 (\$m)	2023-24 (\$m)	2024-25 (\$m)	2025-26 (\$m)	2026-27 (\$m)	Total FE (\$m)
DEWR	0.0	-2.3	-2.0	-0.8	-0.8	-5.9
Asbestos Safety and Eradication Agency	0.0	-0.9	-1.1	-1.1	-1.1	-4.2
Total	0.0	-3.2	-3.1	-1.9	-1.9	-10.0

Training for Health and Safety Representatives (HSR) on identifying and supporting management of psychosocial risks in the workplace

- **What has been announced:** \$2 million over 2 years from 2023-25 to fund the development and delivery of a 'train the trainer' program on workplace psychosocial hazards for HSRs in the Commonwealth jurisdiction.
- **Current status of the policy:** The training will be developed in 2023, with the materials made available to training providers in 2024 and 2025.
- **Stakeholders consulted:** The department will consult with Comcare and social partners (ACTU, Australian Chamber of Commerce and Industry, Ai Group) to co-design the training to reflect the Commonwealth's regulatory framework.
- **Next steps, including consideration by Government where expected:** The department will engage a provider to develop the training for HSRs in accordance with the Commonwealth Procurement Rules.
- **Expenditure / Budget:**

	2022-23 (\$m)	2023-24 (\$m)	2024-25 (\$m)	2025-26 (\$m)	2026-27 (\$m)	Total FE (\$m)
DEWR	0.0	-1.0	-1.0	0.0	0.0	-2.0
Total	0.0	-1.0	-1.0	0.0	0.0	-2.0



Workplace relations reform consultations

What has been announced

- On 1 February 2023 at the National Press Club, Minister Burke provided detail on Government’s 2023 workplace relations agenda:
 - to include election commitments that were not dealt with last year and close loopholes that could undercut the principle of ensuring secure jobs and better pay, including: *same job same pay, the definition of a casual, employee-like and how do we deal with the gig economy, wage theft, safety principles and minimum standards for long-haul drivers, having a low-cost jurisdiction at the Fair Work Commission to deal with unfair contract disputes for independent contractors, stronger protections against discrimination and the need to act on the dangers that are becoming increasingly obvious to everyone with respect to silica dust.*

Key Government statements

<p><i>Address – National Press Club, The Hon Tony Burke MP, Minister for Employment and Workplace Relations; Minister for the Arts</i></p> <p><u>Address - National Press Club Ministers' Media Centre (dewr.gov.au)</u></p>	<p>1 February 2023</p>
<p><i>Workplace reforms back on the agenda when parliament returns next week, Tony Burke says; The Guardian</i></p> <p><u>Workplace reforms back on agenda when parliament returns next week, Tony Burke says Australian politics The Guardian</u></p>	<p>1 February 2023</p>

Current status of the policy

- Consultations have been underway on workplace reform measures since **mid-2022**, including on some measures that are being considered for introduction in the second half of 2023 e.g. extend the powers of the FWC to include employee like forms of work.
- A summary of **all measures** consulted on in 2023 is provided at **Attachment A**.

Consultation – Bill/s for second half of 2023

Formal consultations commenced on measures for the **second half of the 2023 year** with:

- **1 February 2023** – Minister Burke’s speech at the National Press Club referred to above.
- **8 February 2023** – Minister Burke chaired a meeting of the National Workplace Relations Consultative Council (NWRCC) to outline the Government’s proposed workplace relations reforms for the year. NWRCC canvassed the year ahead and the proposed approach to consultation.
- **20 March 2023** – Minister Burke wrote to state and territory ministerial counterparts. In his letter, Minister Burke advised ministers on measures for consultation in 2023.
- **23 March 2023** – the department sent letters to more than 70 stakeholders (business, industry, unions and other stakeholders), seeking written submissions and arranging consultation meetings. Written responses were sought by 6 April 2023.
- **24 March 2023** – the department published short 1-2-page summaries of the 11 measures on the department’s website.

Consultation meetings on the 11 measures were undertaken in 2 tranches.

- **Tranche 1 consultations** - from **27 March – 6 April 2023**, the department met with business, industry, unions and other stakeholders on all 11 measures.
- Then on **13 April 2023**, the department published 4 consultation papers. Written submissions on these papers were due by 11pm AEST on 12 May 2023. These papers covered:
 - Same Job, Same Pay
 - Compliance and Enforcement: Criminalising wage theft
 - Extend the powers of the Fair Work Commission to include ‘employee-like’ forms of work – **note**, this measure also includes the measures:
 - Give workers the right to challenge unfair contractual terms
 - Allow the Fair Work Commission to set minimum standards to ensure the road transport industry is safe, sustainable and viable

- Provide stronger protections against discrimination, adverse action and harassment.
- On **17 April 2023**, the department sent an email to 49 subscribers of the department's WR consultations web page to notify them that the 4 consultation papers, and fact sheets related to the measures for the Fair Work Legislation Amendment (Protecting Worker Entitlements) Bill 2023 had been published.
- **Tranche 2 consultations** - from **19 April – 24 May 2023**, the department met again with business, industry, unions and other stakeholders on all 11 measures, including consultations on the detailed discussion papers.
- A list of the organisations the department met with and when is at **Attachment B**.
- In addition, **from 26 April 2023** onwards, a slide deck on the measure; 'Stand up for casual workers' was provided to stakeholders who requested meetings on this measure with the department. This slide deck was created specifically to aid consultations and so was not shared on the Department's website.

Written submissions on measures

- The department invited written submissions on the measures in two tranches, noting that some submissions received in the second tranche covered responses on the broader list of 11 measures.
 - Tranche 1: responses on all 11 measures were due on 6 April 2023. There were 46 submissions received in response to Tranche 1.
 - Tranche 2: responses on the 4 consultation papers and casuals slide deck were due on 12 May 2023.
 - The department received written submissions from more than 160 organisations on the 11 measures in total. Some organisations made multiple submissions.

Next steps, including consideration by Government where expected

- In relation to the measures currently being consulted on, responses to consultation papers were due on 12 May 2023. Formal consultation sessions with stakeholders finished on 24 May 2023.
- The department is currently assessing the feedback provided in consideration of the next steps with these measures.
- Further discussions will occur as required with interested stakeholders, and meetings of the NWRCC and State and territory Ministers are likely

to be scheduled. It is also expected that a CoIL meeting of the NWRCC will be scheduled for consideration of the draft Bill in the coming weeks, however these meetings are ultimately a decision for Government.

Consultation – Protecting Worker Entitlements Bill 2023

- Formal consultations commenced on measures for the **first half of the 2023 year** with:
 - **1 February 2023** - Minister Burke’s speech at the National Press Club referred to above
 - **8 February 2023** – Minister Burke chaired a meeting of the NWRCC to outline the Government’s proposed workplace relations reforms for the year. The NWRCC canvassed the year ahead and the proposed approach to consultation
 - **17 February 2023** - the department published summaries of the 7 measures on the department’s website after sending letters to more than 70 stakeholders seeking written submissions and arranging meetings.
- On **10 and 13 February 2023**, the department wrote to over 70 organisations, including business, industry, unions and other stakeholders to invite them to provide a written submission on the workplace relations reform measures being considered. Responses were sought by 17 February. The department received 38 written submissions on these measures.
- On **17 February 2023**, the department published summaries of the **7 measures** on the department’s website after sending letters to more than 70 stakeholders seeking written submissions and arranging meetings.
- During February and March 2023, the department held consultation meetings with various organisations including business, industry peaks and unions to discuss these measures.
- A draft of the *Protecting Worker Entitlements Bill 2023* was reviewed in two confidential consultations. These consultations sought policy and technical feedback on the measures:
 - On 3 March 2023, the Committee on Industrial Legislation (CoIL) attended an all-day consultation and included representatives from organisations who attended the NWRCC on 8 February 2023.
 - On 6 March 2023, State and Territory officials considered the draft Bill. WA reviewed the draft Bill on 3 March 2023 due to a public holiday.

- On 29 March 2023, the department published fact sheets on the key measures after the *Fair Work Legislation Amendment (Protecting Worker Entitlements) Bill 2023* was introduced into Parliament.

Consultation – Secure Jobs Better Pay

- Information on the consultation process for this Act is at **Attachment C**.

Recent media on this policy

- The Australian – Monday 22 May – *Industries unite for IR war*
- Australian Financial Review – Monday 15 May - *Business takes to the airwaves to oppose the government's IR changes*
[Why business is so worried about industrial relations it is planning a big campaign \(afr.com\)](#)
- Australian Financial Review – Friday, 14 April 2023 – *BCA slams Labor's new work rules*
[Business Council of Australia takes hard line over next round of workplace reforms \(afr.com\)](#)
- Australian Financial Review – Friday 14 April 2023 – *Labor fails to make case for IR changes*
[Industrial relations: Business Council says Labor fails to make the case for new casual and labour hire rules \(afr.com\)](#)
- The Australian – Friday 14 April 2023 – *New IR reforms risk trapping the nation's 'feet in cement'.*
- Smart Company – Monday, 17 April 2023 - *\$4 million wage theft fines, potential prison time: Government canvases views on IR crackdown:*
[\\$4 million wage theft fines under consideration in new consultation \(smartcompany.com.au\)](#)

Related Questions received on notice

PDR Link	Submitted By	Subject	Answer Summary
SQ23-000179	Senator Michaelia Cash	Consultation Feedback on IR Legislation Tranche	Department outlined who provided written and verbal feedback in relation to the Department's consultation process.
SQ23-000180	Senator Michaelia Cash	Letter and list of Stakeholders in relation to First Tranche IR Legislation	Department provided the letter sent and list of letter recipients.

Measures for consultation – first part of 2023

1. Inserting a right to superannuation in the National Employment Standards.
2. Reforming the 4-yearly review of superannuation default fund provisions
3. Clarifying the application of Fair Work Act protections to temporary migrant workers.
4. Providing stronger access to unpaid parental leave so families can share work and care responsibilities.
5. Clarifying that when a workplace determination comes into effect, the enterprise agreement will no longer operate.
6. Making pay deductions for authorised purposes an easier process for workers and businesses.
7. Providing casual workers in the black coal mining industry the same access to long service leave entitlements as their permanent counterparts.

Note: These measures (except for no. 2 - Reforming the 4-yearly review of superannuation default fund provisions) were included in the *Protecting Worker Entitlements Bill 2023*, introduced to Parliament in late March 2023.

Measures for consultation – second part of 2023 – consultation on these measures is ongoing

1. Stand up for casual workers.
2. Same Job, Same Pay.
3. Compliance and enforcement: Criminalising wage theft.
4. Extend the powers of the Fair Work Commission to include 'employee-like' forms of work.
5. Give workers the right to challenge unfair contractual terms.
6. Allow the Fair Work Commission to set minimum standards to ensure the road transport industry is safe, sustainable and viable.
7. Provide stronger protections against discrimination, adverse action and harassment.
8. A single national framework for labour hire regulation, which could be implemented in place of existing state and territory schemes.
9. Address the impact of the small business redundancy exemption in winding up scenarios to support equitable outcomes for claimants under the Fair Entitlements Guarantee.
10. Reforms to enterprise bargaining provisions to close loopholes:
 - a. The Fair Work Commission issuing model terms for enterprise agreements
 - b. Preserve arrangements for employers already using single interest agreements.
11. Repeal demerger from registered organisations amalgamation provisions.

WR Consultations on 11 measures being considered for introduction to Parliament in the 2nd half of 2023

Summary of meetings to date – current to 22 May 2023

- Tranche 1: 27 March to 18 April
- Tranche 2: 19 April to 24 May (noting formal consultation tranche finished on 19 May)

Tranche 1: 27 March to 18 April 2023			
#	Date (2023)	Time (AEDT)	Organisation
1	Wednesday 8 February	3.30 pm – 4.30 pm	NWRCC
2	Monday 27 March	10.30 am – 12.00 pm	Master Builders Australia (MBA)
3	Tuesday 28 March	2.00 pm – 4.00 pm	Minerals Council of Australia (MCA)
4	Tuesday 28 March	3.00 pm – 4.00 pm	National Farmers’ Federation (NFF)
5	Wednesday 29 March	10.00 am – 11.00 am	Australian Small Business and Family Enterprise Ombudsman
6	Wednesday 29 March	1.00 pm – 4.00 pm	Australian Chamber of Commerce and Industry (ACCI) Ai Group (AiG) Business Council of Australia (BCA) Council of Small Business Organisations Australia (COSBOA)
7	Friday 31 March	10.00 -11.00 am	Coles Group
8	Friday 31 March	11.00 am – 12.00 pm	PeopleIN
9	Friday 31 March	2.00 pm – 4.00 pm	WR Senior Officials’ Meeting Including representatives from: <ul style="list-style-type: none"> • New South Wales • Queensland • Australian Capital Territory • Tasmania

Tranche 1: 27 March to 18 April 2023			
#	Date (2023)	Time (AEDT)	Organisation
			<ul style="list-style-type: none"> • South Australia • Western Australia • Victoria • Northern Territory
10	Friday 31 March	3.00 pm – 4.00 pm	<p>Wesfarmers</p> <p>Including representatives from:</p> <ul style="list-style-type: none"> • Kmart • Target
11	Monday 3 April	9.00 am – 10.00 am	<p>Academics</p> <ul style="list-style-type: none"> • Tess Hardy • Beth Gaze • Andrew Stewart • Anthony Forsyth
12	Monday 3 April	10.00 am – 11.00 am	<p>Woolworths</p> <p>Qantas</p>
13	Monday 3 April	11.00 am – 12.00 pm	Pharmacy Guild of Australia
14	Monday 3 April	1.30 pm – 2.15 pm	<p>Association of Professional Staffing Companies (APSCO)</p> <p>Cornerstone Group</p>
15	Tuesday 4 April	9.00 am – 11.00 am	<p>Australian Council of Trade Unions (ACTU)</p> <p>Including representatives from United Workers Union (UWU)</p>
16	Tuesday 4 April	2.00 pm – 4.00 pm	<p>National Women's Alliances</p> <p>Including representatives from:</p> <ul style="list-style-type: none"> • National Women's Safety Alliance • Harmony Alliance • National Rural Women's Coalition • Equality Rights Alliance • Office for Women (observing)

Tranche 1: 27 March to 18 April 2023			
#	Date (2023)	Time (AEDT)	Organisation
17	Wednesday 5 April	9.00 am – 10.30 am	Law Council of Australia
18	Wednesday 5 April	1.00 pm – 2.00 pm	ACCI AiG BCA COSBOA
19	Thursday 6 April	9.00 am -10.00 am	Australian Retailers Association (ARA) Clubs Australia
20	Thursday 6 April	10.15 am – 11.30 am	Recruitment, Consulting & Staffing Association (RCSA)
21	Thursday 6 April	12.00 pm– 1.30 pm	Housing Industry Australia (HIA)
22	Wednesday 12 April	2.45 pm – 3.15pm	Wesfarmers Including representatives from Kmart

Tranche 2: 19 April to 23 May 2023			
	Date	Time (AEST)	Organisation
23	Wednesday 19 April	9.30 am – 11.30 am	ACTU Including representatives from: <ul style="list-style-type: none"> • HB Higgins • Transport Workers Union
24	Thursday 20 April	11:30 – 12:30	Qantas
25	Wednesday 26 April	10.00 am – 5.00 pm AM session: 10.00 am – 12.30 pm PM session: 1.30 pm – 5.00 pm	ACTU
26	Thursday 27 April	10.00 am – 3.00 pm	MCA Including representatives from: <ul style="list-style-type: none"> • BHP • Newscrest • South 32 • Mitsubishi Development • Corrs Chambers Westgarth • Rio Tinto
27	Tuesday 2 May	10.00am -11.00am	DP World
28	Tuesday 2 May	2.00 pm - 4.00 pm	ACCI AiG COSBOA BCA
29	Wednesday 3 May	10.00 am – 12:00 pm	AiG Including representatives from:

Tranche 2: 19 April to 23 May 2023			
	Date	Time (AEST)	Organisation
			<ul style="list-style-type: none"> • Uber • Door Dash • MenuLog • Amazon
30	Thursday 4 May	9.00 – 10.00 am	AiG Australian Trucking Association
31	Thursday 4 May	10.00 am – 11.30 pm	Academics <ul style="list-style-type: none"> • Shae McCrystal • Beth Gaze • Andrew Stewart • Anthony Forsyth
32	Thursday 4 May	12.00 pm – 2.00 pm	WR Senior Officials’ Meeting Including representatives from: <ul style="list-style-type: none"> • New South Wales • Queensland • Australian Capital Territory • Tasmania • South Australia • Western Australia • Victoria • Northern Territory
33	Friday 5 May	12.30pm-2.30pm	ACCI AiG COSBOA BCA
34	Monday 8 May	11.00 am -12.00 pm	Australia Wide
35	Monday 8 May	1:30pm -2:30 pm	Disability Advocacy Network Australia (DANA) Including representatives from:

Tranche 2: 19 April to 23 May 2023			
	Date	Time (AEST)	Organisation
			<ul style="list-style-type: none"> • Children and Young People with Disability Australia • Down Syndrome Victoria • People with Disability Australia
36	Monday 8	4.00pm -4.30pm	APSCo Cornerstone Group
37	Tues 9 May	10.00 am -11.00 am	DP World
38	Tues 9 May	2.00 pm – 3.00 pm	RCSA
39	Wed 10 May	9.00 am -10.00 am	BCA Including representatives from: <ul style="list-style-type: none"> • Uber • Woolworths • Amazon
40	Wed 10 May	12.00pm -1.30pm	NFF
41	Wed 10 May	1.30pm -2.30pm	MCA
42	Wed 10 May	3.30pm -4.30 pm	ARA Including representatives from FCB Group
43	Thurs 11 May	9.30 am – 10.30 am	BCA
44	Thurs 11 May	10.30 am-11.00 am	PeopleIN
45	Thurs 11 May	11.00 am-12.00pm	Rideshare Drivers Association (including legal representation)
46	Thurs 11 May	2.30 pm-3.30 pm	HIA
47	Friday 12 May	10.30 am -11.30 am	Clubs Australia
48	Friday 12 May	11.00 am -12.00pm	Victorian Locomotive Division of the Rail, Tram & Bus Union
49	Friday 12 May	1:30 pm -2.30pm	MBA

Tranche 2: 19 April to 23 May 2023			
	Date	Time (AEST)	Organisation
50	Friday 12 May	4.00 pm -5.00 pm	Equality Australia
51	Mon 15 May	10.00 am-12.00pm	ACCI AiG BCA COSBOA
52	Mon 15 May	2.00 pm - 3.00 pm	Australian Livestock and Rural Transporters Association (ALRTA)
53	Mon 15 May	3.00 pm - 4.00 pm	WEstjustice
54	Mon 15 May	4.00 pm - 5.30 pm	Australasian Convenience and Petroleum Marketers Association
55	Wed 17 May	1.30 pm - 2.30 pm	Anti-Discrimination Roundtable Including representatives from: <ul style="list-style-type: none"> • DANA • Equality Australia • Federation of Ethnic Communities Councils of Australia • Basic Rights Queensland NT Working Women's Centre
56	Wed 17 May	2:00 – 3:00pm	Thiess
57	Thurs 18 May	10.30 am - 12.00pm	MCA
58	Thurs 18 May	10.30 am - 11.30am	Virgin Australia
59	Thurs 18 May	12.00 pm -1.00 pm	AiG BCA
60	Thursday 18 May	1.00 pm – 2.00 pm	RGF Staffing
61	Thursday 18 May	2.30pm - 4.30pm	AiG COSBOA
62	Thursday 18 May	2.30 pm - 3.30 pm	Associate Professor Tess Hardy, University of Melbourne Law School

Tranche 2: 19 April to 23 May 2023			
	Date	Time (AEST)	Organisation
63	Friday 19 May	10.30 am - 11.30 am	Migrant Justice Institute
64	Friday 19 May	10.30am - 12.00pm	WR-Senior Officials Meeting
65	Friday 19 May	11.00 am - 12.30pm	Wesfarmers
66	Friday 19 May	12.30pm – 1.30pm	Shopping Centres Council of Australia
67	Tuesday 23 May	11.00am - 12.00pm	Direct Selling Australia
68	Tuesday 23 May	12.00pm - 1.00pm	AiG
69	Tuesday 23 May	3.00pm - 4.00pm	Australian Hairdressing Council
70	Wednesday 24 May	12.00pm-1pm	Wesfarmers

Consultation - 2022

Secure Jobs, Better Pay

- Following the Jobs and Skills Summit held in September 2022, the Minister and the department consulted stakeholders and interested parties on the measures in the now *Fair Work Amendment (Secure Jobs, Better Pay) Act 2022* (the SJBPA Act).
- The Minister chaired a meeting of workplace relations Ministers on 5 July 2022 and chaired a meeting of the National Workplace Relations Consultative Council (NWRCC) on 19 July 2022, to outline the Government's election commitments.
- From August to October 2022, the department consulted in the context of these commitments, and the Jobs and Skills Summit outcomes.
- Most stakeholders were consulted more than once in bilateral meetings and small group forums.
- More than 50 consultation meetings were conducted over this period. Consultations were conducted with unions, business and industry representatives, state and territory officials, individual businesses, academics, the National Women's Alliances, and the Women's Economic Equality Taskforce.
- Minister Burke held another Ministers' meeting on 20 October 2022 to discuss the measures included in the then draft Bill.
- The department also led confidential briefing on the draft Bill – on 20 October 2022 with CoIL, and with state and territory officials on 21 October 2022.



Topic	Estimates Fact Sheet - WR Appointments - Recent Developments
PBS, MYEFO, PAES reference	N/A
Deputy Secretary	Martin Hehir, s 22(1)

Key points

What boards are in the WR portfolio?

- There are 6 boards in the WR portfolio:
 - Asbestos Safety and Eradication Council
 - Coal Mining Industry (Long Service Leave Funding) Corporation Board
 - National Workplace Relations Consultative Council
 - Safe Work Australia
 - Safety, Rehabilitation and Compensation Commission
 - Seafarers Safety, Rehabilitation and Compensation Authority.
- Appointments to these boards are part-time and made in accordance with the relevant legislation and the Cabinet Handbook.
- As the board positions are part-time, they are not subject to the Government's Merit and Transparency policy.

Which WR appointments require a full selection process, under the Merit and Transparency policy?

- The following positions generally require a full selection process under the Government's Merit and Transparency policy:
 - Asbestos Safety and Eradication Agency CEO
 - Comcare CEO
 - Fair Work Commission General Manager
 - Fair Work Ombudsman
 - Safe Work Australia CEO.
- However, the policy also provides that in some circumstances, such as when an incumbent is to be reappointed, a full selection process may not be necessary.
- The Minister may also request the Prime Minister's approval to fill a position without conducting a full selection process in certain circumstances, including:
 - there is an urgent requirement to fill a position;
 - the availability of an eminent person, where there would be little value in conducting a selection process; or
 - there is another office holder at a similar level that is appropriate to be appointed to the position.



