

**Senate Economics Legislation Committee**  
**ANSWERS TO QUESTIONS ON NOTICE**  
**Treasury Portfolio**  
Budget Estimates 2014  
3 June to 5 June 2014

**Department/ Agency:** ACNC

**Question:** BET 480-521

**Topic:** Staffing - Transfers, Redundancies, Extensions

**Reference:** Written – 5 June 2014

**Senator:** Lundy

**Questions and answers:**

480. How many people does your department/agency currently employ? Please provide a breakdown of this figure based on the following:
- a. State and Territory
  - b. Age
  - c. Gender
  - d. APS level classification.
  - e. Contract type (ongoing or non-ongoing).
481. How many people did your department/agency employ as of 30 June 2013? Please provide a breakdown of this figure based on the following variables:
- a. State and Territory.
  - b. Age.
  - c. Gender.
  - d. APS level classification.
  - e. Contract type (ongoing or non-ongoing).
482. How many people did your department/agency employ as of 18 September 2013? Please provide a breakdown of this figure based on the following:
- a. State and Territory.
  - b. Age.
  - c. Gender.
  - d. APS level classification.
  - e. Contract type (ongoing or non-ongoing).
483. Since 18 September 2013, what department/agency functions have been transferred from one state or territory to another?
484. For all functions transferred, can you please provide figures for the following:
- a. Number of staff employed before and after the transfer,
  - b. Where the function was based before and after the transfer.
485. For each employee transferred please provide the followings:
- a. Their age.
  - b. Their gender.

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- c. Their APS classification.
- d. The wage of the employee before and after the transfer.
- e. The area of the department/agency they worked in before and after their transfer.
- f. A description of their position before and after the transfer.
- g. The dates of their transfer.
- h. An explanation for why the employee was transferred.
- i. Whether they were transferred to or from Canberra.
- j. Any costs incurred by the department/agency due to this transfer.

**Redundancies**

- 486. Since 18 September 2013, how many positions have been made redundant in your department/agency?
  - a. How many of these positions were ongoing?
  - b. How many of these positions were non-ongoing?
  - c. How many of these positions were situated in the Australian Capital Territory?
- 487. How many of the employees filling these redundant positions were redeployed?
  - a. How many of these employees were ongoing?
  - b. How many of these employees were non-ongoing?
  - c. How many of these employees were situated in the Australian Capital Territory?
- 488. How many of these employees were offered voluntary redundancies?
  - a. How many of these employees were ongoing?
  - b. How many of these employees were non-ongoing?
  - c. How many of these employees were situated in the Australian Capital Territory?
- 489. How many accepted voluntary redundancies?
  - a. How many of these employees were ongoing?
  - b. How many of these employees were non-ongoing?
  - c. How many of these employees were situated in the Australian Capital Territory?
- 490. How many employees were offered the choice between a voluntary redundancy and redeployment?
  - a. How many of these employees were ongoing?
  - b. How many of these employees were non-ongoing?
  - c. How many of these employees were situated in the Australian Capital Territory?
- 491. For all employees who accepted voluntary redundancies please provide the following:
  - a. Their age.
  - b. Their gender.

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- c. A description of their position.
  - d. The APS classification level of their position.
  - e. Their wage.
  - f. Their contract type (non-ongoing versus ongoing).
  - g. Where they were located.
  - h. A dollar figure of their pay out and what component of that figure was paid out as entitlements (annual leave etc.).
  - i. The reason a voluntary redundancy was offered for their position.
  - j. Details pertaining to any other costs incurred by the department/agency because of this redundancy.
  - k. Please provide all relevant dates.
492. For all employees who were redeployed please provide:
- a. Their age.
  - b. Their gender.
  - c. A description of their position before and after redeployment.
  - d. The APS classification level of their position before and after redeployment.
  - e. Their wage before and after redeployment.
  - f. Contract type (non-ongoing versus ongoing) before and after redeployment.
  - g. Where they were located before and after redeployment.
  - h. Please provide the reason for the redeployment.
  - i. Please specify any other costs incurred by the department/agency because of this redeployment.
  - j. Please provide all relevant dates.
493. Since the 18 September 2013, how many employees in your department/agency have been made forcibly redundant?
- a. How many of these employees were ongoing?
  - b. How many of these employees were non-ongoing?
  - c. How many of these employees were situated in the Australian Capital Territory?
494. How many of these employees were offered voluntary redundancies or redeployments prior to being made forcibly redundant?
- a. How many of these employees were ongoing?
  - b. How many of these employees were non-ongoing?
  - c. How many of these employees were situated in the Australian Capital Territory?
495. For employees who were made forcibly redundant since the 18 September 2013 please provide:

