

SENATE STANDING COMMITTEE ON LEGAL AND CONSTITUTIONAL AFFAIRS
ATTORNEY-GENERAL'S PORTFOLIO

Program: General

Question No. AE16/083

Senator Ludwig asked the following written question at the hearing on 9 February 2016:

Since the change of Prime Minister on 14 September, 2015:

1. How many staff reductions/voluntary redundancies have occurred?
 1. What was the reason for these reductions?
2. Were any of these reductions involuntary redundancies? If yes, provide details.
3. Are there any plans for further staff reductions/voluntary redundancies? If so, please advise details including if there is a reduction target, how this will be achieved, and if any services/programs will be cut.
4. If there are plans for staff reductions, please give the reason why these are happening.
5. Are there any plans for involuntary redundancies? If yes, provide details.
6. How many ongoing staff left the department/agency? What classification were these staff?
7. How many non-ongoing staff left department/agency from? What classification were these staff?
8. What are the voluntary redundancy packages offered? Please detail for each staff level and position
9. How do the packages differ from the default public service package?
10. How is the department/agency funding the packages?

The answer to the honourable senator's question is as follows:

1-10. The portfolio's response for the period 1 September 2015 to 31 January 2016 is provided in the table below.

| <p>Department/Agency</p> <p>Since 1 September 2015 to 31 January 2016</p> | <p>How many staff reductions /voluntary redundancies have occurred? What was the reason for these reductions?</p> | <p>Were any of these reductions involuntary redundancies? If yes, provide details.</p> | <p>Are there any plans for further staff reductions/voluntary redundancies? If so, please advise details including if there is a reduction target, how this will be achieved, and if any services/programs will be cut.</p> | <p>If there are plans for staff reductions, please give the reason why these are happening.</p> | <p>Are there any plans for involuntary redundancies? If yes, provide details.</p> | <p>How many ongoing staff left the department/agency? What classification were these staff?</p> | <p>How many non-ongoing staff left department/agency from? What classification were these staff?</p> | <p>What are the voluntary redundancy packages offered? Please detail for each staff level and position</p> | <p>How do the packages differ from the default public service package?</p> | <p>How is the department/agency funding the packages?</p> |
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| <p>Attorney-General's Department</p> | <p>194 employees left the Department because of a Machinery of Government change. There were 6 voluntary redundancies.</p> | <p>No</p> | <p>The Department will continue to manage its staffing to operate within budget, including by recruiting new ongoing and non-ongoing staff.</p> | <p>The Department will continue to manage its staffing to operate within budget, including by recruiting new ongoing and non-ongoing staff.</p> | <p>No</p> | <p>Total: 244 (This number excludes ongoing employees on temporary transfers from other APS agencies)</p> <p>Classification breakdown is as follows: 5 x APS3 24 x APS4 22 x APS5 98 x APS6 61 x EL1 23 x EL2 11 x SES</p> <p>These numbers are inclusive of 179 ongoing employees who left AGD following a Machinery of Government change.</p> | <p>Total: 159 4 x APS1 16 x APS2 8 x APS3 42 x APS4 11 x APS5 35 x APS6 32 x EL1 11 x EL2</p> <p>These numbers are inclusive of 15 non-ongoing employees who left AGD following a Machinery of Government change.</p> | <p>Severance payments applying in AGD on voluntary redundancy are based on 2 weeks' pay for each completed year of service with a pro-rate payment for the final part-year. This is subject to:</p> <ul style="list-style-type: none"> • Meeting National Employment Standards minimum redundancy pay entitlements • A minimum of 4 weeks' severance pay • A maximum of 48 weeks' severance pay | <p>The level of severance pay entitlements on redundancy are the same that apply under the Australian Public Service Enterprise Award 2015</p> | <p>Voluntary redundancy packages are funded through the Department's appropriated budget.</p> |
| <p>Administrative Appeals Tribunal</p> | <p>Increase of 3 staff over the period. 12 voluntary redundancies in the period.</p> | <p>No</p> | <p>There are 2 further redundancies planned in 2015/16 as part of the original program. Beyond this there are currently no</p> | <p>N/A</p> | <p>N/A</p> | <p>Total: 29 1 x EL2 5 x APS6 (1 via voluntary redundancy) 4 x APS5 (2 via voluntary redundancy) 16 x APS4 (8 via</p> | <p>Total: 27 2 x EL2 1 x EL1 2 x APS6 4 x APS5 8 x APS4 7 x APS3 3 x APS2</p> | <p>The standard APS redundancy provisions have been applied in accordance with the AAT EA.</p> | <p>N/A</p> | <p>The AAT received \$895,000 in additional funding for voluntary redundancies.</p> |

