

Senate Committee: Education and Employment

QUESTION ON NOTICE Budget Estimates 2015 - 2016

Outcome: Agency: ACARA

Department of Education and Training Question No. SQ15-000601

Senator Ludwig, Joe provided in writing

ACARA: Departmental Dispute Resolution

Question

1. How are disputes between departmental and/or agency staff mediated?
2. 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.
3. How are code of conduct violations by departmental and/or agency staff mediated?
4. 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

The Australian Curriculum Assessment and Reporting Authority (ACARA) has provided the following response.

1. In accordance with the ACARA Enterprise Agreement, attempts are made to address disputes initially through discussions at the workplace level. ACARA may choose to engage a third party for mediation or consultation. If unsuccessful, a party to the dispute may refer the matter to Fair Work Australia for resolution, including by mediation, conciliation or recommendation.
2. ACARA may engage its Employee Assistance Provider for mediation: Optum Health and Technology Australia Pty Ltd (*formerly* PPC Worldwide).
 - a. Payment for services are as per EAP service agreements:
 - PPC Worldwide Agreement for June 2013 – May 2015, payment of an annual retainer fee of \$5,500 + GST
 - Optum Health and Technology (Australia) Pty Ltd Agreement for June 2015 – May 2017, agreed annual retainer fee of \$5,500 + GST

- b. \$2,475 + GST mediation and professional development (additional to retainer) paid to ACARA's EAP provider since last budget.
 - c. Contract commencement dates as per response to question 2a
 - d. Contract expiry dates as per response to question 2a
 - e. ACARA selected EAP service providers following vendor comparison on services and costs. The current EAP provider, Optum, offered the best value.
 - f. Disputes referred to Optum since last budget:
 - November 2014 – Employee complaint where the matter was referred to EAP to mediate further discussion and assist parties developing their working relationship. Matter resolved. Costs incurred as indicated in (b.) above.
3. Code of conduct violations are mediated in accordance with the ACARA Enterprise Agreement 2012-2016. See response to question 1.
 4. Response is as per question 2f.