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SENATE

RURAL AND REGIONAL AFFAIRS AND TRANSPORT
LEGISLATION COMMITTEE

Oversight of Airservices Australia

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SENATE

RURAL AND REGIONAL AFFAIRS AND TRANSPORT LEGISLATION COMMITTEE

Friday, 28 August 2020

Members in attendance: Senators Antic, McDonald, Rennick, Rice, Sheldon.

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HARFIELD, Mr Jason, Chief Executive Officer, Airservices Australia

Committee met at 14:29

CHAIR (Senator McDonald): I declare open this public hearing of the Senate Rural and Regional Affairs and Transport Legislation Committee. The committee is hearing evidence for its inquiry into the performance of Airservices Australia. I welcome you all here today. This is a public hearing, and a *Hansard* transcript of the proceeding is being made.

Before the committee starts taking evidence, I remind all witnesses that in giving evidence they are protected by parliamentary privilege. It is unlawful for anyone to threaten or disadvantage a witness on account of evidence given to a committee, and such action may be treated by the Senate as a contempt. It is also a contempt to give false or misleading evidence to a committee. The committee prefers all evidence to be given in public, but under the Senate's resolutions witnesses have the right to request to be heard in private session. It is important that witnesses give the committee notice if they intend to ask to give evidence in camera. If a witness objects to answering a question, the witness should state the ground upon which the objection is taken. The committee will determine whether it will insist on an answer, having regard to the ground that is claimed. If the committee determines to insist on an answer, the witness may request the answer be given in camera. Such a request may of course also be made at any other time. If you agree to provide an answer to a question taken on notice during the hearing, please note that answers are due by close of business Friday 11 September 2020.

I now welcome Mr Jason Harfield and Ms Lucinda Gemmell from Airservices Australia. I remind senators that the Senate has resolved that an officer of a department of the Commonwealth or of a state should not be asked to give opinions on matters of policy and shall be given reasonable opportunity to refer questions asked of the officer to superior officers or to a minister. This resolution prohibits only questions asking for opinions on matters of policy and does not preclude questions asking for explanations of policy or factual questions about when and how policies were adopted. Officers are also reminded that any claim that it would be contrary to the public interest to answer a question must be made by a minister and should be accompanied by a statement setting out the basis for the claim. I now invite you to make a brief opening statement before the committee asks questions. Do you wish to make an opening statement?

Mr Harfield: Yes, I do. Thank you for the opportunity to brief the committee today. As the committee is aware, I commissioned an enterprise-wide review into culture at Airservices last year based on reports of bullying and harassment in the workplace. At the outset I committed to make the report public and to accept all recommendations made in the review. The review was conducted by former sex discrimination commissioner Elizabeth Broderick and her organisation. In June I sent the final report to the committee. It is also published on our website. The review made 19 recommendations.

While the report reflects positively on Airservices' commitment to a strong safety culture and the commitment of our people to the very important work they undertake on a daily basis, it also identifies cultural issues that require urgent attention. As the chief executive officer, I am naturally very disappointed in some of the findings of the review and take full responsibility to ensure that Airservices is a safe, diverse and inclusive workforce. I have zero tolerance for any form of harassment or bullying and have taken this issue very seriously. As I have already shown, I have acted to stamp out bad behaviour.

The report acknowledged that Airservices' senior leadership engaged readily with the review team to explore strategies for reform and had already commenced a number of initiatives to progress the necessary cultural transformation. We've made good progress on our action plan to address the recommendations, which was endorsed by Elizabeth Broderick and company. We will continue to publish and progress updates on our website, and last week I provided the committee with a copy of our latest update.

I brought along with me today our new chief people and culture officer, Ms Lucinda Gemmell, who is supporting me on driving the cultural change and will also be available to provide details on the work we are doing. We are happy to take your questions.

CHAIR: Thank you very much. Senator Sheldon, would you like to commence with questions?

Senator SHELDON: Thanks very much, Chair. In your letter to the committee ahead of today's hearing, you've mentioned that you have engaged with employee representatives on implementing enhancements to your code of conduct. Would you be able to list for us the employee representatives you've consulted with?

Mr Harfield: Off the top of my head—and, if I miss anybody, we'll ensure that that gets picked up—the employee representatives would have been our major unions: the United Firefighters Union of Australia Aviation

Branch; Civil Air, the air traffic control union; Professionals Australia; the CPSU; and the ETU, which is one of the major bodies representing our members. As to anything further than that, I would have to make sure that I've covered it off, but they would be the main unions that we normally consult with and deal with.

Senator SHELDON: I'm just wondering: are there any issues that they raised that are not reflected in the changes to the code of conduct.

Mr Harfield: I don't have that with me. I'm not sure if Ms Gemmell is across that, but I can take on notice whether there are any differences. Not to my knowledge per se, but they were consulted with and it should have been addressed in some particular way.

Senator SHELDON: And you'd be able to come back to the committee?

Mr Harfield: I'd be able to come back to committee with that.

Senator SHELDON: Thank you. I also want to be clear: in your assessment, what does 'zero tolerance for bullying, sexual harassment and discrimination' mean? Also, in this context, will anyone who's found to have breached the relevant policy have their contract terminated?

Mr Harfield: What we mean by 'zero tolerance' is literally zero tolerance. Any issues that are raised will be investigated under our code of conduct and, depending on what is found, the appropriate sanction would be applied, which could be termination of employment.

Senator SHELDON: In light of Ms Broderick's findings that management has failed to address an appalling culture which has developed over many years, has Airservices considered a grace period for new findings that breach the code of conduct, standard and policy?

Mr Harfield: No.

Senator SHELDON: How many code of conduct or other disciplinary proceedings have been initiated since the announcement of Ms Broderick's cultural review?

Mr Harfield: For the period since the initiation of the cultural review, I would have to take it on notice, but Ms Gemmell, I think, has the information on how many have been undertaken since we published the review. There were ones being undertaken during that time, but, in answering the question, the number that we give is the number since we published the review.

Senator SHELDON: If Ms Gemmell could tell us those ones and also if there are ones—

Mr Harfield: We can provide the full details on that.

Senator SHELDON: That would be great.

Ms Gemmell: Since 1 June, which was the date the Broderick review was published—and was also, coincidentally, the date I started at Airservices Australia—we've undertaken a number of investigations, and these have arisen as a result of me going to all the people in the organisation and saying that the Broderick review found that there was a requirement for a lot of changes in the way that we led the business and were working within the business; that people were asking for a safe place to come to raise concerns; and that in the meantime, as I was setting up a safe place service within the business, I'd be very happy for anybody to contact me and would treat any concern confidentially and investigations would ensue as appropriate. As a result of that, 61 people have come to me since 1 June, and, of those 61 cases, a number have been investigated. Of course, with those 61, there were various matters raised, from people just phoning me to talk about the culture and give me their ideas for what we needed to do at Airservices, right through to some serious allegations of behaviour or misconduct et cetera, which we are investigating.

