

Sequence	PDR No.	Subject	Status
1	SB23-000036	Contracts and Consultancies	Quality Checked
2	SB23-000028	Abolition of the ABCC	Quality Checked
3	SB23-000023	Jobs and Skills Australia	Quality Checked
4	SB23-000022	Women in Apprenticeships	Quality Checked
5	SB23-000031	Wages Growth	Quality Checked
6	SB23-000030	Secure Jobs Better Pay	Quality Checked
7	SB23-000029	WR Reform Agenda 2023	Quality Checked
8	SB23-000027	WR appointments – recent developments	Quality Checked
9	SB23-000025	Closing the Gap	Quality Checked
10	SB23-000026	PALM worker exploitation	Quality Checked
11	SB23-000035	Notifiable Data Breaches	Quality Checked
12	SB23-000034	National Office Accommodation 2025	Quality Checked
13	SB23-000033	Cyber Security	Quality Checked
14	SB23-000032	Gender Equality – Workplace Relations	Quality Checked
15	SB23-000024	Commonwealth Funding and NSA	Quality Checked

**Topic** Contracts and Consultancies  
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## Key points

- In the period 1 July 2022 to 31 December 2022, DEWR has 925 contracts which commenced relating to ICT and non-ICT goods and services including temporary personnel services:
  - of these, 234 contracts related to Employment Services
    - total value \$5,857,584,149.74
  - 12 contracts related to **Consultancies**
    - total value of \$4,075,711.88
  - 15 contracts (4 consultancy and 11 non-consultancy) relate to **Big 4**
    - total value of \$ 6,099,704.33
      - total value of **Big 4 consultancy contracts** is \$2,684,629.88
      - total value of **Big 4 non-consultancy contracts** is \$3,415,074.45
  - the top 10 vendors were all Employment Services providers
  - at Q1 510 contracts commenced, Q2 415 contracts commenced
- 6 breaches were detected for not reporting contracts on AusTender within 42-days of commencement.
  - This represents less than one per cent of the overall contracts published on AusTender year to date.

## What is the Departments process and policy for procurement?

- The department adheres to the **Commonwealth Procurement Rules (CPRs)** and **associated procurement policies**, which are made under section 105B(1) of the PGPA Act.
- The Department ensures its compliance via the **Accountable Authority Instructions (AAIs)** which are instructions to all DEWR officials issued by the Secretary.
- Other key controls/processes:
  - Under the AAIs, **all/any consultancy procurements** require **Deputy Secretary endorsement** prior to approaching the market as part of the procurement plan process.
  - Any procurements with an expected value greater than **\$10,000** requires an approved **procurement plan**.
    - The procurement plan covers: **why** the purchase is required, the **expected value**, other **connected policies** that will be followed, **value for money assessment**, for example the **number of quotes** to be sought and a **risk assessment**.
- Procurements **over \$80,000** require either an **open/limited tender approach to market** or use of an **existing approved panel arrangement**.
- As part of the AAI's, **section 23 PGPA Act** approvals (i.e., commitment of relevant monies) are required to signed off by the appropriate delegate, **for example**,

- For **general non-consultancy contracts** the AAI's allow
  - **SES Band 1 approval up to the value of \$500,000** for departmental expenditure.
- For **general consultancy contracts** the AAI's allow
  - **SES Band 1 approval up to the value of \$200,000** for departmental expenditure,
  - **SES Band 2 approval** is required between \$200,000 to \$1 million and **Deputy Secretary approval** is required for contracts \$1 million and above.
- The values above are **inclusive of GST**.
- The current suite of AAI's have been adapted from the **standard suite** issued by the Department of Finance (RMG 206).
- The current suite of AAI's for DEWR were substantially carried over from the former DESE.
- The DEWR AAI's are currently being reviewed as part of forming as a new department.

#### **When are consultancies typically used (top 3 reasons):**

- Need for **specialist** or **professional** skills (management advisory services)
- Need for **independent research** or **assessment** (research or audit services)
- Skills currently **unavailable** in the department

#### **What is a consultancy**

- A consultancy (an individual, a partnership or a corporation engaged to provide professional, independent, and expert advice or services), is defined as an arrangement where:
  - there will be an intellectual output that assists with department decision making
  - the intellectual output represents the views of the service provider (as opposed to the department)
  - the intellectual output is the sole, or majority element of the arrangement in terms of value and importance.

#### **APS Reform Agenda – conversation of External labour roles to APS**

- As part of the APS Reform Agenda, the Government has committed to reducing the APS' reliance on consultants and contractors, although there is acknowledgement external labour will continue to remain a component of the APS workforce.
- To support this commitment, DEWR has:
  - participated in the Audit of Employment led by the Department of Finance with returns, including those for its portfolio agencies, submitted in late 2022; and
  - advertised vacancies at the APS3-EL1 classifications in October 2022 to reprofile the workforce in Contact Centres Branch from contractors to APS employees.
  - A total of 25 employees commenced in January-February 2023 and pre-employment processes to engage a further 64 candidates is underway.

- In addition to these, the department is also participating in the current whole of Government Approach to Convert External Labour Roles to APS being led by the Department of Finance.

## Key facts, figures or dates

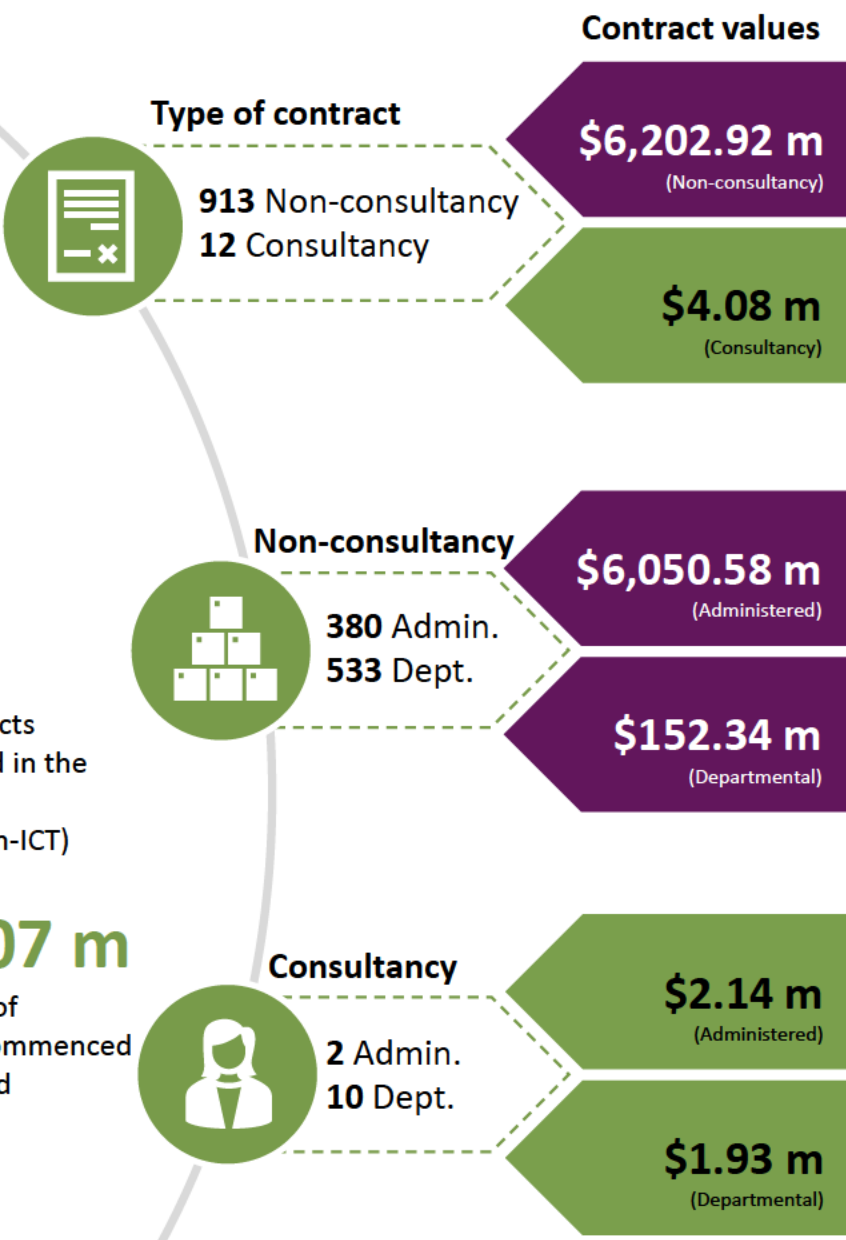
Key facts, figures and dates on contracts commenced between 1 July 2022 and 31 December 2022 can be found in:

- Attachment A – Contracts and Consultancies A3
- Attachment B – Top 10 Non-consultancy contracts –by value
- Attachment C – All Consultancy contracts –by value
- Attachment D – Total Big 4 Consultancy and Non-consultancy contracts
- Attachment E – Contract Characteristics - Consultancy v. Non-consultancy

<b>Last Cleared By</b>	s 22(1)
<b>Date Last Cleared</b>	13 February 2023
<b>Division</b>	Corp   Finance and Budget

**925**  
Total contracts commenced in the period (ICT and non-ICT)

**\$6,207 m**  
Total value of contracts commenced in the period

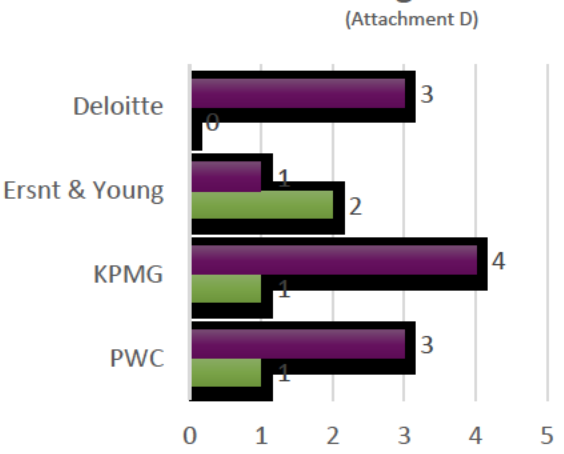


**Note 1:** These figures contain all contracts and amendments valued at and above \$10,000 GST inclusive as recorded on AusTender. Contract values published on Austender do not reflect the actual expenditure against these contracts.

**Note 2:** The significant Non-consultancy contract value relates to the commencement on 1 July 2022 of all Workforce Australia employment services provider contracts: value \$5.800 billion.

**Note 3:** All consultancies over \$10,000 GST inclusive as published (by start date) on AusTender.

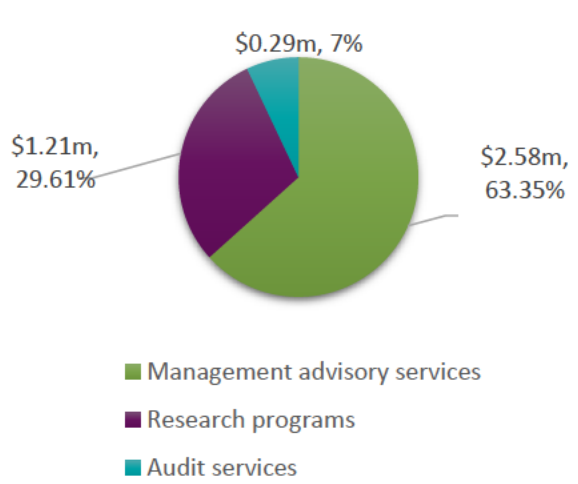
**Total no. of 'big four' contracts**



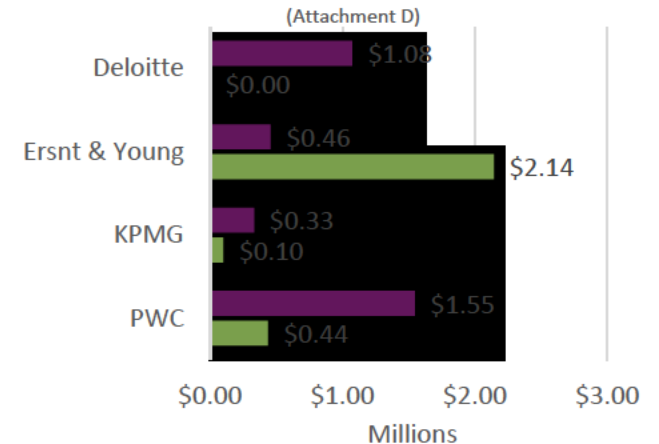
**Reasons for consultancies**



**Categories for consultancies**



**Total value of 'big four' contracts**



Top 10 suppliers by value (Note: Top 10 are all non-consultancies)	No. of contracts	Contracts value \$'000 (GST Inclusive)
Serendipity (WA) Pty Ltd	6	\$516.29
Workskil Australia Ltd.	3	\$378.93
Asuria People Services Pty Limited	3	\$281.347
Enterprise & Training Company Limited	4	\$228.11
AtWork Australia Pty Ltd	1	\$226.64
The Trustee for the Salvation Army (Victoria) Property Trust	2	\$196.87
RNTT Pty Ltd (Jobs Statewide)	4	\$190.25
Job Futures Ltd	2	\$178.28
Max Solutions Pty Ltd	5	\$178.28
The BUSY Group Ltd	3	\$164.82
<b>Total</b>	<b>33</b>	<b>\$2,539.81</b>

Contract categories	% of contracts	Contracts value \$'000 (GST incl.)
Employment services*	94.43%	\$5,857.58
Education and Training Services	2.45%	\$152.13
Components for IT or broadcasting or telecommunications	0.90%	\$55.63
Computer services	0.70%	\$43.71
Statistics	0.28%	\$17.07
Temporary personnel services	0.17%	\$10.25
Others	1.07%	\$66.55

\* For the 2022-23 financial year the principal procurements relate to Workforce Australia employment services provider contracts valued at \$5.800 billion commenced on 1 July 2022.

