

Senate Standing Committee on Education and Employment

QUESTIONS ON NOTICE Additional Estimates 2015 - 2016

Agency - Fair Work Building and Construction

Department of Employment Question No. EMSQ16-000753

Senator Cameron provided in writing.

Question

FWBC - Professional Standards Unit - functions

1. What are the functions of the FWBC Professional Standards Unit?
2. What were the functions of the Professional Standards Unit when it was established by the former ABC Commissioner Mr Johns?
3. Were the functions of the Professional Standards Unit at the time of its establishment primarily focussed on promoting best practice investigations, particularly in relation to remedying practice subject to judicial comment?
4. Since October 2013, has the Professional Standards Unit had any other functions added to its responsibilities?

Answer

1. The main functions are:
 - a) Conduct Quality Assurance Reviews
 - b) Manage the Internal Audit function (i.e. conduct simple internal audits and manage complex audits conducted by external providers)
 - c) Conduct File Reviews (i.e. dealing with complaints by the public of FWBC operational decisions)
 - d) Conduct Internal Reviews on practices subject of adverse judicial comment
 - e) Other reviews/enquiries as requested by the Director
2. From the above list; a), c), d) & e)
3. Yes, although it is noted the number of court cases with adverse judicial comments that subsequently required an Internal Review has markedly declined since Mr Johns was the CEO. As at 12 February 2016, there had only been one instance where adverse judicial comments required internal review (a successful wages and entitlements matter). The main organisational change is that the PSU now reports directly to the CEO which is consistent with '*Better Practice*' outlined by the ANAO for a Quality Assurance/Internal Audit function, while when Mr Johns was in charge the unit formed part of the Legal Group.
4. Yes – Function b) of the list above.