Senator SHELDON: How many employees, excluding the executive and senior leadership team, have been investigated under the code of conduct or other disciplinary procedures since Ms Broderick's cultural review was announced?

Mr Harfield: Can we take that on notice to give that precise number, Senator?

Senator SHELDON: Yes. Just further on that: how many of the executive or senior leadership team have been investigated under the code of conduct or other disciplinary procedures since Ms Broderick's cultural review was announced?

Ms Gemmell: A total of eight matters have been raised in relation to leadership of the organisation. Five of those eight matters are being investigated.

Senator SHELDON: What is the current cost of engaging external law firms for code of conduct investigations? What is the 12-month budget for that as well?

Mr Harfield: Can I take that on notice, Senator? I'll provide that.

Senator SHELDON: Also what is the cost of engaging the new Chief People and Culture Officer and the team of cultural officers?

Mr Harfield: I don't know off the top of my head the remuneration of Ms Gemmell, but, being an executive position, we report that in our remuneration report. It's in line with our normal executive remuneration. We're in the process of introducing eight people for our Safe Place piece. We can give the cost of that to you on notice. They are external appointments. Because of the Safe Place requirement of independence they weren't open to internal people. We can provide that cost.

Senator SHELDON: Thank you very much for that. I don't have any further questions at the moment.

Senator RICE: Thanks, Mr Harfield and Ms Gemmell. I'll start with some basics to put this in context. How many staff are in Airservices? How many are in the management area?

Mr Harfield: In broad numbers, there are about 3,600 staff in Airservices in total. In the management or leadership cohort there are about 180.

Senator RICE: Was the sexual harassment and bullying experienced right across the organisation? Were particular groups overrepresented, and I'm particularly thinking of women and LGBTIQ people? What are the numbers in terms of diversity in the organisation—women, same-sex attracted and gender diverse?

Ms Gemmell: The bullying and harassment experienced by Airservices Australia team members was fairly spread across the organisation. These details are in the Broderick report, which I believe we've sent through. Females reported a higher level of sexual harassment in their entire work experience with Airservices. We don't have any data about LGBTIQ to provide you. Unfortunately, we don't capture that data discretely. The Broderick report also didn't capture that data discretely. But certainly women had a higher representation from a sexual harassment experience perspective. In terms of bullying ever experienced at Airservices, it was roughly the same for males and females. There was no significant differentiation over the lifespan of their career in Airservices.

Senator RICE: And how many women are in the cohort of 3,600 and the 180 in management?

Mr Harfield: I'm just doing some rough maths. Females in the general population of the workforce are around 18 per cent, so 18 per cent of 3,600. Excuse me for not being able to do the maths quickly.

Senator RICE: That's alright. Eighteen per cent is a good number—well, not a good number; it's a pretty low number.

Mr Harfield: Yes, understood. Just over 20 per cent of our leadership cohort are female.

Senator RICE: Mr Harfield, you said in your opening statement that you were disappointed in the findings that came out of the Broderick review. Were you surprised?

Mr Harfield: It was deeply disappointing in the sense of probably the prevalence in certain areas of the organisation. We deal with these issues on an ongoing basis and have through the years through our code of conduct et cetera. The reason it was so disappointing and why I'm balancing it with surprise is around the concern about fear of reporting and that people were having some of these experiences on a day-to-day basis but didn't feel that it was worth reporting. That was probably the thing that surprised me the most, considering we have a very healthy reporting culture when it comes to safety incidents, which also was reflected in the Broderick review. The fact that people didn't have the confidence to report these things was the thing that I found the most surprising.

Senator RICE: What about the extent of the problem of harassment and bullying?

Mr Harfield: That was probably the most disappointing. The way that this came up was it was reported into the air traffic environment. I had concerns that, if it was these things were occurring in the air traffic environment and, it was most likely appearing across the organisation. That's why I introduced the review to be enterprise-wide. That it was broader than just one particular cohort was very disappointing.

Senator RICE: You've had 61 code-of-conduct proceedings initiated since 1 June. Can you talk me through how they are being dealt with. What's the process for dealing with those code-of-conduct investigations and how are you ensuring procedural fairness for the people who are having complaints made against them?

Mr Harfield: Before I hand to Ms Gemmell to talk through that, I'll just confirm that there are 61 people who have contacted Ms Gemmell since the Broderick review; it's not 61 code-of-conduct investigations. There are some, but I will get Ms Gemmell to deal with that.

Senator RICE: Thanks for that clarification.

Ms Gemmell: There have been 36 investigations underway since 1 June. Those 36 investigations are on a variety of issues. Some include bullying and harassment and a small number including sexual harassment have

been raised. The way we manage those investigations is we triage every complaint that comes through. We ensure the protection and the victim led support for any individual who comes forward to make a complaint. We investigate those complaints in an impartial and confidential manner. We then make sure that any outcomes or any actions that arise as a result of those investigations take place. We also ensure—and this is most important in my experience in these processes, and I've been doing this in many organisations over a long period of time—that the person who raised the concerns is protected.

Mr Harfield: Could I just add something: one of the changes we made, and it was one of the recommendations of Elizabeth Broderick, was setting up the thing we call Safe Place. That Safe Place, which will report to Ms Gemmell, is with the external people that we've recruited. They not only will be a safe place to report but also will conduct the investigation. So all the investigations will be done outside of the normal line, and all complaints that are made against any leadership in the organisation will be investigated by an independent investigator, just to add to that element of procedural fairness and also ensuring the integrity of the code-of-conduct investigations.

Senator RICE: I know an incredibly tricky situation in any organisation when you have these sorts of processes is how you ensure that the person who is making the complaint is absolutely believed and given the proper process of the investigation of their complaint but also ensuring procedural fairness for the person who is being complained about.

Mr Harfield: Yes, Senator.

Ms Gemmell: Yes, Senator

Senator RICE: How are you doing that?

Ms Gemmell: Sorry, Senator—could you repeat the question?

Senator RICE: I'm interested in what you are doing to ensure procedural fairness for the person about whom the complaint is being made.

Ms Gemmell: Thank you, Senator. In relation to the person the complaint is being made, we ensure that they are treated fairly and with support to go through the processes of investigations. We provide an EAP support program to everybody involved. We also aim to move very quickly through any investigations to ensure that they aren't prolonged, because we know that prolonging these sorts of investigations doesn't help, in terms of people feeling unsure about the outcomes, and there is some anxiety. So we try to move quickly through them, and then we try to move quickly to whatever sanction is agreed, which in some cases may be nothing at all, if nothing is found in the investigation. Our aim is to provide as much care and support for the alleged perpetrator as we do for the alleged victim of whatever the issue is that's raised.