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

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 December 2022

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><b>Component 1:</b> a)Analysis and advice on the potential impacts of the AQF Review recommendations on current VET reforms to support engagement with stakeholders.</p> <p><b>Components 2 &amp; 3:</b> 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><b>Phase 1</b> 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><b>Phase 2</b> 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 & 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
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"> <li>• evaluation design, instrument development and survey tools (including all relevant documentation);</li> <li>• quantitative and qualitative research to gather information on participation, provider, employer and stakeholder perspectives of the program; and</li> <li>• reports and presentations to the department outlining the key findings, analysis and insights generated from the research.</li> </ul> <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. The desktop review will involve:</p> <ul style="list-style-type: none"> <li>• 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.</li> <li>• a report and meeting with the department outlining key findings, analysis and insights generated from the research.</li> </ul>	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	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.	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	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.	Skills & Training	1-Aug-22	31-Oct-22	Departmental	CN3910331 / 4400055081
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"> <li>• financial reporting</li> <li>• performance reporting</li> <li>• system of risk oversight and management</li> <li>• system of internal control.</li> </ul> <p>The AAC will also review:</p> <ul style="list-style-type: none"> <li>• internal audit resourcing and coverage in relation to the department's key risks, and recommend approval of the internal annual audit plan</li> <li>• 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.</li> </ul> <p>The AAC meets between 4-6 times a year.</p>	Corporate & Enabling	18-Oct-22	31-Oct-25	Departmental	CN3925230 / 4400055753



Rank	Supplier Name	Contract Value	Category*	Austender Description	Services Purchased	Group	Start Date	End Date	Funding Source	CN ID / Contract ID
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"> <li>financial reporting</li> <li>performance reporting</li> <li>system of risk oversight and management</li> <li>system of internal control.</li> </ul> <p>The AAC will also review:</p> <ul style="list-style-type: none"> <li>internal audit resourcing and coverage in relation to the department's key risks, and recommend approval of the internal annual audit plan</li> <li>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.</li> </ul> <p>The AAC meets between 4-6 times a year.</p>	Corporate & Enabling	13-Oct-22	31-Oct-25	Departmental	CN3925231 / 4400055754
9	KPMG	\$102,421.00	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	20-Jan-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

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

Total Big 4 contracts (by value) commenced between 1 July 2022 to 31 December 2022

Contract Value	Category*	Description	Services Purchased	Group	Start Date	End Date	CN ID / Contract ID
<b>Deloitte</b>							
\$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
\$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
\$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	TBA
<b>\$1,075,453.50</b>							
<b>Ernst &amp; Young</b>							
\$457,974.00	Computer services	Apprenticeships-Discovery and Environmental Scan and Content Review	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: <ul style="list-style-type: none"> <li>• Environment Scan Report – detailed analysis of 10 websites identified by the department</li> <li>• Tree Testing Report – technical report which outlines search engine optimisation i.e., how people navigate websites based on google analytics</li> <li>• Content Review – in-depth review of the AAPathways website and the department's Australian Apprenticeships website</li> <li>• 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</li> <li>• Information Architecture – an information taxonomy that responds to apprentice and employer needs and takes a citizen focussed approach</li> </ul>	Skills and Training	15/8/2022	30/11/2022	CN3908190 / 4400055068
\$1,759,050.00	Management advisory services	Consultancy Services	<p><b>Component 1:</b></p> <ul style="list-style-type: none"> <li>• Analysis and advice on the potential impacts of the AQF Review recommendations on current VET reforms to support engagement with stakeholders.</li> </ul> <p><b>Components 2 &amp; 3:</b></p> <ul style="list-style-type: none"> <li>• Skills Ministers have agreed, through the Jobs and Skills Summit, to simplify and modernise VET qualifications.</li> <li>• 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.</li> <li>• This consultancy will consider the potential impacts of transition, including for Jobs and Skills Councils and RTOs, and provide advice on possible transition approaches.</li> <li>• An optional component involves the provision of advice regarding changes that would need to be made to policies and procedures to facilitate the transition</li> </ul>	Skills and Training	11/11/2022	28/4/2023	CN3933731 / 4400056077
\$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><b>ITH</b> - 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"> <li>• evaluation design, instrument development and survey tools (including all relevant documentation);</li> <li>• quantitative and qualitative research to gather information on participation, provider, employer and stakeholder perspectives of the program; and</li> <li>• reports and presentations to the department outlining the key findings, analysis and insights generated from the research.</li> </ul> <p><b>CSSA and CSYA</b> - 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"> <li>• 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.</li> <li>• a report and meeting with the department outlining key findings, analysis and insights generated from the research.</li> </ul>	Skills and Training	15/11/2022	31/3/2023	CN3930459 / 4400055860

Contract Value	Category*	Description	Services Purchased	Group	Start Date	End Date	CN ID / Contract ID
<b>\$2,601,705.00</b>							
<b>KPMG</b>							
\$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	30/06/2023	TBA
\$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
\$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
\$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	TBA
\$102,421.00	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 and Training	21/11/2022	20/1/2023	CN3933730 / 4400056076
<b>\$435,652.95</b>							
<b>PWC</b>							
\$1,430,000.00	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
\$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
\$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
\$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><b>Phase 1</b> of this review is to:</p> <p>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.</p> <p>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><b>Phase 2</b> 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
<b>\$1,986,892.88</b>							

\*: 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

Shaded cells relate to Consultancy contracts.

## 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><b>Nature of Services</b></p> <ul style="list-style-type: none"> <li>• Involves specialist professional knowledge or expertise that may not be maintained in-house.</li> <li>• There is a need for independent research or assessment.</li> <li>• Involves development of an intellectual output, e.g., research, evaluation, advice, and recommendations, to assist with entity decision-making.</li> </ul> <p>Involves a one-off task, a set of tasks or irregular tasks (making employment of permanent staff impractical or undesirable).</p>	<p><b>Nature of Services</b></p> <ul style="list-style-type: none"> <li>• 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.</li> <li>• The skills required to perform the services would normally be maintained within the entity.</li> </ul> <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><b>Direction and Control</b></p> <ul style="list-style-type: none"> <li>• Performance of the services is left largely up to the discretion and professional expertise of the consultant.</li> <li>• Performance is without the entity's direct supervision.</li> <li>• The output reflects the independent views or findings of the individual or organisation.</li> <li>• The output is being produced for the entity.</li> </ul>	<p><b>Direction and Control</b></p> <ul style="list-style-type: none"> <li>• 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.</li> <li>• 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.</li> </ul>

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

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

<b>Topic</b>	Abolition of the ABCC
<b>PBS reference</b>	<i>Portfolio Budget Statements 2022-23 Budget Related Paper 1.6</i> , pages 87-105 and 181-207
s 22(1)	s 22(1)

## Key points

- The Australian Building and Construction Commission (ABCC) was abolished on 6 February 2023.
- The Fair Work Ombudsman (FWO) commenced regulating the Fair Work Act across the entire building and construction industry on 10 November 2022.

## Legislation to abolish the ABCC and the Building Code

- The *Fair Work Legislation Amendment (Secure Jobs, Better Pay) Act 2022*:
  - abolished the ABCC and its related powers.
  - provided transitional arrangements including to ensure the FWO could take responsibility for existing ABCC legal proceedings that are on foot.

## Resourcing and key milestones

- The Government allocated \$69.9 million over 4 years in the 2022-23 Budget for the FWO to regulate the commercial building and construction sector.
  - This includes 80 additional staff.
- Sixteen former staff of the ABCC were engaged by the FWO.
- The ABC Commissioner's appointment ended on 5 February 2023.
  - This end date is consistent with the Commissioner's original period of engagement.

## Impacts on building and construction industry

- The Government is committed to robust regulation in the industry.
- Providing the FWO additional funding and staff will strengthen its capacity to continue enforcing workplace laws and addressing unlawful behaviour in the industry.
- The Government will continue supporting the industry by establishing the National Construction Industry Forum.
  - Establishing the Forum is an outcome of the Jobs and Skills Summit.
  - Work to establish the Forum is progressing. The legislation establishing the forum commences on 1 July 2023.

## Questions on Notice

- On 10 January 2023, Senator Michaelia Cash submitted 155 Parliamentary Questions on Notice (1162 to 1317) to the Minister representing the Minister for Employment and Workplace Relations about engagement, briefings and correspondence on litigation by the Australian Building and Construction Commission and predecessor agencies.
- The responses to these questions are currently going through clearance processes (**check status on day of estimates**).

## Recent decisions and current proceedings

- General questions about legal proceedings should be directed to the FWO.
- The Government does not provide commentary on the correctness or otherwise of court decisions or comment on proceedings before the courts.

## Lendlease

- The ABCC submitted a settlement request for the Lendlease appeal.
- In September 2022, the Attorney-General approved the request.
  - The approved terms of settlement included that the ABCC not enforce a costs order against the Construction, Forestry, Maritime, Mining and Energy Union.
- Questions should be directed to the Office of Legal Services Coordination at the Attorney-General's Department.

<b>Last Cleared By</b>	s 22(1)
<b>Date Last Cleared</b>	13 February 2023
<b>Division</b>	WR   Safety and Industry Policy



<b>Topic</b>	Jobs and Skills Australia
<b>PBS, MYEFO, PAES reference</b>	PBS pages 16, 17, 25, 26, 41
s 22(1)	s 22(1)

## Key points

- The establishment of Jobs and Skills Australia (JSA) is a key priority for the Australian Government in addressing the significant skills shortages across the country.
- The Government is working closely with state and territory governments, as well as industry, employers, trade unions and training providers to implement JSA's permanent arrangements.
- Jobs and Skills Australia legislation is being introduced in two stages. The first tranche implemented interim arrangements that allowed the functions and staff of the National Skills Commission to transfer to Jobs and Skills Australia and ensured that its work could begin quickly.
- The second tranche of legislation will allow additional stakeholder consultation to feed into the permanent model of Jobs and Skills Australia and ensure that the final range of functions meets government, industry, and other stakeholder expectations.

### ***What progress has been made on establishing the permanent arrangements for JSA?***

- Emeritus Professor Peter Dawkins AO was appointed as the JSA Director on **5 December 2022** to lead JSA's interim operations while the Government consults on JSA's final model.
- The *Jobs and Skills Australia Amendment Bill 2023* (the Bill) is being prepared for introduction in weeks 3, 4 or 5 of the Autumn 2023 sitting period (March). The Bill will establish the permanent model for JSA including provision for some additional functions and settling its structure and governance arrangements.
- The JSA discussion paper, publicly released on 5 January 2023, reflects a culmination of all stakeholder feedback to date and socialises the proposed operational arrangements for JSA's governance, functions, products, and ways of working with stakeholders.
- The timeline of JSA's establishment to date is at [Attachment A](#).

### ***What will be the permanent leadership arrangements for JSA and how will they be chosen?***

- The Government plans to conduct a merit-based selection process for the ongoing leadership roles for the JSA including a senior Commissioner, with supporting Deputy Commissioners.
- The Commissioner will be responsible for overseeing JSA with a strong focus on stakeholder engagement, including liaison with the tripartite advisory body.
- Deputy Commissioners will share responsibility for implementing JSA's work.

- Additional Deputy Commissioners could be appointed as needed to draw on their skills, experience, and networks to lead particular key workforce capacity studies, or cohort and regional analyses.
- The current JSA Director office will be in place until the permanent model for the JSA is established.

### ***How stakeholders are influencing the design of JSA?***

- Consistent with the Government's commitment in taking a consultative approach in the creation of JSA, the Government continues to engage on JSA's final model through a recent public consultation process that will help inform amendments to the *Jobs and Skills Australia Act 2022*.
- To support JSA through this interim period, the Minister is establishing a time-limited Consultative Forum to provide Professor Dawkins with strategic advice on JSA's interim operations and to lay the foundations for JSA's longer-term ways of working.
- The forum will not have decision-making powers but will provide the JSA Director with strategic advice on matters such as: developing JSA's annual workplan; the implementation of early JSA products and studies; and implementation of JSA's enhanced stakeholder engagement functions including mechanisms to support deeper and ongoing engagement on the development of products and the outreach once products have been finalised.
- The Consultative Forum will be convened by Mr John Azarias, and include people with expertise in union work, education and vocational training, small business, industry, and representatives from state and territory governments.
- The forum's first meeting took place on **13 February 2023**. The Consultative Forum will meet as required until the establishment of JSA's final model.

### ***How were members of the Consultative Forum selected?***

- Members were selected based on their specific expertise and institutional knowledge to provide informed advice to the JSA Director rather than as a representative of their respective organisations.
- The Minister selected the membership to ensure the JSA Director will be supported with advice from a range of tripartite partners during this establishment phase.
- The list of members is at [Attachment B](#).
- The Consultative Forum is a time-limited body, expected to operate until mid-2023 and meet around three times.
- A tripartite advisory body is proposed to be established once the permanent JSA is established. This advisory body would build on the early work of the Consultative Forum, but would have a more formal, legislated role in providing advice to the ongoing leadership of JSA.

## **Research**

- JSA's advisory function will support evidence-based decision making by Government aimed at addressing workforce shortages and boosting economic outcomes through investing targeted at the most relevant programs and policies.

**Media**

- During the Senate debate on **26 October 2022** on the JSA Bill, and during Budget Estimates 2022-23, the Opposition sought further information on the appointment of a JSA Director and the early loss of office for the National Skills Commissioner.
- On **5 December 2022**, the Government announced the appointment of Professor Peter Dawkins AO as the Interim Director of JSA. Several high-profile organisations within the sector referenced his appointment with media releases.

<b>Last Cleared By</b>	s 22(1)
<b>Date Last Cleared</b>	13 February 2023
<b>Division</b>	Skills   National Careers Institute

## Jobs and Skills Australia

### Timeline of JSA's Establishment

Critical date	Event or action
27 July 2022	The Minister for Skills and Training introduced the Jobs and Skills Australia Bill 2022 and the Jobs and Skills Australia (National Skills Commissioner Repeal) Bill 2022 in Parliament.
28 July 2022	The JSA Bills were referred to the Education and Employment Legislation Committee for inquiry and report by 23 September 2022.
23 August 2022	The public hearing of the Committee's inquiry into the JSA Bills was held. DEWR gave evidence.
8 September 2022	The Committee tabled its report and recommended the Bills be passed.
26 September 2022	Government Amendments to the JSA Bill were moved in the House and both Bills were passed by the House.
27 September 2022	The Bills were introduced into the Senate. Senator the Hon Katy Gallagher provided a formal response to the Senate Education and Employment Legislation Committee report during debate in the Senate. Debate and consideration in detail was adjourned.
26 October 2022	The Bills resumed debate in the Senate and were passed with non-government amendments.
27 October 2022	The House agreed to the Senate moved amendments. The Bills passed both Houses.
16 November 2022	The commencement of the Jobs and Skills Australia Act 2022, establishing Jobs and Skills Australia.
5 December 2022	JSA Director, Emeritus Professor Peter Dawkins AO appointed.
5 January 2023	JSA Discussion Paper released.
10 February 2023	JSA Discussion Paper consultation period closed.
13 February 2023	First meeting of the JSA consultative forum

### Key areas of focus for JSA in 2023

- Clean Energy Capacity Study
- Foundation Skills – National Survey

### Jobs and Skills Australia Discussion Paper

To inform how Jobs and Skills Australia will work in the future, the Jobs and Skills Australia Discussion Paper was released on 5 January 2023 to seek stakeholder views. Submissions closed on 10 February 2023.

#### Discussion paper submission status (as at COB on 10 February 2023)

Stakeholder Group*	Submissions received	Extension requested**
Union	3	-
Government or regulator	12	7
Higher education sector	7	1
Education and training sector	11	1
Employer or industry	8	3
Peak body for cohorts & industry	47	-
Career Development org	6	-
Researchers	7	-
Individual responses	10	-
Other	-	-
<b>Total</b>	<b>111</b>	<b>12</b>

\* While stakeholders have nominated their stakeholder group through the submission process, their views may be individual and are not representative of the stakeholder organisation in which they nominated or work.

\*\* 12 requests for an extension to the submission date have been received from:

- NSW, ACT, WA and Victorian Governments
- Aged and Community Care Providers Association (SA)
- Australian Academy of the Humanities
- Australian College of Nursing
- Business council of Australia (BCA)
- Defence Industry Workforce and Skills
- La Trobe University
- The Greens
- The Northern Australia Indigenous Reference Group (via Infrastructure Australia).

No formal extensions have been granted. However, stakeholders have been advised that their submissions will be considered when received. The online submission form will remain open after 10 February for this purpose.

#### Funding profile (\$m)

Item as referenced in October 2022-23 DEWR PBS	2021-22 Actual	2022-23 Budget	2023-24 Estimate	2024-25 Estimate	Total
Jobs and Skills Australia establishment (1)	N/A	4.149	7.381	1.368	<b>12.898</b>
New Energy Skills Program (2)	N/A	1.392	0.509	-	<b>1.900</b>
National Study on Adult Foundation Skills (3)	N/A	4.548	5.148	2.574	<b>12.270</b>
Funding transitioned from National Skills Commission (4)	-	46.879	39.537	36.756	<b>123.172</b>

- (1) p25 refers to the additional investment in JSA's establishment (Departmental funding)
- (2) p26 refers to the Clean Energy Workforce Capacity Study (Departmental funding)
- (3) p25 refers to the National Survey on Adult Literacy, Numeracy and Digital Skills (Administered funding). Also p100 in Budget Paper No.2 confirms overall funding of \$12.3 million
- (4) p41 refers to the NSC's administered funding (\$11.7 million) now transferred to JSA following passage of the JSA Act and the NSC's departmental funding is included in the DEWR resource funding on p21 (noting it represents \$101.3 million funding allocated directly to JSA, and \$10 million for shared service arrangements supported under DEWR).