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- a. Their age.
- b. Their gender.
- c. A description of their position.
- d. The APS classification level of their position.
- e. Their wage at retrenchment.
- f. Their contract type (non-ongoing versus ongoing).
- g. Where they were located.
- h. A dollar figure of their pay out and what component of that figure was paid out as entitlements (annual leave etc.).
- i. The reason why the employee was made forcibly redundant.
- j. Details pertaining to any other costs incurred by the department/agency because of this redundancy.
- k. Please provide all relevant dates.

**Extensions**

- 496. Since the 18 September 2013 how many non-ongoing contracts has your department/agency extended?
- 497. How many non-ongoing contract extensions did your department/agency submit the Public Service Commission for approval?
- 498. How many of these extensions were approved by the Australian Public Service Commission (APSC)?
- 499. For every approved extension please provide the following details:
  - a. The employees age.
  - b. Their gender.
  - c. A description of their position.
  - d. Their APS classification level.
  - e. Their wage.
  - f. Where they are located.
  - g. Their length of continuous employment at the APS.
  - h. The length of the approved extension.
  - i. The reason why the extension was submitted.
  - j. The reason why the extension was approved by the APSC.
  - k. Please provide all relevant dates.
- 500. How many of these extensions were rejected by the APSC?
- 501. For every rejected extension please provide the following details:

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- a. The employee's age.
  - b. Their gender.
  - c. A description of their position.
  - d. Their wage.
  - e. Where they were located.
  - f. Their length of continuous employment at the APS..
  - g. The length of the extension sought by the department/agency.
  - h. The reason why the extension was submitted.
  - i. The reason why the extension was rejected by the APSC.
  - j. Please provide all relevant dates.
502. Since 18 September 2013, how many non-ongoing contracts have been extended by your department/agency without the APSC's approval?
503. For every unapproved extension please provide the following details:
- a. The employee's age.
  - b. Their gender.
  - c. A description of their position.
  - d. Their wage.
  - e. Their position's APS level classification.
  - f. Where they were located.
  - g. Their length of continuous employment at the APS.
  - h. The length of the extension granted by the department/agency.
  - i. The reason why the extension was granted.
  - j. Whether the extension was submitted to the APSC for approval and if not why the extension was not submitted for APSC approval?
  - k. The reasons why the extension was granted without the APSC's approval.
  - l. Please provide all relevant dates.
504. Since the 18 September 2013 how many non-ongoing contracts have expired without extension?
505. For every non-ongoing contract that has expired without extension please provide the following details:
- a. The employee's age.
  - b. Their gender.
  - c. A description of their position.
  - d. Their wage.