Key facts, figures or dates

Fair Work Commission member recruitment

- An expression of interest process for Fair Work Commission member positions opened on 21 December 2022 and closed on 20 January 2023.
- A total of 480 expressions of interest were received.
- As a result of that process (as at 30 May 2023):
 - Vice President Ingrid Asbury was appointed on 30 March 2023 (promoted from Deputy President);
 - 3 new Deputy Presidents have been appointed:
 - Judith Wright (commencing 11 April 2023);
 - Thomas Roberts (commencing 17 April 2023);
 - Peter O’Keefe (commencing 1 May 2023);
 - 5 new Commissioners have been appointed:
 - Sharon Durham (commencing on 3 April 2023);
 - Scott Connolly (commencing 15 May 2023)
 - Stephen Crawford (commencing 22 May 2023)
 - Mark Perica (commencing 22 May 2023)
 - Pearl Lim (commencing 24 May 2023);
 - 3 new Expert Panel Members have been appointed:
 - Marian Baird on 2 March 2023;
 - Leonora Risse on 2 March 2023; and
 - Mark Cully on 2 March 2023.
- In addition, the following five appointments have been made but will not take effect until after 30 May 2023:
 - Tony Slevin will commence as a Deputy President from 5 June 2023;
 - Susie Allison will commence as a Commissioner on 10 July 2023;
 - Alex Grayson will commence as a Deputy President on 14 July 2023;
 - Oanh Thi Tran will commence as a Commissioner on 31 July 2023;
 - Emma Thornton will commence as a Commissioner on 18 September 2023.
- The last time an independent merit-based selection process was undertaken in respect of FWC member appointments was prior to the appointments made by former Minister Bill Shorten in early 2013.

Fair Work Ombudsman recruitment

- Sandra Parker PSM has indicated that she will not seek reappointment as Fair Work Ombudsman at the expiry of her term on 14 July 2023.
- Advertising of the Fair Work Ombudsman position commenced on 24 March 2023 and applications closed on 16 April 2023.
- Once the Minister has selected a nominee, approval for a nomination to go to the Governor-General for appointment will then be sought from the Prime Minister or, at his discretion, Cabinet. The Minister must be satisfied that the nominee has suitable qualifications or experience and is of good character.



Appointments made between 24 January 2023 and 1 May 2023 (the Senate order 15 reporting period)

Organisation	Appointee	Position	Start date
Comcare	Greg Vines	Chief Executive Officer	17/04/2023
Fair Work Commission	Adam Hatcher	President	19/02/2023
	Ingrid Asbury	Vice President	30/03/2023
	Judith Wright	Deputy President	11/04/2023
	Thomas Roberts	Deputy President	17/04/2023
	Peter O’Keeffe	Deputy President	1/05/2023
	Alexandra Grayson	Deputy President	14/07/2023
	Sharon Durham	Commissioner	3/04/2023
	Mark Cully	Expert Panel Member	2/03/2023
	Leonora Risse	Expert Panel Member	2/03/2023
	Marian Baird	Expert Panel Member	2/03/2023
National Workplace Relations Consultative Council	Scott Connolly*	Member	10/02/2023
	Michele O’Neil*	Member	10/02/2023
	Sally McManus*	Member	10/02/2023
	Innes Willox*	Member	10/02/2023
Safety, Rehabilitation and Compensation Commission	Jane Hall*	Member	15/03/2023
Safe Work Australia	Jody Anderson*	Member	3/02/2023
	Colin Radford*	Member	23/03/2023
	Jennifer Low*	Member	23/03/2023
Seafarers Safety, Rehabilitation and Compensation Authority	Michael Duke	Deputy Chair	28/02/2023

* denotes reappointment

Vacancies as at 1 May 2023

Organisation	Position	Status
Asbestos Safety and Eradication Council	Chair	Under consideration
	Member	Under consideration
	Member	Under consideration
	Member	Under consideration
	Member	Under consideration



Organisation	Position	Status
	Member	Under consideration
Coal Mining Industry (Long Service Leave Funding) Corporation (Board)	Director/Non-Executive Director	Instrument to be signed (This appointment has since been made)
Fair Work Commission	Deputy President	Alex Grayson to commence 14/06/2023
National Workplace Relations Consultative Council	Member	Under consideration
	Member	Under consideration
	Member	Under consideration
	Member	Under consideration
	Member	Awaiting nomination
Safety, Rehabilitation and Compensation Commission	Member	Defence nominee not forthcoming (vacant since late 2017) – Military Rehabilitation and Compensation Commission now has sole responsibility for Defence service claims
	Deputy Member	Under consideration

Appointments due to expire from 1 May 2023 to 30 November 2023

Organisation	Appointee	Position	Expiry date
Asbestos Safety and Eradication Agency	Justine Ross	CEO	18/11/2023
Fair Work Commission	Michelle Bissett	Acting Commissioner	1/11/2023
Fair Work Ombudsman	Sandra Parker	Fair Work Ombudsman	14/07/2023
Safe Work Australia	Michelle Baxter	CEO	31/10/2023
	Colin Radford	Member	09/03/2023
	William Esteves	Member	10/11/2023
Safety, Rehabilitation and Compensation Commission	Peter Richards	Chair	21/10/2023
	Michelle Baxter	CEO of Safe Work Australia	31/10/2023
	Catherine Hudson	Member	21/07/2023
	Melissa Maggioros	Member	21/07/2023
	Louisa Hudson	Member	26/11/2023
	Michael Young	Deputy Member	21/07/2023



Organisation	Appointee	Position	Expiry date
	Lorraine Biviano	Deputy Member	21/07/2023
	Amanda Johnston	Deputy Member	31/10/2023
	Laura Buckley	Deputy Member	26/11/2023
Seafarers Safety, Rehabilitation and Compensation Authority	Michael Duke	Deputy Chair	27/05/2023
	Penny Howard	Member	6/09/2023
	Jamie Newlyn	Deputy Member	6/09/2023

Gender balance as at 1 May 2023 (reportable positions)

Organisation	Men	%	Women	%	Total
Asbestos Safety and Eradication Council	3	75%	1	25%	4
Board of the Coal Mining Industry (Long Service Leave Funding) Corporation	4	67%	2	33%	6
National Workplace Relations Consultative Council	4	44%	5	56%	9
Safe Work Australia	6	46%	7	54%	13
Safety, Rehabilitation and Compensation Commission	4	50%	4	50%	8
Seafarers Safety, Rehabilitation and Compensation Authority (Seacare Authority)	2	40%	3	60%	5

Media

- The Minister announced appointments to the Fair Work Commission by Media Release on 12 May 2023.
- The Minister announced the appointment of Greg Vines as Comcare CEO by Media Release on 14 April 2023.
- The Minister announced appointments to the Fair Work Commission by Media Release on 30 March 2023.
- The Minister announced Expert Panel Member appointments to the Fair Work Commission by Media Release on 6 February 2023.

Relevant QoNs and Parliamentary Questions

PDR Link	Submitted By	Subject	Answer Summary
SQ23-000183	Cash, Michaelia	Department and Minister Awareness of Conflict of Interest for FWC President	Relevant parts of the department were not aware of any close association of a former staff member of Minister Burke's office and President Hatcher and the matter was not raised with the Department.

Standing Committees on Education and Employment

**QUESTION ON NOTICE
Supplementary Budget Estimates 2022 - 2023**

Outcome: Workplace Relations

Department of Employment and Workplace Relations Question No. SQ23-000183

Senator Michaelia Cash on 15 February 2023, Proof Hansard page 50

Department and Minister Awareness of Conflict of Interest for FWC President

Question

Senator CASH: Given it was raised in the media post his appointment, were you or was the minister aware that now President Hatcher has a very close relative who was actually the chief of staff to Minister Burke from July 2019 until July 2022?

Senator Watt: No, I was not aware of that. Senator CASH: Was Minister Burke aware of that? Can you take that on notice?

Senator Watt: I'm happy to take that on notice.

Senator CASH: Was the department aware of any close association with now President Hatcher of a former staff member of Minister Burke's office between July 2019 and July 2022?

Ms James: Senator I wasn't aware of that and I'm not sure that it I would have seen it to be relevant. Senator CASH: I'm just asking if the department was aware.

Ms James: I appreciate that. We'll take it on notice, because I can speak for myself but obviously there are other people involved in the process.

.....

Senator CASH: From the media, my understanding is that the allegation was that it was his sister. That is my understanding from the media reporting.

Senator WATT: Mr Hatcher's sister.

Senator CASH: Yes, that is my understanding from the media reporting.

Senator WATT: That's the first I've heard of it.

Senator CASH: That's fine. I don't have an issue with that at all. That's the first you've heard of it. Did the department ever have the minister raise this with the department?

Ms James: We'll take that on notice, Senator.

Answer

Relevant parts of the department were not aware of any close association of a former staff member of Minister Burke's office and President Hatcher and the matter was not raised with the Department.

- Four employment regions will receive additional on-the-ground resources through the creation of new Employment Facilitator positions. These will be Australian Public Service positions and will work closely with existing Employment Facilitators.
- **Continuation of the National Careers Institute** – will ensure continued delivery of evidence-based information to people at all stages of their careers through the Your Career website, showcasing careers information on 1200 occupations and including information on education and training pathways, and financial and other support.

Key Government statements

These measures support the Government’s commitment at the Jobs and Skills Summit in September 2022, to develop a coordinated approach with industry, unions, local government and communities to assist affected workers and regional communities to prosper in a clean energy future.

Current status of the policy:

There are several initiatives within the Department of Employment and Workplace Relations that will inform future policy and programs relating to worker transitions.

- Jobs and Skills Australia is conducting a **Clean Energy Capacity Study** to develop a better understanding of the opportunities and skills requirements in the clean energy sector. The Clean Energy Capacity Study is expected to be released during mid-2023.
- **Employment Facilitators** bring together local expertise and resources to improve labour market functioning and local delivery of a range of employment services. The shift to a clean energy economy presents economic opportunities across Australia, for all regions and communities. The ability to adapt rapidly and agilely to respond to opportunities as well as challenges will be important. Recognising this, a proportion of existing funding for local activities will be made available via flexible funding pools in each region.
- Retrenched workers and their partners have immediate access to tailored employment services under the **Early Access initiative** and can directly register with a Workforce Australia Provider.

For detail of existing measures see the worker transition factsheet EC23-002714.

Stakeholders consulted

The Net Zero Economy Taskforce consulted a wide range of industry and community stakeholders across regional areas, including local community leaders, business owners, unions, workers, industry bodies and State and Territory governments. Several of the Department’s Employment Facilitators were also consulted.

The purpose of the visits was to hear from local stakeholders around what has worked in terms of support but also locally initiated planning, and what they would like to see from the Commonwealth.

A representative from the department attended the Taskforce's regional visit to Collie, Western Australia.

The regional visits build upon on-the-ground consultation by DEWR and other agencies to identify opportunities in local communities and understand how employers are supporting affected workers.

As part of the Department's standard response for impacted workers, an on-the-ground Transition Support Network (TSN) consisting of Employment Facilitators, departmental staff including state offices, and Services Australia, works closely with employers and their workers to help them understand their rights and obligations around redundancies. The TSN has met with companies such as AGL, Origin Energy, Synergy and Energy Australia around power station closures.

Recent media on this policy

National Net Zero Authority

- **5 May 2023 – Canberra Times:** “National Net Zero Authority: A new body announced to coordinate Australia’s energy transformation”
 - See [Attachment B](#)
- **5 May 2023 – Prime Minister and Cabinet Media Release:** “National Net Zero Authority”
 - See [Attachment C](#)
- **5 May 2023 – ACTU Media Release:** “New National Net Zero Authority a win for workers and climate”
 - See [Attachment D](#)
- **5 May 2023 – Business Council of Australia Media Release:** “Business Backs a Transition Authority”
 - See [Attachment E](#)

AGL – Liddell Power Station, NSW

- **28 April 2023 - ABC News:** “Hunter Valley Power Station Closes after 22 years”.
 - Article refers to impact on power generation and notes that AGL will repurpose the site into an industrial renewable energy hub.
 - Article notes: “Half the Liddell workforce will move to AGL's nearby Bayswater Power Station, a third have retired and about one in ten will try something new.”

Origin Energy – Eraring Power Station, NSW

- **AFR, 20 April 2023:** “Origin Gives Green Light to \$600m Eraring Battery”
 - Article notes: “The company said on Thursday it has made a final investment decision to proceed with the 460MW battery... Origin has now entered into agreements for supply and construction, with works to commence within weeks.”

Next steps

- The department will work closely with the interim Agency (and subsequent Authority) to collaborate on the range of existing initiatives and to consider and respond to any additional requirements.
- Further policies and program adjustments will be considered as this work progresses.
- Recruitment of additional Employment Facilitators and Support Officers, as well as establishing guidelines around expenditure of the flexible funding pools.
- The priority in the Workplace Relations portfolio is to deal with remaining election commitments and jobs summit outcomes. The Government is progressing work in 2023 to further improve and modernise Australia's workplace relations framework, with a focus on closing loopholes that disadvantage workers to ensure a sustainable system that promotes wellbeing and economic growth.

The transition to a low carbon economy also presents opportunities for workers through:

- The \$15 billion National Reconstruction Fund and \$1.9 billion Powering the Regions Fund will also create new jobs as construction, infrastructure and energy projects commence in regional areas.
- Across the energy sector, new solar projects are planned in New England and Darling Point (NSW), Western Downs (QLD), and Cultana Farm (Whyalla, SA).
 - These projects have estimated between 300-700 indirect jobs at each facility during the construction phase.
 - While ongoing roles are lower at each facility, this will be accompanied by new upstream and downstream jobs.

Expenditure/Budget

Table 1: DEWR Budget measures that support net zero

Column Header 1	Description	Amount
Local Jobs Program	<p>Additional facilitator services to support workers in regions impacted by the energy transition.</p> <p>Flexible funding pools to support small-scale investments to help worker and community transitions.</p>	<p>Savings of \$0.2 million over 2 years, from 1 July 2023. Reallocation of funding within the Local Jobs Program.</p>
Early Access to Employment Services	Retrenched workers can access immediate access to Workforce Australia employment services.	\$3.4 million from 1 July 2023 to 30 June 2025

Attachment A – PM&C Whole of Government Talking Points

- The Government is establishing a new Authority to support orderly and positive economic transformation associated with achieving net zero emissions.
- The Authority will engage closely with key regions and industries that are transforming as Australia decarbonises, to help proactively manage the change.
- The Authority will help those regions and industries get the support they need by improving coordination of effort and support from across government programs and policies, and ensuring support is responsive to what different regions and industries need.
- The Authority will include a focus on supporting workers in emissions-intensive sectors to access new skills, employment and opportunities.
- The Authority will also help investors and companies engage with the net zero transformation opportunities in regional industries and communities – helping to mobilise investment in new industries and opportunities.
- The Authority will work collaboratively with state and territory governments and existing regionally-focused transition bodies.
- It will also work closely with the private sector, unions, First Nations groups and others.
- The new Authority will be legislated as a stand-alone entity. The Government will finalise those details in the coming months.
- In the interim, an agency will be established in the Department of the Prime Minister and Cabinet to start work now.

National Net Zero Authority: A new body announced to coordinate Australia's energy transformation



By [Karen Barlow](#)

Updated May 5 2023 - 10:42am, first published 10:30am

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Climate change and energy minister Chris Bowen. Picture by Karleen Minney.

The Albanese government will establish a national energy transition authority in the May budget, which will be charged with ensuring workers, industries and communities are not left behind in the pursuit of net zero carbon goals.

The new National Net Zero Authority, which must be legislated, will be announced on Friday by the climate change and energy minister Chris Bowen at the site of the closing Liddell coal-fired power station in the Hunter Valley.

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"This budget will be very focused on the industrial and economic opportunities of the clean energy transformation and you will hear more from Minister Bowen about that later today," Treasurer Jim Chalmers said in Canberra.

A new statutory authority was a "priority" pledge in [Labor's 2021 national platform](#), while ACTU boss Michele O'Neil called for one in March, declaring that leaving energy workers behind in Australia's energy transition would be a moral failure and a massive missed opportunity.

READ MORE

- [ACTU calls for feds to coordinate Australia's energy transition to net zero](#)
- [Net Zero Economy Taskforce starts Australia's whole-of-government decarbonisation](#)
- [The new safeguard mechanism deal that gets everyone's climate skates on](#)
- [Women power 'to get the work done' in energy transition](#)

In a related pre-budget announcement, the government will also provide \$400 million from the Powering the Regions Fund to support existing industry through an Industrial Transformation Stream.

The first act for a net zero statutory body will be to recommend to the Governor-General David Hurley to establish an interim Net Zero Executive Agency from July 1.

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The creation of such an authority to support workers in emissions-intensive sectors has been the ultimate aim of the specially tasked Net Zero Taskforce which has been operating out of the Department of Prime Minister and Cabinet (PM&C) since last September as an intensive whole-of-government exercise.



Federal Energy Minister Chris Bowen at the closure of the Liddell Power Station. Picture by Peter Lorimer

The National Net Zero Authority will be charged with helping workers access new employment, skills and support, support regions and communities take advantage of new clean energy industries, and assist investors and companies to engage with net zero opportunities.

It will work with state, territory and local governments, existing regional bodies, unions, industry, investors, First Nations groups and others.

The interim executive agency, which will also be housed in PM&C, will head up work towards the final design and establishment of the legislated National Net Zero Authority.

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MEDIA RELEASE*05 May 2023**Prime Minister, Treasurer, Minister for Climate Change and Energy*

The Albanese Government will legislate a national Net Zero Authority to ensure the workers, industries and communities that have powered Australia for generations can seize the opportunities of Australia's net zero transformation.

The Authority will have responsibility for promoting the orderly and positive economic transformation associated with achieving net zero emissions.

The global transformation to a net zero economy is a massive source of economic opportunity for Australia, its regions, industries and workers.

The previous LNP Government put its head in the sand for a decade and ignored the pleas of communities, unions and business for coordination and support through this massive change.

In contrast, the Albanese Government is acting to capitalise on our potential as a renewable energy superpower.

The new legislated Net Zero Authority will:

1. Support **workers** in emissions-intensive sectors to access new employment, skills and support as the net zero transformation continues.
2. Coordinate programs and policies across government to support **regions and communities** to attract and take advantage of new clean energy industries and set those industries up for success.
3. Help **investors** and **companies** to engage with net zero transformation opportunities.

To kickstart the Authority's responsibilities immediately, the Government will recommend to the Governor-General the establishment of an Executive Agency from July 1 this year.

Initially housed in the Department of Prime Minister and Cabinet, the Agency will also develop advice to Government on the final design and establishment of the legislated national Net Zero Authority.

The Authority will work with state, territory and local governments, existing regional bodies, unions, industry, investors and First Nations groups to help key regions, industries, employers and others proactively manage the transformation to a clean energy economy.

The Government will also provide additional funding from the \$1.9 billion Powering the Regions Fund to support existing industry – including rail and aviation – and new clean energy industries, with the creation of a \$400 million Industrial Transformation Stream.

Over 150 countries have now committed to net zero by 2050, including almost all major economies and the majority of Australia's trading partners. With renewable energy the cheapest form of new energy, investor interest in Australian industries is following these trends.

The shift to net zero emissions by 2050 must happen fairly for Australians in emissions-intensive industries and the communities they live and work in.

The regions that have always powered Australia can power Australia into the future, but we need to seize those opportunities. This Authority is about leaving no-one behind as this global shift continues.

PRIME MINISTER OF AUSTRALIA

media release



Friday 5 May 2023

New National Net Zero Authority a win for workers and climate

The ACTU welcomes the Federal Government's announcement today of a new National Net Zero Authority to support workers and their communities and to deliver a just transition to a net zero emissions economy.

The new Authority will help maximise the benefits and minimise the risks of Australia's energy transition, driving the creation of good jobs in new industries and ensuring no worker or community is left behind.

The major announcement from Prime Minister Anthony Albanese, Treasurer Jim Chalmers, and Minister for Climate Change and Energy Chris Bowen was outlined by Minister Bowen today outside the Liddell Power Station in Muswellbrook, NSW – the latest coal-fired power station to shut its doors.

The new Authority will ensure workers in emissions-intensive industries impacted on the road to net zero will be fully supported with individualised worker transition plans to ensure they experience a fair transition with access to quality, secure and safe jobs in new industries.

The Authority will also spur new opportunities – particularly in Australia's energy regions – by creating new jobs, facilitating investment, developing new industries, and supporting place-based economic diversification.

This will ensure the communities that have been keeping the lights on in Australia for generations can build on that proud legacy by helping power the nation's transition to a net zero future.

The Government announced it would legislate the Authority, but with work beginning almost immediately through the establishment of an Executive Agency to be set up on 1 July 2023.

This victory marks the culmination of more than a decade of campaigning from the union movement, with unions representing coal-fired power workers leading the charge and building support across community, business, investors and climate organisations.

Quotes attributable to ACTU President Michele O'Neil:

"This is an important victory for Australia's energy workers, their families and communities, and for the climate. The National Net Zero Authority creates a sturdy bridge for workers, their families and communities to a clean energy future.

"Supporting creation of new quality jobs and skills and providing the resources workers and communities need are essential elements of this plan.

"Reaching net zero emissions is a nation-building, history-making, generation-defining project. The creation of this Authority will allow Australia to advance that project with confidence, knowing no one will be left behind.

"The union movement is proud of the workers and communities who have powered Australia and are central to Australia's transition to a decarbonised economy.

"We congratulate the Government and urge it to move quickly in passing this historic legislation. After a decade of denial and delay under the previous Government, we have no time to waste in securing a just transition."

ENDS

Media: Monica Crouch 0411 645 751 | Gareth Hathway 0499 878 782

Business backs a transition authority

05 May 2023

The establishment of a Net Zero Authority is a crucial step towards a managed transition that brings communities on this journey, Business Council chief executive Jennifer Westacott said.

“Decarbonisation is monumental economic change, so we need to coordinate and plan to take advantage of the opportunities in front of us.

“Businesses are making this change now in response to global markets, but no one wants to see communities and regions left behind.

“Strong regions powered by strong businesses have helped keep the lights on across the nation.

“Regions like the Hunter, the Illawarra and Western Sydney represent the arc of our economic opportunity, but better coordination is crucial to unleash their full potential.

“We support the government’s three pillared approach to supporting workers, regions and working with the businesses who will need to invest as old operations scale down and new ones ramp up.

“The investment task of decarbonisation is huge, to make sure businesses can do the heavy lifting we need to get the right skills, infrastructure and policies in place.

“Australia’s transition has been held up in part because communities lost confidence in our ability to make this monumental change. This is an opportunity for better jobs and better living standards, this agency will do some of the work needed to fix that.

“A better planned and managed transition will also help support an affordable, sustainable energy supply, a crucial step to keeping manufacturing jobs here in Australia.

“As the Business Council has repeatedly said - in our Sunshot collaboration with workers and environmental groups and our 2021 Achieving a net zero economy paper - a transition authority can build confidence and plan for a stronger economic future.

“We look forward to working with the government to get the design of this agency right to build stronger regions, unlock opportunities and leave Australians better off.”

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Workplace consultations raise concerns

1 May 2023

The latest consultation paper on workplace relations changes contains proposals that could make our complex system even worse, Business Council chief executive Jennifer Westacott said. “If enacted, these proposals will...