## Attachment B – Jobs and Skills Australia Consultative Forum Membership

<b>Member</b>	<b>Organisation</b>
<b>Mr John Azarias</b>	<i>Convenor</i>
<b>Mr Scott Connolly</b>	Australian Council of Trade Unions
<b>Ms Correna Haythorpe</b>	Australian Education Union
<b>Ms Megan Lilly</b>	Australian Industry Group
<b>Ms Jennifer Westacott AO</b>	Business Council of Australia
<b>Mr Dom Schipano</b>	Council of Small Business Organisations Australia
<b>Ms Danielle Wood</b>	Grattan Institute
<b>Ms Mary Faraone</b>	TAFE Directors Australia
<b>Ms Catriona Jackson</b>	Universities Australia
<b>Ms Natalie Heazlewood</b>	Australian Chamber of Commerce and Industry
<b>Ms Annie Butler</b>	Australian Nursing and Midwifery Federation
<b>Mr Andrew Dettmer</b>	Australian Manufacturing Workers' Union
<b>Ms Catherine White</b>	Small state and territory representative, Department of Industry, Tourism and Trade, NT (shared with ACT)
<b>Ms Lill Healy</b>	Large state and territory representative, Department of Jobs, Skills Industry and Regions, Victoria
<b>Ms Kareena Arthy</b>	Small state and territory representative, Treasury and Economic Development Directorate, ACT (shared with NT)

**Topic** Women in Apprenticeships  
s 22(1) s 22(1)

## Key points

- Gender equality is at the heart of the Australian Government's vision for a better future, and the skills and training system plays an important role in this work.
- Lifting the participation of women in apprenticeships and increasing the participation of women across the vocational education and training (VET) system was a key theme at the Jobs and Skills Summit
- This is why the Government is working to increase the opportunities available to women to participate in VET by:
  - introducing specific targets for women through the Australian Skills Guarantee – which will help drive the demand for women in apprenticeships and traineeships in projects funded by the Commonwealth, helping to de-segregate historically male dominated industries.
  - delivering key apprenticeship programs which offer additional support to women in non-traditional trade occupations including personalise mentoring and access to peer networks.

## Key data

- Overall women in-training represent **30.9% (128,125)** of the apprenticeship workforce (**30 June 2022**).
  - **23% (29,460)** women in-training are in trade occupations.
    - **19,900** women are trade occupations with historically low female participation, (e.g. plumbing, carpentry, electrical and not including hairdressers and animal attendants).
    - This represents **8.6%** of the total **241,860** trade apprentices. (NCVER **June 2022**).
  - **77% (98,625)** of women in-training are in non-trade occupations such as childcare, retail, administration and hospitality.

## Changes to women in trades over time

- Although the proportion of women in trade apprenticeships has been steadily increasing, NCVER data confirms that women are still under-represented in almost all trade occupations (with the exception of hairdressing and animal attendants).
  - By occupation female representation in the non-traditional trades varies significantly from **1.7% (335)** in plumbing, to **2.5% (865)** in carpentry and **5.2% (2,070)** in electrical (a sector which is taking proactive steps to improve gender diversity in its workforce).

## Commonwealth Priorities and Programs

### *Australian Skills Guarantee*

- The Australian Skills Guarantee will ensure one in 10 workers on major, federally funded government projects is an apprentice, trainee or paid cadet. The Guarantee will include sub-targets for women, a focus on the need for digital skills and be applied to social housing projects funded as part of the National Housing Accord.
- The new sub-targets will provide more opportunities for women to work and train on major projects, including in industries with an historically low level of female participation.
- Refer to EC23-000072 for more information on specific women's targets

### *Women in Non-Traditional Trades Program*

- \$38.6 million has been invested to support women who take a trade occupation providing supports and service to increase the number of women who successfully complete a trade apprenticeship.
- This program aims to address non-financial barriers which prevent careers in these occupations. It provides networking and mentoring services and entrepreneurship training, setting up a generation of successful women small business owners. The program supports women undertaking eligible trade apprenticeships on the Priority List, such as plumbing, electrical and carpentry.
- Refer to EC23-000638 for more information on the Women in Non-Traditional Trades Measure.

## Background

### COVID measures have increased women in apprenticeships

- The COVID-19 emergency response measures (particularly Boosting Apprenticeship Commencements) lifted women's participation in apprenticeships and traineeships. While positive, in terms of connecting more women with training, most signed up to non-trade occupations.
  - In the 12 months to **30 June 2022**, **105,090** women commenced an apprenticeship, a decade high, and an increase of **30.2%** from the previous 12 months, representing **39.8%** of all commencements.
  - Of these women, **16.1%** were undertaking trades and **83.9%** were undertaking non-trades.
  - This compares to **59.2%** of males commencing in trades and **40.8%** commencing non-trades in the same time period.

### Incomes trade vs non-trade

- The median income after completing an apprenticeship is **\$62,800** for trade and **\$54,700** for non-trade.

## Key Data

For additional Women's Apprenticeships data refer to **Attachment A**.

<b>Last Cleared By</b>	s 22(1)
<b>Date Last Cleared</b>	13 February 2023
<b>Division</b>	Skills   Apprenticeships and Foundation Skills




# WOMEN IN APPRENTICESHIPS

## Timeline of key policies and announcements to support women in trades


Event	Date	Description
Initial announcement of Australian Skills Guarantee	March 2021	<ul style="list-style-type: none"> <li>Included in the 2021 Australian Labour Party National Platform, the Australian Skills Guarantee will see the Government train thousands of workers by ensuring <b>1 in 10</b> workers on major, federally funded government projects is an apprentice, trainee or cadet'.</li> </ul>
Women in Non-Traditional Trades supports commence	1 July 2022	<ul style="list-style-type: none"> <li><b>\$38.6 million</b> women in trade measure commences, delivered by the Australian Apprenticeship Support Network (AASN)                             <ul style="list-style-type: none"> <li>Includes access to mentoring, peer support networks, guaranteed in-training support and access to entrepreneurship training.</li> </ul> </li> </ul>
Jobs and Skills Summit	1-2 September 2022	<ul style="list-style-type: none"> <li>Govt expands the commitment to the Australian Skills Guarantee to include targets for women and a focus on digital skills.</li> <li>Govt announces that it will look at options to strengthen the apprenticeship support system to improve on completion rates and increase diversity.</li> </ul>
Mid-Career Checkpoint program ceased and new program to be designed	October 2022 Budget	<ul style="list-style-type: none"> <li>Mid-Career Checkpoint ceased due to poor uptake.                             <ul style="list-style-type: none"> <li>Of the \$12.150 million allocated in FY2021-22, only \$2.062 million expended.</li> <li>Decision to cease results in a <b>\$56.2 million</b> saving.</li> </ul> </li> <li>Ceasing the program will enable funds to be re-directed towards new and better designed initiatives to support women's participation in the workforce and skills development.</li> </ul>
Australian Skills Guarantee discussion paper	23 November 2022 to 16 January 2023	<ul style="list-style-type: none"> <li>Consultations considered the design of the Guarantee, barriers and supports needed for women to take on higher paying VET careers and sought advice on implementation</li> </ul>
Apprenticeship Supports discussion paper	16 November 2022 to 22 December 2022	<ul style="list-style-type: none"> <li>Consultations considered existing arrangements and how to increase diversity, break down gender occupation segregation for women in the VET system and improve the completion rate.</li> </ul>
Stakeholder Consultations	November – December 2022	<ul style="list-style-type: none"> <li><b>7 site visits</b> (apprentices, employers, and trainers)</li> <li><b>8 roundtables</b> (States and Territories, Unions, employers, industry peak bodies and the AASNs)</li> <li>23 bilateral meetings (Key stakeholders not captured in the roundtables)</li> <li><b>Approx. *100 written submissions received</b> – Apprenticeship Services and Supports</li> <li><b>*49 written submissions received</b> – Australian Skills Guarantee</li> </ul>
Next Steps	9 May 2023 (Budget 2023-24)	<ul style="list-style-type: none"> <li>A decision on the policy design for the Apprenticeship Support and the Australian Skills Guarantee proposals will be considered in the 2023-24 Budget context.</li> </ul>

\* As at 3 February 2023


## Key Data – as at 30 June 2023 (NCVER)




**128,125** Australian Apprentices are women (trade and non-trade)




This represents **30.9%** of all apprentices in training (415,240 apprentices in training)



**23%** in-training are in trade occupations (all trades including hairdressing, animal attendances and trainers and shearers)




**77%** in-training are in non-trade occupations (includes care sector)




Women's workforce participation was at a record **high of 62.3%** (ABS, Labour Force, Dec 2022)


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The construction industry has the largest gender pay gap, with women earning, on average, **29% less** than males (WGEA data as at 2021-2022)




**Only 4.9%** of apprentices in training in construction are **female**



**19,895** women in trades occupations with historically low participation (e.g plumbing, carpentry and electrical)

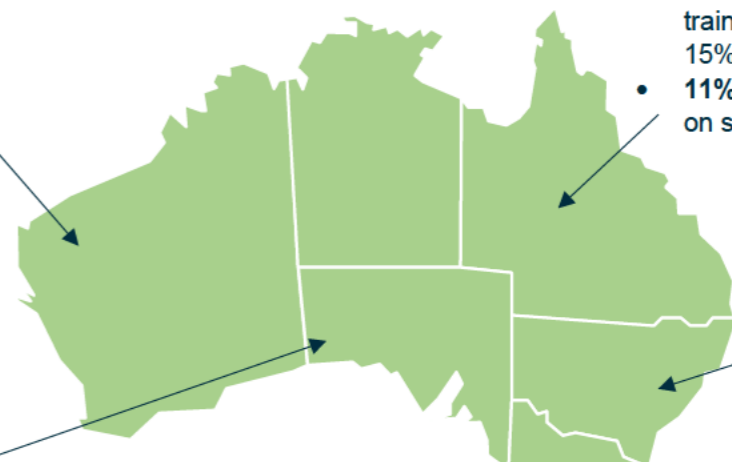


The number of **women** in trades is **growing steadily since 2013** (5,930 increase)



**Women** are **8.6%** of all 241,860 trade apprentices

## State targets including for women's participation in major construction projects



**Western Australia: Priority Start Policy** - projects over \$5 million:

- 11.5%** training rate for general building construction and maintenance contracts
- 5%** training rate for civil construction

**South Australia: The South Australian Industry Participation Policy** projects over \$50 million:

- 15%** of the labour force hours need to be performed by nominated groups as set out in the Industry Participation Plan.

**Victoria: Building Equality Policy and Major Project Skills Guarantee** - projects over \$20 million:

- 10%** of labour hours from apprentices, trainees and cadets
- 4% of labour hours must be performed by female apprentices or trainees,**
- 3% women** for each trade position
- 7% women** for each non-trade construction position
- 35% women** in management roles and specialist staff

**Tasmania: Building and Construction Training Policy Statement** –

- Building projects at \$250,00 or more: **20%** of the total labour hours by apprentices or trainees
- Civil projects at or over \$5 million: **10%** of hours by apprentices, trainees, or workers engaged in workplace training

**Qld: Building and Construction Training Policy** and other projects:

- 10%** of labour hours by apprentice and trainees for projects over \$20 million and **15%** for projects over \$100 million
- 11% women in frontline construction** on select exemplar projects

**NSW: Infrastructure Skills Legacy Program** – projects over \$100 million:

- 20%** of the trades workforce to be apprentices
- 2% of the trades workforce must be women**
- It was announced in the 2022-23 NSW budget that this target would be doubled to 4%, with a target of 15% women trades and non-traditional roles in construction by 2030 (*not implemented yet*).

**ACT: Skilled to Succeed:** targets for select major ACT Government projects

## Common industries and occupations women undertake apprenticeships in

1.8 Top five Industries (in-training as at 31 March 2022)		1.9 Top trade occupations (in-training as at 31 March 2022)		1.10 Top non-trade occupations (in-training as at 31 March 2022)	
Industry	2022	Occupation	2022	Occupation	2022
Food and Beverage Services	18,480	Hairdressers	8,445	Child Carers	15,160
Social Assistance Services	14,605	Food Trades Workers	4,575	General Clerks	12,020
Personal and Other Services	10,430	Electricians	1,995	Sales Assistants and Salespersons	10,370
Administrative Services	9,820	Miscellaneous Technicians and Trades Workers	1,850	Hospitality Workers	9,085
Medical and Other Health Care Services	6,115	Automotive Electricians and Mechanics	1,650	Office and Practice Managers	7,140

## Funding Summary

<b>Women in non-traditional trades supports</b>	<b>\$38.6 million</b> over 4 years, commencing FY2022-23
<b>Australian Skills Guarantee</b>	Nil
<b>Mid-Career Checkpoint (saving, with funds set aside for new program to be designed)</b>	<b>\$56.2 million</b> over 2 years (\$19.7 million in 2022-23 and \$36.5 million in 2023-24)

# WAGES GROWTH

## Key points

Wages growth has improved over recent quarters and is **3.1%** as at September 2022 (compared to 2.2% for September 2021). However, wages growth remains below inflation which is currently **7.8%** (December 2022), meaning wages are not currently keeping up with the cost of living.

- The next release (December quarter 2022) of the Wage Price Index is expected on 22 February 2023.

## Government action

The Government is committed to growing wages and driving productivity:

- In the Government's first week it made a submission to the Annual Wage Review arguing that wages of low-paid workers shouldn't go backwards.
  - The Fair Work Commission delivered a **5.2%** increase to the national minimum wage and **4.6%** increase for all other award wages, subject to a **\$40 per week minimum**. This benefited up to **2.7 million employees**.
- The Government filed submissions in the Fair Work Commission supporting an increase to minimum award wages for aged care workers and arguing that a number of factors have contributed to the work value of aged care workers being significantly higher than the modern awards currently reflect.
  - The Government has committed to funding the increases, including the **15%** interim wage increase for direct care workers.
- The Government is pursuing pay equity and women's economic security through the Fair Work Legislation Amendment (Secure Jobs, Better Pay) Act 2022.
  - On 7 December 2022, gender equality was introduced as an object of the Fair Work Act, and the equal remuneration provisions were reformed to better guide the way the Fair Work Commission considers equal remuneration and work value cases.
  - On 6 March 2023, new Expert Panels for Pay Equity and the Care & Community Sector will be established in the Commission.
- The Government has committed to getting wages moving again through bargaining to ensure it is a key enabler of productivity growth, which will lead to sustainable wages growth.
  - On 6 June 2023, most bargaining provisions in the Fair Work Legislation Amendment (Secure Jobs, Better Pay) Act 2022 will commence. These include provisions relating to the process for making enterprise agreements, the Better Off Overall Test, dispute resolution and multi-employer bargaining.
- The Government has also committed to future reforms to:
  - ensure fair minimum standards for gig workers, and
  - ensure labour hire workers get the same pay as workers employed directly by a host employer, for the same job.

## Aggregate wages growth

Table 1: Wage Price Index by sector, September 2022

	Quarterly change (%)			Annual change (%)		
	Private	Public	All	Private	Public	All
Dec-21	0.7	0.7	<b>0.7</b>	2.4	2.1	<b>2.3</b>
Mar-22	0.7	0.6	<b>0.7</b>	2.4	2.2	<b>2.4</b>
Jun-22	0.8	0.6	<b>0.8</b>	2.6	2.4	<b>2.6</b>
Sep-22	1.2	0.6	<b>1.0</b>	3.4	2.4	<b>3.1</b>

Source: ABS, Wage Price Index, September 2022, seasonally adjusted data.