Senator RICE: This has been in operation since June, so it's fairly early days. Have dismissals occurred as a result of code of conduct investigations?

Mr Harfield: Yes, there have been. I will ask Ms Gemmell to give you a little more detail on that.

Ms Gemmell: Yes; some people have left the organisation since 1 June. Those people left at various stages of investigations, either at the beginning or at some time through them or as a result of sanctions at the end of the investigations.

Senator RICE: I might leave it there. I have some more questions, but others may have some too.

CHAIR: Thanks, Senator Rice. Senator Rennick?

Senator RENNICK: No; I'm good. No questions.

CHAIR: Senator Antic?

Senator ANTIC: I don't have any particular questions, Chair.

CHAIR: That's fine. Thanks, Senator Antic. I have some questions. I have been looking at Elizabeth Broderick's report and the progress update. I assume that, given the amount of work you've done in this space, you're conducting surveys of the workforce to understand their engagement with this process and how they feel it's going?

Mr Harfield: One of the changes that we've also started to introduce is that we will be doing rolling surveys with the organisation on a regular basis. We used to do a quite extensive employee opinion survey once every two years, with a pulse in the interim year. We are now moving to do this on a continued rolling basis rather than on an annual basis, for that very reason.

CHAIR: That's very good. I want to ask you about the impact that COVID has had on the organisation. How are you going with maintaining your staffing levels? Has government funding assisted you in that?

Mr Harfield: Yes. If I could step you through it, it was an organisation that was set up to be fully funded by industry charges. With the reduction in air traffic that has occurred, not only have we seen a 90 per cent reduction in air traffic; we've seen a comparable reduction in our revenue as well. What the government assistance and funding that we have been provided with has assisted us in doing is—we need to work over three time horizons. Not only are we dealing with the traffic that is still there and operating today; we have to operate and provide our services whether there is one aircraft flying or whether there are a thousand aircraft flying. We don't have the ability to determine that we are only going to service Sydney to Melbourne, for example. We still have to continue to provide those services over 11 per cent of the earth's airspace.

We also have to be in a position to ensure that when the industry does start to recover we're there and able to manage that increase, because if we are not in that space and we hamper that recovery then it will have a flow-on impact on what's going on. We also need to start repositioning the organisation over time to what I would call the new normal, where all our predictions et cetera, with the changing shape of the industry, are that, in a few years time, post COVID, we will be probably at 80 per cent of what we were.

The government assistance, which we are grateful for, has allowed us to do this in a very measured and controlled way so that we can balance these issues in an environment that is changing on a monthly basis. It's allowed us to manage this and retune our operations to move into what we call a COVID-safe environment, so that, if we have an infection, for example, we are able to minimise the flow-on effect so that we can continue providing services while at the same time ensure the health and wellbeing of our staff.

CHAIR: Alright. So you've not had any job losses?

Mr Harfield: No.

CHAIR: Is Airservices responsible for monitoring parked aircraft?

Mr Harfield: No, in the sense that that's the airline and the airport. We would be there to deal with it, if they were being moved around—that is, controlling from an air-traffic perspective—and potentially turning out if there's an incident involving that parked aircraft.

CHAIR: What are the risks with aircraft parked up? Are they as dangerous as some people claim?

Mr Harfield: From our perspective, the risk profile depends on the advice we are given from and through our dialogue with the airline as well as the airport. The reason I say that is that how they configure and how they do the parking of the aircraft would define what our knowledge is. It depends on how the airline decides, and what procedures they put in, to put the aircraft into storage. Have I explained myself? I don't know what the risk is unless the airlines have advised us, 'This is the profile of what the parking is,' and we'd assess the risk from there.

CHAIR: I assume that you're talking to the airlines and the airports on an ongoing basis on these matters?

Mr Harfield: Absolutely.

CHAIR: Are you planning on laying off staff in the future?

Mr Harfield: The reason for the hesitation is that, unfortunately, I can't predict what the future holds at this moment in time. We do know that we have to be a different organisation, in the sense that we are sustained and funded by industry and how we are sustainable in that way, going forward, in a different operating environment. We need to balance that against providing services today. The issue is that we are continuing to work through it. I can't rule anything in or out, but there are no definitive plans at this stage.

CHAIR: Is this the first time that Airservices has received government assistance? It seems a very novel situation—

Mr Harfield: Sorry; I missed the last part, unfortunately.

CHAIR: I was just asking if this was the first time that you'd received government assistance since the organisation was established?

Mr Harfield: I don't know. I can't recall the early days, but I'll correct the record. I'll go back and check, but this is the first time that we've received this level of assistance, because we've been set up to be totally funded by industry and make a return, and we pay a dividend back to government each year. We're a tax-paying entity as well.

CHAIR: You receive a fee from airlines for your operations.

Mr Harfield: Yes.

CHAIR: What do you expect the future holds? Do you expect the domestic airline industry to return to some proportion of normality in the next 12 months? What are you forecasting?

Mr Harfield: At the moment, from the forecasting that we use, we were—I'll call it three months ago—basing it on seeing around 80 per cent domestic recovery by about Christmas time. Now we've seen that slide out to be probably the middle of next year; that's where we would see that. Internationally, where we were originally seeing a recovery to around 80 per cent by mid to late next year, we're seeing that it will probably take another couple of years to get back to those levels. Our planning that we have done, which is conservative, is that we will not return to about 80 per cent of our revenue, which doesn't directly equate to activity but is an approximation of it, until around the end of 2021 or into 2022-23. It will probably take until then before we get back to those levels.

CHAIR: Thank you. Senator Sheldon, I might go back to you and I'll come back to any more questions if we have time at the end.

Senator SHELDON: On 18 March this year the government announced a \$715 million package to support the Australian aviation industry. I understand that included funding for Airservices. There were a couple of rounds, as I understand it. Can you detail for the committee how much of the \$715 million was directed to Airservices?

Mr Harfield: I can't tell you exactly, just off the top of my head, how much of the \$715 million—I think, at that stage, it may have been about \$400 million of that. The funding that we've received out of the packages that have been agreed to so far—from March through to the end of this financial year, to June next year—has a total in the order of about \$850 million.

Senator SHELDON: Could you send me the details of that as a follow-up?

Mr Harfield: Yes.

Senator SHELDON: This is an important issue, of course. This follows through from some of the previous answers you were giving as well. Are there sufficient funds to meet the shortfall in revenue collected by Airservices as a result of the aviation industry being significantly grounded over the past several months and into the foreseeable future?

