

Senate Economics Legislation Committee
ANSWERS TO QUESTIONS ON NOTICE
Treasury Portfolio
Budget Estimates
2014 - 2015

Department/Agency: ATO

Question: BET 432-435

Topic: Departmental Dispute Resolution

Reference: written - 17 June 2015

Senator: Ludwig, Joe

Question:

432. How are disputes between departmental and/or agency staff mediated?
433. Are any outside firms contracted to assist with this process? If yes: please list them, please include:
- a) The structure of payments made to each firm (e.g. retainers, fees for each consultation etc).
 - b) Amount paid to each firm since the last budget.
 - c) When the contract with the firm commenced.
 - d) When the contract with the firm will expire.
 - e) Why the firm was selected to provide the service.
 - f) Please provide a list of disputes referred to the firm, including a brief description of the dispute.
434. How are code of conduct violations by departmental and/or agency staff mediated?
435. Are any outside firms contracted to assist with this process? If yes: please list them, please include:
- a) The structure of payments made to each firm (e.g. retainers, fees for each consultation etc).
 - b) Amount paid to each firm since the last budget.
 - c) When the contract with the firm commenced.
 - d) When the contract with the firm will expire.
 - e) Why the firm was selected to provide the service.
 - f) Please provide a list of disputes referred to the firm, including a brief description of the dispute.

Answer:

432. Disputes are mediated by internal ATO human resource staff who are accredited mediators. External mediators are only utilised in exceptional circumstances.
433. No. There is no current panel of providers in place. In the event that an external mediator is utilised, the ATO explores relevant providers, with the appropriate skills and requests a quotation for services.

Two mediations facilitated by external mediators have occurred during the 2014-15 financial year.

- a) Payment is structured as per the quote for a one off service to meet our specific requirements. An invoice is generated and paid by the ATO as per relevant Accounts Payable procedures.

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- b) Mediation 1 - \$5500. Engaged from 14 October 2014 to 30 November 2014. Mediation 2 - \$2860. Engaged for period 17 November 2014 and 20 January 2015.
 - c) There is no contract in place with any external mediation firm.
 - d) As above.
 - e) (i) Mediation 1 – One of the individuals refused to participate in mediation conducted by internal ATO mediator. Quotes were obtained and firm engaged.
(ii) Mediation 2 – Business area requested an external mediator. Selected firm specialised in group mediation as the request related to workplace conflict involving an entire team.
 - f) (i) Mediation 1 – Conflict between Employee & Manager. Mediation was recommended by independent occupational health assessor.
(ii) Mediation 2 – Workplace conflict involving an entire team.
434. Code of Conduct violations are not mediated unless it is a recommendation by the Sanction Delegate.
435. No. There is no current panel of providers in place. In the event that an external mediator is utilised, the ATO explores relevant providers, with the appropriate skills and request a quotation for services. No mediations for code of conduct violations occurred during the 2014-15 financial year.