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Media releases

Migration reset a game changer

27 April 2023

A shift to a simpler and more streamlined migration system with better pathways to permanency is a crucial step to securing Australia’s future prosperity, Business Council chief executive Jennifer Westacott...

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Media releases

Australia can’t risk making big workplace mistakes

14 April 2023

The Business Council has called for workplace relations reform to deliver better jobs, a stronger economy and higher wages in its submission to

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HOT TOPIC: PALM Worker Exploitation

- The wellbeing of Pacific Australia Labour Mobility (PALM) scheme workers is of central importance to the Australian Government and to our Pacific and Timor-Leste partners.
- Exploitation of workers is not tolerated, including where employers coerce workers to leave the scheme

<p>How we hear about worker exploitation</p> <ul style="list-style-type: none"> • Migrant Workers’ Taskforce Report • Black Economy Taskforce Report • Harvest Trail Enquiry Report • Academic Reports • Contact with workers and Approved Employers (AE) • Tip-offs and/or allegations • Media • DEWR’s experience delivering the PALM scheme 	<p>PALM Monitoring Visits for 2022-23 as at 31 March 2023</p> <table border="1"> <thead> <tr> <th>Visit type</th> <th>2020-2021</th> <th>2021-2022</th> <th>2022-2023</th> <th>Total</th> </tr> </thead> <tbody> <tr> <td>Assurance⁽¹⁾</td> <td>1</td> <td>13</td> <td>211</td> <td>225</td> </tr> <tr> <td>Dignitary⁽²⁾</td> <td>7</td> <td>0</td> <td>1</td> <td>8</td> </tr> <tr> <td>Other</td> <td>0</td> <td>0</td> <td>6</td> <td>6</td> </tr> <tr> <td>Recruitment</td> <td>54</td> <td>87</td> <td>78</td> <td>219</td> </tr> <tr> <td>Worker wellbeing</td> <td>68</td> <td>134</td> <td>8</td> <td>210</td> </tr> <tr> <td>Total</td> <td>130</td> <td>234</td> <td>304</td> <td>668</td> </tr> </tbody> </table> <p>(1) Assurance visits: Short-term stream, assurance visits are typically in response to a tip-off or allegation that is unable to be fully investigated by desktop analysis alone. Long-term stream, assurance visits involve assessing general compliance to the Deed, performance of the Approved Employer, and potential risks</p> <p>(2) This only includes monitoring visits where dignitaries attended. Not all dignitary visits are recorded.</p>	Visit type	2020-2021	2021-2022	2022-2023	Total	Assurance ⁽¹⁾	1	13	211	225	Dignitary ⁽²⁾	7	0	1	8	Other	0	0	6	6	Recruitment	54	87	78	219	Worker wellbeing	68	134	8	210	Total	130	234	304	668	<p>Measures in place to protect workers</p> <ul style="list-style-type: none"> • Workers are employed under the same industry awards and legislation as Australian workers • AEs are vetted and must meet stringent criteria to participate in the scheme <ul style="list-style-type: none"> ○ Australian workplace regulation laws ○ WH&S laws ○ Immigration requirements ○ Provision of sufficient hours of work ○ Accommodation standards • Rigorous monitoring and compliance framework including site visits and 24-hour PALM support service line 	<p>Planned measures to protect workers</p> <ul style="list-style-type: none"> • Increasing workplace compliance activities • Implementing recommendations of the Migrant Workers’ Taskforce Report • Enhancing existing measures • Updated PALM Deed and Guidelines • Increased resourcing for compliance and assurance <p>Examples of what would constitute PALM worker exploitation</p> <table border="0"> <tr> <td>Long hours</td> <td>Wage theft</td> </tr> <tr> <td>Low earnings</td> <td>non-compliant accommodation</td> </tr> <tr> <td>Unfair deductions</td> <td>Threats</td> </tr> <tr> <td>Sexual exploitation</td> <td></td> </tr> </table>	Long hours	Wage theft	Low earnings	non-compliant accommodation	Unfair deductions	Threats	Sexual exploitation	
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<p>Allegations of PALM Worker Exploitation</p> <ul style="list-style-type: none"> • Senate Select Committee Hearing on Job Security (February and March 2022) • Media - Labour Hire Firm allegedly underpaid 87 visa farm workers (November 2022) • Media - Pacific Island farm workers in Bundaberg (September 2022) • Third parties and unions – Linx Employment allegedly providing low hours and incorrect deductions • Ministerial correspondence – Fijian workers allegedly working long hours 	<p>How we respond to allegations of PALM worker exploitation</p> <ul style="list-style-type: none"> • Report to Australian Border Force, Fair Work Ombudsman, Police and/or state labour hire regulators • Investigate allegations • Compliance action that can include suspension or termination from the scheme, or applying conditions on AE’s • Support workers to also contact relevant agencies (as above)
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PALM Scheme Overview

The Pacific Australia Labour Mobility (PALM) scheme is Australia’s primary temporary migration program that enables Approved Employers to recruit from nine Pacific Island countries and Timor-Leste to fill unskilled, low and semi-skilled positions where there are not enough local workers available.

Total PALM workers by state and country as at 31 March 2023 (refer Attachment A for further data)

NSW	VIC	QLD	WA	SA	TAS	NT	ACT	TOTAL
5,865	7,028	13,488	3,518	2,333	4,481	1,051	26	37,790

Fiji	Kiribati	Nauru	PNG	Samoa	Sol Is	Timor-Leste	Tonga	Tuvalu	Vanuatu	TOTAL
4,849	1,084	2	1,288	4,663	4,324	4,270	6,229	81	11,000	37,790

Timeline of key PALM policies and events (refer Attachment B for complete timeline)

Date	Policy/Event	Details
August 2008	Seasonal Worker Pilot Scheme Commences	DESE was the responsible Department
1 July 2012	Seasonal Worker Programme (SWP) Commences	DESE was the responsible Department
1 July 2018	Pacific Labour Scheme (PLS) Commences	Delivered by the PLF - DFAT was the responsible Department
November 2021	The then Government announced consolidation of SWP and PLS into a single PALM scheme	To commence April 2022 and be managed by DFAT
1 July 2022	Pacific Labour Operations Division MoG to DEWR from DFAT	Staff physically moved to DEWR 22 July
December 2022	Government advises PALM participating countries and key stakeholders of the decision to consider insourcing PALM operations	Consultations on the future onshore delivery model also commenced
February 2023	Government announced that the PALM scheme reached 35,000 workers, 6 months ahead of schedule	Government committed to reaching 35,000 workers by June 2023
February 2023	DEWR commenced additional consultations on the new draft PALM Deed and Guidelines	Ensure new arrangements are fit for purpose, including new reforms announced in October 2022 Budget and strengthen worker protections
May 2023	DEWR launches Postcode Eligibility Operational Policy	Expand access to PALM scheme metropolitan based employers in select agriculture-related food manufacturing sectors

PALM workers currently in Australia at 31 March, 2023

SWP	PLS	Total
24,891	12,899	37,790



More than 37,000 workers are registered to participate in the PALM scheme

Total PALM approved employers: 431

Short term (SWP): 281* Long term (PLS): 283*

* As employers can be approved under both SWP and PLS, the program breakdown counts these under both schemes.

Total PALM workers by state and country

								TOTAL
NSW	VIC	QLD	WA	SA	TAS	NT	ACT	
5,865	7,028	13,488	3,518	2,333	4,481	1,051	26	37,790

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4,849	1,084	2	1,288	4,663	4,324	4,270	6,229	81	11,000	37,790

PALM arrivals by state and country - 3 months (since January 2023)

Month	NSW	VIC	QLD	WA	SA	TAS	NT	ACT	TOTAL
Jan-23	269	337	1,135	115	92	329	1	0	2,278
Feb-23	336	736	1,055	168	106	97	55	0	2,553
Mar-23	318	260	1,430	205	39	34	24	0	2,310

Month											TOTAL
Jan-23	141	49	0	193	65	156	298	500	2	874	2,278
Feb-23	353	54	0	100	220	218	396	335	1	876	2,553
Mar-23	333	171	0	39	109	293	233	430	40	662	2,310

PALM workers by industry (high level)

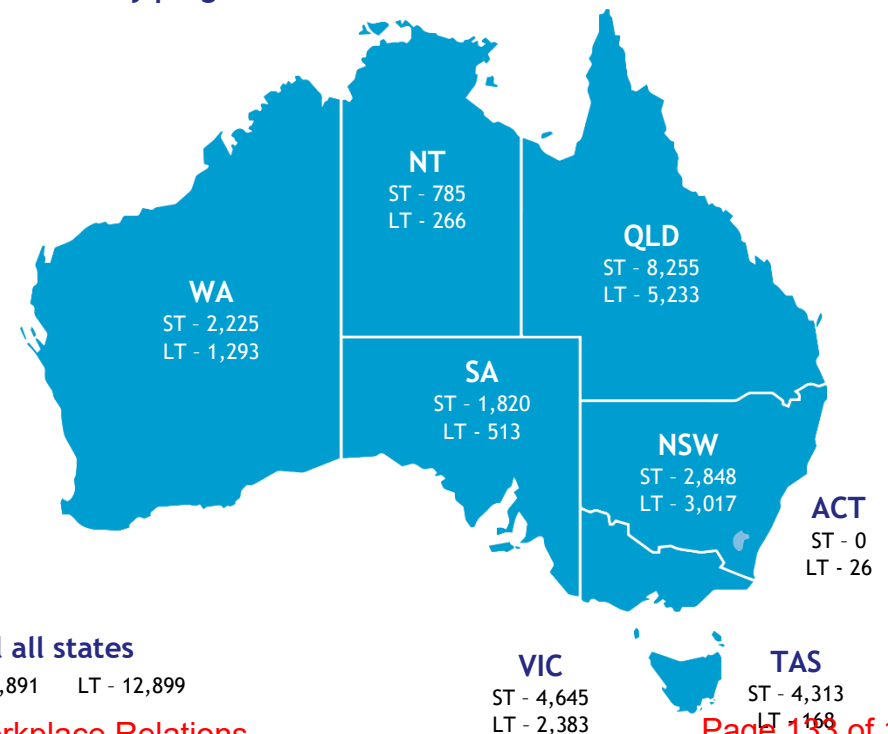
Industry	Agriculture	24,503		2,474
	Meat processing	9,046		
	Accommodation	388	390	
	Residential care	592		
	Other	397		

■ Short term □ Long term

Total planned recruitments and worker arrivals - next 2 months

Month	No. of planned Recruitments	No. of workers proposed	Comments
Apr-23	185	2,796	The actual number of workers that arrive will likely change as Approved Employers recruitment needs are confirmed. However, the strong demand for workers continues with expected arrivals in April, 18% above the actual average worker arrivals for 2022-23 financial year.
May-23	140	2,416	The highest proportion of workers are expected to arrive are from Fiji (25%), followed by Timor-Leste and Vanuatu both with 21% of expected worker arrivals

PALM workers by program and state





SWP commences

August 2008 Pacific Seasonal Worker Pilot Scheme commences

1 July 2012 – SWP begins

2012-13 – 1,473 SWP visas granted



PLS commences

1 July 2018

Stay period up to 3 years (min 12 mths)

COVID-19 International borders closed

March 2020

Workers in Australia at the time:

- SWP – 7,000
- PLF – 1,000

MoG SWP to DFAT

November 2021 – SWP moved from DESE to DFAT

January 2022 – staff moved

Planning for alignment of the SWP and PLS

PALM Visa commenced

SWP and PLS combined under PALM brand and visa

Stay period increased to 4 years for long stay stream (PLS)

SWP expanded to all sectors

Federal election

11 April – caretaker

Transition of SWP to PLF suspended (caretaker)

Full transition to PALM subject to tax legislation update and Deed and Guidelines.

MoG to DEWR

Announced June

1 July – takes effect

22 July – staff move to DEWR

22 August – finalising

Budget 2022-23

- Family accompaniment
- Increasing investment in aged care
- Reimburse upfront travel costs
- Relocating aspects of the AAV under PALM

Inourcing

Government advises PALM participating countries and stakeholders of the decision to consider inourcing PALM operations

35,000 Workers

Government announces that the PALM scheme reached 35,000 workers, 6 months ahead of schedule (30 June 2023)

Postcode Eligibility Policy

DEWR launches Postcode Eligibility Operational Policy

2008-13

2018-19

2019-20

2021-22

April 2021

April - May 2022

June - July 2022

Aug – Sep 2022

October 2022

December 2022

February 2023

May 2023

Program growth



2018-19 – 12,202 SWP visa grants

Average 42% growth year on year 2012 to 2019



As at January 2019 – 113 PLS visa grants

SWP operations to PLF

Transfer of resources for SWP operations to Pacific Labour Facility (PLF) to be jointly managed with the PLS operations including from NPP for doubling Pacific workers

Dependencies:

- Tax legislation
- Governance & transition plan
- Visa – single PALM visa

PALM arrangements



Departmental positions reduced and funds mapped to PLF to support single program

PALM Deed not introduced as tax legislation did not pass Parliament before the dissolution of the House of Representatives of the 46th Parliament

PALM administration

DFAT retain strategic policy, communications, stakeholder engagement and offshore operations

DEWR take on onshore operations including Palladium contract

Continued growth

29,075 PALM workers in Australia (as at 30 Sep 2022):

- SWP – 18,684
- PLS – 10,391

40,108 workers in the work ready pool (as at June 2022)

396 Approved Employers

Since 1 July 2012 to 30 September 2022, more than 81,000 work visas issued

Geographical expansion

16 Dec 2022: Australian Government announced expansion of PALM into metro areas for AEs operating in **agriculture-related food product manufacturing sectors**, including:

- meat and meat product manufacturing,
- seafood processing, and
- fruit and vegetable processing.

Deed and Guidelines

DEWR commenced additional consultations on the new draft PALM Deed and Guidelines

- Government is strengthening oversight of the PALM scheme by consolidating domestic delivery of the scheme into the Department of Employment and Workplace Relations

How insourcing will improve the domestic delivery of the PALM scheme

Delivery by DEWR brings the domestic operational delivery of the PALM scheme into the department responsible for eliminating worker exploitation, improving workers’ pay and conditions and employer compliance.

Insourcing to DEWR will:

- Provide stronger oversight of the operations of the scheme
- Strengthen the delivery framework
- Improve program settings and integrity measures
- More effectively and directly address risks
- Allows the streamlining of operational functions
- Reduces duplication that currently exists between DEWR and Palladium
- Allow for more timely and efficient resolution of worker issues
- Allow for proactive identification of non-compliance and stamp out migrant worker exploitation
- Provide stronger assurance measures

Moving to insourced delivery aligns with Government’s commitment to rebuild the capability and capacity of the Australian Public Service.

Date	Event	Details
November 2021	The then Government announced the alignment of the Seasonal Worker Program and the Pacific Labour Scheme into the PALM scheme.	To commence April 2022 and be managed by DFAT
April 2022	Seasonal Worker Program and the Pacific Labour Scheme brought together under the single PALM scheme with the introduction of the PALM visa (Subclass 403).	Single scheme introduction in alignment with the introduction of the PALM visa (Subclass 403).
July 2022	Government moved the responsibility for PALM scheme domestic (Australian) operations to DEWR.	As part of machinery of government changes, operational elements of the PALM scheme transferred from DFAT to the department. The gradual transfer of functions seeks to maintain program integrity and recognises the vulnerability of PALM workers and the risks inherent to the scheme.
November 2022	Work commenced on the planning to prepare for the transfer of functions from the Pacific Labour Facility (PLF) to DEWR.	Consultations commenced with stakeholders to inform the delivery model and work commenced with Palladium International (the contracted provider) to develop a plan to transfer onshore functions to DEWR.
December 2023	All domestic operations to be transferred to DEWR.	DFAT will continue to be responsible for Pacific labour (non-operational) policy, strategic communications and stakeholder engagement in the Pacific and Timor-Leste including support to labour sending governments on labour mobility policy and sending capability.

Note: As at 31 March 2023, DEWR supports 24,891 (65.9%) workers through the Seasonal Worker Program (short term) and the Pacific Labour Facility supports 12,899 (34.1%) through the Pacific Labour Scheme (long term)

Consultations to Inform the Delivery Model

- The department’s design of PALM domestic delivery model will be informed by the stakeholder consultations:
 - In December 2022, the Minister for International Development and the Pacific, wrote to PALM participating countries advising their governments of the decision to insource domestic operations and upcoming stakeholder consultation.
 - On 1 December 2022, the department released a discussion paper, “Optimising PALM scheme delivery in Australia”.
 - From November 2022 to the end of January 2023, the department, in partnership with DFAT, consulted with key stakeholders, including Heads of Mission in Australia, representatives of state and territory governments, industry peaks, PALM Approved Employers, workers, community groups and unions.
 - 34 consultation sessions were held.
 - The submissions closed on 13 January 2023 with 57 written submissions received.

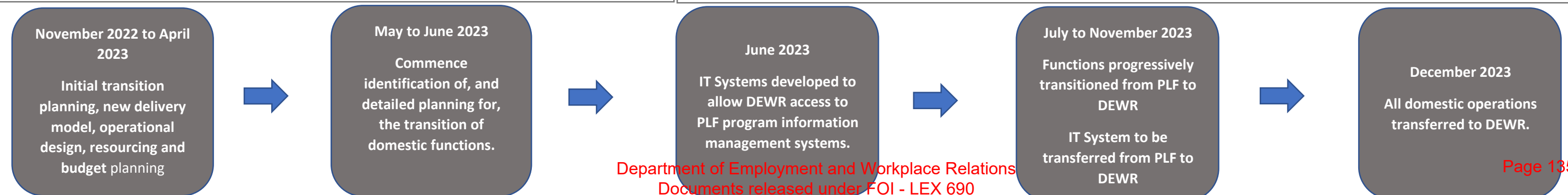
Program Funding

- In the May 2023 budget, the Australian Government announced an additional **\$168.1 million** in funding (total expenditure \$297.2m) and made terminating measures ongoing over prior commitments for the next four financial years, for DEWR to deliver the domestic components of the PALM scheme.
- Projected program funding based on expected growth in worker numbers is as per below (in \$millions).

Funding Profile for PALM - Projected Growth (1)	2023-24	2024-25	2025-26	2026-27	Total (4 years)
Administered (2) (\$m)	7.42	4.68	5.91	6.76	24.76
Departmental (\$m)	62.56	57.87	70.59	77.13	268.15
Capital (3) (\$m)	3.06	1.25	0.00	0.00	4.31
Total (\$m)	73.04	63.80	76.49	83.89	297.22
Projected Number of PALM Workers	38,255	39,872	47,037	50,177	

DEWR ASL	305	305	371	404
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- (1) Provisional figures supplied by Corporate Finance based on combination of prior funding and preliminary NPP approval including projected program growth estimates agreed between DFAT and DEWR. Worker number growth estimates will be reviewed at least annually and forward budgets adjusted in line with revised numbers.
- (2) Administered includes Community Connections, Airfare Underwriting and Skills Development Funding and DEWR PLF costs to Dec 23 (\$3.5 million)
- (3) Administered for 2023-24 (\$3.5 million) and Capital funding is for ongoing development of the PALMIS IT system.



Wage Subsidies to Labour Hire Companies (LHCs)

- A wage subsidy employer can be a LHC or a group training organisation, provided the company is paying the participant's wages and the placement with the host business meets all eligibility criteria of the wage subsidy placement and employer.
- Providers are prohibited from issuing wage subsidies to LHCs that are a related entity of their own organisation.

Wage subsidies paid to LHCs (4 July 2022 to 31 March 2023)

Program	Wage Subsidy Expenditure	Expenditure on placements with LHCs	Proportion of wage subsidy expenditure to LHCs
Workforce Australia	\$18,439,821	\$4,835,210	26.22 %
Transition to Work	\$1,615,673	\$233,566	14.46%
ParentsNext	\$126,086	-	-
Total	\$20,181,580	\$5,068,776	25.12 %

*ParentsNext LHC expenditure cannot be separated from total expenditure at this time.

Wage subsidy job placements by top 5 industries* (4 July 2022 to 31 March 2023)

	Wage Subsidy Placements		% Subsidised of placements		Totals		
	LHC	Non-LHC	LHC	Non-LHC	Total Subsidised Placement	Total % Subsidised of all placements	Portion of total Subsidies to LHC
Other Services**	1,347	2,095	15.3%	6.6%	3,442	8.4%	39.1%
Manufacturing	436	1,266	19.1%	13.1%	1,702	14.2%	25.6%
Accommodation and Food Services	75	1,403	10.4%	6.6%	1,478	6.7%	5.1%
Construction	399	758	15.3%	7.3%	1,157	8.9%	34.5%
Transport, Postal and Warehousing	426	553	20.0%	6.9%	979	9.7%	43.5%
Remaining industries	988	2,831	13.0%	5.0%	3819	5.9%	25.9%
Grand Total	3,671	8,906	15.2%	6.4%	12,577	7.7%	29.2%

* Workforce Australia Services and Transition to Work data only.

** Providers select the industry from a pre-populated list in the IT system which includes an 'Other Services' option.

- Job placements recorded for LHCs are almost **2.5** times more likely to be subsidised than placements recorded for non LHCs (**15.2% vs 6.4%**).
- LHC wage subsidies are most likely to be used in sectors with a high turnover rate, casualised and largely male dominated workforces such as Transport, Postal and Warehousing (20%), Manufacturing (19.1%) and Construction (15.3%).

4 week and 12 week Outcome Conversions* (4 July 2022 to 31 March 2023)

Cohort	Placement Type	LHC		Non-LHC	
		4 Week Conversion Rate	12 Week conversion Rate	4 Week Conversion Rate	12 Week conversion Rate
Female	Non-subsidised	61.0%	53.2%	57.8%	52.9%
	Subsidised	71.3%	63.8%	79.3%	74.1%
Male	Non-subsidised	59.3%	50.1%	56.5%	51.2%
	Subsidised	74.4%	62.2%	78.8%	72.6%
Indigenous	Non-subsidised	56.1%	42.8%	52.2%	43.8%
	Subsidised	71.4%	59.0%	76.4%	67.1%
Non-Indigenous	Non-subsidised	60.6%	52.7%	58.0%	53.4%
	Subsidised	73.9%	63.6%	79.7%	74.6%
Mature Age (50 years and over)	Non-subsidised	64.7%	58.1%	59.1%	54.7%
	Subsidised	73.4%	61.8%	81.6%	75.5%
Total	Non-subsidised	59.9%	51.2%	57.2%	52.0%
	Subsidised	73.4%	62.7%	79.0%	73.2%
All Placements		62.1%	53.0%	58.6%	53.4%

*Workforce Australia Services data only. 26 week conversion rates are not included as not enough time has elapsed for statistically significant figures for wage subsidy placements.

- LHCs are achieving more 12-week outcomes for subsidised placements compared to their non-subsidised LHC placements (62.7% vs 51.2%).
- LHCs have a lower 12-week outcomes (by 10.5%) for subsidised placements compared to non-LHC placements.
- However, against all placements eligible for a 12-week outcome, LHC placements are comparable to non-LHC (53% vs 53.4%).