Mr Harfield: The way that I'd like to answer the question is this: our normal annual revenue is about \$1.1 billion a year; the government funding is \$850 million over 15 months, so it obviously doesn't cover all. As we said, this will sustain our business. As a result of the way that we are structured, we have the use of debt facilities. For example, our capital program is completely debt funded et cetera. With that funding, we are in a fortunate position of being able to deal in a measured way with the issues that we've got. The reason I'm structuring my answer that way is that it doesn't return us to the exact same revenue levels that we were at pre-COVID, but there is enough to be able to sustain the business, work forward and working through this particular period in a controlled, sustained way. We're not in a position like other businesses that have to make a short-term cut because they've obviously lost 90 per cent of their revenue.

Senator SHELDON: You don't see the shortfall due to the revenue loss impacting on Airservices in regard to the services they provide now?

Mr Harfield: Absolutely not, because we have facilities to be able to maintain the cash flow and operations. Obviously, longer term, we need to reposition to an environment where—we're not there, but it doesn't affect the services that we provide.

Senator SHELDON: When you say to me that it doesn't affect the services, does that mean there is a continuation of the same levels of employment?

Mr Harfield: As this stage, yes.

Senator SHELDON: And into the foreseeable future?

Mr Harfield: As far as I can predict, yes.

Senator SHELDON: I appreciate that you answered the question earlier about redundancies—that includes of course no redundancies foreseen or planned?

Mr Harfield: One of the things we are considering at this stage is whether we may potentially have voluntary redundancies for people who want to elect at this stage to go for it. However, I say that on the premise that it's something we are considering, because we haven't landed anything yet and we would have consultation and obviously obligations to discuss those things before we actually considered it. But it would be on a voluntary basis only.

Senator SHELDON: I respect the fact that you're raising it on a voluntary basis. If I understand correctly—correct me if I'm wrong here—there is consideration that there may be redundancies and if there were it would be on a voluntary basis. Going back to your earlier answer, you've mentioned that services are still going to be

maintained, and I asked the question about staff providing those services. Doesn't it then fall to a shortfall of staff and a shortfall of services? Isn't that a logical conclusion?

Mr Harfield: That's why if we did consider and then had a voluntary redundancy program—the reason it's voluntary is that we could decide what areas would be allowed to go, to ensure that we would continue to provide the right level of service and staffing. There may be capacity in certain areas, but it would not be to the stage where we would compromise on the required level of service that needed to be provided—not only now, with the reduction in traffic, but also for the recovery, and that for the sustainable future there could be the possibility that we may be able to release some people.

Senator SHELDON: Have you considered the areas where there may be voluntary redundancies? These are serious issues, of course—

Mr Harfield: Absolutely.

Senator SHELDON: I'm not suggesting that you're not considering them as serious, but these are serious issues for the committee—questions of services and provision of services and public confidence in those services being provided. Also of course there was the August 2019 Senate report, which raised serious concerns at that time that Australia wasn't meeting—and Airservices weren't meeting, in the Senate committee's view—the international standards for providing, certainly in the case of firefighting facilities. And I want to explore that a bit further. But have you considered which areas you may be asking voluntary redundancy from?

Mr Harfield: That's part of the considerations that we're having a look at. I can give assurance to this committee that if we do go down a voluntary redundancy path we will not compromise the requirements, the regulations and the staffing levels required to provide the level of service required. That includes the aviation rescue and firefighting service, which we continue to staff at the level required by the Civil Aviation Safety Authority.

Senator SHELDON: The Senate committee drew comparisons in 2019 in a committee report that Australia wasn't meeting its commitments—international standards—on provision of firefighter services on airport. One of the questions I'd like to ask you about this is: will you be meeting international standards of firefighter requirements for the airports?

Mr Harfield: We meet the requirements set out by the Civil Aviation Safety Regulations, which are the required ones. The issue about whether those regulations applied in exactly the same way as some of the international regulations is a matter for the department as well as CASA.

Senator SHELDON: You have the capacity to meet international standards if you so wish?

Mr Harfield: First and foremost, we have to meet the Civil Aviation Safety Regulations. If they are above that, that would be a decision that we would require based on the fact that we have to charge for our services and whether the risk warrants it. But, from what I understand, the minimum requirement that is required by the Civil Aviation Safety Authority is that, first and foremost, we have to meet.

Senator SHELDON: So the point is you're able to meet standards, if you so wish, above the standard set by—

Mr Harfield: In the end—

Senator SHELDON: You could meet the international standards if you so wished and it was above the services that other departments are requiring.

Mr Harfield: And there was what I call a business imperative, and it worked out—considering that, even without charging, because we are a monopoly provider it's regulated by the ACCC and there is an ongoing discussion of our prices with those that pay them, such as the airlines. So to go above the minimum standard that is required from the civil aviation, we could meet that, but there would have to be a discussion with industry at the time as well.

Senator SHELDON: Could I get a breakdown of the costs for running the aviation rescue firefighting services specifically—an overall cost but also a breakdown for each of the 27 stations as well as their headquarters and training school? You can take that on notice. I'm not expecting you to have that at hand right now, but if you have I would be very pleased!

Mr Harfield: So, just for clarity, we will provide the cost of providing services for our aviation rescue and firefighting—

Senator SHELDON: Yes, the running of the service.

Mr Harfield: The running of the service. We will also provide what we would take in in a normal charging regime, previously—the revenue that that service earns.

Senator SHELDON: And can break it down to the 27 stations, the headquarters the training school?

Mr Harfield: Yes, we can—the cost, yes.

Senator SHELDON: Airservices is under financial pressure, as you mentioned. Obviously, you're deciding to make some structural changes. If you're not receiving the same revenue, it's right to say it's a financial pressure.

Mr Harfield: We do need to run as efficiently as we can.

Senator SHELDON: Have you been considering that there should be voluntary redundancies amongst the firefighters?

Mr Harfield: As I said before, we are considering the potential, and if there are voluntary redundancies and there is the capacity to provide voluntary redundancies within the firefighter area, we would do that. However, as I said, that is under consideration. If we get anywhere near a landing, we have consultation requirements that we need to pay. So I don't want to give a fait accompli; there's a lot of work to be done and there are, as I said, consultation requirements. We need to have discussions with the appropriate people about that. But it is something that we have to consider.

Senator SHELDON: So what action has Airservices taken to reduce any foreseeable risk that a potential reduction in staff would create in the firefighting area?

Mr Harfield: If we get to the stage where we are thinking about or actively wanting to go down that path, then we would have to assess that risk, and that would be part of the decision-making as to whether we would do it or not.

Senator SHELDON: Has that risk been assessed?

Mr Harfield: Not at this stage.

Senator SHELDON: Are Airservices aware of a report by the University of Newcastle that outlines a significant danger posed with any reduction in the number of staff in the aviation rescue firefighting services? Are you aware of that?

Mr Harfield: I'm aware of the report. I think it was chased down within the organisation.