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- e. Their position's APS level classification.
  - f. Where they were located.
  - g. Their length of continuous employment at the APS.
  - h. The reason why the extension was not sought for their position.
  - i. Please provide all relevant dates.
506. Since the 18 September 2013 how many new employees have been engaged by your department/agency on non-ongoing contracts?
507. Since the 18 September 2013 how many (a) non-ongoing and (b) new non-ongoing engagements were submitted to the APSC for approval?
508. How many of these new non-ongoing engagements were approved by the APSC?
509. For every approved new engagement of a non-ongoing employee please provide the following details:
- a. Their age.
  - b. Their gender.
  - c. A description of their position.
  - d. Their wage.
  - e. Where their position is located.
  - f. Their position's APS level classification.
  - g. The length of their non-ongoing contract.
  - h. Whether their position was advertised externally.
  - i. The reason for engaging this new employee.
  - j. The reason given by the APSC for approving this engagement.
  - k. Please provide all relevant dates
510. How many of these new non-ongoing employee applications were rejected by the Public Service Commission?
511. For every rejected new engagement of a non-ongoing employee please provide the following details:
- a. Their age.
  - b. Their gender.
  - c. A description of their position.
  - d. Where their position is located.
  - e. Their wage.
  - f. Their position's APS level classification.
  - g. The length of their non-ongoing contract.

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- h. Whether their position was advertised externally.
  - i. The reason for engaging this new employee.
  - j. The reason given by the APSC for rejecting this engagement.
  - k. Please provide all relevant dates
512. Since 18 September 2013, how many new employees have been engaged on non-ongoing contracts without the approval of the Public Service Commission?
513. For every unapproved new engagement of a non-ongoing employee please provide the following details:
- a. Their age.
  - b. Their gender.
  - c. A description of their position.
  - d. Their wage.
  - e. Where their position is located.
  - f. Their position's APS level classification.
  - g. The length of their non-ongoing contract.
  - h. Whether their position was advertised externally.
  - i. The reason for engaging this new employee.
  - j. The reason for engaging this employee without the APSC's approval.
  - k. Please provide all relevant dates
514. Since the 18 September 2013 how many new employees have been engaged by your department/agency on ongoing contracts?
515. Since the 18 September 2013 how many (a) ongoing and (b) new ongoing engagements were submitted to the Public Service Commission for approval?
516. How many of these new ongoing engagements were approved by the Public Service Commission?
517. For every approved new engagement of an ongoing employee please provide the following details:
- a. Their age.
  - b. Their gender.
  - c. A description of their position.
  - d. Their wage.
  - e. Where their position is located.
  - f. Their position's APS level classification.
  - g. The length of their ongoing contract.
  - h. Whether their position was advertised externally.

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- i. The reason for engaging this new employee.
  - j. The reason provided by APSC for approving this engagement.
  - k. Please provide all relevant dates.
518. How many of these new ongoing employee applications were rejected by the Public Service Commission?
519. For every new ongoing engagement rejected by the Public Service Commission please provide the following details:
- a. Their age.
  - b. Their gender.
  - c. A description of their position.
  - d. Where their position is located.
  - e. Their wage.
  - f. Their position's APS level classification.
  - g. The length of their ongoing contract.
  - h. Whether their position was advertised externally.
  - i. The reason for engaging this new employee.
  - j. The reason provided by APSC for approving this engagement.
  - k. Please provide all relevant dates.
520. How many new employees have been engaged on ongoing contracts without the approval of the Public Service Commission?
521. For every ongoing employee engaged without the Public Service Commission's approval please provide the following details:
- a. Their age.
  - b. Their gender.
  - c. A description of their position.
  - d. Where their position is located.
  - e. Their wage.
  - f. Their position's APS level classification.
  - g. The length of their ongoing contract.
  - h. Whether their position was advertised externally.
  - i. The reason for engaging this new employee.
  - j. The reason for engaging this employee without the APSC permission.
  - k. Please provide all relevant dates.



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**Answers**

480. a. State and Territory

<b>Location</b>	<b>No. of Employees</b>
MELBOURNE	98
NATIONAL OFFICE (ACT)	1
<b>Grand Total</b>	<b>99</b>

b. Age

<b>Age Groups</b>	<b>No. of Employees</b>
20 - 24	5
25 - 29	16
30 - 34	32
35 - 39	16
40 - 44	8
45 - 49	10
50 - 54	6
55 - 59	4
60 - 64	2
<b>Grand Total</b>	<b>99</b>

c. Gender

<b>Gender</b>	<b>No. of Employees</b>
Female	62
Male	37
<b>Grand Total</b>	<b>99</b>

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d. APS level classification.

