

**Senate Economics Legislation Committee**

**ANSWERS TO QUESTIONS ON NOTICE**

**Treasury Portfolio**

Budget Estimates

2014 - 2015

**Department/Agency: ASIC**

**Question: BET 424-427**

**Topic: Departmental Dispute Resolution**

**Reference: written - 17 June 2015**

**Senator: Ludwig, Joe**

**Question:**

424. How are disputes between departmental and/or agency staff mediated?
425. Are any outside firms contracted to assist with this process? If yes: please list them, please include:
- a) The structure of payments made to each firm (e.g. retainers, fees for each consultation etc).
  - b) Amount paid to each firm since the last budget.
  - c) When the contract with the firm commenced.
  - d) When the contract with the firm will expire.
  - e) Why the firm was selected to provide the service.
  - f) Please provide a list of disputes referred to the firm, including a brief description of the dispute.
426. How are code of conduct violations by departmental and/or agency staff mediated?
427. Are any outside firms contracted to assist with this process? If yes: please list them, please include:
- a) The structure of payments made to each firm (e.g. retainers, fees for each consultation etc).
  - b) Amount paid to each firm since the last budget.
  - c) When the contract with the firm commenced.
  - d) When the contract with the firm will expire.
  - e) Why the firm was selected to provide the service.
  - f) Please provide a list of disputes referred to the firm, including a brief description of the dispute.

**Answer:**

424. A dispute is usually mediated with the assistance of ASIC's People & Development team. In some circumstances, it is conceivable that external mediation consultant might be engaged to assist with mediation.
425. ASIC has not engaged an external mediator to mediate disputes. ASIC would consider using the Procurement Panel established by the Australian Public Service Commission for Business Services to procure a mediator.

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426. A Code of Conduct violation is dealt with by following ASIC's Code of Conduct Policy.

A Code of Conduct violation is managed with the assistance of ASIC's People & Development team.

As the process is a disciplinary process, procedural fairness is followed to find if there has been a breach of the Code of Conduct and if so, what sanction should be applied to the staff member.

427. Not applicable.