

**Senate Committee: Education and Employment**

**QUESTION ON NOTICE  
Budget Estimates 2015 - 2016**

**Outcome: Agency: AITSL**

**Department of Education and Training Question No. SQ15-000602**

Senator Ludwig, Joe provided in writing.

***AITSL: 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 Institute for Teaching and School Leadership has provided the following response:

1. AITSL encourages all employees to work together in good faith to resolve informally any dispute which may arise in the workplace. Where a dispute cannot be resolved between the parties AITSL's 'Dispute and Issues Resolution Policy' provides a mechanism for a formal dispute resolution process mediated by the Business Manager.  
  
If the Business Manager is unable to effect a resolution between the parties, AITSL will appoint an external third party or independent mediator to assist in reaching a resolution.
2. In one instance, an external firm (David Bryson and Associates Pty Ltd, ABN 92 095 256 616) was contracted to assist with mediation.
  - a) Fee for service
  - b) Nil
  - c) 03/01/2014

- d) 14/01/2014
  - e) Recommendation and in accordance with procurement policy
  - f) Mediation between Manager and Employee regarding the process adopted in initiating performance management procedures
3. AITSL seeks to create a healthy, safe and rewarding working environment based on the principles of fairness, equity and tolerance while ensuring that the organisation is productive, its resources and governance are protected, and its reputation for excellence is maintained. Where an employee's behaviour and conduct has the potential to damage the effective and harmonious operation of the organisation, AITSL has a 'Managing Misconduct and Disciplinary Policy' which ensures that the disciplinary procedure is fair, impartial and transparent.

Employee disciplinary procedures are designed to provide a structured, transparent and equitable time-based process where managers and employees can discuss any deficiencies in conduct and their severity and, where appropriate, implement a planned and agreed strategy to ensure the misconduct is not repeated.

There have been no instances whereby the policy has been required to be invoked.

4. No outside firms have been required.