Senator SHELDON: Do you agree that an unprecedented risk to aircraft assets has been created by the mass grounding of aircraft at Australian airports?

Mr Harfield: No, I do not. I would say that the risk profile at our airports has changed, but our assessment, at this stage, is that those risks are adequately managed, and I wouldn't call them unprecedented.

Senator SHELDON: But with the type of risk that you're now confronted with, with having so many planes parked at our airports, that's unprecedented, though, isn't it—that aspect of the risk?

Mr Harfield: For example, what I will call the risk profile has changed. Having static aircraft versus aircraft that are continually on the move is a different type of risk. That's why I'm saying 'the risk profile'. The fact that we have got a lot of aircraft parked is a different situation to what we had previously, but 'unprecedented' is just too strong a word. It is different to what we've had before.

Senator SHELDON: So this difference is that large numbers of planes—I could go through the figures, but I won't—are now at airports that are under your responsibility, particularly under the responsibility of your air firefighting services. These grounded aircraft—not idle but parked—

Mr Harfield: Static, yes.

Senator SHELDON: Static but not idle. They still pose a number of fire and other safety risks—is that correct?

Mr Harfield: They do pose a risk, and that goes to Senator McDonald's question before. We are in constant dialogue with the airlines, who are the ones that are putting the parking and storage, as well as the airports to make sure that we're in a position to manage those risks.

Senator SHELDON: Those discussions with the airlines obviously include discussions about, as you mentioned before, positioning of the planes.

Mr Harfield: Yes.

Senator SHELDON: Of course, as we've seen, we've had a situation where air routes have been opened up domestically and then closed down and then opened up and closed down. So the level of risk on that particular profile could obviously vary from time to time.

Mr Harfield: Yes, if you have an airport that's in a sense dormant and then suddenly has a level of activity et cetera—a profile. That's why we're in constant discussion. For example, there are two areas where we did reduce

our services completely—Ayers Rock and Hamilton Island—because there was just no activity. In Hamilton Island, that included the air traffic control as well as the firefighting. But, as services returned, we reinitiated the service. So we flex our services depending on what the profile is at the airport, because it's forever changing. That was no different to what we had even pre COVID, when you would have change in schedules and change in aircraft types flying in and out of different airports. We would adjust the services we would provide in accordance with what was required.

Senator SHELDON: At this point—you might be able to tell me the difference—is it correct to say there's approximately \$16.2 billion in grounded aircraft being protected by the fire services?

Mr Harfield: I'm unaware of what the value is. There are a number of aeroplanes that are on the ground. Ostensibly, the majority of the Qantas and Virgin fleets are on the ground.

Senator SHELDON: It would seem logical, putting the figure to one side, that there is substantially higher monetary value of assets now under the protection, for want of a better word, of the fire services provided by Airservices than would normally be the case.

Mr Harfield: Not necessarily. The difference is that we probably would have had a higher amount pre COVID because the traffic was moving in and out of the airport. In other words, the same value that's sitting on the ground would have been in the air previously.

Senator SHELDON: But the risk profile for ground staff is substantially higher, and logically—

Mr Harfield: I'm not qualified to determine the difference. That's why we are in dialogue with the airports and the airlines to ensure that we know what they are doing with those aircraft and how, when and where they're doing it so that we can make the assessment.

Senator SHELDON: The report I referred to before from Newcastle university indicates that there were some 700 incidents between March and June alone. Have you been able to verify the accuracy of that? What is your view of the accuracy?

Mr Harfield: Off the top of my head, without going back, the number of incidents is probably in the order of what I would expect. However, they are not all aviation related incidents. Our firefighters also turn out to first aid call. So having 700 incidents across the entire 26 fire stations for that period of time would be normal. What percentage of those are actually aviation incidents I couldn't tell you off the top of my head, but I can provide that.

Senator SHELDON: So there's a normal level of activity for the firefighters. Is that what you are putting to me?

Mr Harfield: Off the top of my head, I may get the number wrong and I will clarify, but it is in the order of 5,000 to 6,000 turnouts a year. That is from broken legs in the terminal and first aid calls et cetera—

Senator SHELDON: If I broke my leg, I'd like somebody to come.

Mr Harfield: We provide that first response on the airfield and we would count them as turnouts.

Senator SHELDON: You may be generally aware—I'm not asking you to be professionally aware but you may be professionally aware—a lot of fire services around the country provide in other circumstances. This is a normal thing for a fire service to be asked to be doing.

Mr Harfield: The service we provide on the airport, yes, I understand.

Senator SHELDON: Are you aware of the story from journalist Nick Bonyhady today regarding the Melbourne airport, which was left without a back-up crew on site last Monday?

Mr Harfield: I am aware of that, yes.

Senator SHELDON: Are you aware that the crew was responding to an electrical fire at a service tunnel?

Mr Harfield: Yes.

Senator SHELDON: Would you be able to explain to the committee the circumstances of the incident?

Mr Harfield: What I can say is that the fire commander made an operational decision to turn out the entire crew, as there was no aviation activity at that stage at Melbourne airport.

Senator SHELDON: I understand there was a point that the local fire rescue Victoria was called in to assist with the airports crew?

Mr Harfield: That may have been the case. I'm not fully aware of the details of the full incident, but that would be normal.

Senator SHELDON: So you're saying that is a normal occurrence at Melbourne airport?

Mr Harfield: For something like that, it is my understanding that the metropolitan fire brigade would also be called out.

Senator SHELDON: Would you consider that there is a preference to have fire crews that are trained to deal with potential risk at the airport, at the airport—a preference?

Mr Harfield: Could you qualify that? Could you be a bit more specific?

Senator SHELDON: As part of the remit of making decisions about fire services being provided at airports, would you consider that it is preferential to be dealing with incidents with fire crew that are trained to deal with airport type incidents?

Mr Harfield: Yes, and this is one of the things that we are looking at much more closely. We were considering before COVID that the services that we provide for our aviation, rescue and firefighting on an airfield have been historically based around what is the minimum regulatory requirement. If you look at what our turnouts are that we talked about beforehand, 60 per cent of the work that the fire crews do is not specifically aviation-related incidents. The airports are becoming little mini cities in themselves, and we have obligations of fire alarm monitoring et cetera at the airports. One of the things that we have been looking at and wanting to do is ensuring that our aviation rescue and firefighting service is able to provide that first-responder service for the entire airport precinct. Our preference is an aviation base because that is the area that we need to deal with, so—why not—how do we do it? And broadening it just beyond what that minimum regulatory requirement is what we charge our fees on. Not meaning to side track, but the services that are paid for by the airlines are about the aviation incidents, the first-aid requirements et cetera. We do what with what I call 'spare capacity'. It's about how do we actually do that as an expectation and manage that appropriately?

