

HR Data Table

Staffing Numbers (ongoing, non-ongoing & casual)	Category	30 June 2022		30 June 2023		31 March 2024	
		Head count	FTE	Head count	FTE	Head count	FTE
	Sworn Police	3397 (45.5%)	3312.4	3453 (44.1%)	3362.0	3492 (43.5%)	3421.2
	Sworn PSO	899 (12.0%)	878.1	838 (10.7%)	819.5	798 (9.9%)	782.5
	Total Sworn	4296 (57.6%)	4190.5	4291 (54.8%)	4181.5	4290 (53.4%)	4203.7
	Total Sworn Excl. ACTP	3592 (55.0%)	3507.4	3548 (52.0%)	3460.8	3268 (41.0%)	3217.3
	Unsworn	3166 (42.5%)	2860.3	3545(45.2%)	3199.7	3739 (46.6%)	3364.6
	Total*	7462	7050.8	7836	7381.2	8029	7568.3

*Note: Total includes Australian Institute of Police Management (20 headcount/20 FTE), Asia/Pacific Group on Money Laundering (21 headcount/21 FTE) and ACT Policing.

ACT Policing Staffing Numbers (ongoing, non-ongoing & casual)		Head count	FTE	Head count	FTE	Head count	FTE
	Sworn Police	691 (73.7%)	670.1	729 (72.4%)	706.7	723 (70.7%)	705.6
	Sworn PSO	13 (1.4%)	13.0	14 (1.4%)	14.0	15 (1.5%)	14.5
	Unsworn	233 (24.9%)	213.6	264 (26.2%)	244.7	284 (27.8%)	266.3
	Total	937	896.7	1007	965.4	1022	986.4

Geographical Data

Geographic Location (Includes ongoing, non-ongoing and casuals)		30 June 2022			30 June 2023			31 March 2024		
		Head count	FTE	% FTE	Head count	FTE	% FTE	Head count	FTE	%FTE
	ACT (inc. ACTP)	4123	3817.8	54.1%	4411	4079.4	55.3%	4502	4178.3	55.2%
	NSW	1078	1041.3	14.8%	1107	1070.5	14.5%	1135	1097.7	14.5%
	NT	96	94.1	1.3%	85	81.1	1.1%	84	84.0	1.1%
	QLD	665	645.4	9.2%	671	643.6	8.7%	669	640.1	8.5%
	SA	168	164.2	2.3%	187	179.2	2.4%	196	184.4	2.4%
	TAS	6	6.0	0.1%	8	8.0	0.1%	15	13.8	0.2%
	VIC	740	708.8	10.1%	777	742.7	10.1%	815	777.7	10.3%
	WA	335	323.5	4.6%	353	340.7	4.6%	368	348.3	4.6%
	Cth Territories	24	23.0	0.3%	23	22.0	0.3%	24	23.0	0.3%
	Overseas	227	226.7	3.2%	214	214.0	2.9%	221	221.0	2.9%
	Total	7462	7050.8	100%	7836	7381.2	100%	8029	7568.3	100%

Gender Diversity

Gender Diversity: Target 30% Sworn by 2028	Head count	30 June 2022				30 June 2023				31 March 2024			
		Police	PSO	Unsworn	Total	Police	PSO	Unsworn	Total	Police	PSO	Unsworn	Total
	Female	874 (25.7%)	140 (15.6%)	1957 (61.8%)	2971 (39.8%)	898 (26.0%)	124 (14.8%)	2174 (61.3%)	3196 (40.8%)	911 (26.1%)	111 (13.9%)	2300 (61.5%)	3322 (41.4%)
	Male	2518	753	1204	4475	2550	708	1365	4623	2575	681	1428	4684
LEX 2846	Gender X	5	6	5	16	5	6	6	17	6	6	11	23
	Total	3397	899	3166	7462	3453	838	3545	7836	3492	798	3739	8029