## Real wages growth

- Over the year to the September quarter 2022, real wages decreased by **4.2%**.
- The 2022-23 Budget forecasts that inflation will fall this year and gradually return to within the Reserve Bank's inflation target (of between **2-3%**) by 2024-25.
- The Budget states that "the expected pick up in nominal wages and forecast easing in inflation over the course of the next 2 years is expected to result in real wages beginning to modestly rise by the end of 2023-24."

Table 2: Government forecasts of wages growth and inflation

	2021-22 *actual	2022-23	2023-24	2024-25	2025-26
Wage Price Index	2.6	3 ¾	3 ¾	3 ¼	3 ½
Consumer Price Index	6.1	5 ¾	3 ½	2 ½	2 ½
<b>Calculated real wages growth based on actuals/forecasts</b>					
Real wages growth	-3.5	-2	¼	¾	1

Source: Wage Price Index (WPI) and Consumer Price Index (CPI) forecasts are from the 2022-23 Budget. Real wages growth has been calculated based on the WPI and CPI forecasts. Forecasts are through the year growth to the June quarter. \*These are actual figures using ABS, Wage Price Index, and ABS, Consumer Price Index.

## Key data

Table 3: Recent results – WPI, CPI, and real wages growth

	WPI (%)	CPI (%)	Real wages growth (%)
Sep-20	1.4	0.7	0.7
Dec-20	1.4	0.9	0.5
Mar-21	1.5	1.1	0.4
Jun-21	1.8	3.8	-2.0
Sep-21	2.2	3.0	-0.8
Dec-21	2.3	3.5	-1.2
Mar-22	2.4	5.1	-2.7
Jun-22	2.6	6.1	-3.5
Sep-22	3.1	7.3	-4.2
Dec-22	Expected 22/2	7.8	Expected 22/2

Sources: ABS, Wage Price Index, September 2022, seasonally adjusted data; ABS, Consumer Price Index, September 2022, original data.

Table 4: Government results – WPI, CPI, and real wages growth

Government	WPI (%)	CPI (%)	Real wages growth (%)
ALP (Dec 2007 - Sep 2013)	3.5	2.7	0.7
Coalition (Sep 2013 - May 2022)	2.1	2.1	0.1
ALP (May 2022 - present)	3.1	7.3*	-4.2

Sources: ABS, Wage Price Index, September 2022, seasonally adjusted data; ABS, Consumer Price Index, December 2022, original data.

Note: Figures for previous government periods are average annualised growth rates for December 2007 to September 2013 and September 2013 to March 2022 respectively. Figures for the current government are annual growth rates as at September 2022. \*More recent inflation data shows that inflation is 7.8 per cent as at December 2022.

## Media

### Treasurer Jim Chalmers, Interview with Madeleine Morris, ABC News Breakfast, 17 January 2023

- "We're very pleased that we're seeing the beginnings of wages growth in our economy after the best part of a decade of wage stagnation. Wages growing at over 3 per cent at the moment in the most recent data compared to an average of about 2.3 per cent over the last decade."
- "One of the most important things that we can do - when people are under cost-of-living pressure - is to do whatever we can to get wages moving again. We're pleased we're seeing the beginnings of that. It is a consequence, partly of the minimum wage rise that we supported enthusiastically, and we've also got other ways that we're seeking to get wages moving in our economy."
- "In our current forecasts provided by the Treasury, the expectation is that we will see real wages growth next year, but that relies on some quite unpredictable forecasts when it comes to inflation. The wages growth that we're seeing in the economy is something that we hope we can sustain, and obviously inflation will moderate over time."

### Reserve Bank of Australia (RBA), Statement by Philip Lowe, February 2023

- "The labour market remains very tight. The unemployment rate has been steady at around 3½ per cent over recent months, the lowest rate since 1974. Job vacancies and job ads are both at very high levels, but have declined a little recently. Many firms continue to experience difficulty hiring workers, although some report a recent easing in labour shortages."
- "Wages growth is continuing to pick up from the low rates of recent years and a further pick-up is expected due to the tight labour market and higher inflation. Given the importance of avoiding a prices-wages spiral, the Board will continue to pay close attention to both the evolution of labour costs and the price-setting behaviour of firms in the period ahead."

### The United Workers Union has called for the Government to fund a 25% pay rise for early childhood educators

- Wage increases could be achieved through an application to vary the modern award or a claim through the supported bargaining stream when the provisions commence.
- Questions about the UWW's position should be directed to the Department of Education.

**Topic** Secure Jobs Better Pay  
s 22(1) s 22(1)

### The Secure Jobs, Better Pay package was a crucial first tranche of reforms to modernise the workplace relations system

- The Secure Jobs, Better Pay Act and related budget measures are:
  - Improving bargaining and workplace relationships
  - Increasing job security and gender equality
  - Improving workplace conditions and protections, and
  - Restoring balance to workplace relations institutions
- The legislative reforms contained in the Secure Jobs, Better Pay Act received Royal Assent on 6 December 2022.
- For more detail see **EC23-000418** (Secure Jobs, Better Pay).

### All reforms bar one will be in effect by 6 June 2023

- See **EC23-000418** (Secure Jobs, Better Pay) **Attachment A** for detail on commencement dates for all measures.
- Key dates for measures already operative and measures commencing in early 2023:
  - 7 December 2022:
    - Including job security and gender equality in the object and objectives of the FWA
    - Prohibiting pay secrecy
    - New protected attributes of breastfeeding, gender identity and intersex status
    - Sunsetting of ‘zombie’ agreements
    - FWC powers to correct errors in enterprise agreements
    - Changes to how bargaining can be started through the FWC
    - Updates to rules for agreements to allow the FWC to terminate an agreement after its nominal expiry date
  - 7 January 2023:
    - Job advertisements can’t include pay rates that would breach the FWA, or an instrument (such as an award or enterprise agreement)
  - 6 February 2023:
    - Abolition of the Australian Building and Construction Commission (ABCC)
  - 6 March 2023:
    - Prohibition of sexual harassment in the workplace
    - Creation of two expert panels at the Fair Work Commission to focus on pay equity and the care and community sector

- Abolition of the Registered Organisations Commission (ROC)
- The reform to limit the use of fixed-term contracts will come into effect at a later date, on 6 December 2023 (unless an earlier date is fixed by proclamation).
- While it is still too early to measure success, measures in the Secure Jobs, Better Pay Act were designed consistent with OECD research to help improve key elements of overall job quality such as job security and earnings which are associated with:
  - financial freedom
  - increased health outcomes, and
  - a stronger link between the employer and employee leading to higher staff retention, increased investment in education and training, and improved productivity.

**The current high inflation environment is driven by factors such as an increase in global travel, strong domestic demand, ongoing supply chain issues, a tight rental market and high global energy prices**

- Government forecasts that inflation will subside in coming quarters, with the Budget forecasting that inflation will return to within the RBA's inflation target of 2-3 per cent by 2024-25.
- The October 2022-23 Budget states that “the expected pick up in nominal wages and forecast easing in inflation over the course of the next 2 years is expected to result in real wages beginning to modestly rise by the end of 2023–24.”  
Wages growth has improved over recent quarters and is 3.1 per cent as at September 2022 (compared to 2.2 per cent for September 2021) but real wages growth remains negative.

**A statutory review of the Secure Jobs, Better Pay Act will commence within the next two years**

- The Secure Jobs, Better Pay Act provides for a statutory review of the provisions to start no later than two years after the Act became law (i.e. no later than 6 December 2024).
- The review must consider:
  - whether the operation of the amendments are appropriate and effective and identify any unintended consequences, and
  - if amendments to the *Fair Work Act 2009*, or any other legislation, are necessary to improve the operation of the amendments made by the Secure Jobs Better Pay Act or to rectify unintended consequences.

## Key Data

See **SB23-000031**(Wages growth), **EC23-000412** (Insecure work) and **SB23-000032** (Gender Equality).

## Financial Impacts

- 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.**
- For detailed information on funding, refer to specific briefing for relevant measure.

## Media

### ***Delivering secure jobs and better pay – Media Release, 2 December 2022***

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

<https://ministers.dewr.gov.au/anthony-albanese/delivering-secure-jobs-and-better-pay>

### ***Australia must change the industrial relations conversation – AFR, 22 November 2022***

Opinion piece critical of the Secure Jobs, Better Pay legislation, stating that increased wages will lead to higher inflation and interest rates rather than better wages and living standards.

<https://www.afr.com/work-and-careers/workplace/australia-must-change-the-industrial-relations-conversation-20221121-p5c03t>

### ***Supermarket giant Coles forced to bargaining table under new IR laws – Sydney Morning Herald, 6 January 2023***

Report on bargaining negotiations between Coles and retail unions, three years after the lapse 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'.

<https://www.smh.com.au/politics/federal/supermarket-giant-coles-forced-to-bargaining-table-under-new-ir-laws-20230105-p5cah6.html>

<b>Last Cleared By</b>	s 22(1)
<b>Date Last Cleared</b>	13 February 2023
<b>Division</b>	WR   Employment Conditions

**Topic** WR Reform Agenda 2023

s 22(1)

s 22(1)

### **The Government is delivering on its promises**

- The Government is committed to an improved workplace relations system that delivers secure jobs and fairer pay for all Australian workers.
- The Government has moved quickly to implement its workplace relations election commitments and workplace relations commitments from the Jobs and Skills Summit.
- The Secure Jobs, Better Pay Bill received Royal Assent on 6 December 2023 and contained measures to:
  - Improve bargaining and workplace relationships
  - Increase job security and gender equality
  - Improve workplace conditions and protections, and
  - Restore balance to workplace relations institutions.
- All reforms bar one will be in effect by 6 June 2023. The reform to limit the use of fixed-term contracts will come into effect on 6 December 2023 (unless an earlier date is fixed by proclamation).
- The Department of Employment and Workplace Relations is supporting the Fair Work Ombudsman and Fair Work Commission to provide guidance on, and be ready to administer, the changes.
- 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 providing 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.
- The Government is also progressing work 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.

*See **background** for a full list of election commitments and Jobs Summit outcomes in the workplace relations portfolio.*

## **Work on remaining workplace relations election commitments and Jobs and Skills Summit outcomes is underway**

- Key election commitments to be implemented in 2023 include:
  - Inserting the right to Superannuation in the National Employment Standards to help workers access superannuation they are entitled to.
  - Protecting workers by 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 the same as directly employed workers with the Same Job, Same Pay principle.
  - 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:
  - Provide 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.
  - Amend the relevant legislation to give workers the right to challenge unfair contractual terms.
  - Consider allowing the Fair Work Commission to set fair minimum standards to ensure the Road Transport Industry is safe, sustainable and viable.
  - 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.



### More information on the next tranches of workplace relations reform will be available

- Further details about these reforms are subject to consultation, funding considerations and Government decisions.
- Consultation on the workplace relations reform agenda will occur over the coming months as part of an extensive program of consultation with employer groups, unions, and other stakeholders (**EC23-00395** (Consultation) refers).

### Key Data

See **SB23-000031** (Wages growth), **EC23-000412** (Insecure work) and **SB23-000032** (Gender equity).

### Media

#### ***CEOs say economy, IR will test Albanese Government in 2023 – Media Article, 19 December 2022***

The Albanese Government won near universal praise from Australia's top business leaders in its first year in office, but they warn growing economic difficulties will be harder to navigate in 2023.

<https://www.afr.com/politics/federal/ceos-say-economy-ir-will-test-albanese-government-in-2023-20221216-p5c713#:~:text=Australia's%20top%20business%20leaders%20say,to%20lower%20wages%20over%20time>

<b>Last Cleared By</b>	s 22(1)
<b>Date Last Cleared</b>	13 February 2023
<b>Division</b>	WR   Employment Conditions

## Background

The table below outlines the implementation status of the Government's commitments.

- The Government's election commitments were set out in Labor's Secure Australian Jobs Plan and Fair Pay and Conditions for Working Women policies.
- The outcomes of the Jobs and Skills Summit are published on Treasury's website (**EC23-000415** Jobs Summit – WR Aspects refers).

### Election commitments:

#	Election Commitment	Notes
1	Make a submission to the Fair Work Commission's Aged Care Work Value Case in support of a wage increase for aged care workers	On 8 August 2022, the Commonwealth filed a submission supporting an increase to minimum wages for aged care workers. The Commonwealth has subsequently made other submissions in the matter as the proceedings have progressed.
2	Paid Family and Domestic Violence Leave	Passed into law by the Fair Work Amendment (Paid Family and Domestic Violence Leave) Act 2022. Commences 1 February 2023 for employees of non-small business employers, and 1 August for employees of small business employers (with less than 15 employees). \$3.4 million announced in the 2022-23 October Budget over the forward estimates to support small businesses to understand and deliver the new entitlement.
3	Abolish the Registered Organisations Commission (ROC) and transfer its functions	Passed into law by the Secure Jobs, Better Pay Act. Abolition on or before 6 June 2023.
4	Abolish the Australian Building and Construction Commission (ABCC) and the Code for the Tendering and Performance of Building Work 2016	Passed into law by the Secure Jobs, Better Pay Act. Abolition on 6 February 2023.
5	Limit the use of fixed-term contracts	Passed into law by the Secure Jobs, Better Pay Act. Commences 6 December 2023.
6	Include gender equity and job security as objects of the Fair Work Act	Passed into law by the Secure Jobs, Better Pay Act. Commenced 7 December 2022.
7	Legislate a statutory equal remuneration principle	Passed into law by the Secure Jobs, Better Pay Act. Commenced 7 December 2022.
8	Prohibit pay secrecy clauses	Passed into law by the Secure Jobs, Better Pay Act Commenced 7 December 2022.

<p><b>9</b></p>	<p>Establish two new Fair Work Commission Expert Panels</p>	<p>Passed into law by the Secure Jobs, Better Pay Act. Commences 6 March 2023. \$20.2 million announced in the 2022-23 October Budget to support this measure over the forward estimates.</p>
<p><b>10</b></p>	<p>Implement recommendations of the Migrant Workers' Taskforce  (Note: implementation status just relates to recommendations actionable in the workplace relations portfolio)</p>	<p>Rec 4 – Job ads prohibition Prohibition of employment advertisements with pay rate that would contravene the Fair Work Act passed into law by the Secure Jobs, Better Pay Act. Commenced 7 January 2023.</p> <p>Rec 6 – Criminalise the most serious forms of exploitative conduct Relates to table item #13: Criminalising wage theft.</p> <p>Rec 12 – Small claims process Provisions to enhance the small claims process passed into law by the Secure Jobs, Better Pay Act. Commence on or before 1 July 2023. \$7.9 million announced in the October 2022-23 Budget to support this measure over the forward estimates, including a review of existing small claims process.</p> <p>Of the remaining Migrant Worker Taskforce Recommendations in the workplace relations portfolio:</p> <ul style="list-style-type: none"> <li>• Recs 1, 2, 10, 11(b), 21 and 22 were implemented prior to the Secure Jobs, Better Pay package;</li> <li>• Recs 3, 5, 7, 8, 9, 11, 13, 14 and 18 are under consideration.</li> </ul>
<p><b>11</b></p>	<p>Implement all recommendations of the R@W Report  (Note: implementation status only relates to recommendations actionable in the workplace relations portfolio)</p>	<p>Recommendation 15 – Ratify ILO C190: Underway.</p> <p>Recommendation 28 – Prohibit sexual harassment in connection with work: Passed into law by the Secure Jobs, Better Pay Act. Commences 6 March 2023, \$15.1 million announced in the 2022-23 October Budget to support this measure over the forward estimates.</p> <p>Recommendation 35 – WHS Code of Practice on sexual harassment: Underway.</p> <p>Recommendation 49 - Working Women's Centres: \$32.0 million announced in the 2022-23 October Budget over the forward estimates to support working women's centres to be set up and function.</p>

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<b>12</b>	Include a right to superannuation in the National Employment Standards	Underway.
<b>13</b>	Criminalise wage theft	Underway.
<b>14</b>	Stand up for casual workers	Underway.
<b>15</b>	Extend the powers of the Fair Work Commission to include 'employee-like' forms of work	Underway.
<b>16</b>	Same job, same pay	Underway.
<b>17</b>	Consult on a portable entitlements scheme	Consultation has not yet started, but planning is underway.