Senator SHELDON: So for those incidents that occur, the 700, you don't get paid? I'm not asking for a specific figure but I might ask on notice for further consideration but—

Mr Harfield: We don't get paid for them. That's one of the challenges that we continue to work through. One of the things we are looking at going forward is: in the situation that we are in and with what COVID has presented, how do you diversify that to ensure that we can continue to provide what I call the non-regulated part of the service and make that sustainable? It is something that we need to do.

Senator SHELDON: I might go back to your example before and my comments. If I broke my leg at the airport, I'd want to have a service coming to me very quickly. So it's a question about price driving an outcome rather than quality driving an outcome. So, if you are not getting paid for it, somebody else can be doing it because it's not your responsibility?

Mr Harfield: No. How do we make sure that we are able to do all of that in a sustainable way and does that mean that whoever—

Senator SHELDON: I'm talking about a financially sustainable way. I'm not talking about a service sustainable way for the airport.

Mr Harfield: We need to do it in a financially sustainable way. Otherwise we get directed towards: what is the prime? Under the regulations, we are there to protect the aircraft activity. So it is about how we do all of that sustainably and not get dragged into a position where we can only concentrate on one part.

Senator SHELDON: I understand that there has been a 10 per cent reduction in the income of staff—not their pay—because of decreases in overtime. Is that accurate?

Mr Harfield: That would be accurate. The entire operation across the organisation has nearly gone to zero overtime because of the capacity and the lack of movements.

Senator SHELDON: Would it be accurate to say that overtime had previously been a very regular part of someone's income in those jobs?

Mr Harfield: Yes.

Senator SHELDON: Is there any intention for the executive team to take a 10 per cent reduction in income?

Mr Harfield: I have taken the equivalent of a 10 per cent cut in my take-home pay since the start of COVID. The executive team, as well as the entire management cohort, have not been awarded any bonuses at all. So it is within that margin, in a sense.

Senator SHELDON: So the bonuses would be around 10 per cent as well?

Mr Harfield: For the contract managers, up to 10 per cent of their total remuneration is eligible for a bonus. They have also not got any pay rises at all. There were no pay rises given this year at all. So you could call it comparable.

Senator SHELDON: Thank you for your evidence on that. Going back to the Melbourne incident: I understand, from an article, that a local fire rescue service was called to deal with an incident that occurred at the airport because the staff who were available at the airport were fully engaged with another incident that they were dealing with. So you had fire services at the airport dealing with an incident and another service from outside the airport—untrained with airport instances generally—was called. Are you aware of whether that occurred?

Mr Harfield: I am not aware. I am relying on that we train our fire commanders to make those operational decisions at the time. The fire commander has made decisions in accordance with what was presented to him and, like all turn-outs, we will be doing a review of whether those decisions were appropriate.

Senator SHELDON: Are you aware how long it takes to train an aviation firefighter?

Mr Harfield: Off the top of my head: from commencing the training course to entering service is 12 months.

Senator SHELDON: With training, for example, you've come straight out of university or you do a TAFE course or an induction at a worksite about what are your job's requirements are, and on a factory floor there's training. The training can be both practical skills and within an educational facility. But then you get to a point where someone will be considered a high achiever in those areas, so more than just receiving the certificate they have the skill, they have the experience. And that comes from practically doing the work; that's from mentoring from fellow crew; it's potentially, depending on the organisation, constant upskilling; and dealing with practical incidences. You mentioned before about the challenges that Airservices have with the variations in requirements of Airservices' service to the aviation industry. If we would lose any of these firefighters who are highly skilled, who take 12 months to skill up, aren't we putting ourselves in danger when we snap back?

Mr Harfield: I agree with you highly. This is the challenge that we have at the moment—how do we manage the present situation? I don't think we're going to see a snap back with the industry. It's going to come back—it's not only changing that recovery but also once it gets up to its peak. We have the same situation with air traffic controllers. It probably takes us two years to get an air traffic controller from the start to being usable—that's their first type of endorsement. They're not what we would call fully usable, that can do multiple areas. This is the real challenge that we have. We are in a fortunate position to be able to manage this, unlike other industries which have made to make a snap decision at the time, because we have a lag time. We have to be in front of any recovery, because we can hamper it if we aren't. That is our constant challenge at the moment—managing all of these things in an environment that's uncertain but making sure we're there.

Senator SHELDON: Would it be accurate to say that, as you mentioned, if it's not a snap back it's fluctuating depending on the airport—

Mr Harfield: It's not going to be steady.

Senator SHELDON: the air route and the requirement services at any one of those stations varies, and can vary quite dramatically, potentially from week to week.

Mr Harfield: Yes. One of the things that totally agree with what you are saying was around September 11 and the Ansett collapse. One of the things the organisation did was reduce, in the short-term, its costs. As a result of that, it cancelled training—you know what I mean. That was okay for that moment in time, but when things recovered a little bit a couple of years later, we were short and we were unable to provide and we were much more inefficient; it actually cost you twice as much as it did investing. This time around we've made sure that we've kept our training pipelines open and tried to even manage around some of the restrictions that have happened in Victoria, because our training for our aviation rescue and firefighting as well as air traffic controllers is down in Melbourne. We've tried to move it around to ensure that we keep that pipeline for the very reasons that you're talking about.

Senator SHELDON: There was a letter that I sent outlining the response to the pandemic that Airservices have implemented. In your reply, you made a comment—I've got the letter here for some assistance: 'the number of business continuity measures to protect your operational service delivery'. Could you outline in some detail what those measures were?

Mr Harfield: For example, across the board we moved a number of fire stations to what we called resilient rosters—in the air traffic environment as well—to minimise the impact if we had an infection in the workplace, so we wouldn't have to take out everybody and the exposure wasn't such that we'd have to shut the service, so there was some continuity. To give you an example: in the air traffic environment we moved to four shifts. One shift was on standby so that if someone got infected we could remove the shift, come in and do it.

There were other measures, such as making sure of the right protection—for example, fire services in Melbourne all wear masks unless they're in an operational situation—to ensure that our operational service delivery was able to continue and not shut down and, at the same time, to ensure the health and wellbeing of our

staff. Another area was that we ensured our non-operational staff were not allowed to enter operational facilities. That ensured that the operational workforce was quarantined. There were some areas of business continuity—for example, Ayers Rock, as well as Hamilton Island—where we put the service to sleep, so to speak, but we were able to ramp back up as things recovered in those particular locations. That was to ensure we were able to continue providing our services despite the new issues that we had to deal with.

Senator SHELDON: What was the consultation process with employees and their representatives regarding these changes?

Mr Harfield: My understanding from both air traffic control the United Firefighters Union Aviation Branch was that it was very much a joint thing. MOUs were signed and they worked together, very much hand in glove, to implement these changes in a very rapid way.

Senator SHELDON: Thank you. I have no further questions.