APS Classifications	No. of Employees
APS3	4
APS4	16
APS5	9
APS6	31
EL1	28
EL21	7
EL22	1
SES1	2
SES2	1
<b>Grand Total</b>	<b>99</b>

e. Contract type (ongoing or non-ongoing).

Contract Type	No. of Employees
Statutory Appointment	1
Ongoing	75
Ongoing/Secondment	17
Non-ongoing	3
Non-ongoing/Casual	3
<b>Grand Total</b>	<b>99</b>

481.

a. State and Territory.

Location	No. of Employees
MELBOURNE	106
<b>Grand Total</b>	<b>106</b>

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b. Age.

Age Groups	No. of Employees
20 - 24	4
25 - 29	23
30 - 34	28
35 - 39	19
40 - 44	9
45 - 49	9
50 - 54	8
55 - 59	5
60 - 64	1
<b>Grand Total</b>	<b>106</b>

c. Gender.

Gender	No. of Employees
Female	67
Male	39
<b>Grand Total</b>	<b>106</b>

d. APS level classification.

APS Classifications	No. of Employees
Contractor	1
APS3	2
APS4	20
APS5	8
APS6	33
EL1	28
EL21	10
EL22	1
SES1	2
SES2	1
<b>Grand Total</b>	<b>106</b>

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e. Contract type (ongoing or non-ongoing).

<b>Contract Type</b>	<b>No. of Employees</b>
Statutory Appointment	1
Ongoing	88
Ongoing/Secondment	12
Non-ongoing	4
Contractor	1
<b>Grand Total</b>	<b>106</b>

482.

a. State and Territory.

<b>Location</b>	<b>No. of Employees</b>
MELBOURNE	100
<b>Grand Total</b>	<b>100</b>

b. Age.

<b>Age Groups</b>	<b>No. of Employees</b>
20 - 24	3
25 - 29	23
30 - 34	28
35 - 39	17
40 - 44	8
45 - 49	7
50 - 54	8
55 - 59	5
60 - 64	1
<b>Grand Total</b>	<b>100</b>

c. Gender.

<b>Gender</b>	<b>No. of Employees</b>
Female	65
Male	35
<b>Grand Total</b>	<b>100</b>

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d. APS level classification.

<b>APS Classifications</b>	<b>No. of Employees</b>
Contractor	1
APS3	1
APS4	19
APS5	10
APS6	29
EL1	26
EL21	9
EL22	2
SES1	2
SES2	1
<b>Grand Total</b>	<b>100</b>

e. Contract type (ongoing or non-ongoing).

<b>Contract Type</b>	<b>No. of Employees</b>
Statutory Appointment	1
Ongoing	82
Ongoing/Secondment	12
Non-ongoing	4
Contractor	1
<b>Grand Total</b>	<b>100</b>

483. N/A

484. N/A

485. N/A

**Redundancies**

486. N/A

487. N/A

488. N/A

489. N/A

490. N/A

491. N/A

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- 492. N/A
- 493. N/A
- 494. N/A
- 495. N/A

**Extensions**

- 496. Since 18 September 2013 the ACNC has extend one non-ongoing contract.
- 497. The ACNC had no non-ongoing contract extensions that required the Public Service Commission approval.
- 498. N/A
- 499. a. The employee is aged between 30-34.

b. Female

c. An EL1 ACNC Legal Counsel is accountable for coordinating and undertaking detailed, complex, technical or sensitive projects that impact on strategic or operational outcomes for the Australian Charities and Not-for-profits Commission (ACNC). They may be required to produce high level legal advice, engaging in complex problem solving and issues management.

The EL1 ACNC Legal Counsel will demonstrate an extensive understanding of the requirements of the position as well as the legislative, policy and regulatory frameworks that underpin its activities. They will be accountable for managing a range of litigation and legal tasks and activities including representing the ACNC in legal proceedings and hearings, developing legal documents, briefing stakeholders and counsel and instructing legal providers.