Wage subsidies with related* LHCs of other providers (4 July 2022 to 31 March 2023)

		Wage subsidy agreement type*	
		Workforce Australia Services Wage Subsidy	Youth Bonus Wage Subsidy
Agreements with Related LHC of other Providers	Number of Agreements	79	37
	% of Agreements	0.9%	1.1%
All other Agreements	Number of Agreements	9,192	3,269
	% of Agreements	99.1%	98.9%
Total Number of Agreements		9,271	3,306

* Refer data notes below

**Workforce Australia Services and Transition to Work data only.

- Less than 1 per cent of all wage subsidy agreements were for job placements with a LHC that was a related entity of another provider organisation.
- While providers are allowed to issue wage subsidies to LHCs that are related entities of other providers, take-up is monitored to manage the risk of collusion or sharp practice.



Related Questions received on notice

PDR Link	Submitted By	Subject	Answer Summary
SQ23-000195	Senator Fatima Payman	Total value of wage subsidies to labour hire companies since the introduction of Workforce Australia	Expenditure data from 4 July to 31 December 2022
PQ23-000295	Senator Janet Rice	Wage subsidy usage by industry/sector	How data is collected and breakdown by industry

Data Notes

- An employer/LHC is considered a related entity of a provider where the provider has self-declared that ABN as related or the ABN has been identified by the department as related through assurance and other monitoring.
- An employer is considered a LHC where: the ABN is licensed to operate as a LHC in any state or territory with a LHC register or license scheme, the nature and business of the employer indicates it is likely operating as a LHC, the ABN has been identified as a LHC through assurance and other monitoring, or the employer has self-declared their LHC status to the department.
 - The process provides an indication an employer is potentially or likely operating as a LHC but is not exhaustive, as the definition of what is considered a LHC and which employers must be licensed differs between jurisdictions.

Top employers using Workforce Australia – labour hire analysis

- Job placements have been recorded for over 70,000 employers (by ABN) between 1 July 2022 and 31 March 2023. The top ten employers, shown below, account for 4% of all job placements recorded to date.
- Labour hire companies account for 15% of total job placements recorded in Workforce Australia to date. This compares to around 2% of jobs across the economy. The reason for the much higher prevalence of labour hire placements in Workforce Australia is likely related to:
 - Australians in Workforce Australia on average tend to have lower skills, less work experience, and more work barriers than the general working population. This profile better matches the type of work often offered by labour hire firms.
 - Providers may find it easier to deal with a smaller number of large labour hire companies, as opposed to many employers.
- Placements with labour hire companies were more likely to be provider-sourced than placements with non-LHCs. In Workforce Australia to date 38% of all job placements for LHCs were recorded as provider-sourced placements, compared to 23% for non-LHCs.

Job placements recorded by providers, as at 31 March 2023

Employer	Labour hire company	ABN	Workforce Australia Services	Transition to Work	Total	Per cent provider-sourced placements
Woolworths Group Limited	N	88000014675	1,099	260	1,359	14.5%
Coles Supermarkets Australia Pty Ltd	N	45004189708	917	172	1,089	10.9%
Programmed Skilled Workforce Limited	Y	66005585811	805	70	875	60.1%
Randstad Pty Limited	Y	28080275378	493	27	520	32.7%
Kmart Australia Limited	N	73004700485	329	102	431	11.6%
Hays Specialist Recruitment (Australia) Pty Limited	Y	47001407281	416	6	422	10.7%
Australian Leisure and Hospitality Group Pty Limited	N	37067391511	333	38	371	17.0%
Tailored Workforce Trust	Y	50624417887	349	1	350	86.3%
The Trustee for Arthur Tzaneros Discretionary Trust & The Trustee for Luke Webber Trust	Y	30815135117	311	28	339	44.2%
Probe Asia Pacific Pty Ltd	Y	86082618148	297	7	304	65.1%

Notes:

- The sum of job placements is for both Workforce Australia Services and Transition to Work, and so may differ to the top 10 employers for either program individually.
- Job placements are not recorded for Workforce Australia Online.

Related Questions received on notice

PDR Link	Submitted By	Subject	Answer Summary
SQ23-000598	O'Sullivan, Matt	Top 10 employers using Workforce Australia	Data on job placements by ABN, to 31 December 2022, for top 10 ABNs
SQ23-000195	Payman, Fatima	Wage subsidies to labour Hire companies	Data on the total value of wage subsidies flowing to labour hire companies since the start of Workforce Australia, to 31 December 2022



HOT TOPIC: Provider Own Organisation and Related Entity Referrals

Key Points

- Workforce Australia Services, Transition to Work and ParentsNext providers can refer a participant to their own organisation, related entity, or sub-contractor to:
 - participate in activities to address non-vocational barriers
 - gain the skills they need to improve their employment prospects
 - place a participant in employment (including labour hire).
- Subject to specific rules, this can result in a progress or outcome payment to the provider, or payment for the activity, goods, or services delivered. Refer to **Attachment A** for scenarios.
- The current policy settings enable participants to access:
 - coordinated wrap around support with a provider with whom they have an established relationship
 - timely professional services (e.g. mental health counselling), particularly in regional or other areas with no or limited availability
 - more flexible, rolling course commencements compared to other training organisations (such as TAFEs).

Department Controls

- The Department has in place controls to monitor, limit or prohibit own/related entity and subcontractor referrals, including:
 - a prohibition on providers claiming Wage Subsidies with their own/related entities
 - a 50 per cent referral cap for Workforce Australia Services providers with an Employability Skills Training or Career Transition Assistance contract in the same Employment Region where multiple providers operate
 - policy controls relating to payment structures, such as limiting progress payments to once for a participant within each 24-month period of service, and preventing the churn of participants through a job for multiple employment outcome payments
 - IT system controls that prevent inappropriate referrals and reimbursement in some instances
 - regular desktop monitoring and assurance activities.
- A list of related entities self-reported by Providers is at **Attachment B**.

Department Action

- Non-compliance is assessed under the:
 - Department's Breach Management Framework – consequences include recovery of payments, the imposition of additional documentary evidence and restricting access to categories of expenditure under the Employment Fund/Participation Fund.
 - Performance Framework – with implications for future licensing decisions and/or contracts.

Recent media

- Nil

Related Questions received on notice

PDR Link	Submitted By	Subject	Answer Summary
SQ22-001057	Rice, Janet	Referral Cap	Explanation that data relating to the Workforce Australia Services providers adherence would be available for the July – December 2022 period from January 2023. Provided breakdown of Employment Fund commitments, by category and provider for the 1 July – 30 September 2022 period was provided.
SQ23-001191	Grogan, Karen	Workforce Australia – 50 per cent referral cap	Rationale for applying a 50 per cent cap to own organisation Career Transition Assistance and Employability Skills Training program referrals was to provide a balance between participant choice and provider advantage.
IQ23-000003	Hill, Julian	Participation Fund	Data provided – percentage of Participation Fund expenditure to own organization and related entity, and ten providers with the highest average expenditure per commenced participant including percentage to own organization or related entity.
IQ23-000011	Hill, Julian	Participation Fund	Summary of current own or related entity guidelines and system arrangements, and potential changes to restrict own or related entity expenditure.
PQ23-000292	Rice, Janet	Provider Breakdown – own organisation referral data	Data provided – breakdown of own organisation Employment Fund expenditure, Career Transition Assistance and Employability Skills Training referrals by provider in each Employment Region. As at 8 May not yet finalised.
PQ23-000293	Rice, Janet	Workforce Australia Provider Entities	Provided a list of related entities for Workforce Australia Services providers that the department is aware of. As at 8 May not yet finalised.

Background

'Related entities' are defined in employment services deeds as:

- those parts of the provider other than their own organisation;
- 'entities connected with a corporation' as defined in section 64B of the *Corporations Act* with the word 'provider' substituted for every occurrence of the word 'corporation' in that section; an entity that:
 - can control, or materially influence, the provider's activities or internal affairs;
 - has the capacity to determine, or materially influence, the outcome of the provider's financial and operating policies; or
 - is financially interested in the provider's success or failure or apparent success or failure;
- if the provider is a company, an entity that:
 - is a holding company of the Provider;
 - is a subsidiary of the Provider;
 - is a subsidiary of a holding company of the Provider;
 - has one or more Directors who are also Directors of the Provider; or
 - without limiting paragraphs (d)(i) to (d)(iv) of this definition, controls the Provider; or
- an entity, where a familial or spousal relationship between the principals, owners, Directors, officers or other like individuals exists between that entity and the principals, owners, Directors, officers or like individuals of the Provider.

Key data on extent of own and related entity referrals

Table 1 - Number and proportion of providers that refer to own/related entity by referral type

Program	Job Placements	Activities	Services that attract reimbursement under the Employment Fund / Participation Fund
Workforce Australia Services	24 (56% of providers)	34 (79% of providers)	30 (70% of providers)
Transition to Work	14 (38% of providers)	25 (67% of providers)	N/A
ParentsNext	17 (32% of providers)	41 (77% of providers)	35 (66% of providers)

Notes:

1. Data is self-reported by providers as at 2 December 2022
2. Data is a simple count and does not reflect the volume or total proportion of job placements, referrals or reimbursements made by providers that indicate that own/related entity referrals form part of their service models.

Table 2 – Own organisation commitments through the Employment/Participation Fund 1 July 2022 - 31 March 2023

Program	Total commitments	Commitments excl wage subsidies	Total value of own organisation commitments	Percentage of total commitments to own organisation	Percentage of providers that claimed against own organisation	Average total commitments to own organisation	Minimum total commitments to provider's own organisation	Maximum total commitments to provider's own organisation
Workforce Australia Services Employment Fund	\$167,671,357	\$90,553,112	\$23,913,941	26.4%	77.3%	\$703,351	Nil	\$5,556,546
ParentsNext Participation Fund	\$11,600,063	\$11,600,063	\$1,189,596	10.3%	48%	\$47,584	Nil	\$187,265

Notes:

1. Calculations of own organisation commitments excludes Wage Subsidies which cannot be claimed for own organisation or related entity job placements. Not all commitments result in a claim for reimbursement.
2. Own organisation commitments include amounts flagged in the system as 'own organisation' plus commitments where the provider ABN matches the supplier ABN.
3. Own organisation data does not include related entity commitments; related entity data is not yet available for external publication.
4. Average does not include providers with nil commitments to own organisation.

Collectively, 13 providers that deliver Workforce Australia Services and/or Transition to Work can self-refer in 25 Employment Regions. A breakdown by contract type is provided in Tables 3 and 4.

Table 3 – Workforce Australia Services providers that can self-refer to Employability Skills Training or Career Transition Assistance across the 51 employment regions as at 31 March 2022

	Employability Skills Training	Career Transition Assistance
Total number of providers eligible for self-referral	9 (21% of 43 Workforce Australia Services providers)	9 (21% of 43 Workforce Australia Services providers)
Employment Regions in which Workforce Australia Services provider can self-refer	19 (37% of 51 regions)	18 (35% of 51 regions)
Employment Regions in which the provider is subject to a 50% referral cap	13	10
Employment Regions in which the provider is exempt from the referral cap as they are the only activity provider	6	8

Notes:

1. Referral Cap only applies to the delivery of Training Block 2 as Training Block 1 attracts no government funding.
2. Excludes related entities.

Table 4 – Workforce Australia Services–Transition to Work providers that can self-refer to Employability Skills Training across the 51 employment regions as at 31 March 2022

	Employability Skills Training
Total number of providers eligible for self-referral	9 (24% of 37 Transition to Work providers)
Employment Regions in which the Transition to Work provider can self-refer	14 (27% of 51 regions)
Employment Regions in which the provider is subject to a 50% referral cap	10
Employment Regions in which the provider is exempt from the referral cap as they are the only activity provider	4

Notes:

1. Referral Cap only applies to the delivery of Training Block 2 as Training Block 1 attracts no government funding.
2. Excludes related entities.
3. Transition to Work providers became subject to a Referral Cap from March 2023, when Transition to Work referrals started occurring within the Department's IT Systems.

Scenario examples – Own or related entity referrals and associated payments across different programs (not an exhaustive list)

Scenarios	
Workforce Australia Services provider refers a participant to its related Registered Training Organisation to complete an accredited training course	The provider may claim reimbursement for the course under the Employment Fund if the activity meets guideline requirements (including value for money principles). The provider must lodge a claim in the department's IT systems within 56 days of paying the supplier.
Workforce Australia Services provider refers a participant to an Employability Skills Training provider (own entity, related entity or sub-contractor) for an EST Course	<p>The provider refers a participant to a related entity for Training Block 1 and pays the upfront fee for service of up to \$1250 to the related entity.</p> <p>The provider refers a participant to a related entity for Training Block 2 and pays up to \$300 to the related entity. The related entity EST provider is eligible for a \$575 EST Commencement Payment which is paid by the department. In the event the participant attended at least 80 per cent of the total course hours or exited the course with a reason of 'Found Employment' the EST provider would also become eligible for a \$375 EST Final Payment paid by the department.</p> <p>The EST course could <u>contribute</u> towards a Progress Payment of \$750 (as a vocational intervention) if the participant:</p> <ul style="list-style-type: none"> • completes one or both EST Blocks in accordance with EST requirements • achieves at least 80 per cent attendance over the EST Course or is exited with the reason 'Found Employment'.
Workforce Australia Services provider refers participant to own entity, related entity or sub-contractor for Career Transition Assistance	<p>The Workforce Australia Services provider refers a participant to a CTA course run by its own entity. The CTA provider claims the \$1260 CTA Commencement Payment once the participant is commenced in the Department's IT System and has uploaded the completed Career Pathway Assessment.</p> <p>CTA provider would also become eligible for a \$540 CTA Final Payment in the event the participant:</p> <ul style="list-style-type: none"> • attends a minimum of 80 per cent of course hours, and the CTA provider uploads the completed Career Pathway Plan and updated resume, or • exits with a reason of 'Found Employment' and uploads the Career Pathway Plan and resume. <p>The CTA course could <u>contribute</u> towards a Progress Payment of \$750 (as a vocational intervention) if the participant:</p> <ul style="list-style-type: none"> • completes the CTA Course in accordance with CTA requirements • achieves at least 80 per cent attendance over the CTA Course or is exited with the reason 'Found Employment'.
Workforce Australia Services provider places a participant into a vacancy with own entity or related entity (such as a Labour Hire Company)	<p>The provider may be eligible to claim employment outcome payments for 4, 12 and 26 week periods where the participant meets requirements, either by reducing their income support payment due to earnings received, or working the required number of hours (e.g. principal carer parents, partial capacity to work). Employment outcome payments range from \$240 for a partial 4 week outcome to \$5,000 for a full 26 week outcome, with higher weightings given to payments for participants with a higher Job Seeker Classification Instrument score.</p> <p>If the participant's period of unemployment is longer than 24 months at the time of the job placement, the provider will also receive a very long term unemployment bonus in addition to 12 and 26 week employment outcome payments. The bonus ranges from \$1,000 for a partial 12 week outcome to \$4,000 for a full 26 week outcome.</p>
Transition to Work provider refers a participant to an own-organisation or related entity education provider to complete an accredited training course (Certificate III or higher).	<p>The provider pays for the education course/training using their upfront payment and own funds, or the course is a complementary program (such as Skills for Education and Employment, Adult Migrant English Program).</p> <p>If the course/qualification meets the criteria for an outcome payment the provider may lodge a claim upon the participant's completion, participation or attainment of the qualification. The provider must upload documentary evidence to support the claim.</p>
ParentsNext provider refers a participant to an own organisation or related-entity for professional services (eg: psychologist)	<p>The IT system applies a cap limiting claims to the following amounts:</p> <ul style="list-style-type: none"> • For individual sessions, preparation of psychological reports or group sessions attended by up to 5 Participants: <ul style="list-style-type: none"> ▪ \$240.00 per hour (\$4.00 per minute) (GST inclusive) for services delivered by a qualified allied health professional ▪ \$260.00 per hour (\$4.33 per minute) (GST inclusive) for services delivered by a qualified psychologist • For group sessions attended by 6 or more Participants: <ul style="list-style-type: none"> ▪ \$40.00 per Participant per hour (\$0.67 per Participant per minute) (GST inclusive) for services delivered by a qualified allied health professional ▪ \$43.30 per Participant per hour (\$0.72 per Participant per minute) (GST inclusive) for services delivered by a qualified psychologist. <p>The provider must lodge a claim in the department's IT systems within 140 days of paying the supplier.</p>

Workforce Australia Services Related Entities List

Provider Name	Business Name (as self-reported by the provider)
APM Employment Services	Innovative Training and Recruitment Pty Ltd
	Konekt Australia Pty Ltd Trading As Konekt Workcare
	Ingeus Australia Pty Ltd Trading As Assure Programs
	Management Consultancy International Pty Ltd Trading As MCI Achieve
Jobfind Centres Australia Pty Ltd	Learning Sphere Training Solutions Pty Ltd
	VFA Learning
Max Employment	Injurynet Australia Pty Ltd
	Assymetrics Pty Ltd
	Stirling Institute of Australia Pty Ltd
MTC Australia	MTC Recruitment Ltd
IntoWork (trading as IntoJobs)	iTFE
	FindStaff
	MRAEL Ltd
Job Futures	BRACE Education Training and Employment
	Community Solutions Group
	Endeavour Foundation Group
	Ability Options Ltd
	IMPACT Community Services Ltd
	ON-Q Human Resources Limited (trading as BUSY Health)
	Skill360 Australia Ltd
	The Trustee for One Stop Group Business Trust
	The BUSY Group Ltd (trading as BUSY At Work)
	Indigenous Workstars
	Five Bridges Ltd
	Look Now Pty Ltd
NIRRUMBUK ABORIGINAL CORPORATION	NIRRUMBUK ENVIRONMENTAL HEALTH AND SERVICES PTY LTD
	DJARINGO PTY LTD
	KULLARRI BUILDING PTY LTD

Provider Name	Business Name (as self-reported by the provider)
Jobs Statewide Employment Services	Skills Training and Placement People Incorporated (trading as Rexcel Training (RTO))
On-Q Human Resources Ltd	Skill360 Australia Ltd
	The BUSY Group Ltd (trading as BUSY At Work)
	The Trustee for One Stop Group Business Trust
	Job Futures Ltd
The Salvation Army Employment Plus	The Trustee for THE SALVATION ARMY (NSW) PROPERTY TRUST
	The Trustee for The Salvation Army (VIC) Social Work
	SALVOS STORES
	THE SALVATION ARMY (VIC) SOCIAL WORK
Yilabara Solutions	The Trustee for THE SALVATION ARMY (NSW) SOCIAL WORK
	NSW Aboriginal Land Council
Sureway Employment and Training Pty Ltd	Birribee Housing
	Sureway Skills Training Pty Ltd
Sarina Russo Job Access	Sarina Russo Schools Australia Pty Ltd
	Voice-Psychologists & Allied Professionals
	SARINA RUSSO JOB ACCESS (AUSTRALIA) PTY. LTD.
Joblink Plus Ltd	Health and Wellbeing Plus
Asuria People Services Pty Ltd	Bamara
	The Trustee for Australian Employment and Training Solutions
AimBig Employment	Rehab Management (AUST) Pty Ltd
	Jazz Recruitment
	ARRIBA GROUP PTY LTD
	LIVEBIG PTY LTD
Matchworks	People Compass
	IPA PERSONNEL SERVICES PTY LTD
WDEA Works	BALANCE TRAINING SERVICES PTY. LTD.

What has been announced?

On 5 May 2023, a joint media release from the Hon Tony Burke MP, Minister for Employment and Workplace Relations and Senator the Hon Katy Gallagher, Minister for Women announced that the government will abolish ParentsNext from 1 July 2024 and as a first step, from 5 May 2023, all compulsory requirements for participants in ParentsNext would be paused. The Women’s Budget Statement announced that the Government will move to an interim voluntary participation model as quickly as possible prior to abolishing the program.

Why this approach?

The House of Representatives Select Committee on Workforce Australia Employment Services has undertaken a thorough inquiry into ParentsNext. In the Committee’s Interim Report, it recommended that ParentsNext be abolished at the end of its current contract and be replaced with a new service (Recommendation 1).
The approach also responds to recommendations from the Senate Select Committee on Work and Care, the Economic Inclusion Advisory Committee and the Women’s Economic Equality Taskforce which all called for ParentsNext to be abolished.
ParentsNext will continue to operate and be available for those parents that need support through until 1 July 2024

Why is ParentsNext continuing until 30 June 2024?

The interim arrangements will allow ParentsNext to continue as a voluntary program. This will remove the punitive component of the program while maintaining access to support to help complete education, meet family needs and prepare for the workforce while a replacement program is developed.

Next steps \ new program design

In the coming weeks, the Government will consider longer-term interim arrangements while a voluntary replacement program is developed. These arrangements will ensure that parents and carers continue to access the support they need, such as access to 36 hours per fortnight of subsidised childcare through the Child Care Subsidy.
The new voluntary service will be designed in consultation with parents and stakeholders from across the community including First Nations parents, parents with lived experience and parents from Culturally and Linguistically Diverse backgrounds. Details about the nature of these consultations will be released in due course.

Program caseload, funding and evaluation

As at 31 March 2023, the ParentsNext caseload was 97,553 participants, 95.6 per cent of whom were women, 20.9 per cent of whom were First Nations parents and 18.5 per cent were from a Culturally and Linguistically Diverse background. Most parents in the program are single parents (76.5 per cent). Participants also have very young children with 41.4 per cent of participants having a child aged under 2 years old.

Funding Profile	2023-24	2024-25	2025-26	2026-27	Total (4 years)
Administered (\$m)	120.3	127.5	128.9	130.8	507.4

The announcement is not a budget measure and therefore does not result in a Budget cost or saving.
The *ParentsNext 2018–2021 Evaluation Report* was published by the Department in November 2022.
The Department’s evaluation evidence base is extensive and goes back to the pre ParentsNext trials. The evidence has evolved, reflecting the changing program settings that have occurred after the initial pilot and the national roll-out. Program settings have been changed in response to evaluation findings and other stakeholder feedback which have highlighted mixed participant outcomes and experiences of the program.

Timeline of announcement and changes

Date	Time (EST)	Details
4-May-23	7:30 PM	All mutual obligations requirements for ParentsNext Participants were paused.
	10:30 PM	Media release additional information page was made live on Department’s website.
5-May-23	8:00 AM	Media release and media articles published.
		CEO letter sent to all ParentsNext Providers.
	8:30 AM	Announcement for participants was made live on Department’s website.
	9:00 AM	Knowledge Base Articles for the National Customer Service Line published.
		Communications sent to all participants via SMS (9 am EST (for all states except WA) and 12 pm EST (WA) and email (9am EST).
		All participants received an inbox message in their Workforce Australia Online account.
10:30 AM	Messaging published on DEWR ParentsNext Facebook page, Workforce Australia Facebook page and the DEWR LinkedIn page. Provider Portal notice released to inform providers staff of the changes.	
11:00 AM	ESSWeb notice for provider staff issued.	
6-May-23		Overnight between Friday 5 May 2023 and Saturday 6 May 2023, all demerits were removed from ParentsNext participants returning them all to the Green Zone.

