



MEMBER UPDATE

AFPA Industrial Dispatch #27 **12 April 2018**

Welcome to edition 27 of the AFPA Industrial Dispatch, a regular bulletin from the Legal and Industrial Team to keep our members up to date with significant industrial issues.

CURRENT SIGNIFICANT ISSUES

Roster Review at Parliament House

The AFP have engaged Shiftwork Solutions to review the roster used by Protective Service Officers at Parliament House. We were invited to attend a presentation by the contractors outlining the review process. While the impetus for the review was an apparently giant overtime bill, there is also a strong focus on health and wellbeing.

Whilst it is very early in the process, the contractor indicated that if the majority of employees prefer the current roster (to be determined by a fairly robust survey that all members are encouraged to complete), there would be no wholesale changes to the roster just for the sake of it.

The contractors return in 2 weeks with the results of the survey for further consultation. If you have any concerns at this stage, please call the Team.

Review of Sergeants/Team Leaders selection process

We have received a large number of complaints from applicants in the VRN 0391/17 Sergeants/Team Leaders selection process. We do not consider any of these complaints to be 'sour grapes' and have serious concerns about the consistency, fairness and effectiveness of several aspects of this process.

As such, in accordance with Commissioner's Order 7, we have submitted a collective request for review of the Independent Selection Advisory Panel (ISAP) process on behalf of a number of members to the delegate (National Manager People, Safety and Security).

We do not expect this will unduly delay the process for successful applicants, however it is important we ensure members' concerns are heard.

Secrecy provision – section 60A of the Australian Federal Police Act 1979

We thought it timely to remind you of your secrecy obligations under section 60A of the AFP Act. Section 60A creates a criminal offence for an employee or former employee to:

- (a) make a record of any prescribed information; or
 - (b) divulge or communicate any prescribed information to any other person;
- except for:
- (c) the purposes of this Act or the regulations; or
 - (d) the purposes of the Law Enforcement Integrity Commissioner Act 2006 or regulations under that Act; or
 - (e) the purposes of the Witness Protection Act 1994 or regulations under that Act; or
 - (ea) the purposes of the Parliamentary Joint Committee on Law Enforcement Act 2010 or regulations under that Act; or
 - (f) the carrying out, performance or exercise of any of the person's duties, functions or powers under Acts or regulations mentioned in paragraphs (c), (d), (e) and (ea)

This offence is punishable by 2 years imprisonment.

If you have any doubt, and you have sought advice from your supervisor or AFP Legal, please contact the Team.

Correction – Reviews of ISAP processes

In Industrial Dispatch #26, we referred to a non-current version of Commissioner's Order on Selection for Vacant Roles (CO7) when outlining your rights to seek a review of an ISAP process.

While the wording in the current version is different, the principles and process for seeking review are the same.

Section 9 of CO7 provides that:

Following completion of an ISAP process, a period of seven days is available for the purpose of any internal applicant to request a review of the process. The seven-day review period commences from the date that the ISAP report and recommendation is submitted to the delegate.

A selection process undertaken by an ISAP may be subject to review, following a request received by the delegate from an internal applicant and based on either:

- an apparent or perceived breach of the application of r. 3 of the Australian Federal Police Regulations 1979 (Cth),
- an apparent or perceived significant departure from the principles of merit selection processes as set out in this guideline and/or the AFP National Guideline on general recruitment and selection.

The delegate's consideration and determination of the ISAP report and recommendation must

not be finalised prior to the conclusion of the seven-day review period. Should a request for review be received, the delegate's determination of the report and recommendation must not be made until they are satisfied with the findings of the review and notification of the outcome is made in writing to the applicant/s requesting the review.

INDUSTRIAL QUERIES

If you have any industrial queries or queries about issues raised in this Dispatch, please contact anish.prasad@afpa.org.au, sam.delaney@afpa.org.au or sharon.wright@afpa.org.au or call us on (02) 6285 1677.



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