**Jobs and Skills Summit Outcomes:**

#	Jobs and Skills Summit Commitment	Implementation status
1	Establish a tripartite National Construction Industry Forum to collectively address issues such as mental health, safety, training, apprentices, productivity, culture, diversity and gender equity in the industry	Amendments to establish the NCIF passed into law by the Secure Jobs, Better Pay Act. The NCIF will commence on 1 July 2023.
2	Ensure all workers can negotiate in good faith for agreements that benefit them, including small businesses, women, care and community services sectors, and First Nations people	Passed into law by the Secure Jobs, Better Pay Act. Enterprise bargaining provisions have staggered commencement from 7 December 2022 to 6 June 2023.
3	Ensure workers and businesses have flexible options for reaching agreements, including removing unnecessary limitations on access to single and multi-employer agreements	Passed into law by the Secure Jobs, Better Pay Act. Enterprise bargaining provisions have staggered commencement from 7 December 2022 to 6 June 2023.
4	Allow businesses and workers who already successfully negotiate enterprise level agreements to continue to do so	Passed into law by the Secure Jobs, Better Pay Act. Enterprise bargaining provisions have staggered commencement from 7 December 2022 to 6 June 2023.
5	Remove unnecessary complexity for workers and employers, including making the Better Off Overall Test simple, flexible and fair	Passed into law by the Secure Jobs, Better Pay Act. Enterprise bargaining provisions have staggered commencement from 7 December 2022 to 6 June 2023.
6	Give the Fair Work Commission the capacity to proactively help workers and businesses reach agreements that benefit them, particularly new entrants and small and medium businesses	Passed into law by the Secure Jobs, Better Pay Act. Enterprise bargaining provisions have staggered commencement from 7 December 2022 to 6 June 2023. \$7.9 million announced in the 2022-23 October Budget over the forward estimates for the Fair Work Commission to provide proactive support for workers and businesses – in particular small business – to reach agreements.
7	Revitalise a culture of creativity productivity, good faith negotiation and genuine agreement in Australian workplaces	Passed into law by the Secure Jobs, Better Pay Act. Enterprise bargaining provisions have staggered commencement from 7 December 2022 to 6 June 2023.
8	Ensure the process for agreement terminations is fit for purpose and fair, and sunsets so-called 'zombie' agreements	Passed into law by the Secure Jobs, Better Pay Act. Enterprise bargaining provisions have staggered commencement from 7 December 2022 to 6 June 2023.

<b>9</b>	Provide proper support for employer bargaining representatives and union delegates	\$8.9 million announced in the 2022-23 October Budget over the forward estimates for grants through the PET fund and Safe Work Australia.
<b>10</b>	Consider options to support the Fair Work Commission build cooperative workplace relationships	Passed into law by the Secure Jobs, Better Pay Act. Related to #6: \$7.9 million announced in the 2022-23 October Budget over the forward estimates for the Fair Work Commission to provide bargaining support for small businesses.
<b>11</b>	Consider how to best help employer representatives and unions to improve safety, fairness, and productivity in workplaces	Related to #9: \$8.9 million announced in the 2022-23 October Budget over the forward estimates for grants through the PET fund and Safe Work Australia.
<b>12</b>	Provide stronger access to flexible working arrangements and unpaid parental leave so families can share caring and work responsibilities	Flexible working arrangements and some unpaid parental leave provisions passed into law by the Secure Jobs, Better Pay Act. Commence 6 June 2023. Further work is underway on unpaid parental leave is underway.
<b>13</b>	Provide stronger protections for workers against adverse action, discrimination and harassment	Anti-discrimination amendments passed into law by the Secure Jobs, Better Pay Act. Commenced 7 December 2022. Further work on protections for workers is underway.
<b>14</b>	Amend relevant legislation to give workers the right to challenge unfair contractual terms	Underway.
<b>15</b>	Consider allowing the Fair Work Commission to set fair minimum standards to ensure the Road Transport Industry is safe, sustainable and viable	Underway.
<b>16</b>	Ensure workers have reasonable access to representation to address genuine safety and compliance issues at work	Underway.
<b>17</b>	Strengthen tripartism and constructive social dialogue in Australian workplace relations	Related to #9: \$8.9 million announced in the 2022-23 October Budget over the forward estimates for grants through the PET fund and Safe Work Australia. Additional work to strengthen tripartism within the portfolio is underway.
<b>18</b>	Initiate a detailed consultation and research process on the concept of a living wage	Underway.

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<b>19</b>	Initiate a detailed consultation and research process considering the impact of workplace relations settings on work and care, including childcare	Underway.
<b>20</b>	Consider possible improvements to modern awards and the National Employment Standards	Underway.

<b>Topic</b>	WR appointments – recent developments
s 22(1)	s 22(1)

## Key points

### ***Abolition of the positions of the Australian Building and Construction Commission Commissioner and Registered Organisations Commissioner***

- Legislation to abolish the ABCC and the ROC has passed the Parliament. This includes abolishing the positions of the Australian Building and Construction Commissioner and the Registered Organisations Commissioner.
- The term of appointment of the Australian Building and Construction Commissioner, Mr Stephen McBurney, expired on 5 February 2023, ahead of the abolition of the Australian Building and Construction Commission on 6 February 2023. As a result, Mr McBurney was not eligible for compensation for loss of office.
- The term of appointment of the Registered Organisations Commission, Mr Mark Bielecki, will terminate on 6 March 2023, which is the date of abolition of the Registered Organisations Commission. His term of appointment would otherwise have ended on 30 April 2024. Compensation for loss of office following the termination of this appointment will be calculated in accordance with the relevant Remuneration Tribunal Determination.

### ***Have any recent appointments to the Fair Work Commission been made?***

- On 9 February 2023 the Governor-General appointed Mr Adam Hatcher as President of the Fair Work Commission with effect from 19 February 2023, at the expiry of his current appointment as acting President on 18 February 2023.
- Mr Hatcher was also appointed to the Federal Court at the same time and that appointment will similarly take effect on 19 February 2023.

### ***How many Expressions of interest were received in response to the advertising of positions in December 2022 and January 2023?***

- The expression of interest process closed on 20 January 2023.
- A total of 480 expressions of interest were received. Of these, 467 have been identified as meeting the minimum statutory qualifications for appointment to the position/s sought (based on the information provided by those applicants) and are under consideration.

### ***What appointments to the Fair Work Commission will be made following the advertising of positions in December 2022 and January 2023?***

- The Committee has previously been advised that funding for up to 8 new Members of the Fair Work Commission has been provided, to deal with functions associated with the *Fair Work Legislation Amendment (Secure Jobs, Better Pay) Act 2022*, including the new Expert Panels for Pay Equity and the Care and Community Sector.
- Three Members of the Fair Work Commission have also recently retired or resigned: Commissioner Williams, Commissioner Cambridge and Deputy President Young.
- Mr Hatcher's appointment as President also creates a vacancy in the position of Vice President.
- Appointments to the Fair Work Commission are a matter for Government.

### ***How are appointments to the Fair Work Commission made?***

- The *Fair Work Act 2009* sets out the legal requirements for appointments to the FWC.



- Before nominating a person for appointment to the Fair Work Commission, the Minister must be satisfied that the candidate has the relevant statutory qualifications.
  - For example, for a Commissioner, the Minister must be satisfied that the nominee has knowledge of, or experience in workplace relations, law, business, industry or commerce (s 627(3)).
  - For the President or Vice President, the Minister must be satisfied that the person:
    - a) is or has been a Judge of a court created by the Parliament (other than the Federal Circuit and Family Court of Australia); or
    - b) is qualified for appointment because the person has knowledge of, or experience in, one or more of the following fields:
      - i. workplace relations;
      - ii. law;
      - iii. business, industry or commerce.
- Cabinet considers nominations, and if Cabinet agrees, the nomination is provided to the Governor-General for consideration.

### ***Framework for dealing with complaints about members of the Fair Work Commission***

- The President of the FWC has statutory responsibility to ensure the Fair Work Commission performs its functions and exercises its powers in a manner that serves the needs of employers and employees.
- The Fair Work Act also provides that the President may deal with complaints about the performance of a member's duties and take measures to maintain public confidence in the FWC (s 581A).
- The FWC is an independent tribunal, and decisions are made at arm's length from Government. It operates in a framework that allows for decisions to be reviewed and errors to be corrected.

### ***Can the President refer complaints about FWC members to the Minister?***

- Under the Fair Work Act, after dealing with a complaint, the President must, in some circumstances, then refer the matter to the Minister (s 581A(4)).
  - The President must be satisfied that one or more of the circumstances that gave rise to the complaint have been substantiated and that Parliament should consider whether to call for the termination of the appointment of the FWC member.

### ***Can the Minister deal with complaints about FWC members?***

- If a complaint is made to the Minister about the performance by an FWC Member of his or her duties, the Minister may handle the complaint for the purpose of considering whether Parliament should consider whether to call for the termination or suspension of the member's appointment (s 641A).

### ***Comcare CEO resignation***

- On 23 March 2022, Ms Susan Weston PSM advised the former Minister for Industrial Relations that she had written to the Governor-General to resign as CEO of Comcare, with effect from 30 April 2022.
- Ms Weston had foreshadowed her intention to resign in February 2022, after which a selection panel was formed and the position was advertised in the national press.
  - The role was advertised in March 2022 in the *Australian Financial Review* and *The Weekend Australian*, and online in *Workplace Express*, *LinkedIn*, *Seek*, *the National Indigenous Times*, *APSJobs* and the Attorney-General's Department statutory appointments website.

- As a result of the Federal election, and the Government going into caretaker, the process to select a new Comcare CEO was suspended.
- The department then briefed the Minister for Workplace Relations, the Hon Tony Burke MP, regarding the vacant CEO position.
- The department has re-commenced a merit-based selection exercise.
- An appointment has not yet been made to this office.
- If there is a vacancy, the Deputy CEO acts as the CEO of Comcare, unless the Governor-General has appointed someone else to act (s 79 of the *Safety, Rehabilitation and Compensation Act 1988*).
  - Mr Aaron Hughes, Deputy CEO of Comcare, has been acting in the Comcare CEO role since 1 May 2022.
  - Mr Hughes is currently on leave and Mr Michael Duke is acting in the Comcare CEO role.

***Appointments to the National Workplace Relations Consultative Council***

- There are two vacant positions on the NWRCC.
- Appointments to these positions are being progressed.

**Vacancy on the Board of the Coal Mining Industry (Long Service Leave Funding) Corporation**

- There is one vacancy on the Board of the Coal Mining Industry (Long Service Leave Funding) Corporation.
- Ms Marisa Whittington resigned from the Board in November 2022.
- An appointment to this position is under consideration.

<b>Last Cleared By</b>	s 22(1)
<b>Date Last Cleared</b>	13 February 2023
<b>Division</b>	WR   Workplace Relations Legal

**Topic** Closing the Gap  
s 22(1) s 22(1)

## Key points

- The department is committed to the National Agreement on Closing the Gap (National Agreement) and working in genuine partnership with Aboriginal and Torres Strait Islander people to achieve both the education and training, and employment targets it is responsible for.
- The Commonwealth Closing the Gap Implementation Plan (Implementation Plan), released by the Prime Minister and Minister for Indigenous Australians on **13 February 2023**, identifies specific, tangible actions that will accelerate efforts into **2023** to improve socioeconomic and life outcomes for Aboriginal and Torres Strait Islander people.
- The department is taking a ground up approach to establishing engagement arrangements and embedding priority reforms into the way we work.
- Engagement with the Coalition of the Peaks, Aboriginal and Torres Strait Islander people and stakeholders at a range of levels is informing new programs and policies and there will be stronger and deeper engagement progressively built into established programs.
- The department is working closely with Treasury as it explores opportunities with the Coalition of the Peaks for an Economic Participation partnership – a key outcome of the Jobs and Skills Summit.

<b>Last Cleared By</b>	s 22(1)
<b>Date Last Cleared</b>	13 February 2023
<b>Division</b>	Skills   VET Quality and Policy

Closing the Gap

Key facts and statistics

Vocational Education and Training (VET)						
Proportion of VET students (2021)	<ul style="list-style-type: none"> <li>While participation has remained steady, greater participation in Cert III and above qualifications is needed to achieve Target 6.</li> </ul>					
		2017	2018	2019	2020	2021
	Number ('000s)	137.8	138.4	148.6	143.8	155.7
	% of all VET students	3.3%	3.4%	3.5%	3.6%	3.6%
Qualification completion rates (2016-2017 reported and 2018-2019 projected)	<ul style="list-style-type: none"> <li>The gap between First Nation completion rates and the national average is expected to increase for learners who enrolled in 2018 and 2019.</li> </ul>					
		Observed		Projected		
		2016	2017	2018	2019	
	First Nations	33.7%	33.4%	34.7%	34.0%	
	National	43.8%	45.9%	47.9%	48.9%	
	Gap	10.1pp	12.5pp	13.2pp	14.9pp	
Apprenticeships in-training (30 June 2022)	<ul style="list-style-type: none"> <li>Commencement numbers are strong for First Nations apprentices, a priority for Government is to see this translate into higher completion rates.</li> </ul>					
		All apprentices and trainees	Trade apprentices	Non-trade apprentices		
	Number ('000s)	22.4	11.3	11.0		
	% of all students	5.4%	4.7%	6.4%		
Employment						
Employment, unemployment, and labour force participation rates (2021 Census)	<ul style="list-style-type: none"> <li>253,644 people First Nations people aged 15-64 are employed.</li> </ul>					
		Employment to population ratio	Unemployment rate	Labour force participation		
	First Nation	52.2%	7.5%	59.7%		
	Non-First Nation	74.6%	3.9%	78.6%		
	Gap	22.4pp	3.5pp	18.9pp		

DEWR's Targets in the National Agreement on Closing the Gap

- DEWR shares responsibility for Targets 6 and 7 with Department of Education, which is responsible for schools, youth and higher education actions.


	Target 6	Target 7	Target 8
Action	Increase proportion of First Nations people aged <b>25-34 years</b> who have <b>completed a Certificate III and above</b> qualification	Increase the proportion of First Nations people aged <b>15-24 years</b> who are <b>in employment, education or training</b>	Increase the proportion of First Nations people aged <b>25-64 years</b> who are <b>employed</b>
Target by 2031	70%	67%	62%
2016 Census baseline	42.3%	57.2%	51%
Current status (based on 2021 Census)*	47.0%*	58.0%*	55.7%*
*Note 'current status' figures are estimates based on the 2021 Census. The Productivity Commission is expected to update progress on Closing the Gap Targets using 2021 Census data by end of 2023.			