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| | | | further plans for further staff reductions/voluntary redundancies | | | voluntary redundancy) 2 x APS3 1 x APS2 | | | | |
| Australian Crime Commission | 37 cessations for period 1/9/15-31/1/16. 1 of these was a VR, the remainder due to resignation/retirement/transfer | No | No | N/A | No | 25 1 x APS3 2 x APS4 3 x APS5 8 x APS6 6 x EL1 3 x EL2 2 x SES1 | 12 3 x APS4 6 x APS5 1 x APS6 1 x EL2 1 x Examiner | Currently there are no packages being offered. If voluntary redundancy packages are offered, they are in line with the ACC EA and the FWA. | Voluntary redundancy packages are in line with APS requirements. | N/A |
| Australian Commission for Law Enforcement Integrity | 1 – excess staff member returning from a long-term secondment | No | No | N/A | No | Total: 1 1 x EL2 | N/A | In accordance with the ACLEI Enterprise Agreement | N/A | From within existing appropriations |
| Australian Federal Police | 3 – Dismissal 11 – Voluntary Redundancy 6 – Invalidity Retirement Voluntary redundancies are part of normal workforce adjustment provisions See note 1. | No | The AFP will continue to assess the requirement for managed staff reductions against business requirements and the outcome of Enterprise Agreement negotiations. | N/A | Whilst there are no plans for involuntary redundancies the AFP will maintain this provision in our employment framework. | Total : 86 6 x Band 2 20 x Band 3 12 x Band 4 14 x Band 5 5 x Band 6 11 x Band 7 9 x Band 8 8 x EL 1 x SES See note 1 & 2. | Total: 5 1 x Band 3 1 x Band 5 1 x Band 6 1 x Band 8 1 x EL See note 1 & 3. | Up to 3 years of service: 12 weeks' pay 3 – 6 years of service: 18 weeks' pay 6 – 9 years of service: 36 weeks' pay Service in excess of 9 years : 52 weeks' pay | AFP employees are not public servants being employed under the AFP Act 1979 (Cth). The AFP cannot comment on public service arrangements. | Redundancies have been funded from existing appropriation. |
| Australian Financial Security Authority | 3 – redundancies in total. 2 – voluntary, due to excess to Agency requirements - duties no longer being required. 1 – involuntary, due to Payroll team restructure. | One involuntary redundancy due to Payroll team restructure. | Nil | Nil | Nil | Total: 27 9 x APS3 5 x APS4 3 x APS5 4 x APS6 3 x EL1 3 x EL2 | Total: 6 2 x APS1 2 x APS3 2 x APS6 | Redundancy packages are paid in accordance with the AFSA EA 2015 and relevant legislation. 2 weeks' salary for each completed year of continuous service (and pro-rata payment for completed months of service since | Nil, packages paid in accordance with the Agency's EA. | Funded from salaries budget. |

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| | | | | | | | | the last completed year), with a minimum of 4 weeks' salary and a maximum of 48. Service for part time employment is pro-rated. | | |
| Australian Human Rights Commission | Nil redundancies since 14 September 2015 | N/A | No | N/A | N/A | 5 ongoing staff have resigned: 1 x APS4 2 x APS6 2 x EL1 | 5 non-ongoing staff contracts have ceased: 2 x APS3 2 x APS4 1 x EL1 | N/A | N/A | N/A |
| Australian Institute of Criminology | 3 – due to machinery of government changes and duplication of roles | No | N/A | N/A | N/A | Total: 2 1 x EL2 1 x APS5 | Total: 1 1x EL2 | EL2 – ongoing 35 weeks' severance pay EL2 – non ongoing 8 weeks' severance pay APS5 – ongoing 48 weeks' severance and 5 weeks' notice | Standard APS conditions | Out of the existing budget |
| Australian Law Reform Commission | Nil | Nil | Nil | Nil | Nil | Nil | Nil | Nil | Nil | Nil |
| Australian Security Intelligence Organisation | 1 – redundant skills set. | No | None planned in the immediate future while the Organisation is growing its capability. | N/A | None planned in the immediate future while the Organisation is growing its capability. | Total: 33 2 x APS4 2 x APS5 17 x APS6 7 x EL1 4 x EL2 1 x SES | Total: 1 1 x APS4 | N/A | N/A | N/A |
| Australian Transaction and Reports Analysis Section | 1 – role no longer required due to changing business requirements | Yes, the incumbent elected to serve a retention period rather than to accept a voluntary redundancy | No | N/A | N/A | Total: 1 1 x APS6 | N/A | N/A | N/A | The role was funded for the FY and will no longer exist. |
| Office of the Commonwealth Director of Public Prosecutions | 1 | No | Yes. There is no reduction target. There will be voluntary redundancies at the EL2 level | N/A | No | Total: 21 9 x APS4 1 x APS5 4 x APS6 3 x EL1 4 x EL2 | Total: 1 1 x APS4 | The CDPP EA provides for a sum equal to two weeks of salary for each completed year of | It does not differ. | Existing budget |