CHAIR: Senator Rice, do you have any additional questions?

Senator RICE: Yes, I do. I want to return to the issues about culture change—basically, your mechanisms for ensuring that's occurring across the organisation at the management level as well as at the employee level. How much change is being implemented in terms of management, recruitment and decisions on who is being appointed to management positions?

Mr Harfield: Senator, you broke up and I missed the last part of your question. I'll paraphrase back: were you asking what we're doing to ensure that we're addressing management positions in the issues that were brought out of the Broderick review?

Senator RICE: Yes, correct.

Mr Harfield: I'll talk at a high level and then I'll ask Ms Gemmell to add the details. A number of the actions from the Broderick review—for example, in selection exercises with management positions—are that the people leadership aspect is taken first and foremost, rather than the technical piece. We've introduced a new leadership standard which people will be assessed by, and in any selection process the panel needs to consult an independent person around the capability of the individual concerned. I'll just ask Ms Gemmell to add to that.

Ms Gemmell: Several actions were put in place since the Broderick report was issued. The first of those was that we had every executive make a personal commitment to change. We communicated to all of our team what behaviours we would ensure were built into our culture, top-down, moving forward in Airservices Australia.

Secondly, we formed a culture reform board. It ensures that all the actions we're taking post the Broderick review engage people from the front line of the business, from our operations teams, and that we seek input from our people to ensure that we're working through those in a way that forms sustainable change. Also, as Mr Harfield mentioned, the new leadership standard of behaviour will be applied in all recruitment processes. That standard of behaviour is built on a set of behaviours that ensure that we will build a culture of trust, care and accountability, and they are very much centred on a respectful and inclusive relationship being formed with all of our team members. Leaders of the future, as of now, with the leadership standard already put in place, will need to satisfy those sorts of behaviours to become a leader in our organisation.

Senator RICE: I've been told that you fairly recently had a senior leadership reshuffle. I don't know the details. Do you know what I'm referring to?

Mr Harfield: Yes, I do. At the organisation I reassigned the responsibilities of the current executive team.

Senator RICE: I've been told that, despite recommendations and the processes as outlined by Ms Gemmell, there were concerns that appointments and promotions were directly made with no transparency and seemingly not taking into account all of these processes that you have just outlined.

Mr Harfield: That's not correct. There was a reassignment of responsibilities amongst my executive team based around evolving the organisation as a result of COVID. For one of those positions, the chief technology and enablement officer, there is somebody acting, and we are going through a selection exercise in accordance with what Ms Gemmell has outlined.

Senator RICE: Okay. I think Senator Sheldon asked earlier on about the code of conduct investigations. I'm interested in the code of conduct investigations being brought forward at a management level as well as at a staff level. Are there equal numbers of code of conduct investigations being considered against management as against staff?

Mr Harfield: Yes, and we'll provide that information on notice.

Senator RICE: Right. So you're saying there are proportionally code of conduct investigations—

Mr Harfield: There are code of conduct investigations going on against the leadership cohort as well as the broader place in the ones that are underway. Since the Broderick review has started—it hasn't been published, but we will provide the actual breakdown on notice.

Senator RICE: Okay. The other concern I've had put to me is in the context of the staff reductions—we've had quite a discussion about this afternoon—that look like they may be necessary due to COVID, and you've talked about voluntary redundancies. There are concerns about an inappropriate intersection with people leaving the organisation due to code of conduct as a way of getting rid of staff. How do you avoid that perception within the organisation?

Mr Harfield: If we go down the voluntary redundancy process, part of that process will be very much around people voluntarily putting up their hand, so to speak, for a redundancy, and then we will go through a risk assessment with the individual around what it means for them to potentially leave the organisation. Any reduction in staff with the voluntary redundancy program is not designed to remove certain people from the organisation. If people are going to leave the organisation due to poor behaviour or code of conduct it will be through those investigations. They are not the same. Sorry, I'm just trying to find the words to articulate. There are a number of things that we will be doing to make sure that they are not seen or perceived to be one and the same.

Senator RICE: Have the people who have left the organisation post code of conduct investigations been replaced in their positions?

Mr Harfield: I'll have to take that on notice. Two that I'm aware of that have left the organisation have not been replaced. We will take that on notice so that I can give you some accurate information.

Senator RICE: Would you agree that that could then lead to the sorts of concerns that I'm talking about?

Mr Harfield: Yes, and that's something that we'll have to carefully manage, because we're also in an environment where, with COVID, I have a recruitment freeze on the entire organisation at this moment in time. So it's got to be weighed up against that particular issue. If it's somebody in an operational type position, then they are replaced with another operational person, in that capacity. The question will be for those that are in non-operational areas—that is, on that decision, whether they haven't been replaced because I've got a recruitment freeze on due to the current situation that we have.

Senator RICE: Ms Gemmell, in terms of your role of trying to improve the culture, have you got any insights as to how you're going to deal with that situation and the perception that could develop in the organisation that the code of conduct investigations are essentially being weaponised to reduce staff numbers because of COVID?

Ms Gemmell: I think that our actions will speak for themselves. In my opinion, the people of Airservices Australia—and Elizabeth Broderick found this in her review—previously did not necessarily feel they had the ability to raise concerns. What I've found since I started on 1 June is that, by going to people and putting in place a process where they can trust and be treated with confidentiality, care and protection, people are speaking up about issues, and some of these are historical issues. I'm really pleased by that, and I'm really encouraged by that, because it means that we're able to deal with these. I think that our actions will speak for themselves on that front. As we get to the bottom of some of those investigations, some people may leave the organisation, other people may receive sanctions and, in some cases, there might just be learnings taken out of them, depending on the severity and whether there was a breach found. But, in my experience, in changing culture, acting on people's concerns and investigating things thoroughly, well, with the right intent and with care speaks volumes in a culture and will take care of itself in terms of people feeling that there is a real shift in Airservices, which is one that we are absolutely committed to.

Senator RICE: I think you mentioned before about doing rolling surveys of the sections of the organisation and their concerns. What time periods are they being undertaken on?

Mr Harfield: At the moment, we've been doing very much focused around health and wellbeing, currently. We're doing them literally on a monthly basis to the broader workforce, around the fact that, obviously, those 3,600 staff are spread around 30 different locations around the country—all are differently affected. One of our biggest facilities is in Melbourne. Currently, with the lockdowns there, our non-operational staff are all working from home—the endurance of people working from home versus people coming into the operation, for example, and concerns. The health and wellbeing of our workforce has been the prime—so we are doing this on a very regular basis at the moment, and, on the broader aspects, we'll continue to do that on a quarterly basis when things can get into a normalised situation.

Senator RICE: So you're saying that on a quarterly basis you'd be having surveys about culture, in order to be able to ascertain some specifics on whether the perception of culture has improved.