Media and opposition to the changes

Since the announcement on 5 May there has been a large number of media articles and social media commentary, which has been largely supportive of the announcement.
In a May 5 media release, Senator the Hon Michaelia Cash, Shadow Minister for Employment and Workplace Relations asserted that the pause of compulsory requirements indicates the Government is not committed to mutual obligations, and is reducing support to vulnerable parents.
The abolition of ParentsNext demonstrates that the Albanese Government is slowly dismantling the system of mutual obligations, where those who receive unemployment assistance have the obligation to look for a job. “Prime Minister Albanese does not believe in the concept of mutual obligation. This is the basic principle that if you are receiving assistance, you should be looking for work or preparing for work. The Coalition, in contrast, believes in mutual obligations because we know that the best form of welfare is a job.”
The Australian Greens and some advocates, while supportive of the changes, have called for the abolition of all mutual obligations, and have reiterated the need for a transparent and comprehensive co-design process with parents and advocates to develop the replacement program.

1 - ABS Labour Force Status of Families, June 2022, Table 4: Jobless families and their dependants, Labour Force Status of Families
2 - ABS Employment Demographic Data, December 2022

ParentsNext Program Overview Fact Sheet

Purpose of the program

ParentsNext is a pre-employment program that assists parents plan and prepare for employment before their youngest child starts school. Parents receive assistance from ParentsNext providers to help them identify their education and employment goals, improve their work readiness and link them to activities and services in the local community to help them achieve their goals. The program has operated nationally since July 2018 and has assisted 234,299 participants.

How the program operates

- ParentsNext incorporates family friendly sites and activities.
- Parents are connected to activities and services to help them overcome barriers and work towards their education and employment goals.
- The program does not require participants to look for work, however if a parent is ready to look for work, their provider can help them.
- 53 providers deliver ParentsNext in all non-remote areas of Australia (51 Employment Regions).
- 42 providers are not-for-profit and 11 are for-profit.
- 6 Indigenous owned or controlled organisations are ParentsNext providers.
- Providers are required to tailor the support they provide to cater for the individual goals, circumstances, caring responsibilities and barriers of their participants. All providers are required to deliver culturally competent servicing to Aboriginal and Torres Strait Islander parents and parents from CALD backgrounds.
- A crucial element of ParentsNext is the connection to support services for parents and their family. This includes services for physical and mental health, family and domestic violence, financial advice and secure housing.
- Common participant activities include researching study or career options; accredited and non-accredited education; paid employment; interventions like medical, health or counselling services; and child playgroup.

Eligibility Rules

Program eligibility rules did require parents to participate in ParentsNext where they met EACH of the FIVE base criteria:

- reside in an Employment Region (regions where Workforce Australia services are delivered)
- have been receiving Parenting Payment continuously for the last 6 months
- have a youngest child who is between the age of 9 months and 6 years
- not reported any income or hours worked in employment in the past 6 months
- are under 55 years of age.

AND ONE of the following criteria:

- Early School Leaver (ESL) – under the age of 22 and have not completed Year 12 or higher
- 2 years on Income Support (2IS) – 22 years of age or older, have not completed Year 12 or equivalent, and have been receiving income support continuously for more than 2 years
- 4 years on Income Support (4IS) – has been receiving income support continuously for more than 4 years.

Any Parenting Payment recipient with a child under 6 years of age may also to volunteer to participate. Parents who are already studying or are on extended leave with a job to return to will be exempt from referral to the program. This recognises that some parents are already preparing to enter or return to the workforce.

Following the 5 May 2023 announcement of program changes, Service Australia will still identify participants who meet eligibility criteria, but only refer parents to a provider if they choose to participate.

Announcement

- On 5 May 2023, the Australian Government announced that it will abolish ParentsNext from 1 July 2024 (refer to **EC23-002870: ParentsNext Budget Factsheet** for further details).
- The Government acknowledged the compulsory nature of the program has caused concerns for disadvantaged families with young children, and that it is time to consider new arrangements that better support parents.
- The Government announced its intention to design a new voluntary program. It recognised that design arrangements must be carefully considered to ensure that parents are not disadvantaged.
- From 5 May 2023 mutual obligations were lifted for ParentsNext participants. All outstanding compliance action was finalised. Participants will not face payment suspensions or financial penalties for not meeting participation requirements moving forward.
- All supports available through the current program remain in place, including financial supports.

Key Dates

- **January 2012 to April 2016** the Helping Young Parents trial assists 4,416 participants across 10 locations.
- **April 2016 to 30 June 2018** Grant-based ParentsNext pilot program operates in 10 LGAs assisting 25,338 parents.
- **July 2018** ParentsNext rolled out nationally as a two-stream program (targeted and intensive) with different eligibility criteria and servicing arrangements for each stream.
- **December 2018** the Senate referred ParentsNext to the Community Affairs References Committee.
- **March 2019** the Community Affairs References Committee tabled its report including recommendations that the program not continue in its current form.
- **April 2019** the Government announced changes to make reporting requirements simpler for participants.
- **October 2020** the Government announced policy changes from 1 July 2021 to the ParentsNext program, including a new Legislative Instrument.
- **February 2021** Parliamentary Joint Committee on Human Rights wrote to Minister Cash requesting further information about the Instrument.
- **March 2021** the Committee resolved to conduct a short inquiry into the Instrument.
- **1 July 2021** streamlining of eligibility criteria and expansion of Participation Fund to all participants and Outcome Payments to all providers.
- **August 2021** the Committee tabled its report including recommendations the program be made voluntary. The Government did not respond.
- **September 2022** ParentsNext added to the Inquiry into Workforce Australia employment services.
- **March 2023** the House Select Committee on Workforce Australia Employment Services tabled its interim report including recommendations the program be abolished and replaced with a more supportive program.
- **March 2023** the Women's Economic Equality Taskforce recommended the program be abolished and replaced with an evidence-based program co-designed with young parents.
- **April 2023** the Economic Inclusion Advisory Committee recommended the program be abolished and replaced with co-designed, voluntary support programs for vulnerable families.
- **5 May 2023** the Government announced it will abolish ParentsNext from 1 July 2024 and mutual obligations lifted from 5 May, for the remainder of the program.
- **30 June 2024** contracts with current ParentsNext providers expire and the program ends.
- **1 July 2024** new voluntary pre-employment program for parents scheduled to be implemented.



Attachments

Attachment A - ParentsNext MO Dashboard at 31 March 2023

Attachment B - ParentsNext Expenditure Reporting at 31 March 2023

Attachment C - TCF Datasheet at 31 March 2023

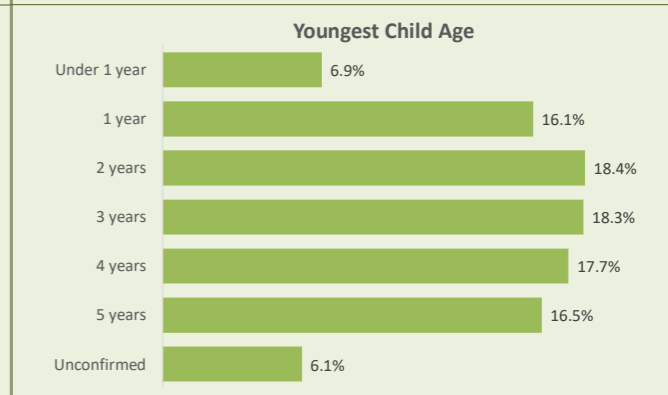
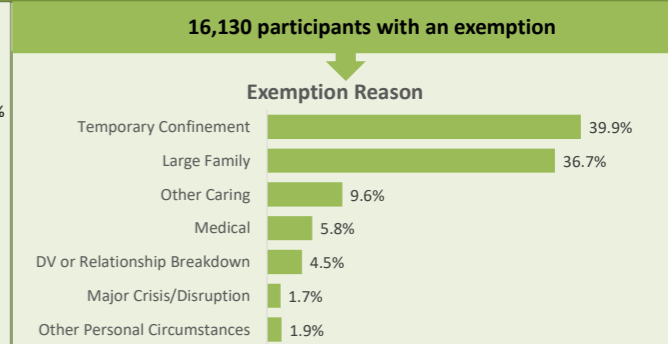
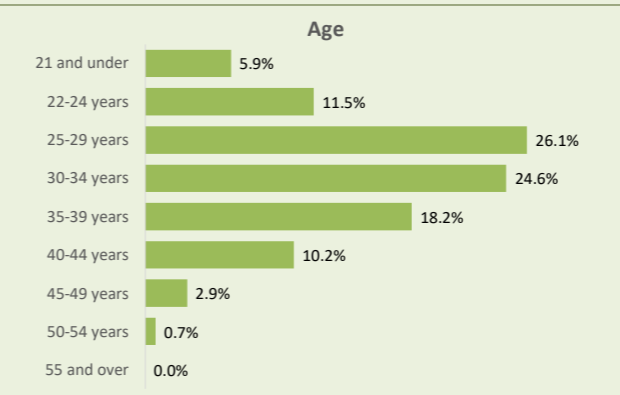
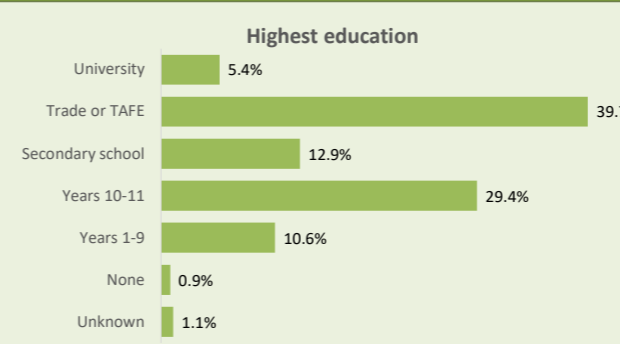
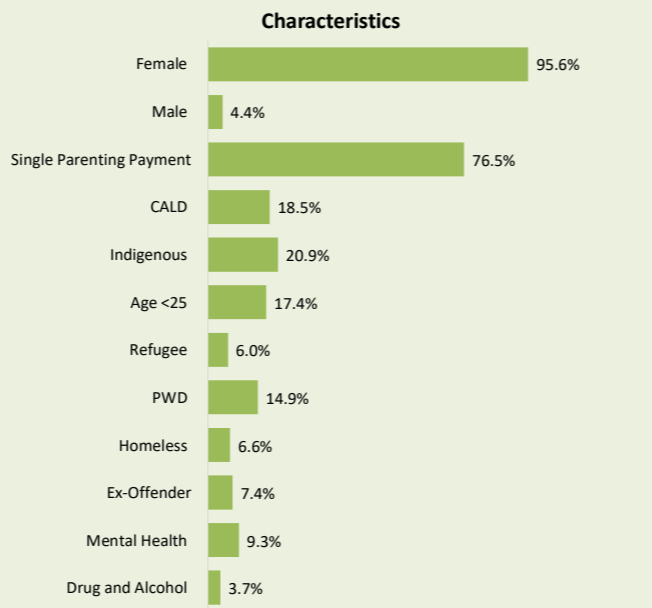
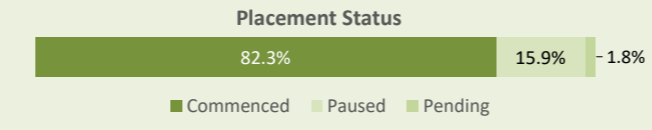
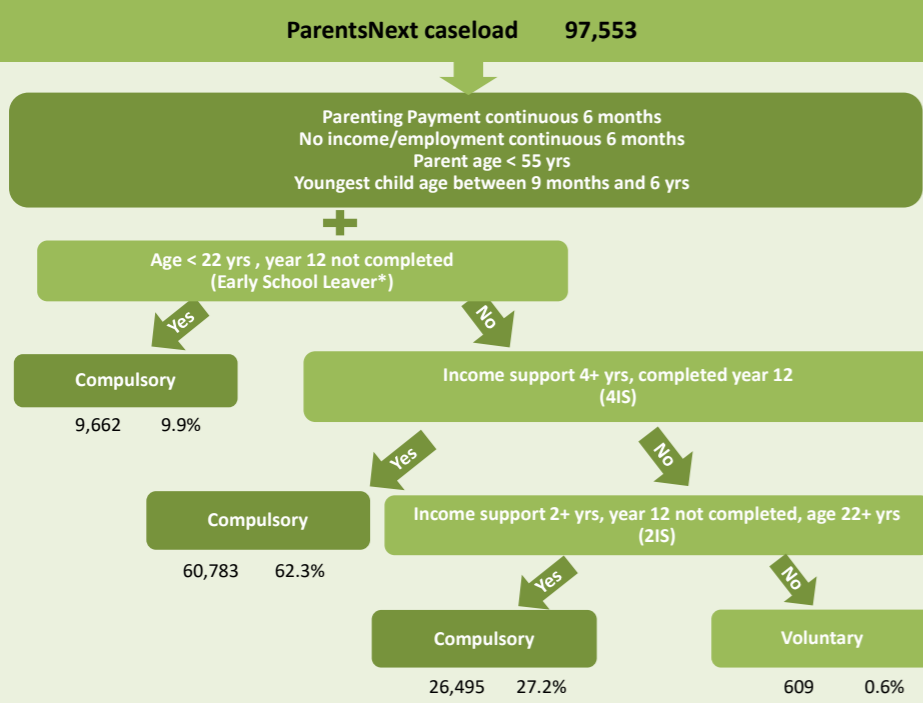
Attachment D - ParentsNext Provider data at 31 March 2023

Attachment E – CEO letter 5 May 2023

Attachment F – 5 May 2023 published communications.

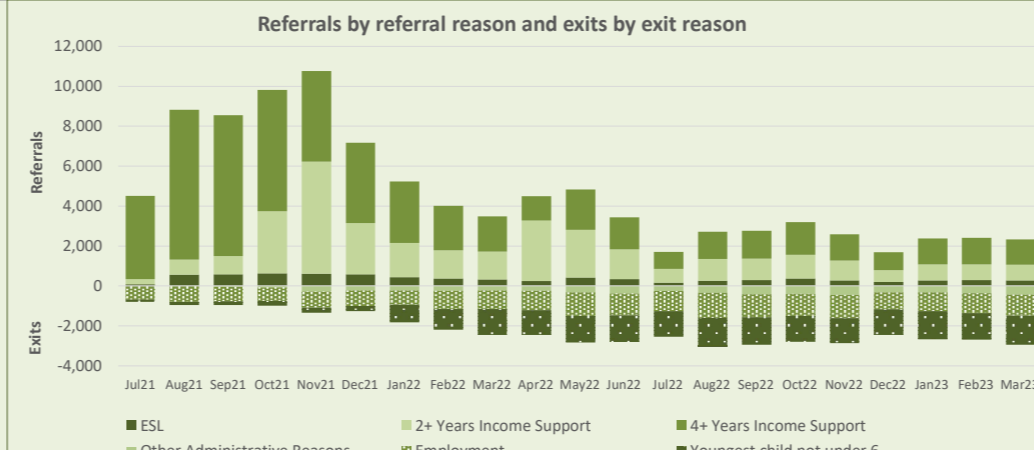
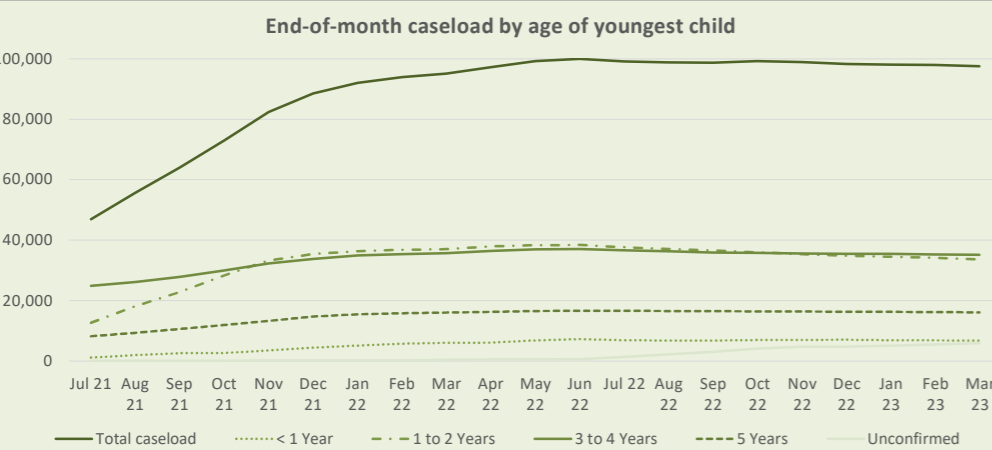
Attachment G – Program changes announcement, timeframe of communication

Current Caseload - as at 31 March 2023

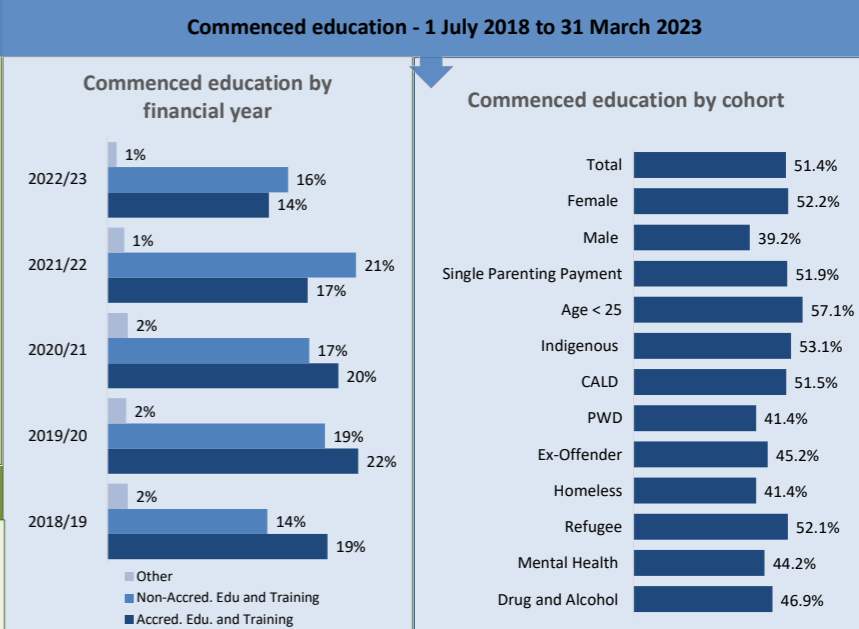


*Refers to participants who were under 22 years of age and had not completed the final year of school (or equivalent level of education) at referral. This is not the total number of ESL's on the ParentsNext caseload.

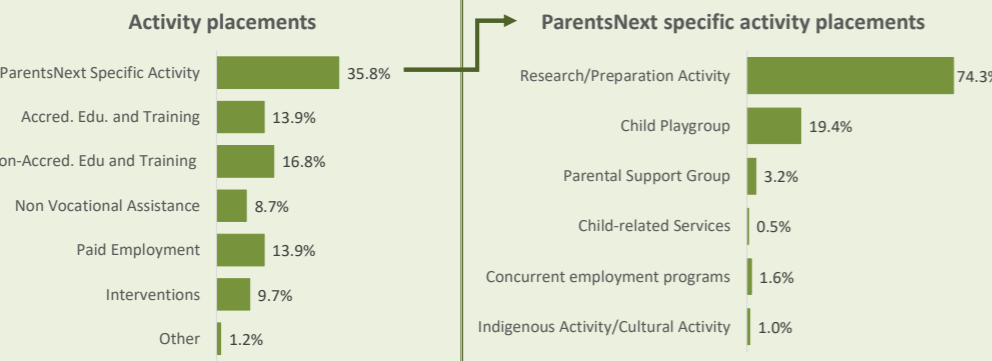
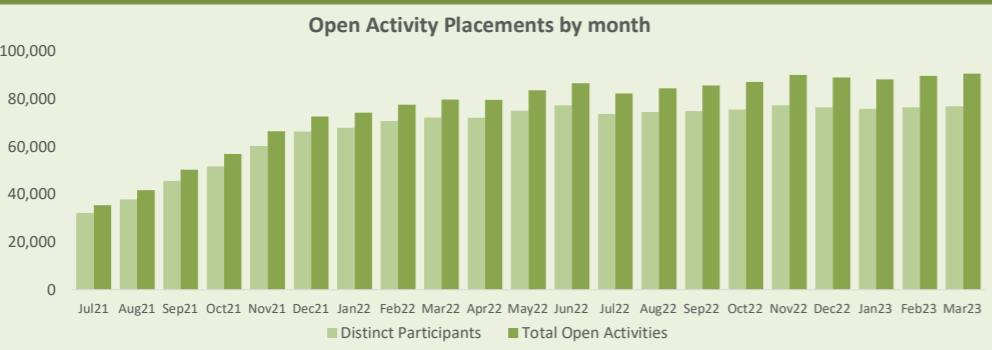
Caseload Trends - 1 July 2021 to 31 March 2023



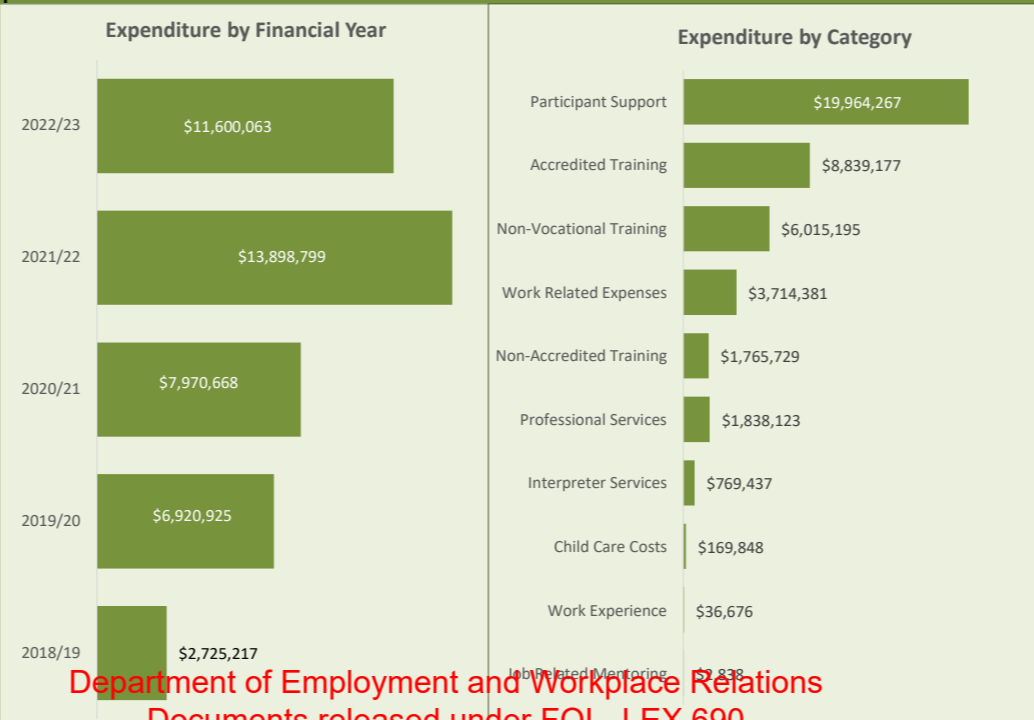
Education & Employment



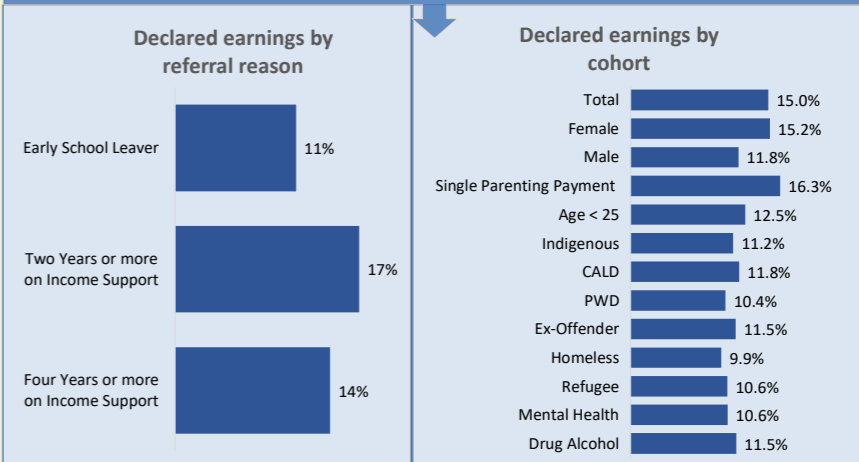
Activity Placements - 1 July 2021 to 31 March 2023



Participation Fund - 1 July 2018 to 31 March 2023



Current caseload with declared earnings in the last 28 days



Note only participants on the current caseload who have declared earnings in the last 28 days are counted. Please refer to the back page for declared earnings figures over life of contract referral. Over the life of the program to 31 March 2023 - 32.2% of participants have recorded declared earnings (75,382 of 234,299 participants).

