



# MEMBER UPDATE

## AFPA Industrial Dispatch #28 01 May 2018

Welcome to edition 28 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

#### Advancement Arrangements

Over the past few weeks we have had a number of sworn members contacting the team about advancement arrangements and their eligibility for advancement under the *AFP Enterprise Agreement 2012 – 2016*.

Specifically, eligibility requirements for advancement from Band 4 to Band 5 can become a barrier if members do not pay close attention to the three circumstances in which they may be advanced.

We recommend that all members who are looking to be advanced to Band 5 familiarise themselves with clause 73(8) of the Enterprise Agreement and *Better Practice Guide on Police Advancement Arrangements (Broadbands 2-5 and 6-7)*. Moreover, there will be minor changes to the police advancement arrangements in the new EA when it comes into effect. Again, our recommendation to those seeking advancement to Band 5 is to familiarise themselves with these changes in the new EA and contact the Team if you have any particular concerns.

#### Response to AFPA ISAP appeal re Sergeants/Team Leaders recruitment

On 17 April 2018, we sent all members an update regarding our request for the AFP to review the recent Sergeants/Team Leaders selection process. We received the following comments in response from NMPSS Philippa Crome (we intend to seek clarification on a number of aspects of her response):

##### **1. Lack of clarity regarding blind recruitment/de-identification**

I am aware of a level of discontent regarding the de-identification process across this applicant cohort. The AFP's aim in implementing de-identification was to ensure that there was no unconscious bias applied by the panel, which I believe was achieved.

I am also aware that there are applicants who feel that they could not fully detail their skills and experience due to the de-identification requirement. I feel that this belief, on the part of the applicant, is driven more by the unknown element of this process and not necessarily by fact. There were 189 applicants, who, on application, successfully indicated to their ability and competency by complying with

the de-identification requirements and being shortlisted to proceed to an assessment centre.

I also note the AFP sought to provide information to applicants in various forms including the candidate pack, online and at the information session to assist applicants to better understanding the de-identification requirements. Further to this, potential applicants were also advised that they could contact a dedicated resource within the Recruitment team to assist them with any queries or guidance.

As you will appreciate, ultimately the dislike of a procedural element of an ISAP does not mean the process was not compliant or a departure from the requirements of CO7.

## **2. Not given an opportunity to review redactions made by the AFP on their applications**

The purpose of redactions was explained to potential applicants. While I acknowledge that applicants did not receive a copy of their redacted applications, if redactions were necessary to ensure the integrity of the de-identified recruitment process, applicants have been able to seek copies subsequently.

On 9 November 2017, I sent an all staff email (copy attached) which advised:

*Additionally, I am aware that some applicants may hold specific concerns about the de-identification process and material that may have been redacted from the application. Redactions were only made in order to ensure consistency of the process. As part of the feedback process, applicants can seek a copy of the final application provided to the panel. Please advise Recruitment via the email above if you would like to receive a copy of the final application.*

At this point in time, I understand that not all applicants have yet received their de-identified application. I have raised this with the Manager, People Strategies and the Coordinator, Recruitment and asked that this be prioritised. I have been assured that this is occurring. If you are aware of people who have put in a request that has not been met at yet, please advise either myself or the Manager, People Strategies and we will ensure that the identified member receives a copy of their application as provided to the ISAP.

I can also inform you that all panels were aware that any redactions to applications or CVs were done so by AFP Recruitment.

## **3. Lack of consistency amongst selection panels**

I can advise that the six panels assessed applications based on agreed neutral standards with moderation also undertaken by the six panel chairs in regard to the assessment standards and to ensure consistency of assessment. This moderation occurred at each assessment stage and at ad hoc stages during the ISAP process. I can also advise that the requirements in regard to the make-up of the panels fully complied with the standards required by the AFP.

Furthermore, all panel members met all of the AFP requirements regarding training and composition. Each panel was chaired by an SES Band 1 officer with membership being either at the SES Band 1 or Coordinator/Superintendent level comprising a mix of gender, experience, and workforce composition (professional and sworn).

## **4. New advice from and extension of timeframe by AFP after members' applications already submitted; no opportunity for members to review and re-submit applications**

On 18 July 2017, I sent an all staff email advising potential applicants that an extension was being provided to the closing date for applications for the sergeant process. This advice also specifically identified that for those who may have submitted their application, they were able to go into the system and continue to edit their applications until the new closing date. AFP Recruitment had systems team in place so that if any applicants were having trouble working the system, they could get support. I have

provided a copy of the all staff email to this response for your reference.

#### **5. Assessment centres – did not appear to be aligned to the selection criteria**

The assessment centre was one component of the ISAP process. The assessment centre exercises were structured around the work level standards with a focus on assessing an applicant's competency for leadership skills. The assessment was not a test of policing or PSO skills and as such had no operational component or focus.

Without further specifics regarding the concerns of applicants on how the assessment centres did not comply with CO7, I am unable to investigate further.

#### **6. Applicants receiving documents and information not belonging to them**

I am not aware of such an instance occurring throughout this process. If you believe that there has been an instance which has led to applicants not being correctly assessed I am willing to investigate, however, you would need to provide me with the specifics of the situation, including the name of the applicant(s).

As you know, ultimately, my responsibility, as the delegate, is to ensure that employment decisions relating to this vacancy do not breach the application of r.3 of the *Australian Federal Police Regulations 1979 (Cth)* and/or do not depart from the principles of merit selection processes.

In considering the information you have provided, I have determined that there has not been a breach of r.3 or a departure from the principles of merit selection processes. Therefore, no further action will be taken in regard to your request for review.

#### **New AFPA Industrial Lawyer**

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We welcome the newest member of our Team, Matt Peterson.

Matt joins the AFPA as an Industrial Lawyer, having moved to Canberra from Newcastle. Matt has been practising as a Lawyer in private practice since August 2015, having worked a number of years prior to being admitted as a Law Clerk.

His predominant experience as a Lawyer and Clerk has been acting on behalf of first responders, including members of the Police Association of NSW and the Australian Paramedics Association, in relation to their rights and entitlements under workers compensation, insurance policies, and industrial and employment law. Matt also has experience in relation to criminal matters and general litigation.

#### **INDUSTRIAL QUERIES**

If you have any industrial queries or queries about issues raised in this Dispatch, please contact us at [afpa@afpa.org.au](mailto:afpa@afpa.org.au) or call us on (02) 6285 1677.



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