Mr Harfield: Yes.

Senator RICE: Right. Will they be provided to us?

Mr Harfield: They can be. We will be making the action plan in the Broderick and our updates public. On top of that, part of the actions of the Broderick report is a set of lead and lag indicators that are reporting to the executive and the board on a regular basis as well to make sure that we're not only tracking against delivering the actions for Broderick but seeing a shift in the culture going forward and making sure we're on top of it.

Senator RICE: Thank you. Finally, I just want to go to the relationship between Airservices and the Commonwealth. Given this position that there's a 90 per cent reduction in flying and the fact that you're essentially now dependent on the Commonwealth to be staying afloat, what are the arrangements? How has that been documented? Could you talk me through what the agreements with the Commonwealth are?

Mr Harfield: At this stage, as mentioned—and we're providing those details on notice on the \$850 million that we have received in funding—we are in discussion, and we have to look at, I think, the next budget cycle on what potential funding mechanisms or assistance we may require going forward, such as potential equity injections and things like that to make us sustainable. So we're in constant dialogue with government under our normal governance arrangements.

Senator RICE: What sorts of agreements under the financial relationship have been entered into since the COVID pandemic began? Have there been ministerial directives under the Air Services Act, for example?

Mr Harfield: Not since COVID. It's been part of the assistance packages that were announced for domestic aviation that were part of that. We've taken on notice an earlier question as to the exact details of that.

Senator RICE: Okay. Maybe I missed that. Does that cover the other types of agreements—the revenue replacement agreements and Airservices expense reduction agreements?

Mr Harfield: Sorry, say that again, Senator.

Senator RICE: Has there been a revenue replacement agreement or an Airservices expense reduction agreement?

Mr Harfield: No, there hasn't been an agreement like that. I will come back to you with the exact details on how the funding has been provided to us. It is covering, ostensibly, what would have been the domestic fees that we would have received from the aviation industry during that period of time.

Senator RICE: Okay, yes. If you could take on notice any documentation related to your financial arrangements with the Commonwealth, that would be appreciated. Thank you very much.

CHAIR: I just want to go back to the beginning. When the first review happened, was Airservices given the opportunity to participate in the Anthony North QC review?

Mr Harfield: I'm sorry, I'm just finding it hard to hear. Are you asking: did we have an opportunity to have input into the North report?

CHAIR: That's correct—the Anthony North QC review.

Mr Harfield: No, we did not.

CHAIR: So, if you weren't involved, what did Anthony North QC base his findings on?

Mr Harfield: From what we have read in the report, it's based on the information that was provided to him by Civil Air.

CHAIR: There are serious claims in that report that say the culture at Airservices is so bad it could impact aviation safety. What do you say to those claims?

Mr Harfield: I absolutely reject those claims. When they were made at the time, we produced a report showing that our safety performance did not reflect what was said in that report. The air traffic control system is built with layers of redundancy to ensure that that does not happen. It's not only unfortunate and inappropriate behaviour that people get affected by; people get affected by a variety of different issues, and COVID is a prime example involving people's health and wellbeing. We have mechanisms to ensure that that does not occur and affect the safety of flights. In fact, the Broderick review itself pointed out that the safety culture in Airservices is exemplary, and it's something we build on in actually dealing with the broader culture. The one thing that came back from the staff, which was the positive that came out, was just how much pride they take in ensuring the safety of all those who need to access Australian skies. So, I completely reject that proposition.

CHAIR: Do you understand why the union, who are making these quite remarkable safety claims, did not put them to Airservices in the same instance?

Mr Harfield: I do not know.

CHAIR: Fair enough. So, did all areas of the organisation welcome the review that was called for?

Mr Harfield: No.

CHAIR: Do you want to identify who did welcome the review? Or do you just want to leave it there?

Mr Harfield: I'd prefer to just leave it there.

CHAIR: Fair enough. Have any Airservices staff lost their job as a result of the Broderick review?

Mr Harfield: As a result of investigations that have come from the Broderick review—just to make a distinction: the Elizabeth Broderick review, to ensure confidentiality, wasn't about investigations; it was about culture; however, issues that came up during her review were passed to us for investigation if required. As a result of a couple of those investigations, people have left Airservices.

CHAIR: I understand that it was the Civil Air union that called for this review into the bullying and sexual harassment culture, but it is now that union defending those who have subsequently been found to be perpetrators of bad behaviour. Is that correct?

Mr Harfield: All I'd say is that they are representing some of the perpetrators, which I would say would be normal.

CHAIR: I think you've spoken at length about this, but is there anything else you want to add about what Airservices is doing to rectify the poor culture that was identified and reported?

Mr Harfield: One of the areas to ensure that we are making the changes is very much along the lines that the reason we made this report and committed to making the report public is ensuring that we deliver against the recommendations that were made by Elizabeth Broderick. The intent of those recommendations is that we will continue to be held to public scrutiny to ensure that we create the right environment for our organisation going forward. And there is commitment from the board, from myself and through the executive down to ensuring that these changes are made. We see it as an imperative for us as an organisation going forward to operate in a completely new normal. It is essential. So, we are doing everything we possibly can. When you hear things about what we call the 'one Airservices plan', it's about creating one organisation that works together. We will always continue to have to deliver air traffic control and aviation rescue and firefighting for this nation. The reason we do it doesn't change, but how we do it does, and that will all be about how we all work as an organisation, and the culture of the organisation is pivotal to that.

CHAIR: Alright. That's terrific.

Senator SHELDON: Ms Gemmell, you gave evidence earlier that it was important from the point of view of Airservices to give support to both those who are making an allegation and those who are having an allegation made against them. Can you briefly explain again why that's important?

Ms Gemmell: Yes, I'm very happy to do that. I believe—and the Broderick review came to the same conclusion—in a victim-led investigation process, which means that the person making the allegations is protected, is cared for and is able to ensure the confidentiality of anything they raise. But, equally, I believe that we need to care for the person we're making allegations against and ensure that until such time as we come to a conclusion as to whether or not those allegations are substantiated they are treated with dignity, respect and care in the same way.

Senator SHELDON: Would it be your experience here, or maybe you can draw on experience elsewhere, that both the alleged victim and the alleged perpetrator will engage people to represent them? It may be a union or it may be a legal representative, or it may be a fellow colleague in a workplace.

Ms Gemmell: Indeed. That's correct.

Senator SHELDON: That's pretty normal practice?

Ms Gemmell: That's very normal practice.

Senator SHELDON: Thanks very much.

CHAIR: If there are no further questions, that concludes today's hearing. Thank you very much to Mr Harfield and Ms Gemmell for appearing at today's hearing. Thank you most sincerely to Hansard and Broadcasting and also the other senators who have formed the committee today, and of course the secretariat.

Committee adjourned at 16:00