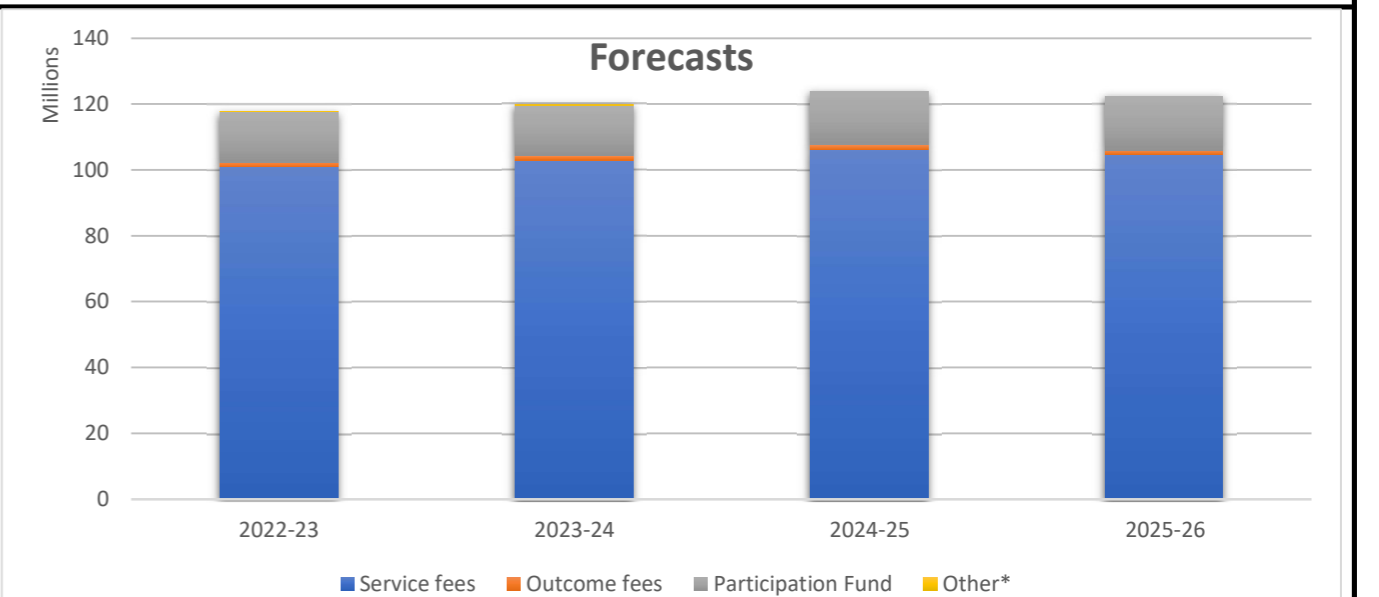
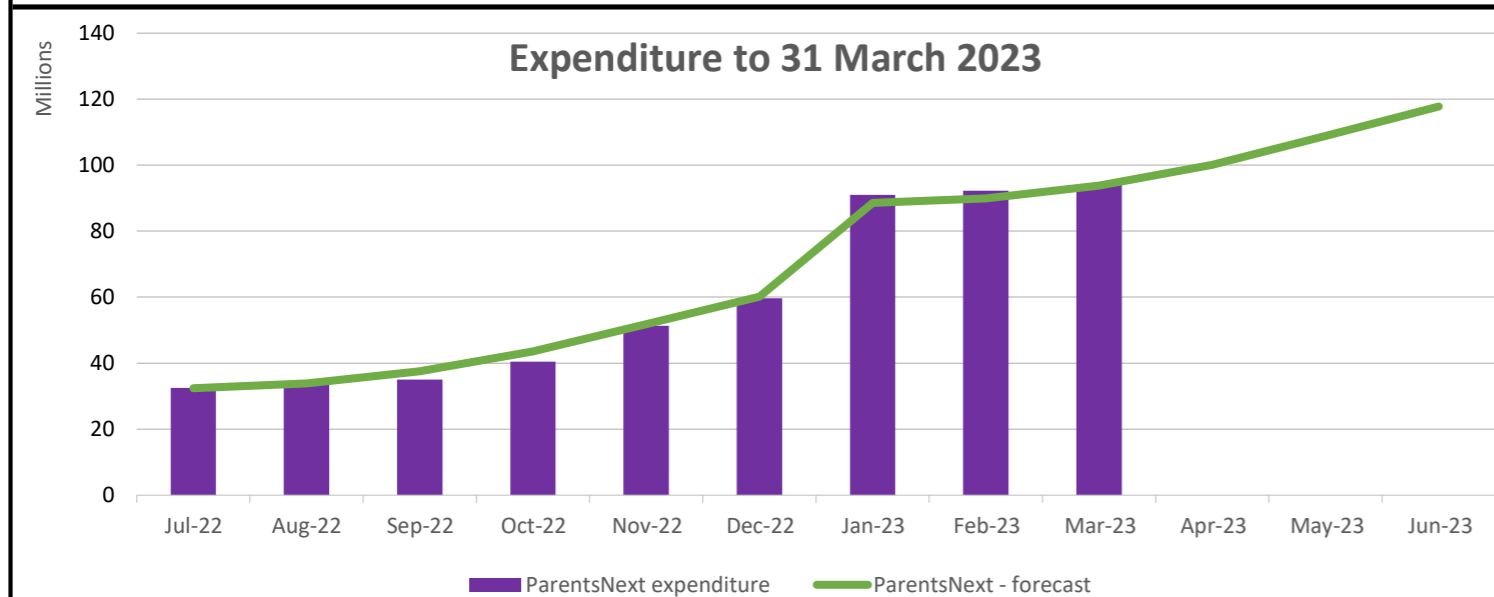
ParentsNext Budget and Expenditure at 31 March 2023

The ParentsNext Estimates Model (FEM) is used to generate the Budget and forward estimates for ParentsNext. The ParentsNext FEM:
 - was developed by Department of Employment and Workplace Relations and is approved and monitored by the Department of Finance.
 - is subject to continual review and amendments to incorporate, for example, new policy decisions and financial trends.
 - informed by Treasury and Department of Social Services parenting single and partnered recipients forecasts.

Estimates are updated three times per year, Additional Estimates, Budget and MYEFO. Funding for ParentsNext is published twice a year in the Employment and Workplace Relations PBS and Employment and Workplace Relations PAES.

Expenditure to 31 March 2023							Forecasts					
	2018-19 (\$m)	2019-20 (\$m)	2020-21 (\$m)	2021-22 (\$m)	2022-23 (\$m)	Total (\$m)		2022-23 (\$m)	2023-24 (\$m)	2024-25 (\$m)	2025-26 (\$m)	Total (\$m)
Service fees	76.676	79.175	86.321	97.532	82.309	422.013	Service fees	100.996	103.001	106.195	104.670	414.862
Outcome fees	0.171	0.519	0.531	0.934	1.099	3.253	Outcome fees	1.290	1.371	1.418	1.396	5.475
Participation Fund	2.316	6.247	7.204	12.264	10.491	38.522	Participation Fund	15.364	15.379	16.232	16.362	63.337
Other*	0.264	0.738	-	0.305	0.148	1.204	Other*	0.201	0.087	-	-	0.288
Total - Expenditure	79.427	86.679	93.750	111.089	94.048	464.993	Total - Expenditure	117.851	119.838	123.845	122.428	483.962

* Other includes Small Budget Measures and Programmes (e.g. Evaluation, Communications and Insurance).



Targeted Compliance Framework Datasheet – ParentsNext Participants as at 31 March 2023

Targeted Compliance Framework - Zones ^{1,2,3,4}															
March 2023	Green Zone	Warning Zone	Penalty Zone	All Zones	Green Zone	Warning Zone						Penalty Zone			
						Participants By Demerit Count						Participants By Penalty Count			
						Participants	Participants	1	2	3	4	5	All	0	1
All Participants	91.4%	8.6%	0.0%	79,650	72,795	5,865	915	70	5	0	6,855	0	0	0	0
Female	91.5%	8.5%	0.0%	75,890	69,425	5,535	855	65	5	0	6,465	0	0	0	0
Female: Age Under 25 Years	88.3%	11.8%	0.0%	13,885	12,255	1,335	280	20	5	0	1,635	0	0	0	0
Female: Age 25-34 Years	91.5%	8.5%	0.0%	39,140	35,800	2,910	395	35	5	0	3,340	0	0	0	0
Female: Age 35-44 Years	93.3%	6.7%	0.0%	20,690	19,305	1,205	165	15	0	0	1,385	0	0	0	0
Female: Age 45+ Years	95.2%	5.1%	0.0%	2,170	2,065	90	15	0	0	0	110	0	0	0	0
Male	89.6%	10.4%	0.0%	3,760	3,370	330	60	5	0	0	390	0	0	0	0
Indigenous	86.6%	13.4%	0.0%	16,185	14,015	1,780	355	30	5	0	2,170	0	0	0	0
CALD	95.3%	4.7%	0.0%	14,525	13,840	620	60	5	0	0	685	0	0	0	0
PWD	91.5%	8.5%	0.0%	11,500	10,525	860	115	5	5	0	975	0	0	0	0
Homeless	87.9%	12.1%	0.0%	5,180	4,555	520	95	10	0	0	625	0	0	0	0
Ex-Offender	87.7%	12.3%	0.0%	5,915	5,185	610	115	10	0	0	730	0	0	0	0
Refugee	95.0%	5.0%	0.0%	4,470	4,245	195	30	5	0	0	225	0	0	0	0
High JSCI	88.7%	11.3%	0.0%	19,980	17,730	1905	315	25	5	0	2,250	0	0	0	0
Mental Health	91.3%	8.7%	0.0%	7,385	6,745	560	80	5	0	0	645	0	0	0	0
Drug and Alcohol	88.6%	11.4%	0.0%	3,030	2,685	295	45	5	0	0	345	0	0	0	0
Parenting Payment Partnered	94.6%	5.4%	0.0%	18,015	17,040	875	95	5	5	0	975	0	0	0	0
Parenting Payment Single	90.5%	9.5%	0.0%	61,600	55,725	4990	820	65	5	0	5,880	0	0	0	0
Partial Capacity to Work	91.5%	8.4%	0.0%	8,640	7,905	645	85	5	0	0	730	0	0	0	0
With Declared Earnings	91.8%	8.2%	0.0%	13,440	12,340	1000	105	5	0	0	1,105	0	0	0	0
Education: less than year 12	89.7%	10.3%	0.0%	31,685	28,425	2740	475	45	5	0	3,260	0	0	0	0
Education: Completed Year 12	92.6%	7.4%	0.0%	10,410	9,640	665	100	5	0	0	770	0	0	0	0
Education: Non-School qualification	92.4%	7.6%	0.0%	36,800	34,015	2435	335	20	5	0	2,790	0	0	0	0

Events for the period 1 July 2022 to 31 March 2023

Payment Suspensions and Resolution Time for the Period 1 July 2022 to 31 March 2023 ^{1,5,8,9,10}						
	Resolution Time				Immediate Payment Suspension	All Payment Suspensions
	All Resolution Time Events	Avoided Payment Suspension	Payment Suspension			
ParentsNext	73,445	25,205	34.3%	48,240	65.7%	0

Capability Interviews for the period 1 July 2022 and 31 March 2023 ^{1,7}													
	Total Completed Interviews	Capable		Not Capable - All		Reasons for Not Capable Outcome							
		Count	Percentage	Count	Percentage	Errors in Requirements	Ongoing Circumstances	Disclosed new information	Eligibility change				
ParentsNext	305	155	50.8%	155	50.8%	40	25.8%	35	22.6%	80	51.6%	0	-

Capability Assessments for the period 1 July 2022 and 31 March 2023 ^{1,6,7}													
	Total Completed Assessments	Capable		Not Capable - All		Reasons for Not Capable Outcome							
		Count	Percentage	Count	Percentage	Errors in Requirements	Ongoing Circumstances	Disclosed new information	Eligibility change				
ParentsNext	5	0	-	5	100.0%	0	-	0	-	0	-	5	100.0%

Financial Penalties for the period 1 July 2022 to 31 March 2023 ^{1,11}						
	Penalty Zone Financial Penalties			Work Refusals	Unemployment Failures	Total
	1st Penalties Applied	2nd Penalties Applied	3rd Penalties Applied	Penalties Applied	Penalties Applied	Penalties Applied
ParentsNext	0	0	0	0	0	0

Notes:

- To protect individuals' privacy, all cells (including totals) within the table have been rounded to the nearest 5. This may result in non-additivity for some totals. Zero cells are actual zeros. Caution should be taken in re-calculating totals from rounded data, as this may compound the effects of rounding.
- Participants can belong to more than one demographic cohort.
- Participants with a Demerit Count of 5 have had a Capability Assessment triggered which had yet to be finalised as at Report Date.
- Participants in the Penalty Zone with a Penalty Count of 0 have either not received a financial penalty since entering the Penalty Zone, or have recommenced in the Penalty Zone after serving a preclusion period (3rd Financial Penalty).
- Resolution Time is only available to participants who are not in the Penalty Zone. Non-compliance events raised for participants in the Penalty Zone result in an immediate Payment Suspension.
- Participants with a Demerit Count of 5 have had a Capability Assessment triggered which had yet to be finalised as at Report Date.
- Where a Capability Interview or Assessment has more than one reason for the participant being found Not Capable, only the primary reason is reported here.
- Immediate Payment Suspension refers to those participants who have had non compliance raised whilst in the penalty zone. In this scenario, the non compliance event is not subject to the '2 day resolution time' rule and suspension occurs immediately.
- Figures are of non-compliance events that have been finalised as at the report date.
- Job seekers whose income support payment is put on hold often reengage before they miss a payment and are back paid any missed payments once they do reengage. Some participants who receive payment suspensions have stopped needing employment services but have not informed their provider.
- Participants in the Penalty Zone with a Penalty Count of 0 have either not received a financial penalty since entering the Penalty Zone, or have recommenced in the Penalty Zone after serving a preclusion period (3rd Financial Penalty).

Participants with Exemptions as at 31 March 2023

Exemptions from Mutual Obligations as at 31 March 2023 ^{1,4,5,6,7,8}		
Exemption Type	ParentsNext	
	Number Applied	Percentage
ParentsNext Temporary Confinement	6,325	39.5%
Large Family	5,915	36.9%
Temporary Incapacity	775	4.8%
Domestic Violence	720	4.5%
Caring for a child not eligible for Carer Payment	695	4.3%
Home Schooling	345	2.2%
Major Personal Crisis	260	1.6%
Bereavement Period	160	1.0%
Foster Carer	160	1.0%
Temporary Incapacity - Serious Illness	160	1.0%
Other Special Circumstances	130	0.8%
Carer Non-Parent State/Terr Care Plan	95	0.6%
All Other Combined	295	1.8%
Total	16,030	100.0%

Participants and Events for the period 1 July 2022 to 31 March 2023

Applied Demerits and Payment Suspensions By Cohort for the period 1 July 2022 to 31 March 2023 ^{1,2,3}								
	Cohort Flow Caseload	Applied Demerits			Payment Suspensions			
		Events	Participants	Percentage of Cohort	Events	Participants	Percentage of Cohort	
ParentsNext	All Participants	115,305	14,680	11,675	10.1%	48,240	27,275	23.7%
	Female	109,550	13,815	10,985	10.0%	45,480	25,725	23.5%
	Female: Age Under 25 Years	21,245	3,815	2,925	13.8%	12,715	6,680	31.4%
	Female: Age 25-34 Years	55,795	6,975	5,660	10.1%	23,225	13,465	24.1%
	Female: Age 35-44 Years	29,450	2,785	2,270	7.7%	8,775	5,385	18.3%
	Female: Age 45+ Years	3,060	235	200	6.5%	765	510	16.7%
	Male	5,755	865	690	12.0%	2,765	1,550	26.9%
	Indigenous	22,980	4,850	3,670	16.0%	17,865	8,780	38.2%
	CALD	22,405	1,380	1,175	5.2%	5,140	3,510	15.7%
	PWD	17,060	1,945	1,610	9.4%	6,335	3,850	22.6%
	Homeless	7,315	1,390	1,080	14.8%	5,170	2,770	37.9%
	Ex-Offender	8,575	1,690	1,305	15.2%	6,000	3,130	36.5%
	Refugee	6,890	500	405	5.9%	1,970	1,280	18.6%
	High JSCI	29,230	4,410	3,490	11.9%	15,470	8,550	29.3%
	Mental Health	10,410	1,275	1,050	10.1%	3,975	2,410	23.2%
	Drug and Alcohol	4,365	775	605	13.9%	2,655	1,425	32.6%
	Parenting Payment Partnered	28,895	2,035	1,740	6.0%	7,350	4,775	16.5%
	Parenting Payment Single	86,150	12,630	9,945	11.5%	40,800	22,560	26.2%
	Partial Capacity to Work	12,320	1,470	1,205	9.8%	4,525	2,715	22.0%
	Education: less than year 12	46,395	7,230	5,605	12.1%	25,440	13,645	29.4%
Education: Completed Year 12	15,235	1,585	1,310	8.6%	4,900	3,020	19.8%	
Education: Non-School qualification	51,770	5,740	4,700	9.1%	17,085	10,430	20.1%	

Applied Demerits and Payment Suspensions By Event Type for the period 1 July 2022 to 31 March 2023 ¹							
		Applied Demerits			Payment Suspensions		
		Events	Percentage of Event Total	Participants	Events	Percentage of Event Total	Participants
ParentsNext	All Participants	14,680	100.0%	11,675	48,240	100.0%	27,275
	Provider Appointment	9,190	62.6%	7,120	39,755	82.4%	23,975
	Job Plan / Participation Plan	5,225	35.6%	4,910	2,760	5.7%	2,635
	Activity	265	1.8%	230	5,700	11.8%	3,475
	Third Party Appointment	5	0.0%	5	20	0.0%	20

Notes:

- To protect individuals' privacy, all cells (including totals) within the table have been rounded to the nearest 5. This may result in non-additivity for some totals. Zero cells are actual zeros. Caution should be taken in re-calculating totals from rounded data, as this may compound the effects of rounding.
- Participants can belong to more than one demographic cohort.
- Cohort Flow Caseload captures any participant that was commenced and compellable at any stage during the reporting period. Demographic data is as at the participant's first commencement date in the period or the start of the period if they commenced prior.
- The exemptions data is not fully comparable to those previously provided due to a change to the reporting populations for income support recipients, which now include all current (such as those on zero rate of payment) and suspended recipients.
- Where multiple exemptions exist, the first recorded exemption is reported.
- Temporary Incapacity Exemption Type does not include serious illness.
- All Other Combined Exemption Type includes for example Special Circumstances with Family, Carer Non Parental Relative, Caring responsibilities..
- ParentsNext Exemptions exclude TEM (Temporary Overseas Absence) exemption types and any non provider exemption with a start date before 21/09/2020 that is not equal to D26 (DV or Relationship breakdown Exemption), EXM (Expectant Mother Exemption), MPC (Major Personal Crisis Exemption), MPD (Major Personal Disruption Exemption), PTC (ParentsNext Temporary Confinement) types.