Priority actions in 2023


- | Targets 6 and 7   |
|---|
| <ul style="list-style-type: none"> <li>The <b>National Study on Adult Literacy, Numeracy and Digital Literacy</b> will incorporate a feasibility study on how best to assess the literacy, numeracy and digital literacy levels of First Nations people.</li> <li>First Nations people have priority access to the 180,000 <b>Fee-Free TAFE</b> and vocational education places available from 1 January 2023 to 31 December 2023.</li> <li>A key priority of the <b>new National Skills Agreement</b> will be to increase access to culturally safe training and wraparound supports.</li> <li>Proposed changes to the <b>Standards for Registered Training Organisations (RTOs)</b> would require RTOs to provide culturally safe environments for First Nations learners.</li> </ul> |
| Targets 7 and 8   |
| <ul style="list-style-type: none"> <li><b>Workforce Australia</b> is supported by place-based supports through the <b>Local Jobs Program</b> and bespoke programs (Self Employment Assistance and Time to Work Employment Services).                             <ul style="list-style-type: none"> <li>The Select Committee of the House of Representatives interim report is due by end February 2023 ahead of its final report by end September 2023.</li> </ul> </li> <li>The <b>Employment White Paper</b> (being led by Treasury) will also provide an opportunity to examine policy issues to improve labour market outcomes for First Nations people.</li> </ul>  |

DEWR Corporate and Enabling


Key activities




Develop Reconciliation Action Plan (RAP) by end 2023




Appointed First Nations Senior Executive officer to oversee DEWR's CtG efforts




Participate in Jawun Secondment and support SES to attend Garma festival




Celebrate NAIDOC and Reconciliation Week



Maintain an Indigenous Liaison Officer and a Yarning Room



Support an Indigenous Employee Network



Appointed 2 First Nations Co-champions

DEWR Staff

First Nations employee headcount (December 2022)	Level	Number (proportion of all DEWR)	Target proportion
	APS1 – APS3	4 (5.0%)	N/A
	APS4 – APS6	42 (3.1%)	5% by 2022
	EL1 – EL2	19 (1.3%)	5% by 2024
	SES	1 (0.78%)	3% by 2024
	<b>Total headcount</b>	66 (2.2%)	5% by 2023
Australia Day	<ul style="list-style-type: none"> <li>64 DEWR employees chose to work on 26 January 2023.</li> </ul>		

## 1. Estimated VET students - First Nations students

First Nations students: **155,735** (3.6% of all students)

### 1.1 Students over time

	2017	2018	2019	2020	2021
Number ('000s)	137.8	138.4	148.6	143.8	155.7
% of all students	3.3%	3.4%	3.5%	3.6%	3.6%

### 1.2 Estimated students by training location

Delivery location	Number ('000s)	% of state who are First Nations	pp diff. from national
New South Wales	57.0	4.4%	+0.8 pp
Victoria	17.9	1.7%	-1.9 pp
Queensland	48.0	4.1%	+0.5 pp
South Australia	7.1	2.7%	-1.0 pp
Western Australia	17.1	3.7%	+0.1 pp
Tasmania	3.4	3.9%	+0.3 pp
Northern Territory	9.0	19.2%	+15.6 pp
Australian Capital Territory	2.3	2.4%	-1.2 pp
<b>Total</b>	<b>155.7</b>	<b>3.6%</b>	<b>-</b>

### 1.3 Estimated students by RTO type

Provider type	Number ('000s)	% of RTO type who are First Nations	pp diff. from national
TAFE	47.6	6.1%	+2.5 pp
Private training provider	97.2	3.1%	-0.6 pp
Community education provider	15.6	3.5%	-0.2 pp
School	7.9	6.9%	+3.3 pp
Enterprise provider	5.2	4.8%	+1.2 pp
University	4.4	5.8%	+2.2 pp
<b>Total</b>	<b>155.7</b>	<b>3.6%</b>	<b>-</b>

### 1.4 VET participation rate (% of cohort aged 15-64)

All Australians	24.0%
First Nations	30.7%

### 1.5 Estimated students by age

Age	Number ('000s)	% of age group who are First Nations	pp diff. from national
14 years and under	0.9	5.1%	+1.5 pp
15 to 24 years	65.5	5.1%	+1.4 pp
25 to 34 years	38.5	3.6%	+0.0 pp
35 to 44 years	24.1	3.0%	-0.6 pp
45 to 54 years	17.2	2.7%	-0.9 pp
55 to 64 years	8.3	2.1%	-1.5 pp
65 years and over	1.2	1.4%	-2.2 pp
Not known	0.1	1.1%	-2.5 pp
<b>Total</b>	<b>155.7</b>	<b>3.6%</b>	<b>-</b>

### 1.6 Estimated students by selected characteristics

Category	Number ('000s)	% of xtic who are First Nations <sup>a</sup>	pp diff. from national
Studying part-time	141.0	3.7%	+0.1 pp
Living outside major cities	87.5	7.0%	+3.4 pp
Employed <sup>b</sup>	86.5	3.2%	-0.5 pp
Female	78.1	3.9%	+0.3 pp
Living in most socio-economically disadvantaged areas	51.8	7.2%	+3.5 pp
Apprentice/trainee off-job training	19.3	5.4%	+1.8 pp
Identified as person with a disability <sup>b</sup>	14.3	7.9%	+4.3 pp
<b>Total</b>	<b>155.7</b>	<b>3.6%</b>	<b>-</b>

## 2. Training activity - First Nations students

First Nations: **139,540** program enrolments (5.0% of all enrolments), **33,190** program completions (4.0% of all completions)

### 2.1 Top 5 qualifications by program enrolments<sup>c</sup>

Course code	Qualification name	First Nations enrolments	% in course who are First Nations
CHC33015	Certificate III in Individual Support	4,070	4.5%
CHC30113	Certificate III in Early Childhood Education and Care	3,830	6.0%
FSK20113	Certificate II in Skills for Work and Vocational Pathways	3,725	11.9%
CHC32015	Certificate III in Community Services	3,515	15.9%
SIT20316	Certificate II in Hospitality	2,725	7.5%

### 2.2 Top 5 fields of education (FoE) by program enrolments

Field of education	First Nations enrolments	First Nations rank	VET rank <sup>d</sup>	% of FoE who are First Nations
Society and culture	28,595	1	2	5.5%
Management and commerce	22,080	2	1	3.9%
Engineering and related technologies	21,165	3	3	5.1%
Mixed Field Programmes	13,010	4	6	6.7%
Architecture and building	11,390	5	4	5.0%

First Nations students' greatest proportion of enrolments by FoE is in Agriculture (8.9%, VET rank 10). Their lowest proportion is in Natural Sciences (2.7%, VET rank 13).

### 2.3 Qualification completion rates (%)

Demographic	Observed		Projected	
	2016	2017	2018	2019
First Nations	33.7%	33.4%	34.7%	34.0%
National	43.8%	45.9%	47.9%	48.9%

### 2.4 Program completions by level of education (LoE)

Level	2020	2021*
Diploma and above	2,150	2,330
Certificate IV	3,015	3,220
Certificate III	10,000	9,905
Certificate II	9,885	11,050
Certificate I	2,890	3,450
Accredited courses	750	1,040
Training package skill sets	2,525	2,200
<b>Total</b>	<b>31,210</b>	<b>33,190</b>

\* Additional 2021 completions will be reported in the 2022 collection.

### 2.5 Students in subject-only training

	National	First Nations
Proportion (%) of students not doing a nationally recognised course	63.5%	52.5%

### 2.6 Top 3 subject-only units of competency

HLTAID001 - Provide cardiopulmonary resuscitation	23.4%
HLTAID009 - Provide cardiopulmonary resuscitation	22.6%
HLTAID003 - Provide first aid	16.8%

## 3. Outcomes and satisfaction - First Nations students

### 3.1 Satisfaction outcomes for 2021 qualification completers (%)

Outcome	First Nations	National	pp diff. from national
Satisfied with overall quality of training	91.5%	88.9%	+2.6 pp
Achieved main reason for doing the training	86.8%	87.2%	-0.3 pp
Recommend their training provider	87.1%	84.4%	+2.8 pp

### 3.2 Employment outcomes for 2021 qualification completers (%)

Outcome	First Nations	National	pp diff. from national
Employed before training	57.8%	65.7%	-7.8 pp
Employed after training	71.3%	77.4%	-6.1 pp
Improved employment status after training	61.4%	65.0%	-3.6 pp
Of those not employed before training: employed after training	45.8%	49.6%	-3.8 pp

• Rounded components may not sum to rounded totals.

a. xtic = characteristic

b. Understated with high numbers of students whose status is unknown.

c. Enrolments include all courses that have been superseded by the qualification.

d. Ranking is by count of overall program enrolments in the field of education.

Contact Officer: s 22(1)

**Topic** PALM worker exploitation  
s 22(1) s 22(1)

## Key points

- 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 those engaged under the PALM scheme, or from employers seeking to coerce workers to leave the scheme.
- The Migrant Worker Taskforce Enquiry Report, Harvest Trail Enquiry Report and other academic reports, as well as the department's experience delivering the program, help us understand migrant worker experiences.
- Measures are in place to protect and support workers in the PALM scheme.
  - Workers are employed under the same industry awards and legislation as Australian workers.
  - All Approved Employers (AEs) are vetted and must meet stringent criteria to participate, including compliance with Australian workplace regulation laws, work health and safety laws, and immigration requirements.
  - AEs must meet specific requirements to recruit PALM workers including meeting the required accommodation standards and providing sufficient hours of work.
  - There is a rigorous monitoring and compliance framework which includes site visits, a 24-hour PALM support service line and regular reporting requirements for AEs.
- Existing measures will be enhanced through the Government's commitment to improve workplace standards for PALM workers by increasing workplace compliance activities and implementing the recommendations of the Migrant Workers Taskforce.

## Key facts, figures or dates

PALM Monitoring visits for 2022-2023 FY as at 31 December 2022:

Visit type	2020-2021	2021-2022	2022-2023 (31/12/22)	Total
Assurance <sup>(1)</sup>	1	13	144	158
Dignitary	7	0	0	7
Other	0	0	1	1
Recruitment	54	87	57	198
Worker Wellbeing	68	134	5	207
<b>Total</b>	<b>130</b>	<b>234</b>	<b>207</b>	<b>571</b>

Note:

<sup>(1)</sup> Assurance visits: For the 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. For the long-term stream, assurance visits involve assessing general compliance to the Deed, performance of the Approved Employer, and potential risks.

<b>Last Cleared By</b>	s 22(1)
<b>Date Last Cleared</b>	13 February 2023
<b>Division</b>	Emp & W   Deputy Secretary

**PALM workers currently in Australia at 31 December, 2022**

SWP	PLS	Total
23,178	12,017	35,195

**Total PALM approved employers: 410**

Short term (SWP): 274\*      Long term (PLS): 255\*

\* 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**

NSW	VIC	QLD	WA	SA	TAS	NT	ACT	TOTAL
5,561	6,271	11,942	3,472	2,507	4,147	1,269	26	35,195

Fiji	Kiribati	Nauru	PNG	Samoa	Sol Is	Timor-Leste	Tonga	Tuvalu	Vanuatu	TOTAL
4,449	842	3	1,194	4,760	3,993	4,002	5,738	41	10,173	35,195

**PALM arrivals by state and country - 3 months (since October 2022)**

Month	NSW	VIC	QLD	WA	SA	TAS	NT	ACT	TOTAL
Oct-22	398	287	818	311	160	722	225	4	2,925
Nov-22	190	831	1,104	409	180	1,176	28	0	3,918
Dec-22	133	1,249	951	102	62	392	5	6	2,900

Month	Fiji	Kiribati	Nauru	PNG	Samoa	Sol Is	Timor-Leste	Tonga	Tuvalu	Vanuatu	TOTAL
Oct-22	409	30	0	41	169	106	592	364	8	1,206	2,925
Nov-22	371	132	0	152	352	258	585	769	10	1,289	3,918
Dec-22	126	19	0	244	413	154	373	652	3	916	2,900

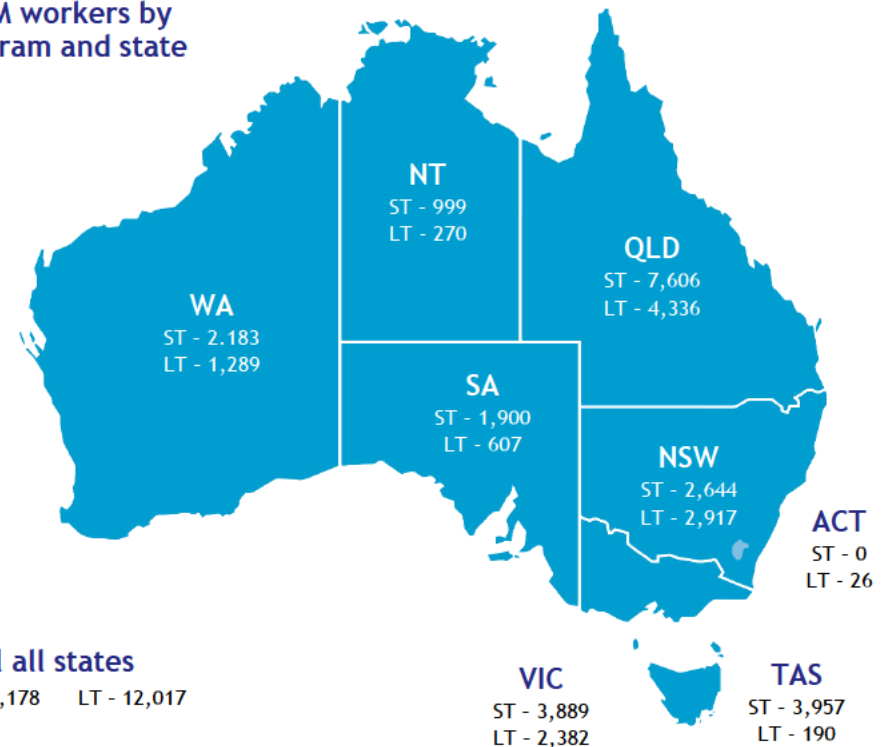
**PALM workers by industry (high level)**

Industry	Short term	Long term
Agriculture	22,766	2,281
Meat processing	8,472	
Accommodation	412	370
Residential care	525	
Other	369	

**Total planned recruitments and worker arrivals - next 2 months**

Month	No of planned Recruitments	No of workers proposed	Comments
Jan-23	214	2,817	With worker mobilisations not returning to business as usual until 8 January 2023, the actual number of workers arriving this month is likely to be slightly less than forecast.
Feb-23	163	1,997	There is generally less demand for workers this month and the actual number of workers that arrive will likely change as Approved Employer's recruitment needs are confirmed.