The EL1 ACNC Legal Counsel may provide technical and litigation leadership within the ACNC and/or lead a small operation team. They are expected to be capable of reviewing the quality of work undertaken by others within a work group. They are accountable for organising their own workflow, and for making decisions in relation to their work area and team plans.

d. EL1

e. \$104,283

f. Melbourne

g. The employee has been with the ACNC since 22 April 2013 and has come from the private sector. The employee has been an APS employee for a year and two months.

h. The length of the extension is six (6) months.

i. The position is both specialist and technical, and the work carried out cannot be adequately picked up elsewhere within the ACNC. The Legal Unit have expertise in both Administrative and Charity Law. The area of Charity Law is highly specialised and legal staff require initial and ongoing training. While other staff, such as Registration staff need some knowledge of Charity Law, it is not required in the same depth as the Legal Unit. Further, staff in the Legal Unit, have in-depth knowledge

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and capacity to interpret the ACNC Act and the Charities Act and this expertise has grown collectively over the time the ACNC has been in existence.

j. The extension didn't require APSC approval.

k. The extension has been granted until 31 October 2014.

500. N/A

501. N/A

502. We had one non-ongoing contract extension during this period that didn't require APSC approval.

503. N/A

504. Since 18 September 2013 we have had one (1) non-ongoing contract expire without extension.

505. a. The employee was aged between 30-34.

b. Male

c. An APS6 Communications Officer is accountable for delivering results in accordance with the requirements of their work area and team plans. They will have an extensive understanding of the requirements of the position, as well as the legislative, regulatory and compliance frameworks that underpin its activities. They may be required to provide professional advice in relation to complex problems.

The APS6 Communications Officer will lead the design, development and implementation of internal and/or external communication strategies, plans, products and tools to meet varied and changing stakeholder requirements. They may exercise discretion with respect to how established standards and work practices are interpreted and applied by themselves and others.

The APS6 Communications Officer may lead a team, set the priorities, monitor workflow and resources and manage the operations and performance of ATO employees in accordance with legislative, APS and ATO policies and instructions.

The APS6 Communications Officer will be required to engage with a range of stakeholders in a representational role on complex, difficult or sensitive issues.

d. \$77,824

e. APS6

f. Melbourne

g. The employee had been with the ACNC since 13 November 2012 and had come from the private sector. The employee was an APS employee for a year and five months.

h. The employee resigned before their contract expired.

i. The employee commenced with the ACNC on 13 November 2012 and their last day was 9 April 2014.

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506. Since 18 September 2013 the ACNC has engaged two (2) employees on non-ongoing contracts.
507. There was no requirements for the non-ongoing engagements, to be submitted to the APSC for approval. The employees were approved for appointment before the APSC recruitment freeze.
508. None of the new non-ongoing engagements were approved by the APSC, because there was no requirement to seek APSC approval for the engagement of these staff members.
509. N/A
510. N/A
511. N/A
512. Since 18 September 2013 the ACNC has engaged two (2) employees on non-ongoing contracts, without the approval of the APSC because there was no requirement to seek approval.
513. N/A
514. Since 18 September 2013 the ACNC has engaged three (3) employees on ongoing contracts.
515. None of the ongoing engagements were submitted for approval by the APSC, because there was no requirement to seek APSC approval for the engagement of these staff members.
516. N/A
517. N/A
518. N/A
519. N/A
520. Since 18 September 2013 the ACNC had engaged three (3) employees on ongoing contracts without the approval of the APSC. There was no requirement to seek approval for these appointments.
521. 3.
- 1.**
- a. The employee is aged between 35-39.
- b. Male
- c. An APS6 Compliance and Investigations Officer is accountable for delivering results in accordance with the requirements of their work area and team plans. They will have an extensive understanding of the requirements of the position, as well as the legislative, regulatory, compliance and investigation frameworks that underpin its activities. They will undertake or lead compliance and civil investigation case work that will generally be of a complex nature. They will provide technical, professional and/or policy advice in relation to complex problems and be required to conduct risk assessments and provide litigation support.