ParentsNext Provider Analysis as at 31 March 2023

53 ParentsNext Providers delivering across
51 Employment Regions



Data by Provider

Provider	Contracted Regions	No. of Sites	Caseload	For profit	Delivering Workforce Australia Services	Indigenous Organisation
Access Community Services Limited	3	12	1,503			
Accoras	4	21	3,486			
APM Employment Services	4	10	2,384	Yes	Yes	
ASURIA PEOPLE SERVICES PTY LIMITED	6	25	5,026	Yes	Yes	
ATWORK AUSTRALIA PTY LTD	1	11	617	Yes	Yes	
Axis Employment	4	29	2,046			
Bamara	5	35	3,103	Yes		Yes
Bridging the Gap Inc.	1	5	1,029			
CAMPBELL PAGE LIMITED	1	12	842			
CatholicCare	1	6	789			
CATHOLICCARE VICTORIA	3	12	1,660			
CHESS Connect	1	15	598			
Communicare Inc	3	15	2,035			
Community Solutions	2	12	1,443			
Complete Personnel	1	3	481	Yes		Yes
CVGT AUSTRALIA LIMITED	4	29	4,865		Yes	
G-Force Employment Solutions	1	2	925			
Jobfind Centres	1	5	819	Yes	Yes	
JOBLINK PLUS LIMITED	4	54	2,904		Yes	
JOBS QUEENSLAND LIMITED	1	3	330			
KornarWinmil Yunti Aboriginal Corporation	1	1	114			Yes
Kuditj Pty Ltd	2	12	1,285			Yes
Kullarri Regional Communities Indigenous Corporation	1	1	157			Yes
Learning for Employment (formerly known as Djerriwarrh Employment & Education Services)	1	11	1,688			
Max Employment	2	11	1,185	Yes	Yes	
Mission Australia	11	68	9,622			
Multicultural Australia Ltd	3	14	2,149			
My Pathway	3	14	2,082	Yes		
Northern Joblink Limited	4	24	2,369			
OCTEC LIMITED	10	83	7,977			
Olympus Solutions Limited	4	29	3,683			
Roseberry Qld	1	6	392			
Sarina Russo Job Access	2	9	1,419	Yes	Yes	
SETTLEMENT SERVICES INTERNATIONAL LIMITED	2	17	1,937			
SMYL Community Services	5	75	3,101	Yes		
SYC Ltd	6	13	3,139		Yes	
The Personnel Group Ltd	1	13	875			
The Salvation Army Employment Plus	1	5	850		Yes	
The Trustee for Designer Life (Queensland) Trust	2	15	1,984	Yes	Yes	
Training Alliance Group Australia Pty Ltd	1	7	1,254	Yes	Yes	
Uniting (Victoria and Tasmania) Limited	1	4	518			
UnitingSA	2	16	1,244			
VERTO LTD	2	16	1,147		Yes	
Wesley Employment & Training	7	38	4,241			
Wesley Mission Queensland	1	4	1,040			
Women's Health and Family Services	1	5	815			
Worklinks Qld Ltd	1	3	483			
WORKSKIL AUSTRALIA LTD.	2	8	1,140		Yes	
Workskills Tasmania	1	12	716		Yes	
WORKWAYS AUSTRALIA LIMITED	1	5	688		Yes	
Wugu Nyambil	1	1	124		Yes	Yes
YFS Ltd	1	8	758			
yourtown	1	9	492			
Total	51	873	97,553	12	17	6

Data by Region

Region	No. of Providers	No. of Sites	Region with 1 provider	Caseload
Adelaide North	5	24		4,008
Adelaide South	2	7		1,582
Ballarat	1	3	CatholicCare Victoria	822
Barwon	1	2	G-Force Employment Solutions	925
Bendigo	1	4	Axis Employment	677
Brisbane South East	8	42		4,732
Broome	1	1	Kullarri Regional Communities Indigenous Corporation	157
Cairns	4	14		1,991
Capital Region	2	18		1,378
Central West	2	23		1,301
Darling Downs	2	12		1,893
Darwin (includes Alice Springs)	2	6		846
Esperance	1	1	SMYL Community Services	62
Far West Orana (includes Broken Hill)	2	26		1,038
Fitzroy	3	20		1,766
Geraldton	1	1	Communicare Inc	423
Gippsland	2	8		1,429
Gold Coast	3	16		1,905
Goulburn/Murray	2	22		1,795
Great Southern - Wheatbelt	1	50	SMYL Community Services	760
Hobart and Southern Tasmania	2	19		1,407
Hunter	4	28		3,020
Illawarra South Coast	3	21		2,058
Inner Metropolitan Melbourne	2	10		1,347
Kalgoorlie	1	1	SMYL Community Services	210
Mackay	2	8		857
Mid North Coast	4	38		1,998
Mid North SA	1	9	yourtown	492
Murray and South East	2	15		797
Murray Riverina	1	7	Mission Australia	1,191
New England and North West	3	37		1,598
North and North Western Tasmania	2	13		1,615
North Coast	3	18		1,343
North Eastern Melbourne	2	7		2,302
North West Country SA	2	4		595
North Western Melbourne	4	12		2,325
Perth - North	4	23		3,041
Perth - South	5	41		4,788
Somerset	4	23		3,282
South Coast of Victoria	1	5	Axis Employment	418
South Eastern Melbourne and Peninsula	3	15		3,754
South West WA	1	13	SMYL Community Services	852
Sydney East Metro	4	21		2,238
Sydney Greater West	5	40		5,775
Sydney North and West	4	35		2,181
Sydney South West	6	32		6,261
Townsville (includes Mt Isa)	3	8		1,844
Western Melbourne	4	20		3,751
Wide Bay and Sunshine Coast	3	19		3,036
Wimmera Mallee	2	17		966
Wivenhoe	3	14		2,721
Total	53	873	12 ERs, 8 providers	97,553



Australian Government
**Department of Employment
and Workplace Relations**

Deputy Secretary
Nathan Smyth

Dear Chief Executive Officer

ParentsNext Announcement

I write to you regarding the announcement about ParentsNext by the Minister for Women, Senator the Hon Katy Gallagher and the Minister for Employment and Workplace Relations, the Hon Tony Burke MP.

Announcement

Today, 5 May 2023, the Australian Government announced that it will abolish ParentsNext from 1 July 2024. The Government acknowledges that the compulsory nature of the program has caused real concerns for disadvantaged families with young children, and that it is time to consider new arrangements that better support parents and carers.

The Government has further announced its intention to design a new voluntary program. It recognises that it will take time to design a new voluntary program and that arrangements must be carefully considered to ensure that parents are not disadvantaged.

From today, all compulsory requirements will be paused for ParentsNext participants. This means that any outstanding or existing compliance action will be finalised and participants will not face payment suspensions or financial penalties for not meeting participation requirements. The department is reviewing all participants currently in the warning zone with a view to removing their demerits and returning them to a clean slate.

Impact on providers

As participants will remain on the caseload, providers will continue to receive service fee payments as per current arrangements. Providers will also continue to have access to the Participation Fund and other supports to help participants.

Services Australia will continue to conduct appointments with parents who meet the eligibility criteria and will refer them to your organisation if they choose to engage in the program.

While participants will not be required to participate in ParentsNext, providers are expected to continue to deliver services and provide support to participants to achieve their goals.

It is now more important than ever to engage with participants and parents eligible for the program to reassure them that the supports they are currently receiving will continue and for new participants, explaining the benefits that participating in ParentsNext can provide.

Communication to participants

The department is communicating directly to participants, directing them to www.dewr.gov.au/PN for more information. Providers may also refer to this website for more information.

If you have any questions in the interim please contact your Provider Lead.

Yours sincerely



Nathan Smyth
Deputy Secretary
5 May 2023

ATTACHMENT F

ParentsNext Participant and Provider Communications – 5 May 2023

SMS communication received by participants

Hi {{JSKR F NAME}}, there are changes to ParentsNext. Your compulsory requirements are now paused. Learn more at dewr.gov.au/pn

Email/Inbox Message received by participants

Hi {{JSKR F NAME}}

Why we're contacting you

The Government has announced changes to ParentsNext.

What you need to know

The Government is abolishing ParentsNext from 1 July 2024. From today, you will still be able to get help from your ParentsNext provider. But you won't receive payment suspensions or a demerit if you do not attend your meetings with providers or not go to your activities.

For more information

Learn more on the Department of Employment and Workplace Relations website dewr.gov.au/pn

Contact us

If you have questions you can:

- email NationalCustomerServiceLine@dewr.gov.au
- fill in our [contact form](#)
- talk to your provider.

Regards

Website announcement for participants

www.dewr.gov.au/parentsnext/announcements/Parentsnext-participant

For now, if you are a ParentsNext participant you will stay in the program but will not receive a financial penalty if you miss an activity or appointment.

You can still choose to be referred to activities and meet with your provider, but you will not receive any demerits or payment suspension if you do not attend.

You will not need to report attendance at activities or appointments. You will only need to report your income each fortnight to Centrelink if you or your partner are working.

If you have a payment suspension, this will be lifted. The department is reviewing all participants currently in the warning zone and if you have any demerits they will be removed and you will return to a clean slate.

You will continue to have the same access to help and support with ParentsNext and your provider can continue to help you reach your education or employment goals.

There is no need to look for work, but ParentsNext providers can help you find work if you are ready.

If you are a ParentsNext participant, you may have some questions:

Question: What do these changes mean for me?

Answer: You are still connected with your ParentsNext provider and can still choose to be referred to the same activities in ParentsNext as before, but you will not lose any payments or get a demerit if you miss an activity or appointment.

Question: Will I need to keep reporting?

Answer: If you choose to continue participating you will not need to report your attendance at activities or appointments. You will only need to report your income each fortnight to Centrelink if you or your partner are working.

Question: Do I still need to go to appointments with my ParentsNext provider?

Answer: Your provider will continue to offer support to reach your goals, and you can continue to meet with your provider. If you choose not to attend appointments or activities you will not lose your parenting payment.

Question: Do I need to keep going to activities?

Answer: You can keep going to the activities that you have agreed to in your Participation Plan, but you do not need to report attendance and you will not lose your parenting payment if you do not attend. Talk to your provider if your activities do not work for you or you cannot attend.

Question: Can I still get the same help and support from ParentsNext?

Answer: Yes. You can still get the same supports, and your provider will continue to help you work towards your goals.

Question: Will my access to Child Care Subsidy change?

Answer: No. You will continue to receive the same access to the Child Care Subsidy (CCS). It is a good idea to log on to your myGov account and update your 'activity test' to include all activities you are doing if you are doing new activities.

Question: Will the ParentsNext program be changing in the future?

Answer: Yes. The Government has announced plans to end ParentsNext from 1 July 2024. A new voluntary program will be developed in its place. More information will be provided soon.

Website announcement for media

www.dewr.gov.au/parentsnext/announcements/changes-parentsnext

The Australian Government will move to abolish ParentsNext from 1 July 2024 and replace it with a new voluntary program.

From 5 May 2023, we will immediately pause all compulsory requirements for participants in ParentsNext.

This means that participants will no longer receive payment suspensions or penalties for not engaging with activities under ParentsNext, such as attending appointments.

Work is underway to contact all affected participants, who will still be invited to continue taking part in activities, and receive financial supports currently available.

Parents who continue participating in ParentsNext will still receive help to plan and prepare for employment, including financial assistance to undertake education or training and the Government encourages parents to continue to access these supports.

In the coming weeks, the Government will consider longer-term interim arrangements while a voluntary replacement program is developed.

These arrangements will ensure that parents and carers can continue to access the support they need, such as access to 36 hours per fortnight of subsidised childcare through the Child Care Subsidy.

A new voluntary service will be designed in consultation with parents and stakeholders from across the community.

Mutual obligation requirements as part of Workforce Australia will remain in place for all other participants. This includes programs such as Transition to Work. Mutual obligation requirements will also remain in place for participants in Disability Employment Services (DES) and the Community Development Program (CDP).

ParentsNext – social media notification

Posted on:

- [ParentsNext Facebook](#)
- [LinkedIn Workforce Australia for Individuals](#)
- [Workforce Australia Facebook](#)

5 May 2023

From today, 5 May 2023, if you are a participant in ParentsNext all compulsory requirements will be paused. This means that you will not lose any payments or get a demerit if you do not attend your ParentsNext activities or meet with your provider.

This is part of the Australian Government's decision to replace ParentsNext with a new voluntary service from 1 July 2024.


If you choose to continue to participate in ParentsNext, you will still receive help from your provider, including financial assistance to reach your study or work goals.

We are currently notifying all participants of the change. If you would like to speak to someone about how the changes might affect you, please contact your provider directly or call the National Customer Service Line on 1800 805 260.

For more information, please visit www.dewr.gov.au/PN

Mutual obligation requirements as part of Workforce Australia will remain in place for all other participants.

Share to Workforce Australia for Individuals LinkedIn and Facebook with this text:

Are you a participant in ParentsNext? Read more about changes to the program 
www.dewr.gov.au/PN

Provider Portal Notice

ParentsNext – 5 May 2023 Announcement

The Australian Government has announced that it will abolish ParentsNext from 1 July 2024.

The Government acknowledges that the compulsory nature of the program has caused real concerns for disadvantaged families with young children, and that it is time to consider new arrangements that better support parents and carers. The Government recognises that it will take time to design a new voluntary program and that arrangements must be carefully considered to ensure that parents are not disadvantaged.

From today, 5 May 2023, all compulsory requirements will be paused for ParentsNext participants. This means that any outstanding or existing compliance action will be finalised and participants will not face payment suspensions or financial penalties for not meeting participation requirements. The

department is reviewing all participants currently in the warning zone with a view to removing their demerits and returning them to a clean slate.

Further, participants will not be required to report their income to Centrelink fortnightly, unless they or their partner are working.

Participants will remain on the ParentsNext caseload, as such providers will continue to receive service fee payments as per current arrangements. Providers will also continue to have access to the Participation Fund and other supports to help participants.

Services Australia will continue to conduct appointments with parents who meet the eligibility criteria and will refer them to your organisation where they choose to engage in the program.

While participants will not be required to participate in ParentsNext, providers are expected to continue to deliver services and provide support to participants to achieve their goals.

It is now more important than ever to engage with participants and parents eligible for the program to reassure them that the supports they are currently receiving will continue and for new participants, explaining the benefits that participating in ParentsNext can provide.

The department is communicating directly to participants, directing them to www.dewr.gov.au/PN for more information. Providers may also refer to this website for more information.

Mutual obligation requirements as part of Workforce Australia will remain in place for all other participants. This includes programs such as Transition to Work. Mutual obligation requirements will also remain in place for participants in Disability Employment Services (DES) and the Community Development Program (CDP).

If you have questions or concerns, please speak to your Provider Lead.

ESSWeb Notice

Title: ParentsNext – 5 May 2023 Announcement

Message: The Australian Government has announced changes to ParentsNext effective from 5 May 2023. For more information please refer to the ParentsNext – 5 May 2023 Announcement (link to be provided once News Item goes live) Provider Portal News Item.

Business Case (required by the form): The Minister is announcing changes to ParentsNext effective from 5 May 2023 and we need to ensure that provider staff are aware of the new arrangements.



2023-24 ParentsNext program changes announcement, timeframe of communication

Below are the actions and related communications the department issued regarding the announcement (see **Attachment F**).

Date	Time (EST)	Actions
4 May 2023	7:30pm	<ul style="list-style-type: none"> All compulsory requirements for ParentsNext Participants were lifted.
	10:30pm	<ul style="list-style-type: none"> Website announcement for media was made live at link www.dewr.gov.au/ParentsNext/announcements/changes-parentsnext.
5 May 2023	8:00am	<ul style="list-style-type: none"> Joint Media release from the Hon Katy Gallagher, Minister for Women and the Hon Tony Burke MP, Minister for Employment and Workplace Relations, announcing the ParentNext program will be abolished and compulsory requirements participants would be lifted. Several media articles published. CEO letter sent to all ParentsNext Providers (see Attachment E).
	9:00am	<ul style="list-style-type: none"> Knowledge Base Articles for the National Customer Service Line were published. Communications were sent to all referred participants (commenced, pending, suspended, voluntary) via their chosen communication method: <ul style="list-style-type: none"> SMS at 9am EST (for all states except WA) and 12pm EST (for WA) email at 9am EST. All participants received an inbox message on their Workforce Australia Online account.
	10:30am	<ul style="list-style-type: none"> Social media messaging was placed on the DEWR ParentsNext Facebook page, Workforce Australia Facebook page and the DEWR LinkedIn page. Provider Portal notice was released to inform providers staff of the changes.
	11:00am	<ul style="list-style-type: none"> ESSWeb notice for provider staff was issued (see Attachment F for all messages sent/published).
	11.30am	<ul style="list-style-type: none"> Departmental MS Teams meeting between ParentsNext program team and State Network staff (including Provider Leads) to discuss the changes and answer any questions.
5-6 May 2023	Overnight	<ul style="list-style-type: none"> all demerits were removed from ParentsNext participants returning them all to the Green Zone.



Topic	Mutual Obligations Policy Factsheet
PBS, MYEFO, PAES reference	N/A
Deputy Secretary	Nathan Smyth, s 22(1)

Key points

- Most people who receive unemployment payments are required to meet mutual obligation requirements as a condition of receiving income support.
 - This includes the requirement that most people must enter a Job Plan before they can receive their payment.
- Mutual obligation requirements apply for recipients of JobSeeker Payment, Youth Allowance (other), Parenting Payment (once the youngest child turns 6 years old) and Special Benefit (nominated visa holders).
 - Eligible Parenting Payment recipients with a child aged under 6 years previously were required to participate in ParentsNext, however, compliance has been paused for this program since 5 May 2023.
- Requirements may include actively looking for work, attending provider appointments, participating in activities that increase the likelihood of their finding work, and being prepared to accept any offer of suitable employment. Suitable employment includes all work a person is able to do, not just that they prefer.
- Mutual obligation requirements must be appropriate and achievable for a person's individual circumstances.
- Requirements are included in a Job Plan. Participants can enter a Job Plan with a person (a provider, the Digital Services Contact Centre, or Centrelink), or those in Workforce Australia Online can choose to enter a Job Plan online.
 - Job seekers must always be given the option of entering a Job Plan with a person, rather than online.
- When setting requirements in a person's Job Plan, providers must consider individual circumstances including a person's age, any medical conditions, caring responsibilities, the state of the labour market, participation opportunities for the person, the length of travel time and the costs of complying with requirements.
 - Where participants in digital services seek a review of a Job Plan that they chose to enter online, these factors must also be considered.
- Where a person is temporarily unable to meet requirements, for example due to illness or incapacity, Services Australia may grant an exemption, generally for up to 13 weeks at a time (subsequent exemptions may be granted if needed).

Fully meeting requirements

- Some cohorts of unemployment payment recipients are able to 'fully meet' their mutual obligation requirements if they are undertaking 30 hours per fortnight of approved combinations of paid work, approved voluntary work or approved study.
 - These cohorts are principal carers (usually parents), those aged 55 and over, or those with an assessed partial capacity to work due to illness or disability.
- Those 'fully meeting' requirements in this way are not required to look for work or meet other requirements.



Different requirements across services

- Specific requirements vary depending on which employment service the person has been referred to (refer to Attachment B for further details).
- Participants in Workforce Australia Services and Online meet their mutual obligation requirements through the Points Based Activation System (PBAS) (refer EC23-002564) and are required to participate in activation points (generally after 4 months for those in Workforce Australia Online or 6 months for those in Workforce Australia Services) if they have not already engaged in an activity.
- Individuals may be referred to Disability Employment Services (DES) if their primary barrier to employment is disability. DES participants may be required to look for a specified number of jobs, attend appointments with providers and participate in activities.
 - Questions on DES should be referred to the Department of Social Services.
- Eligible youth may be referred to Transition to Work, where they participate in 25 hours per week of appropriate activities.
- Individuals in remote Australia may be referred to the Community Development Program (CDP), where they may be required to look for work and attend appointments with providers.
 - Participation in activities in CDP has been voluntary since May 2021.
 - Questions on CDP should be referred to the National Indigenous Australians Agency

Consequences for not meeting requirements

- Participants who fail to meet their mutual obligation requirements may be subject to compliance action under the Targeted Compliance Framework (refer EC23-002561).
- CDP remains subject to the Job Seeker Compliance Framework, which applied across Australia prior to the commencement of the Targeted Compliance Framework in non-remote Australia from July 2018.
- The Job Seeker Compliance Framework historically has been characterised by more penalties of lower value, with significant provider discretion in their application. In contrast, a key feature of the Targeted Compliance Framework is that it directs strong penalties at those who have been repeatedly assessed as persistently and deliberately non-compliant, which historically has resulted in fewer but more-targeted penalties.

Media

- On 8 May 2023, the Prime Minister, the Hon Anthony Albanese MP, stated in a media release titled 'Extending the financial safety net for single parents' that mutual obligation requirements would remain in place for Parenting Payment Single recipients to encourage participation and maintain connections with the labour force.
- On 5 May 2023, Senator the Hon Michaelia Cash, Shadow Minister for Employment and Workplace Relations, stated in a media release titled 'Albanese's abolition of ParentsNext will punish vulnerable young parents' that the Prime Minister does not believe in the concept of mutual obligation, the basic principle that if you are receiving assistance, you should be looking for or preparing for work, and that the Coalition believes the best form of welfare is a job.



- On 2 August 2022, the Hon Tony Burke MP, Minister for Employment and Workplace Relations, stated in a media release titled 'Workforce Australia Select Committee' that the Government believes in a robust and flexible mutual obligation system that gets people job ready while they are claiming JobSeeker Payment. He also stated that the Government believes there are some aspects of Workforce Australia that require fresh parliamentary scrutiny and oversight, and is therefore establishing a Select Committee of the House of Representatives to examine the new program.
- On 28 June 2022, the Hon Tony Burke MP, Minister for Employment and Workplace Relations, stated in a media release titled 'A clean slate and more flexibility for job seekers' that the Government supports mutual obligation, but that jobactive, the previous mainstream employment services program, was too rigid and the new Workforce Australia will give participants more choice and control over how they meet their requirements.

Attachments

- Attachment A: Payment and MoRs based on age of youngest child
- Attachment B: Employment Program Participation Requirements and Compliance Arrangements

Last Cleared By	s 22(1)
Date Last Cleared	24 May 2023
Division	Emp & W Employment Policy and Analytics

Payments and Mutual Obligation Requirements based on age of youngest child

Post-budget rules (once implemented by Services Australia from 20 September 2023)

Age youngest child	0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16+
Payment	Parenting Payment Single – basic rate of \$949.30 p.f., extended until youngest child turns 14.														JobSeeker Payment —single principal carers aged 22 and over basic rate of \$785.20 p.f (a higher rate equivalent to Parenting Payment Single applies for single parents with certain exemptions from requirements). or Youth Allowance - single principal carers aged under 22 basic rate of \$760.40 p.f (a higher rate equivalent to Parenting Payment Single applies for single parents with certain exemptions from requirements).	JobSeeker Payment —single aged 22 and over basic rate of \$733.10 p.f or Youth Allowance – living away from home aged under 22 basic rate of \$592.80 p.f	
Requirements	Participate in ParentsNext if they choose to and meet the eligibility criteria (announce intention to make voluntary).														<ul style="list-style-type: none"> • No change • Generally required to participate in employment services. For parents without disability and not living in remote services this would generally be Workforce Australia. • Meet minimum points target – for principal carer parents with children aged under 16 maximum points target is 60 points. • Meet mandatory activation requirements (4 months in Workforce Australia Online, 6 months in Workforce Australia Services) • Attend appointments with provider (Workforce Australia Services only) • May instead choose to ‘fully meet’ requirements through 30 hours per fortnight of work or approved activities. 	<ul style="list-style-type: none"> • No Change • Generally required to participate in employment services. For parents without disability and not living in remote services this would generally be Workforce Australia. • Meet minimum points target – maximum 100 points per month • Meet mandatory activation requirements (4 months in Workforce Australia Online, 6 months in Workforce Australia Services) • Attend appointments with provider (Workforce Australia Services only) 	

Employment Program Participation Requirements and Compliance Arrangements (May 2023)

Program	Participation Requirements	Compliance Consequences
Workforce Australia – Services	<ul style="list-style-type: none"> • Enter Job Plan¹ • Meet a points target monthly, adjusted to personal circumstances (maximum of 100 points) • Meet mandatory job search monthly (maximum 4 per month, can be adjusted by providers) • Participate in a Mandatory Activity (for a minimum of 8 weeks) at: <ul style="list-style-type: none"> ➢ 6 months in service (if the person has not previously sufficiently participated in approved activities), or ➢ 3 months in service (if referred from WFA online after 12 months registration), • Accept any offer of a suitable job and not voluntarily leave a suitable job without good reason • Participate in appointments (frequency determined by the provider), job interviews, and act on job referrals if applicable 	<p>Targeted Compliance Framework applies</p> <ul style="list-style-type: none"> • Payment suspension two business days after being notified of failure (if not addressed) • If no valid reason: <ul style="list-style-type: none"> ➢ Meet re-engagement requirement ➢ Demerit accrued (job seeker moved into warning zone) ➢ After a third demerit, Capability Interview with provider/Digital Services Contact Centre to ensure appropriate requirements for the individual’s circumstances ➢ After a fifth demerit, Capability Assessment with Services Australia to ensure capability against requirements ➢ Financial penalty applied for subsequent failures without reasonable excuse (if found capable but unwilling to meet requirements at both review points) • If a person’s payment is suspended and they have not addressed this within 28 days, their payment is cancelled. • 4-week preclusion period for refusing work or becoming unemployed voluntarily*
Workforce Australia – Online	<ul style="list-style-type: none"> • Enter Job Plan² • Meet a monthly points target, adjusted to personal circumstances (maximum of 100 points) • Meet mandatory job search monthly (maximum 4 per month, can be adjusted by the digital services contact centre) • Participate in a Mandatory Activity³ (for a minimum of 8 weeks) at: <ul style="list-style-type: none"> ➢ 6 months in service (if the person has not previously sufficiently participated in approved activities) • Accept any offer of a suitable job and not voluntarily leave a suitable job without good reason • Attend job interviews if applicable • At 12 months in service, the participant is referred to Workforce Australia Services (or other appropriate program) for further support. 	
Disability Employment Service	<ul style="list-style-type: none"> • Enter Job Plan • Meet mandatory job search monthly • Accept any offer of a suitable job and not voluntarily leave a suitable job without good reason • Participate in appointments (weekly or fortnightly - frequency determined by the provider), job interviews, and act on job referrals if applicable 	

¹ Unless exempt, the participant will be paid income support from the date they attend their initial appointment.

