

Chapter 1

Overview

1.1 The Senate Education, Employment and Workplace Relations Legislation Committee presents its report to the Senate.

1.2 On 9 May 2012¹ the Senate referred the following documents to the committee for examination and report in relation to the Education, Employment and Workplace Relations portfolio:

- Particulars of proposed expenditure in respect of the year ending on 30 June 2013.
- Particulars of certain proposed expenditure in respect of the year ending on 30 June 2013.
- Particulars of proposed expenditure in relation to the parliamentary departments in respect of the year ending on 30 June 2013.
- Particulars of proposed supplementary expenditure in respect of the year ending on 30 June 2012.
- Particulars of certain proposed supplementary expenditure in respect of the year ending on 30 June 2012.

1.3 Standing committees are required to report to the Senate on 26 June 2012. This report of the Education, Employment and Workplace Relations Legislation Committee is provided to the Senate in fulfilment of that requirement.

Portfolio coverage

1.4 The committee has responsibility for examining the expenditure and outcomes of the Education, Employment and Workplace Relations portfolio. Appendix 1 lists the department and agencies under this portfolio.

Hearings

1.5 The committee conducted four days of hearings, examining Employment and Workplace Relations outcomes and agencies on 28 and 29 May 2012 and Education outcomes and agencies on 30 and 31 May 2012. In total the committee met for 34 hours and 45 minutes, excluding breaks.

1.6 The following outcomes and agencies appeared before the committee:

- Outcomes 1 — 4;
- Fair Work Australia;

1 *Journals of the Senate No. 89, 9 May 2012, p. 2396.*

- Fair Work Ombudsman;
- Australian Building and Construction Commission;
- Comcare;
- Safe Work Australia;
- Australian Curriculum Assessment and Reporting Authority;
- The Australian Institute for Teaching and School Leadership.

1.7 The *Additional Budget Estimates 2011–12* report by this committee highlighted the difficulties posed by the tertiary education and skills portfolios having been moved to the Senate Standing Economics Legislation (Economics) committee.² Some Senators again expressed their concern that the current *Allocation of Departments* is preventing proper oversight of the tertiary and skills portfolios due to the lack of time available in the Economics committee.³

Public interest immunity claims

1.8 On 13 May 2009, the Senate passed an order relating to public interest immunity claims.⁴ The order sets out the processes to be followed if a witness declines to answer a question. The full text of this order has previously been provided to departments and agencies and was incorporated in the Chair's opening statement on the first day of the budget estimates hearing.

1.9 The issue of public interest immunity was not raised during the hearings.

Questions on notice

1.10 The committee has drawn the attention of the department and its agencies to the agreed deadline of Friday 27 July 2012 for the receipt of answers to questions taken on notice from this round, in accordance with Standing Order 26.

1.11 For this round, written questions on notice were received from Senators Abetz, Back, Bernardi, Boyce, Cameron, Cash, Colbeck, McKenzie, Nash, Williams and Xenophon.

Note on Hansard page referencing

1.12 Hansard references throughout this report relate to proof Hansard page numbers. Please note page numbering may differ between the proof and final Hansard.

2 Education, Employment and Workplace Relations Legislation Committee, *Additional Estimates 2011–12*, March 2012, p. 2.

3 *Proof Estimates Hansard*, 30 March 2012, p. 4.

4 *Journals of the Senate*, No. 68, 13 May 2009, p. 1941. The order was moved by Senator Cormann.