Headcount by Classification

Substantive Classification	30 June 2022		30 June 2023		31 March 2024	
	Head count	%	Head count	%	Head count	%
Casual	121	1.6%	162	2.1%	212	2.6%
Band 1	-	-	-	-	-	-
Band 2	744	10.0%	764	9.7%	784	9.8%
Band 3	1107	14.8%	1204	15.4%	1272	15.8%
Band 4	1631	21.9%	1521	19.4%	1477	18.4%
Band 5	1526	20.4%	1563	19.9%	1621	20.2%
Band 6	702	9.4%	861	11.0%	832	10.4%
Band 7	967	13.0%	1038	13.2%	1034	12.9%
Band 8	309	4.1%	338	4.3%	393	4.9%
Technical Specialist	29	0.4%	40	0.5%	53	0.7%
EL	230	3.1%	246	3.1%	256	3.2%
SES	96	1.3%	99	1.3%	95	1.2%
Total	7462	100%	7836	100%	8029	100%

Diversity Indicators

Diversity Indicators	30 June 2022		30 June 2023		31 March 2024	
	Head count	%	Head count	%	Head count	%
Average Age	42.3		42.2		42.2	
Three or Less Years of Service	2093	28.0%	2568	32.8%	2762	34%
Aboriginal and Torres Strait Islander (Target: 3% at each AFP Band Level by 2028)	187	2.5%	184	2.3%	167	2.1%
Disability	96	1.3%	133	1.7%	135	1.7%
Culturally and Linguistically Diverse	1969	26.4%	2003	26.4%	1970	24.5%

Note: AFP diversity statistics are captured through self-identification

SES

Substantive SES: Gender Diversity	Financial Year 2021-22		Financial Year 2022-23		31 March 2024	
	Head count	%	Head count	%	Head count	%
Female	41	42.7%	40	40.4%	40	42.1%
Male	55	57.3%	59	59.6%	55	57.9%
Total	96	100%	99	100%	95	100%

Attrition Rates

Attrition Rates		FY2020-21	FY2021-22	FY2022-23	31 March 2024
	Police		3.1%	4.6%	4.5%
PSO		4.3%	3.2%	6.2%	5.7%
Unsworn		5.4%	8.3%	7.9%	8.0%
Total AFP		4.3%	6.1%	6.3%	6.4%

Notes: Recruits are being counted in the total AFP rate. The 31 March 2024 rate is for the last 12 months.

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Australian Federal Police Senate Estimates Brief Budget Estimates Hearing – 2024

Brief Number: SB24-000037

Brief title: Hot Issue – Budget Update

Responsible Deputy: Acting Chief Operating Officer

Key Points

- The AFP received an additional \$14.5m in 2024-25 (\$73.2m/4 years) at 2024-25 Budget comprised of the following:
 - Departmental: 2024-25 \$13.2m (\$63.8m/4 years); and
 - Capital: 2024-25 \$1.3m (\$9.4m/4 years).
- The AFP is always looking to operate more efficiently and effectively and will continue to find innovative ways to deliver our objectives and protect Australians and Australian interests.
- The AFP's total resources for 2024-25 is \$2,099.9m which is \$28.2m higher than 2023-24 actual resources.
 - This comprises of \$1,490.6m departmental, \$44.6m capital, \$380.7m own-sourced revenue, \$108.1m departmental capital budget, \$60.2m administered, and \$15.7m special accounts.

