



Restaurant
& Catering



12 April 2012

Committee Secretary
Senate Education, Employment and Workplace Relations Committees
PO Box 6100
Parliament House
Canberra ACT 2600

To Whom It May Concern

Skills Australia Amendment (Australian Workforce and Productivity Agency) Bill 2012

Restaurant & Catering Australia (R&CA) is the peak national association representing the interests of Australia's 32,000 restaurateurs and caterers.

Restaurant & Catering Australia is made up of a federation of State Restaurant and Catering Associations. There is a member association in each State / Territory. In total there are 7,500 members of the associations nationally (in any 12 month period).

R&CA supports the passage of the Bill, and would like to make the following comments by reference to the Committee's summary of the key elements of the proposed legislation:

- **Replace the existing Skills Australia body with the Australian Workforce and Productivity Agency**

R&CA supports the broadening of the role of what is currently Skills Australia to reflect the need for skills to be seen in the context of workforce planning and development. The emphasis on productivity in the title and role of the Agency is also supported, as it draws attention to the important economic outcomes to which workforce development contributes.

- **Allow the provision of advice on workforce development funding and Commonwealth industry skills**

The inclusion of this new function reflects the important role that the new Agency will play in directing investment in workforce development through the National Workforce Development Fund. The principles of the funding approach, and the important opportunity for industry to have input into how the funding should be prioritised is supported.

- **Allow for a stronger research assessment, analysis and advisory role for the workforce and productivity agency**

An evidenced based approach to the provision of policy advice and the prioritisation of funding is critical. R&CA would expect that the new Agency in its expanded research capacity will work closely with other research agencies including the Australian Bureau of Statistics and particularly National Centre for Vocational Education Research (NCVER). R&CA notes that the research assessment role is to assess and perhaps commission research where there are gaps in evidence. It is understood that the intention is that the Agency will work with the National Centre for Vocational Education Research (NCVER), the designated research organisation in this sector, in pursuit of an evidence base on which its advice could be built.

- **Expand the size of the body from seven to ten members, including and independent chair**

The expansion of the Board allows for there to be a strong cross-section of industry representatives and people with specialised, and appropriate, backgrounds.

- **Expand the membership criteria to reflect the transition to a union and industry-led body**

R&CA strongly supports that the Agency is an “industry led body”, although the Association notes that in our experience in the context of skills, “industry” generally refers to employers as represented by their associations and employees as represented by unions. Importantly, on the previous seven member board the wording of “industry” in the current legislation would have covered the role of the employer representative and the ACTU.

R&CA note that in Section 9, the proposed amendment to the Act seeks to add that there must be a representation of employees, but no corresponding representation of employers, retaining instead the term “industry” although there is neither in the main Act nor in the amendment a definition of “industry”.

“In making appointments, the Minister must ensure that the members of the Australian Workforce and Productivity Agency have, between them, experience in:

- (a) academia; and
- (b) the provision of education or training; and
- (c) economics; and
- (d) industry; and
- (e) the representation of employees.”

Given that the context through the explanatory memorandum reinforces industry, but that there is no definition of that, the Association recommends that the wording in (d) be changed to be “the representation of employers”. This sufficiently removes ambiguity and creates balance.

In summary, the Association strongly advocates the proposed changes to the Skills Australia Act, and the establishment of the new Agency. R&CA have identified only one aspect of the Bill that requires specific attention, being the balance in the wording relating to employer and employee representatives.

R&CA would be pleased to expand on any of the issues raised in this submission, should the Senate Committee require it.

Please feel free to contact myself or Justin Pleass on _____ or email at _____

Yours faithfully

John Hart
Chief Executive Officer