² Unless exempt, participants must agree to a job plan before they can start receiving income support, but the participant will be back-paid income support from the date they made their claim for payment (subject to any waiting periods).

³ Currently under review by the Minister and may be subject to change.

Employment Program Participation Requirements and Compliance Arrangements (May 2023)

	<ul style="list-style-type: none"> Participate in any activity at any time that is relevant to their personal circumstances and will help the participant to improve their employment prospects 	
ParentsNext	<ul style="list-style-type: none"> No requirement to enter into Participation Plan or participate in activities. 	No compliance consequences apply.
Transition To Work	<ul style="list-style-type: none"> Enter Job Plan Participate in appointments (frequency may vary) Undertake appropriate mix of activities (generally 25 hours per week or 15 for those with a partial capacity to work or who are principal carer parents) Job Search can be included as an activity if the provider thinks it will benefit the participant Accept any offer of a suitable job and not voluntarily leave a suitable job without good reason 	<p>Limited compliance applies</p> <ul style="list-style-type: none"> failure to participate in 3 initial appointments results in immediate payment suspension If payment suspension not addressed within 28 days, payment is cancelled. Exit from program for refusing suitable work or voluntarily leaving suitable work (usually results in referral to Workforce Australia instead), and 4-week preclusion period for refusing work or becoming voluntarily unemployed
Community Development Program	<ul style="list-style-type: none"> Enter Job Plan Meet mandatory job search monthly (maximum of 20 per month, but in practice usually much lower) Accept any offer of a suitable job and not voluntarily leave a suitable job without good reason Participate in appointments (at least monthly) and job interviews (if applicable) All activities are voluntary (since May 2021) 	<p>Job Seeker Compliance Framework applies (predecessor to Targeted Compliance Framework)</p> <ul style="list-style-type: none"> Discretionary payment suspension (immediate) for failure to participate in provider appointment Discretionary recommendation to Services Australia on the application of penalties: <ul style="list-style-type: none"> ➤ For appointments this is usually the loss of 10 per cent income support for every business day until they re-engage. ➤ Failure to enter a Job Plan results in the person being given a 'reconnection requirement'. If they do not meet a reconnection requirement, they lose 10 per cent of their income support until they do. ➤ If a person incurs three failures, an 8-week penalty may apply after an assessment by Services Australia. However, these may be waived by agreeing to participate in an appointment.
<p>Cohorts fully meeting mutual obligation requirements <i>Some cohorts of participants can choose to fully meet their requirements by undertaking a specified number of hours in appropriate activities</i></p>		
	Full-time participants	<p>Participants have no other requirements if undertaking 70 hours per f/n combination of:</p> <ul style="list-style-type: none"> paid work (including self-employment) approved study

Employment Program Participation Requirements and Compliance Arrangements (May 2023)

Principal Carer Parents whose youngest child is 6 years of age or over	Fully meets requirements (no job search requirement) by undertaking 30 hours per f/n of: <ul style="list-style-type: none"> • paid work (including self-employment) • approved study • Voluntary Work**, or • a combination of these <p><i>(** in limited circumstances)</i></p>
Participants with a Partial Capacity to Work of 15 to 29 hours per week	Fully meets requirements (no job search requirement) by undertaking 30 hours per f/n of: <ul style="list-style-type: none"> • paid work (including self-employment), • approved study, or • a combination of these.
Participants aged 55 and over	<ul style="list-style-type: none"> • Job seekers aged 55 to 59 in their first 12 months of receiving payment, can fully meet their mutual obligation requirements through 30 hours per fortnight of paid or volunteer work (if 15 of the 30 hours per fortnight is in paid work). • Job seekers aged 55 to 59 who have been in receipt for payment more than 12 months, and any job seeker aged 60 and over, can fully meet their mutual obligation requirements through 30 hours per fortnight of paid work alone, approved voluntary work alone, or any combination of these activities.
Participants with a Partial Capacity to Work of less than 15 hours week	Fully meets requirements (no job search requirement) by attending quarterly appointments with Services Australia.



Topic Budget Estimates - Work for the Dole
First Assistant Secretary Melissa Ryan, s 22(1)

Key points

- Work for the Dole activities provide participants with work-like experiences for at least 8 weeks that benefit or contribute to the community.
- Work for the Dole is the default Mandatory Activity for participants in Workforce Australia Services who have not met the activation requirement by their activation point.
 - Participants in Workforce Australia Services began to reach their first activation point from January 2023.
 - Participants can undertake an alternate activity if it better suits their individual circumstances.
 - Work for the Dole can also be undertaken voluntarily at any time in Workforce Australia Services.
 - Participants accrue points towards their Points Based Activation System target whether it is being undertaken as a Mandatory Activity or voluntarily.
- Workforce Australia Services providers engage Host Organisations in their Employment Regions to deliver Work for the Dole activities that suit the individual needs of their caseload. Hosts are generally charities or not-for-profit organisations.
- Providers can tailor an appropriate number of activity hours to a person's individual circumstances, rather than having a 'set' number of hours prescribed.
- Inclusion of more formalised training to provide participants with the opportunity to obtain a license, qualification, micro-credential, or other recognised skill.
- Activities should provide participants with the opportunity to develop some or all of the 10 core competencies identified by Jobs and Skills Australia:
 - Digital engagement
 - Initiative and innovation
 - Learning
 - Numeracy
 - Oral communication
 - Planning and organising
 - Problem solving
 - Reading
 - Teamwork
 - Writing.
- A new, simplified payment model for providers and Host Organisations (refer **Attachment A**).



Suitability

- Providers must ensure activities are safe for participants and consider the participant's suitability in relation to their individual circumstances, including any cultural and religious beliefs.
- Participants should discuss with their provider if they do not feel their individual circumstances are being taken into consideration. If they are not satisfied with the response from their provider, they should contact the National Customer Service Line.
- Providers are also required to adhere to specific guidelines when identifying suitable Host Organisations to deliver Work for the Dole activities.
 - For example, providers cannot engage Host Organisations to deliver Work for the Dole activities if the Host Organisation condones any form of discrimination, including on the grounds of religion, race, ethnic group, language, sex, or disability.

Financial impacts

- Total expenditure to 31 March 2023 for Work for the Dole under Workforce Australia is \$3.1 million.
- Workforce Australia budget and forward estimates as at the Budget 2023-24:

Financial Year	Budget/Forward Estimates (\$m)
2022-23	\$19.870
2023-24	\$37.169
2024-25	\$37.012
2025-26	\$39.962

Key facts, figures or dates

Commencements and activities under Workforce Australia

FY	Participant Commencements		Approved Activities
	Referred	Commenced	Total
2022-23 (to 31 March 2023)	6,321	4,316	1,369

*Total referred includes participants who have not yet started at their activity.

Incidents

- From 1 July 2022 to 31 March 2023, there have been a total of 28 incidents (0.70 per cent of participants) of the 3,994 unique participants who have participated in Work for the Dole under Workforce Australia.
 - Incidents involving injuries included fractures, strains to muscles, scratches and sunburn.
 - Incidents not involving injury may include, for example, falling or tripping, however, the participant has not reported sustaining an injury because of the incident.
- For more information, refer to EC23-002679.



Media

Structure of the Program

- The Minister made a statement during a 2GB radio interview on 24 May 2023 regarding the current structure of Work for the Dole. He noted his concerns that there is no prospect of a job at the end of a placement, suggesting wage subsidies could be an option to increase permanent employment prospects.
- Under current arrangements, Work for the Dole activities can only be hosted by not-for-profit organisations and charities, or local, state, territory or Australian Government organisations or agencies. One of the key reasons for this is to ensure Work for the Dole activities do not displace paid workers.

Opposition – Bring back Work for the Dole

- The Leader of the Opposition has made media statements in support of Work for the Dole and has raised concerns that the Government has pulled back on compliance suggesting that people aren't legitimately looking for work.
- In response to these comments The Treasurer, the Hon Dr Jim Chalmers MP, has stated that budget initiatives and other measures, including an employment white paper, goes to some of the issues around participation.

Safety

- Previous media reports raised concerns about the safety of Work for the Dole, specifically referencing incidents from early in the jobactive Deed.
- These are related to individual constituent concerns and are not widespread issues.
- Work Health and Safety matters are a critical priority for the program. Providers are responsible for ensuring all activities have an Activity Risk Assessment prior to starting. In addition, providers must complete a Participant Risk Assessment for each participant before they can be referred to an activity.

Remuneration

- There have been calls to abolish the Work for the Dole program, particularly from ACOSS and the Australian Unemployed Workers Union, likening the program to 'modern day slave labour'. Work for the Dole activities cannot involve tasks or replace duties that would otherwise have been undertaken by paid workers.
- Income support payments are not a wage for participating in activities such as Work for the Dole. In return for income support payments, individuals are expected to do all that they are able to in order to look for work or build their capacity to work. Participants in Work for the Dole receive a fortnightly \$20.80 Approved Program of Work Supplement, administered by Services Australia.



Relevant QoNs and Parliamentary Questions

	Submitted By	Subject	Answer Summary
SQ23-000199	O'Sullivan, Matt	WfD Placements for the last 5 years, broken down by gender and state and territory?	There have been 311,165 Work for the Dole commencements from 1 July 2017 to 31 December 2022. There were 310,082 commencements in the last 5 years of jobactive to 30 June 2022, and 1,083 in the first 6 months of Workforce Australia to 31 December 2022. Table 1 of the response provided a breakdown by Financial Year, State/Territory and Gender.
SQ23-000582	O'Sullivan, Matt	WfD Placements for the last 5 years, broken down by financial year and region?	Table 1 of the response provided a breakdown by Financial Year and Employment Region.
SQ23-000581	O'Sullivan, Matt	What changes have been made to the Work for the Dole program? Are more changes expected to the way the program is operating? Has the Department been commissioned to do additional work in relation to the Work for the Dole as part of briefings provided on how the Work for the Dole fits into the Workforce Australia model?	Greater flexibility for Providers to tailor the number of hours Participants need to do Work for the Dole, more formalised training and a simplified payment model.

Last Cleared By	s 22(1)
Date Last Cleared	26 May 2023
Division	Emp & W Workforce Australia for Individuals

ATTACHMENT A – WORK FOR THE DOLE

BACKGROUND

- There are 2 types of Work for the Dole activities, Work for the Dole Placements and Work for the Dole Projects.
 - Work for the Dole Placements involve placing single participants into individual roles within a Host Organisation and have been available since 4 July 2022.
 - Work for the Dole Projects involve placing groups of participants in community projects developed specifically as a Work for the Dole activity and have been available since 4 October 2022.
- Participants must be aged 18 years and over, registered in Workforce Australia Services and in receipt of income support to undertake Work for the Dole. Work for the Dole may be undertaken voluntarily at any time while in Workforce Australia Services or as the Mandatory Activity.
- Work for the Dole activities must only be hosted by:
 - not-for-profit organisations/charities
 - local, state, territory or Australian Government organisations or agencies, or
 - a not-for-profit arm of for-profit organisations
 except in specific circumstances, such as Community Support Projects.

Self-Referral

- Some providers, who are also not-for-profit organisations, can host their own Work for the Dole activities, however, the uptake of this in Workforce Australia has been low. In addition, providers who are also a Registered Training Organisation may deliver training elements within their activities. Arrangements are in place to ensure other organisations continue to have access to undertake these roles.
- A provider who is also a Registered Training Organisation (RTO) may deliver training for up to 50 per cent of their Work for the Dole activities.
- A provider may not deliver training on a Work for the Dole activity where they are both the arranging provider and the Host Organisation.
- Providers can not create Work for the Dole activities that result in a benefit or gain to the Provider.

Work for the Dole participation requirements

- Under Workforce Australia, participants serviced by a Workforce Australia Employment Services Provider generally have a Mandatory Activity Requirement at 6 months, or at 3 months if they were referred from Workforce Australia Online after 12 months, and then every 6 months if they have not been intensively engaged in services. Work for the Dole is the default activity for eligible participants.

- All placements in Work for the Dole must be for a minimum of 8 weeks. Participants undertaking Work for the Dole to meet their mandatory activity requirement are required to participate for a minimum of 8 weeks to meet their requirement.
 - Participants undertaking Work for the Dole on a voluntary basis may remain in the activity for longer than 8 weeks should they choose to do so.
- There are 2 participation requirement categories for Work for the Dole:
 - 15 - 25 hours per week for participants with full-time requirements
 - 7.5 - 15 hours per week for participants who are:
 - aged 18-59 who have partial capacity to work or are Principal Carers
 - aged 60 – up to Age Pension
 - Disability Support Pension (DSP) recipients under 35 who have participation requirements.

Work for the Dole Placement Fees

- Providers are paid a **Work for the Dole Placement Fee** of **\$500** per participant commencement.
- At a minimum, **50 per cent** of this fee must be passed on to the Host Organisation and can only be spent on Work for the Dole activities.
- Under jobactive, providers received a Work for the Dole Fee of \$1000 per 6-month Place in an Individual Hosted activity (similar to Work for the Dole Placements). Multiple participants could commence in the same Place over the 6-month period; however, the payment was only made on the commencement of the first participant. Fees were pro-rated based on the length of the activity.
 - The proportion of the fee passed on to the Host Organisation was negotiated between the provider and the Host Organisation.
 - In addition to the Work for the Dole Fee, providers could receive a Work for the Dole Place Fee of \$100 (\$125 Regional) on commencement of the first participant in each place.
 - The Lead Provider was also entitled to a Lead Provider Payment from the Work for the Dole Fee of up to \$100 per 6-month Place where a participant from another provider was the first to commence in that Place.

Work for the Dole Projects Fund

- **Work for the Dole Project Funding** is allocated every financial year and is based on a provider's predicted caseload, per Employment Region.
- Project funding allocations will be reviewed at least once every 6 months and adjusted to incorporate any caseload variability where necessary.
- Providers may request additional Project funding where there is a demonstrated need.
- Providers must not use the Work for the Dole Projects Fund to cover management fees, administration fees, or handling costs.

- Under jobactive, providers could receive up to \$3,500 per 6-month Place in a Group Based activity (similar to Work for the Dole Projects). Fees were pro-rated based on the length of the activity.
 - In addition to the Work for the Dole Fee, providers could receive a Work for the Dole Place Fee of \$100 (\$125 Regional) on commencement of the first participant in each place.
 - The Lead Provider was also entitled to a Lead Provider Payment from the Work for the Dole Fee of up to \$100 per 6-month Place where a participant from another provider was the first to commence in that Place.

Safety and Insurance

- Providers and Host Organisations have a legal requirement to ensure the workplace and the activity being carried out meets all work health and safety (WHS) obligations under relevant legislation and program requirements.
- The department purchases personal accident insurance and public and product liability insurance to cover participants who undertake activities such as Work for the Dole (refer to EC23-002679 for more information).
- Providers must confirm that associated Host Organisations have current and appropriate insurance to cover any risks associated with the Work for the Dole activity.
- Work Health and Safety matters are a critical priority for the program. Providers are responsible for ensuring all activities have an Activity Risk Assessment prior to starting. In addition, providers must complete a Participant Risk Assessment for each participant before they can be referred to an activity.
- Providers must also consider the individual circumstances of participants when placing them in an activity. This includes ensuring they comply with the Direction on Face-to-Face Service Delivery which outlines that it is not reasonable to require participants to undertake face -to-face activities (such as Work for the Dole) where they have genuine COVID concerns.

Research

- Post Program Monitoring (PPM) results under jobactive consistently showed that most Work for the Dole participants in jobactive were satisfied that they operated in a safe work environment, had good supervision, and were pleased with the quality of their Work for the Dole activity.
- Departmental evaluation research also found that many participants appreciated the social interactions of their Work for the Dole placement and recognised the community benefit of the program.
- The department's 2021 PPM survey of Work for the Dole participants found that:
 - 76.3% reported improved desire to find a job
 - 75.6% reported an improvement in their ability to work with others
 - 69.5% reported an improvement in their work-related skills
 - 84.5% felt they were being provided with a safe work environment
 - 83.5% were satisfied that they were helping the local community

jobactive commencements and activities

FY	Participant Commencements		Approved Activities
	Total	Unique	Total
2015-16	135,638	106,618	17,352
2016-17	135,035	94,719	13,127
2017-18	101,958	70,741	12,048
2018-19	107,534	68,113	9,214
2019-20	74,457	49,573	6,783
2020-21*	7,411	6,216	1,870
2021-22	18,692	14,202	3,336
Total	580,725	276,093	63,730

- *Lower participant commencements and Work for the Dole activities in 2020-21 and 2021-22 reflect the suspension of Work for the Dole from March 2020 – September 2020 and ongoing impacts of COVID outbreaks.

jobactive Expenditure

- Total expenditure for the whole of jobactive contract (from 1 July 2015 to 30 June 2022) was **\$511 million**:
 - \$426.3 million for activities
 - \$71.6 million for Coordinators (ceased 31 December 2017)
 - \$13.1 million for provider place fees
 - There was \$0.5m expenditure in 2022-23 related to jobactive Work for the Dole
- Total expenditure on Work for the Dole for the 2021-22 financial year was **\$13.8 million**.

Expenditure in 2021-22 was less than previous years due to the ongoing impact of COVID-19 and transition arrangements.



Entrepreneurship Facilitators

Purpose of the program

- The Entrepreneurship Facilitator Program promotes entrepreneurship, provides limited support and referrals to other services to anyone who has just started a business and people interested in exploring self-employment opportunities.
- Entrepreneurship Facilitators deliver services in a limited 22 of 23 approved locations across Australia. The regions that are currently serviced by them were initially selected based on labour market disadvantage including high youth and mature age unemployment. They are not aligned to Employment Regions.

Expenditure/Budget (\$m)

Item	2022–23 Estimated Actual	2023–24 Budget	2024–25 Estimate	2025–26 Estimate	2026–27 Estimate
Savings measure – Cessation of Entrepreneurship Facilitators	-	-5.160	-5.612	-5.994	-5.994
Entrepreneurship Facilitators Expenditure	4.497	0.452	-	-	-

The Entrepreneurship Facilitator Program will cease effective 30 June 2023, resulting in a saving of \$22.8 million over four years from 2023–24. The expenditure shows funding for this financial year and the small budget in 2023–24 (for reasonable costs).

What has the Government said about the program?

- As part of Budget, Government announced the cessation of the Entrepreneurship Facilitators from 1 July 2023. The decision to cease the Entrepreneurship Facilitator program is to fund other Budget commitments and recognises that there are elements of duplication between Entrepreneurship Facilitators, the Self-Employment Assistance program and other services with similar aims offered by state and territory governments, and the private sector.
- Together with changes to the Self-Employment Assistance program, this initiative better aligns self-employment support to current economic and labour market conditions, while ensuring access to those who may choose to explore self-employment as an option to meaningful employment.
- Self-Employment Assistance will continue as the Government’s mainstream program offering tailored and targeted support that assists people to start and run their own business.

Include recent media on the programs

- Articles about the cessation of the Entrepreneurship Facilitators program have been published by The Examiner and The Advocate in Tasmania, with the Launceston Facilitator providing details of the Government’s decision to end the contracts early:
 - Key issues raised include the claim facilitators offer a niche service for people not suited to the Self-Employment Assistance program, that the program’s business planning requirements are too onerous and mistakenly claiming Self-Employment program participants all must complete small business training.

Describe how the program operates

- Entrepreneurship Facilitators were contracted by the Department from 1 July 2022 to 30 June 2025. A total of 18 Providers deliver Entrepreneurship Facilitators services in 22 of 23 approved regions.
- From 1 July 2022, changes to the Entrepreneurship Facilitator program were introduced to streamline delivery with limited obligations under their Deed:
 - networking, group events, light touch one-on-one support
 - enhancing referrals for participants that need more comprehensive support to other appropriate small business services such as the Self-Employment Assistance program.
- Data reported by the Entrepreneurship Facilitators cannot be independently tracked and verified by the department, this includes tracking individuals how are reported as benefiting from the support. Between 1 July 2022 and 28 February 2023, Entrepreneurship Facilitators have self-reported assisting 2,163 participants in a Workshop, making 9,336 referrals to other services and providing general advice to 9,395 people.
- *Encouraging Entrepreneurship and Self-Employment Initiative 2016 – 2019* evaluation of the Entrepreneurship Facilitator program was not able to demonstrate a significant impact on small business creation and were seen by NEIS providers to directly draw referrals away from and compete with New Business Assistance with NEIS (which has now been replaced by Self-Employment Assistance).
- Requirements and obligations on the Entrepreneurship Facilitator program changed from 1 July 2022, increasing flexibility and lightening expectations. A regular self-prepared activity report is the only prerequisite to receive payments of \$260,000 per region, per annum.

Stakeholder implications

- The Department of Employment and Workplace Relations will consult with the impacted facilitators to develop a Reasonable Costs Framework. Any compensation will be for any reasonable, unavoidable costs actually incurred by the Entrepreneurship Facilitators and directly attributable to the termination of the program.
- Participants who previously accessed support through Entrepreneurship Facilitators can continue to access tailored and targeted support through Self-Employment Assistance and the Local Jobs program, this includes connections with other relevant, accredited small business training and supports.
- This decision does not take away from the good work of many Facilitators, but the overlaps became hard to support in the current fiscal environment.

Announcements

- Entrepreneurship Facilitators were introduced in the 2016–17 Budget and expanded in the 2018-19 Budget:
 - The Encouraging Entrepreneurship and Self-Employment initiative commenced in December 2016, with \$2.9 million available over four years, announced in the 2016–17 Budget.
 - Youth Facilitators operated in the Hunter (including Newcastle), Cairns and North East Tasmania.
 - The More Choices for a Longer Life initiative commenced in January 2019, with \$17.7 million available over four years, announced in the 2018–19 Budget.
 - Mature age-focussed Facilitators were selected to operate in 20 regions.
- From 1 July 2022, changes to the Entrepreneurship Facilitator program were introduced as part of Workforce Australia.
- In the 2023–24 Budget, the Government announced the cessation of the Entrepreneurship Facilitator program from 1 July 2023.