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| | | | with no cuts to programs. | | | | | continuous service, subject to any minimum NES amount. The minimum sum payable will be 4 weeks of salary and the maximum will be 48 weeks of salary. | | |
| CrimTrac Agency | 2 – the services of the employees could not be effectively used due to a change to the extent of functions and organisation of the agency | No | No | No | No | Total: 12 1 x APS3 1 x APS4 3 x APS5 1 x APS6 4 x EL1 2 x EL2 | Nil | All voluntary redundancy packages consisted of the following: 1. Severance Pay 2. Notice Period 3. Payment of accrued leave entitlements 4. Fortnightly salary payment | As per standard / default APS employment conditions | Through normal operating budget |
| Family Court & Federal Circuit Court | Nil | N/A | N/A | N/A | N/A | Total: 34 1 x APS2 10 x APS3 3 x APS4 9 x APS5 1 x APS6 7 x EL1 2 x EL2 SES x 1 | Total: 50 9 x APS2 6 x APS3 22 x APS4 5 x APS5 7 x EL1 1 x EL2 | N/A | N/A | N/A |
| Federal Court of Australia | 2 – redundancies due to restructure of teams | 1 involuntary redundancy as the role was abolished and the person could not be redeployed/retrained for another placement. | No staff reduction target | N/A | No plans for involuntary redundancies | Total: 2 1 x APS2 1 x APS6 | 0 | APS2 officer – \$34,215 APS6 officer – \$72,272 | Consistent with EA provisions | Within budget |
| High Court of Australia | Nil | N/A | No | N/A | No | Nil | Total: 8 2 x HCE 6 6 x HCE 5 | No voluntary redundancy packages offered | N/A | N/A |
| National Archives of Australia | 0 | N/A | Yes, reduction in staffing numbers through natural attrition. No target has been set at this time. | Budget reductions and Whole of Government Shared and Common Services | No | Total: 14 1 x APS1 1 x APS3 3 x APS4 4 x APS5 3 x APS6 2 x EL1 | Total: 22 4 x APS2 3 x APS3 3 x APS4 2 x APS5 10 x APS6 | N/A | N/A | N/A |

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| | | | Effect on services will be determined through 2016-17 planning processes. | | | | | | | |
| Office of Australian Information Commissioner | 1 EL 1 – excess employee | No | No | N/A | No | Total: 2 1 x APS 5 1 x APS 6 | Nil | As per the <i>OAIC Enterprise Agreement 2011-2014</i> ; payment includes: <ul style="list-style-type: none"> • 8 weeks early separation, • 2 weeks per year of service payout of annual leave • Payout of long service leave credits In the reporting period, 1 x EL1 has accepted a voluntary redundancy. | In line with APS package | Redundancy packages are paid for from within the existing budget. |
| Office of Parliamentary Counsel | No permanent staffing reductions or VRs 5 staff departures Reasons: For ongoing positions – 3 retired, and 1 transfer For non-ongoing position – 1 end of temporary transfer (see columns 6 and 7) | No | No | N/A | No | Total: 4 1 x APS5 1 x APS6 1 x SES1 1 x PEO | Total: 1 1 x APS4 | N/A | N/A | N/A |

Notes:

1. Period for separations is 14 September 2015 to 9 February 2016 (inclusive), consistent with QoN AE16/084.
2. Includes all ongoing staff that have left the organisation during the period, regardless of the reason (e.g. resignation, VR, etc...)
3. Includes all non-ongoing staff that have left the organisation during the period, regardless of the reason (e.g. resignation, VR, etc...)