**PALM workers by program and state**



### 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

#### How we know about worker exploitation

- Migrant Workers' 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

#### PALM Monitoring Visits for 2022-23

as at 31 December 2022

Visit type	2020-2021	2021-2022	2022-2023	Total
Assurance <sup>(1)</sup>	1	13	144	158
Dignitary	7	0	0	7
Other	0	0	1	1
Recruitment	54	87	57	198
Worker wellbeing	68	134	5	207
<b>Total</b>	<b>130</b>	<b>234</b>	<b>207</b>	<b>571</b>

(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

#### Measures in place to protect workers

- Workers are employed under the same industry awards and legislation as Australian workers
- AE's are vetted and must meet stringent criteria to participate in the scheme
  - 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

#### Planned measures to protect workers

- Increasing workplace compliance activities
- Implementing recommendations of the Migrant Workers' Taskforce Report
- Enhancing existing measures
- Updated PALM Deed and Guidelines

#### Examples of what would constitute PALM worker exploitation

Long hours	Wage theft
Low earnings	non-compliant accommodation
Unfair deductions	Threats
Sexual exploitation	

#### Allegations of PALM Worker Exploitation

- 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)

#### How we respond to allegations of PALM worker exploitation

- 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
- Encourage workers to also contact relevant agencies (as above)

### 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 December 2022 (refer Attachment A for further data)

NSW	VIC	QLD	WA	SA	TAS	NT	ACT	TOTAL
5,561	6,271	11,942	3,472	2,507	4,147	1,269	26	35,195

Fiji	Kiribati	Nauru	PNG	Samoa	Sol Is	Timor-Leste	Tonga	Tuvalu	Vanuatu	TOTAL
4,449	842	3	1,194	4,760	3,993	4,002	5,738	41	10,173	35,195

#### 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	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 insource PALM operations	Consultations on the future onshore delivery model also commenced



# PACIFIC AUSTRALIA LABOUR MOBILITY SCHEME

## TIMELINE FOR KEY POLICY DECISIONS



### SWP commences

August 2008 Pacific Seasonal Worker Pilot Scheme commences

1 July 2012 – SWP begins

2012-13 – 1,473 SWP visas granted

2008-13



### PLS commences

1 July 2018

Stay period up to 3 years (min 12 mths)

2018-19

### COVID-19 International borders closed

March 2020

Workers in Australia at the time:

- SWP – 7,000
- PLF – 1,000

2019-20

### MoG SWP to DFAT

November 2021 – SWP moved from DESE to DFAT

January 2022 – staff moved

Planning for alignment of the SWP and PLS

2021-22

### 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

April 2022

### 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.

April - May 2022

### MoG to DEWR

Announced June

1 July – takes effect

22 July – staff move to DEWR

22 August – finalising

June – July 2022

### Governance

Start of governance co-design DEWR and DFAT

MoG arrangements finalised

August – Sep 2022

### Budget 2022-23

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

October 2022

December 2022

### 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 46<sup>th</sup> 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.

**Topic** Notifiable Data Breaches

s 22(1)

s 22(1)

**Key points**

- In the period 1 July 2022 to 31 December 2022, the Department of Employment and Workplace Relations (DEWR) had no eligible data breaches for the purposes of the *Privacy Act 1988*.
- The former Department of Education, Skills and Employment (DESE) had one joint eligible data breach that was finalised during this period and that relates to the functions of DEWR.
- The incident involved an employment services provider and related to personal information held on DEWR's IT system (ESSWeb) and accessed by the provider's staff.
- DEWR notified the Office of the Australian Information Commissioner (OAIC) and the job seeker affected by the incident. OAIC has since notified DEWR that no further action would be taken in relation to the joint eligible data breach.

**Background - Key facts, figures or dates**

- Further details can be provided by Tim Ffrench, General Counsel.

<b>Last Cleared By</b>	s 22(1)
<b>Date Last Cleared</b>	27 January 2023
<b>Division</b>	Corp   Legal and Assurance

**Topic** National Office Accommodation 2025  
s 22(1) s 22(1)

## Key points

- The Department of Finance's (Finance) Commonwealth Leasing Strategy in 2020 identified that then Department of Education, Skills and Employment (DESE) should undertake a joint approach to market with the Australian Electoral Commission (AEC) to meet its office accommodation requirements beyond 2024/2025.
- The Department of Employment and Workplace Relations (DEWR) and the Department of Education's (DE (together the departments)) have undertaken a two-stage procurement process to source suitable office accommodation in the Canberra Central Business District (CBD).
- The departments are currently spread across nine buildings in Canberra (seven in the CBD) that are mostly aged and inflexible, and require significant base building work and improvements in office fit-outs.
- The procurement process is now complete, and the departments have selected a new building, to be developed by Walker Corporation, as their preferred solution.
- This new office accommodation solution will deliver a state-of-the-art workplace with a strong emphasis on flexible design, layout and use of space.
- Should the departments accommodation needs change in the future, the solution can be sublet should there be a need to do so.
- Using lessons learnt from the COVID-19 pandemic, the accommodation will be designed with extensive consideration given to creating a touch-free environment wherever possible, including lifts, car park access, amenities and end of trip facilities. To mitigate the risk of viral transfer, hygiene stations have been integrated into the fit-out design. Additionally, physical distancing of 1.5 metres has been incorporated into the design through workstations sizing, workstation screens between workstations, and primary and secondary circulation pathways between workstation zones.
- The project will also use industry trends in design, construction, and technology to deliver a smart and sustainable building/precinct.
- Though our ongoing consultations with staff, they acknowledge the need to move to a more flexible use of office space and making sure we are smarter in how we use our accommodation.

- The new accommodation will provide the departments with approximately 52,000 square metres.
- The department and AEC made a formal submission to the Parliamentary Standing Committee on Public Works (the Committee) in October 2022 and appeared before the Committee on 2 February 2023.
- Once approval is given through the Committee, works on the new building activity will commence with a final practicable completion date of March 2026 and occupancy by staff from July 2026.

### ***Environmental***

- The proposed performance of the new building will meet, and exceed, the requirements of several current Government policies including energy efficiency.
- The proposed solution will be designed to have a full electric energy supply and meet a 5.5-star NABERS energy rating with a potential to achieve 6-star NABERS energy rating once in operation.
- In addition to the energy rating, the building will also achieve a minimum of 4-star NABERS whole building water rating, with aspirations of achieving 5-star NABERS whole building water rating once in operation
- The departments have sought the advice of Finance, who is leading work on the Net Zero policy for the Australian Public Service, to ensure conformance with future Government environmental policies, including net zero requirements in a building with a full electric energy supply and a 5.5-star NABERS energy rating.
- Finance has confirmed that there is little to no risk of non-conformance with future Government environmental policies for the department's new office accommodation.

### ***Consultation***

- Consultation with staff regarding the new office accommodation is well underway.
- The departments have undertaken 21 discovery workshops and 33 leader interviews, generating well over 3,000 insights about our future workspace.
- The departments will continue to engage and consult with staff, as we get closer to the completion of the new build. This includes consultation on the design of the new solution.

- Since February 2022, the project team has been gathering workspace intelligence to inform the planning and design of future workspace solutions, including:
  - assessing how office space is used;
  - comparing current workspaces with other government solutions;
  - engaging with representative leaders to understand team needs; and
  - conducting face to face and virtual workshops with staff.
- The departments have also looked at office space and utilisation trends across other Commonwealth agencies, state and territory government agencies and international governments.

### Key facts, figures or dates

- Following the announcement of the solution, three media articles were published in Canberra. These articles are provided at **Attachment A**.
- The departments were not contacted for comment on the articles.

<b>Last Cleared By</b>	s 22(1)
<b>Date Last Cleared</b>	31 January 2023
<b>Division</b>	Corp   Technology and Services

Breaking

# Departments of Education, Workplace Relations to move into new 11-storey Civic office by mid-2026



By [Sarah Basford Canales](#), and [Brittney Levinson](#)

Updated October 6 2022 - 1:13pm, first published 1:00pm



1 Comment



The federal government's Education and Workplace Relations departments have found a new home on London Circuit after securing a 15-year deal for a mid-2026 move.

It marks the second major move for a federal agency after the Australian Taxation Office announced it was going to a new building in Barton in 2025, leaving its Narellan and Genge Street offices empty.

The 70,000-square-metre site on the corner of London Circuit and Northbourne Avenue will be called London Quarter and is expected to be developed into an 11-floor office.

The Department of Education, the Department of Workplace Relations and the Australian Electoral Commission will all move to the central office building in mid-2026 for a 15-year lease allowing all Canberra-based staff to work in the one location.

The building will be designed with touchless amenities and will offer open floor space for staff.

#### **READ MORE:**

- [APS pay rise welcomed but union warns bureaucrats 'deserve far more than this'](#)
- [Design team appointed for \\$137 million revamp of 'iconic' bridge](#)

- ['Like this weird anchor': Higgins kept dress under bed while weighing up action on alleged rape](#)

The department will provide a submission to a parliamentary committee during this month with further details expected by the end of the year.

The [Education Department went to tender for a new site in late 2020](#) as its five leases, covering 75,000 square metres of office space across Canberra, are due to expire by May 2025.

It sought expressions of interest for accommodation options between 50,000 and 70,000 square metres within the Canberra CBD.

The ACT government [flagged late last month it was in the final stages](#) of selling the block of land, known as Block 40, Section 100 City, after it was first advertised for sale in February last year.

The site is currently used as a car park for the ACT Supreme Court and Melbourne Building businesses.

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# Commanding city corner move for three federal departments/agencies after land sale

11 October 2022 | Ian Bushnell

Start the conversation





An artist's impression of the proposed office block on the corner of Northbourne Avenue and London Circuit. Photos: Supplied.

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A new 11-storey office block to rise on a gateway city corner will be the new home for several federal government agencies after the sale of Block 40 Section 100, currently the car park next to the ACT law courts.

The Department of Employment and Workplace Relations, Department of Education and the Australian Electoral Commission will move from their

current offices in Marcus Clarke Street in 2026 to the new site on the corner of Northbourne Avenue and London Circuit.

The 70,000 square metre site is expected to be known as London Quarter and the building will provide touchless amenities and an open floor plan.



**READ ALSO** Astounding \$9 million Deakin property sets new Canberra residential property sale record

A DEWR spokesperson said the department and the AEC had signed a 15-year lease for office accommodation at London Quarter from mid-2026.

The spokesperson said DEWR provided accommodation services to the Department of Education, and all Canberra-based staff from the three agencies would be accommodated at this site.

A City Renewal Authority spokesperson called the sale and development a once-in-a-decade opportunity to accelerate the city centre's renewal with a sustainable, high-quality development that will locate thousands more workers adjacent to the city's cultural, retail and hospitality offerings.

The CRA released the prime block for sale in 2020 when the Commonwealth sought invited Expressions of Interest for future leased accommodation in the city.

A two-stage process identified developers for the Commonwealth to shortlist, and the Territory then invited them to submit tenders for the site.



Another view of the proposed development.

The Commonwealth has now chosen its preferred tenderer and the Territory is in the process of completing the sale.

The CRA spokesperson said few details of the sale had been released with the process still subject to commercial considerations.

“We are confident in delivering excellent value for the Territory both financially and in terms of quality precinct development,” the spokesperson said.

“The site was independently valued during the sale process, and the final price will be disclosed once the sale is complete.

“We are pleased to cooperate with the Commonwealth and their preferred tenderer on this opportunity and look forward to completing this sale in the coming months.”

The three agencies' current home at 50 Marcus Clarke Street – a 12-storey building with 40,000 square metres of lettable space – sold last year for a then-record of \$335 million to Charter Hall and GIC.

The lease there expires in 2025 and the former Department of Education, Skills and Employment had been actively looking for a new, more extensive site to accommodate all its staff.

The city deal continues the repositioning of major federal departments in Canberra.



**READ ALSO** Housing crisis enters a dangerous new stage and government needs to act

The Tax Office has announced a move in 2025 to a new building in Barton from 21 Genge Street in the city, while Infrastructure is tipped to be the new tenant at One City Hill on the other side of the law courts.

Charter Hall has been busy collecting major office assets in Canberra. It is conducting due diligence on 21 Genge Street for a \$300 million purchase and has also picked up the new Tax Office building to be built at 15 Sydney Avenue.

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# Departments of Education, Workplace Relations to move into new 11-storey Civic office by mid-2026



By [Sarah Basford Canales](#), and [Brittney Levinson](#)  
October 7 2022 - 5:30am



An artist's impression of London Quarter to be built in Civic. Picture supplied

Industry figures say the Education and Workplace Relations departments' shift to a new home will be "city shaping".

The departments will move to London Circuit in mid 2026, after securing a 15-year deal.

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It marks [the second time](#) [after the Australian Taxation Office](#) announced it was going to a new building in Barton in 2025, leaving its Narellan and Genge Street offices empty.

Some industry figures are praising the deal, saying the development is likely to attract thousands of workers to an underutilised part of Canberra's CBD.

But other experts are concerned the office buildings being left behind will become ghost towns, leaving thousands of square metres of unused property in the city's centre.

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Bob Hawke was 'unwittingly' signed up by Chinese spies...



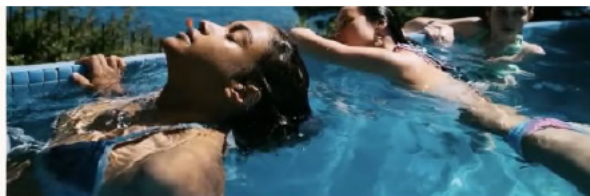
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The 70,000-square-metre site on the corner of London Circuit and Northbourne Avenue will be developed into an 11-floor office and is tipped to be called London Quarter.



The Department of Education, the Department of Workplace Relations and the Australian Electoral Commission will all move to the central office building in mid-2026 for a 15-year lease allowing all Canberra-based staff to work in the one location.

The building will offer touchless amenities and include open floor space for staff.

The department will provide a submission to a parliamentary committee during this month with further details expected by the end of the year.

The [Education Department first approached the market for a new site in late 2020](#) as its five leases, covering 75,000 square metres of office space across Canberra, are due to expire by May 2025.

It sought expressions of interest for accommodation options between 50,000 and 70,000 square metres within the Canberra CBD.

The ACT government [flagged late last month it was in the final stages](#) of selling the block of land, known as Block 40, Section 100

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The site is currently used as a car park for the ACT Supreme Court and Melbourne Building businesses.

Commercial property agency Colliers and infrastructure service provider Ventia managed the lease transaction through a joint government approach to market.





The London Quarter site in Civic where an 11-storey office will be developed for federal government departments. Picture supplied

Nick Evans, head of government property services at Colliers, said the procurement process had been in the works for several years.

"It's the biggest leasing transaction for Canberra in recent memory, but also across Australia," he said.

Mr Evans described the London Quarter development as "city-shaping" and said it would bring thousands of workers to the city centre.

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"From a Commonwealth perspective, it's putting roots down in Canberra City and saying 'This is where we're going to be for the next 15 or so years'."

But Stephen Oxford, a former Finance Department official and head of Australian Strategic Property Advisers, said he was concerned about the long-term implications for new large-scale office developments.

"It's hard to believe that, on a financial basis, a new development is more cost effective than staying in the existing building," he said.

"It creates a market where if the government moves out of these huge office buildings, they quickly become obsolete because the private sector just doesn't have that kind of scale of demand in Canberra."

He added the vacated office spaces would be tough to fill with new tenants unless other major departments were looking to move in.

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"Due to their design, they're difficult to break up into a series of smaller tenancies to meet private sector demand," Mr Oxford said.



asset but there's no guarantee you can retain your tenant beyond the initial term and I think that can deter investors from spending money in Canberra."

### READ MORE:

- [APS pay rise welcomed but union warns bureaucrats 'deserve far more than this'](#)
- [Design team appointed for \\$137 million revamp of 'iconic' bridge](#)
- ['Like this weird anchor': Higgins kept dress under bed while weighing up action on alleged rape](#)

Despite major department moves having been on the cards for some years, it hasn't dampened confidence among some commercial office investors.

Investment firms Charter Hall and GIC jointly purchased [50 Marcus Clarke Street in 2021 for \\$335 million](#) with the knowledge the education department's lease was due to expire in 2025.

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Charter Hall is also understood to be [conducting due diligence on the current Tax Office building](#) at Genge Street for a purchase price



The Tax Office's move to Barton is good news for Charter Hall, given it has also become the owner of the department's new office at [15 Sydney Avenue](#).

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**Sarah Basford Canales**  
Canberra Times journalist



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**Brittney Levinson**  
Property reporter



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Brittney Levinson joined The Canberra Times in 2021 as part of ACM's national property team. As the region's dedicated property journalist, Brittney covers everything from real estate trends and new developments through to the stories behind the record-breaking...

0 Comments

**Topic** Cyber Security

**PBS, MYEFO,  
PAES reference** N/A

s 22(1)

s 22(1)

## Key points

- 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.
- 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.
- 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.