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The APS6 Compliance and Investigations Officer will be required to manage relationships with clients who demonstrate a range of behaviours from willing cooperation to active avoidance, and make decisions exercising sound judgment.

The APS6 Compliance and Investigations Officer may be a team coach or lead a small operational team and is expected to be capable of reviewing the quality of work undertaken by others within a work group. They are accountable for organising their own workflow, and for making decisions in relation to their work area and team plans.

d. Melbourne

e. \$86,067

f. APS6

g. This is a permanent ongoing position.

h. The position was advertised externally and the employee was ranked on a valid Merit List.

i. The employee was engaged because a few permanent staff members in the team, had resigned and there was a need to hire staff to backfill the vacancies.

j. The reason that the employee was engaged without the approval from the APSC is because there was no requirement to seek approval from the APSC.

k. The employee commenced employment with the ACNC on 13 January 2014.

2.

a. The employee is aged between 30-34.

b. Female

c. An APS6 Compliance and Investigations Officer is accountable for delivering results in accordance with the requirements of their work area and team plans. They will have an extensive understanding of the requirements of the position, as well as the legislative, regulatory, compliance and investigation frameworks that underpin its activities. They will undertake or lead compliance and civil investigation case work that will generally be of a complex nature. They will provide technical, professional and/or policy advice in relation to complex problems and be required to conduct risk assessments and provide litigation support.

The APS6 Compliance and Investigations Officer will be required to manage relationships with clients who demonstrate a range of behaviours from willing cooperation to active avoidance, and make decisions exercising sound judgment.

The APS6 Compliance and Investigations Officer may be a team coach or lead a small operational team and is expected to be capable of reviewing the quality of work undertaken by others within a work group. They are accountable for organising their own workflow, and for making decisions in relation to their work area and team plans.

d. Melbourne

e. \$89,400

f. APS6

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- g. This is a permanent ongoing position.
- h. The position was advertised externally and the employee was ranked on a valid Merit List.
- i. The employee was engaged because a few permanent staff members in the team, had resigned and there was a need to hire staff to backfill the vacancies.
- j. The reason that the employee was engaged without the approval from the APSC is because there was no requirement to seek approval from the APSC.
- k. The employee commenced employment with the ACNC on 13 January 2014.

3.

- a. The employee is aged between 30-34.
- b. Male
- c. An EL1 Policy Analyst is accountable to plan, co-ordinate and deliver detailed, complex, technical or sensitive projects that impact on strategic or operational outcomes for the ATO. They may be required to produce high-level policy advice and engage in complex problem solving and issues management. They will demonstrate an extensive understanding of the requirements of the position, as well as the legislative and regulatory frameworks that underpin its activities.

The EL1 Policy Analyst may be a team coach or lead a small operational team and is expected to be capable of reviewing the quality of work undertaken by others within a work group. They are accountable for organising their own workflow, and for making decisions in relation to their work area and team plans.

The EL1 Policy Analyst will provide detailed technical advice in relation to complex, difficult and/or sensitive issues and the impact on ATO operations and the community from existing, new and emerging legislation and policies. They will apply well developed research and analytical skills, including the ability to investigate, interpret and respond to situations that regularly fall outside procedural guidelines.

d. National Office - Canberra

e. \$99,769

f. EL1

- g. This is a permanent ongoing position.
- h. The position was advertised externally and the employee was ranked on a valid Merit List.
- i. The employee was engaged because a permanent staff member in the team, had resigned and there was a need to hire staff to backfill the vacancy.
- j. The reason that the employee was engaged without the approval from the APSC is because there was no requirement to seek approval from the APSC.
- k. The employee commenced employment with the ACNC on 23 September 2013.