## Key facts, figures or dates

- As highlighted by the recent data breach events, cyber threats are becoming more advanced, sophisticated, prevalent, and targeted.
- The department has reviewed the potential impact of both the Optus and Medibank Private data breaches and the release of credentials on the dark web and implemented appropriate mitigation measures.
- To ensure ongoing security of our IT environment and data the department does not publicly comment on the specifics of individual operational or security matters.

<b>Last Cleared By</b>	s 22(1)
<b>Date Last Cleared</b>	27 January 2023
<b>Division</b>	Corp   Technology and Services

## GENDER EQUALITY – WORKPLACE RELATIONS

### The Government is delivering on its commitment to help close the gender pay gap (14.1%)

- The gender pay gap, calculated from average weekly ordinary full-time earnings, is **14.1%** (ABS Average Weekly Earnings, May 2022).

Current	Recent quarters		Record low	Recent high
	Nov 2021	May 2021		
May 2022	Nov 2021	May 2021	Nov 2020	Nov 2014
14.1%	13.8%	14.2%	13.4%	18.7%

- On average, **men working full-time earn \$263.90 more than women working full-time per week.**

### 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 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.

#### The equal remuneration principle makes it easier for the Fair Work Commission to order pay rises for low paid workers...

- The Government amended the work value and equal remuneration provisions to better guide the way the Fair Work Commission considers work value and equal remuneration cases
  - For equal remuneration cases, the Commission is no longer limited to comparing similar work, doesn't need a male comparator, and isn't required to find gender discrimination.
  - For work value cases, the Commission 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** over four years from 2022-23 for a Pay Equity Expert Panel and a Care and Community Sector Expert Panel in the Fair Work Commission, backed by a dedicated research unit.

Budget allocation for Expert Panels (\$millions):

2022-23	2023-24	2024-25	2025-26	Total
\$3.5m	\$6.2m	\$5.3	\$5.3	\$20.2

- The Government is undertaking an expression of interest process to appoint the new experts.

### 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

- 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.
- Enhanced support is available from the Fair Work Commission, who can also direct third-party funding providers to attend conferences about making an agreement.

### The right 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 work arrangement or an extension of unpaid parental leave, including by arbitration. However, arbitration is a last resort, and the Commission must attempt conciliation or mediation before arbitration unless there are exceptional circumstances.
  - An employer can still refuse a request if they have reasonable business grounds to do so. The test for determining reasonable business grounds has not changed, and the legislation makes clear that the size of an employer's business is a relevant consideration.
- Eligibility for flexible work requests will be extended to include employees who are pregnant as well as employees (or a member of their family/household) experiencing family and domestic violence.
- There will also be a fair and transparent process for responding to flexible work requests, based on the Commission's model flexible working arrangements award term.
- Disputes about flexible working arrangements are low.
  - In **2021-22**, the Fair Work Commission dealt with **47 applications to deal with disputes** in relation to flexible working arrangements. The Commission has not dealt with any disputes about an extension of unpaid parental leave.

### Pay secrecy clauses will be banned, improving transparency at workplaces

- Pay secrecy clauses included in new employment contracts from 7 December 2022 will 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

- Workers are entitled to 10 days paid leave, at full rate of pay, including for casuals.
- This commenced on **1 February 2023**, except for small business (< 15 employees), which commence on **1 August 2023**.
- The Government has allocated funding for a Small Business Assistance package (**\$3.4 million** over 4 years - \$2.2 FWO and \$1.2 DEWR).
- The \$1.2 million will be allocated to peak bodies through an open tender process to develop and disseminate targeted information to small business and fund an independent review.
- The independent review will commence as soon as practicable after **1 February 2024**.

### The Government will fund a wage increase for aged care workers

- In November 2022, the Fair Work Commission made an order proposing an interim wage increase of at least 15 per cent for direct care workers. The Government made a submission to this case in August 2022 outlining support for a wage increase and has committed to funding the outcome of this case in full.
- Funding for aged care is a matter for the Department of Health and Aged Care.

### There is more to be done and our next priorities are implementing Jobs and Skills Summit commitments related to work and care

- The Government's next priorities are to implement Jobs and Skills Summit commitments – providing stronger access to unpaid parental leave and initiating a detailed consultation and research process on work and care.
- There are also several inquiries underway relating to work and care, including the Senate Committee on Work and Care. The Committee's October 2022 interim report recommended changes to workplace relations settings, including a right to disconnect and improved rostering rights for employees. The Government will respond to the Committee's final report after its expected release in March 2023.

<b>Topic</b>	Commonwealth Funding and NSA
<b>PBS, MYEFO, PAES reference</b>	PBS p. 38
s 22(1)	s 22(1)

## Key points

- The Australian Government is committed to tackling skills shortages by funding the training system Australia needs, with TAFE at the heart of the system.
- In the **2022–23 October Budget**, the Government announced an investment of **\$921.7 million** over 5 years from 2022-23 to strengthen Australia's (Vocational Education and Training (VET) system, including:
  - **\$864.6 million** over 5 years to provide **480,000** fee free TAFE and VET places
  - **\$7.0 million** for National VET Data Infrastructure
  - **\$50.0 million** over 2 years to establish a TAFE Technology Fund
- The Government has also committed **\$95.6 million** over nine years from **2022-23** to deliver **10,000** New Energy Apprenticeships and **\$9.6 million** over 4 years from **2022-23** for a New Energy Skills program, as key components of the Powering Australia Plan.
- The Government has commenced discussions with states and territories on a new National Skills Agreement (NSA), (refer **EC23-000105**) to give effect to the vision statement and guiding principles agreed by National Cabinet on **31 August 2022**.
  - The new NSA is due to commence **1 January 2024**.
  - Total funding under the NSA will be subject to negotiations and the reforms agreed with state and territory governments.

### Australian Government funding for the skills sector

- Total Government VET investment increased from the **March to October 2022-23** Budget from **\$5.9 billion** to **\$6.3 billion**, a net increase of **\$451 million**.
- As part of this investment, the Government will provide **\$2.3 billion** in funding transfers to state and territory governments to support their skills systems in **2022–23**, up from **\$2.1 billion** in **2021-22**.
- Reductions in total funding over the forward estimates reflect the winding down of the previous government's temporary COVID support measures. These measures had planned end dates and the reductions were reflected in the previous government's Budget estimates (refer **EC22-010977**).
- As part of the Government's spending audit, savings were identified in certain skills and training programs:
  - The Mid-Career Checkpoint Pilot (**\$56.2 million** saving) ceased on **31 December 2022**. It was persistently under-utilised since it commenced on **1 July 2020**. Funding will be re-directed to developing a suite of initiatives to support women to achieve higher paying careers through a VET pathway.
  - The Industry Training Hubs pilot (**\$9.0 million** saving) was underspent in previous years, with fewer projects at a lower average cost than initially

anticipated. The reduced funding will still enable the program to continue to its end date of **30 June 2023**, with an evaluation to inform future policy design.

- The Supporting Women's Mid-Career Transition into the Tech Workforce program (**\$3.9 million** saving). The Digital and Tech Skills Compact being established by the Government will guide a co-ordinated effort to ensure there are sufficiently skilled people to substantially grow Australia's tech sector.

## Financial impacts

- Estimated investment in VET in 2022–23 is **\$6.3 billion**, including:
  - **\$2.3 billion** in Government transfers to state and territory governments
  - **\$3.4 billion** to fund the Commonwealth's own skills programs, including support for Australian Apprenticeships
  - Approximately **\$0.7 billion** for income contingent loans.
- With the additional investment in the October Budget, the total Government investment in **2022–23 (\$6.3 billion)** is close to double the pre-pandemic level (**2018-19**) of **\$3.2 billion**.

## Key facts, figures or dates

- Commonwealth VET Funding Bubble Diagram ([Attachment A](#)).

<b>Last Cleared By</b>	s 22(1)
<b>Date Last Cleared</b>	25 January 2023
<b>Division</b>	Skills   Skills Reform Taskforce



# In 2022-23, the Commonwealth is budgeting \$6.3 billion for VET

**\$2.3 billion** to states & territories

National Skills and Workforce Development Specific Purpose Payment  
**\$1.6 billion**

12-Month Skills Agreement  
**\$384 million**

JobTrainer  
**\$269 million**

Revitalising TAFE Campuses Across Australia  
**\$5 million**

Energising Tasmania  
**\$5 million**

Resources Centre of Excellence  
**\$2 million**

**\$3.4 billion** in Commonwealth own programs

Australian Apprenticeship Incentives Program	\$2,436 million
Australian Apprenticeship Support Network	\$273 million
Australian Apprenticeships Incentives System	\$147 million
<i>Note AAIP and AASN include components of:</i>	
- Boosting Apprenticeship Commencements (BAC)	\$1,696 million
- Completing Apprenticeship Commencements (CAC)	\$335 million
Skills For Education & Employment Program	\$125 million
Industry Clusters	\$74 million
National Training System COPE	\$63 million
ASQA	\$44 million
Trades Recognition Australia	\$43 million
Industry Workforce Training	\$32 million
VET Data Streamlining	\$27 million
Migrant Skills Incentive	\$14 million
Foundation Skills For Your Future	\$14 million
National Careers Institute and Ambassador	\$14 million
Skills Organisation Pilots	\$10 million
Industry Training Hubs	\$9 million
Skills Checkpoint for Older Workers	\$7 million
National Skills Commission	\$7 million
Other Program 2.1	\$33 million

*Note:* The expense component of VET Student Loans and Trade Support Loan is excluded from these figures given the nominal loan value is counted in the next column.

**\$673 million** in income contingent loans  
^ nominal value of loans

VET Student Loans (and VET FEE-HELP)  
**\$383 million**  
(unpublished)

Trade Support Loans  
**\$290 million**  
(unpublished)

## Not included in Commonwealth figure

In 2021, states & territories also contributed **\$ 4.2 billion** to VET  
*Source: NCVET Government Funding of VET 2021*

## Other funding sources include:

- Training purchased by other portfolios
- Self-education tax deductions
- Income support payments

## Sources:

- 2022-23 October Budget
- VET-FEE HELP, VET Student Loans and Trade Support Loans nominal loan values are unpublished departmental estimates current as at October 2022.



## Back Pocket Briefs – Supplementary Budget Estimates Titles– February 2023

### Employment and Workforce

Whole of Workforce Australia Policy  
 Inquiry into Workforce Australia Employment Services – Select Committee  
 Employment Services Funding Model  
 Disability Employment Services Reform  
 Disability Fact Sheet and Current Policy  
 Youth Employment  
 Replacing PaTH Internships and the National Work Experience Program  
 First Nations Fact Sheet  
 Mature Age Fact Sheet and Current Policy  
 CALD/Refugee Fact Sheet  
 Women’s Workforce Participation Fact Sheet  
 Long Term Unemployed Fact Sheet and Current Policy  
 Ex-offender, Homelessness Fact Sheet  
 Portfolio Budget Statement – Employment Services (Performance Measures)  
 Provider Performance Framework and Licencing – Employment Services  
 Employment Services Assurance  
 Quality Assurance Framework – Employment Services  
 Digital Service Customer Centre – Assurance  
 Privacy Issues – Employment Services  
 Provider Breaches – Employment Services  
 Incidents and Insurance – Employment Services  
 Challenging Behaviours – Employment Services Participants  
 Workforce Australia Participant Transition Surveys – results and methodology  
 Workforce Australia Evaluation (incl SPROM Review)  
 Evaluations – Employment and Workforce Group  
 Employment Services Procurement  
 Employment Services Procurement – ANAO Audit  
 Workforce Australia Services  
 Workforce Australia Procurement Outcomes  
 Workforce Australia Services Specialist Licences  
 Employment Services - Provider List & Contract Values  
 Provider Own Organisation and Related Entity Referrals  
 Temporary Suspension of Mutual Obligation Requirements  
 Activation Requirements  
 Employment Fund  
 Contact Centre Branch operations and resourcing  
 Work for the Dole  
 ParentsNext

Workforce  
Harvest Trail Services  
Local Jobs Program  
Launch into Work  
Self-Employment Services  
Workforce Specialists  
PALM worker exploitation  
PALM Onshore delivery model and expansion  
PALM Media  
PALM Program Overview – Operations  
PALM Deed and Guidelines

## Skills and Training

JSA new appointments and loss of office for previous Commissioner  
Australian Skills Guarantee  
Budget 'saves' / Audit of wasteful spending  
TAFE election commitments and one year skills agreement  
VET students affected by delayed student loans IT issue  
ASQA  
Apprenticeships and skills shortages  
Responsible Service of Alcohol

## Workplace Relations

Secure Jobs, Better Pay RIS  
ABCC and the building industry  
Aged care work value matter  
All Trades  
Awards Policy  
Bargaining – overview of reforms  
Coal LSL Scheme  
Compliance and enforcement reform – Including Criminal Offence for Underpayment of Wages and Small Claims  
Corporate Misuse of FEG  
COVID-19  
Current legislative instruments open to disallowance  
Current Litigation / Government Intervention  
FEG Claims Activity and Data  
FEG Program Settings  
FEG Recovery Program and High Profile Cases  
Finalised Interventions  
FWC Funding  
Gender Equality – Workplace Relations  
ILO Engagement and Funding  
Industrial action  
Insecure Work  
Jobs Summit – WR Aspects  
Judicial comparison of industrial manslaughter provisions

Labour Market Information  
Migrant workers – Including Migrant Workers’ Taskforce Recommendations  
National Labour Hire Regulation  
Office of the Federal Safety Commissioner  
Registered organisations  
RegTech update  
Respect@Work + WHS  
Review of the model Work Health and Safety Laws  
Right of entry  
Same Job, Same Pay  
Seacare  
Secure Jobs Better Pay  
Silicosis  
Summary of Review outcomes (Review of the model Work Health and Safety Laws)  
Wages  
WHS – GIG economy and the NDIA  
Work and Care  
Workers’ compensation  
Working women’s centres (Respect@Work recommendation 49)  
Workplace fatalities  
Workplace relations reform consultation  
WR appointments

## **Corporate**

2021-22 Financial Statements and Financial Audit  
50 Marcus Clarke Street Closures  
Accessibility of Websites  
Australian Government Office Occupancy Report 2021  
Communication Facts and Figures  
Compensation for Detriment caused by Defective Administration (CDDA)  
Contractors including non-ICT Contractors  
COVID-19 Internal Response  
Credit Cards  
Current Average Staffing Level  
Department’s Internal Audit Function  
Department’s response to the government’s integrity reform agenda  
Departmental and Administered Funding  
DSD Finances, Staffing and Procurement  
DSD IT Build – Apprenticeships Data Management System (ADMS) Training and Youth Internet management System (TYIMS)  
DSD IT Build – Workforce Australia  
DXC Technology – Procurement  
Employment Services System (ESS) Statistics  
Executive Remuneration  
Fraud Control Framework  
Freedom of Information  
Gifts and Benefits Estimates

Grant Management  
ICT Contracts  
ICT Employees  
ICT MOU  
Integrity Reform Agenda and the Royal Commission into the Robodebt Scheme  
IT Cloud Computing  
IT Facts and Figures  
IT Recruitment  
IT Security Accreditation for Providers  
Machinery of Government Changes 2022  
National Cleaning Arrangements  
Official hospitality and business catering  
Ombudsman  
Cyber Data Breaches  
Parliamentary Key Facts and Figures  
Priority 1 Incidents  
Privacy Controls in Employment Systems  
Property and Accommodation  
Protective Security and the Protective Security Policy Framework (PSPF)  
Public Interest Immunity  
Questions on Notice from previous Estimates hearing  
Summary of Services  
Timeliness of Payments and e-invoicing  
Travel  
TSD Structure  
Workforce Metrics