New Measures and Variations BUDGET 2024-25 [Total - \$73.2m/4 years 213 ASL]

- Enabling Western Sydney International Airport: \$95.8m/4 years (including 115.0 ASL)
 - For the AFP to establish the operational workforce required to provide protective security at the new Western Sydney International Airport. This funding will enable the AFP to ensure federal policing operations are ready for the commencement of its operation in 2026.
- Solomon Islands Assistance Force Extension: \$5.5m/1 year (including 4.2 ASL)
 - To extend AFP-led Solomons' International Assistance Force (SIAF) until August 2024. SIAF supports the Royal Solomon Islands Police Force (RSIPF) to protect life and key infrastructure, and maintain order in Honiara.
- National Firearms Register: \$1.0m/1 year (including 3.3 ASL)
 - To integrate our current firearms reporting systems into the new National Firearms Register, ensuring the AFP has access to near real-time reporting on domestic firearms and supports cross jurisdictional information sharing of firearms data at a state and Commonwealth level.
- Savings from External Labour - Extension: -(\$29.06m)/4 years
 - To integrate our current firearms reporting systems into the new National Firearms Register, ensuring the AFP has access to near real-time reporting on domestic firearms and supports cross jurisdictional information sharing of firearms data at a state and Commonwealth level.

s 33(a)(i)

- s 47E(d)

WoG Savings

- As part of the WoG Savings the AFP has been allocated savings of \$28.5m in 2024-25 and an additional \$72.6m across the forward estimates.

2023-24	2024-25	2025-26	2026-27	2027-28
-\$25.5m	-\$28.5m	-\$30.0m	-\$21.1m	-\$21.4m

The AFP has taken steps to absorb the savings measure.

- Savings were spread across most Commands with a focus on reductions in non-operational travel, contractors and consultancies.
- The Savings – Extension measure in the 2024-25 Budget of \$29.06m/4 years was stipulated by Department of Finance to apply solely to Outcome 3.2 – Specialist Protective Command.
- We have not reduced sworn members or overall staffing levels. The AFP’s Full Time Equivalent (FTE) numbers have continued to grow each month.

The AFP has been proactive in finding savings

- Contractor conversions – conversion of current labour hire contractors to AFP appointees.
- Investing in internal capability – Piloting a Change Management Centre of Excellence where we deploy suitably qualified AFP staff to deliver Programs and Project change management.
- Established the Building Internal Capabilities Working Group to review AFP capability requirements and the potential to build internal capabilities, reducing the reliance on labour hire contractors.
- The AFP has also established a Budget Management Taskforce (BMT). Through its work to date, the BMT has identified \$20.4m of savings from reduced travel, contractor conversions and reductions in services obtained from contractors and consultants.
- The first Working Group on Building Internal Capabilities was held in March, which developed targets and strategies for further reductions in the organisation’s contractor cohort. The BMT will continue to monitor and encourage additional savings as the end of financial year approaches.

Current AFP funding

The Government has provided the AFP with the following funding over the forward estimates:

Appropriation Item	2023-24 \$'000	2024-25 \$'000	2025-26 \$'000	2026-27 \$'000	2027-28 \$'000
Departmental Appropriation	1,499,641	1,490,579	1,377,636	1,402,954	1,394,598
Departmental Capital Budget	74,852	108,239	107,793	112,868	113,196
Equity Injection	65,535	44,550	10,706	4,930	3,868
Administered Appropriation	20,236	60,112	60,163	61,086	75,812
Special Appropriation	50	50	0	0	0
Total Appropriation	1,660,314	1,703,530	1,556,298	1,581,838	1,587,474
Own-Sourced Revenue	395,739	380,694	367,919	374,629	376,842
Special Accounts	15,671	15,671	15,671	15,671	15,671
Total Resources Available	2,071,724	2,099,895	1,939,888	1,972,138	1,972,987

Appropriation increases by \$28.2m between 2023-24 and 2024-25.

Average Staffing Levels (ASL)

	2023-24 Budget	2023-24 PAES	2024-25 Budget
Average Staffing Level	7,633^[1]	7,785^[2]	7,930^[3]
<i>Movement</i>		<i>+152</i>	<i>+145</i>
<i>Total Movement</i>			<i>+297</i>

[1] Figures are per 2023-24 Budget.

[2] Figures are per 2023-24 MYEFO.

[3] Figures are per 2024-25 Budget.

The **total increase of 297 ASL** between 2023-24 Budget and 2024-25 Budget is due to:

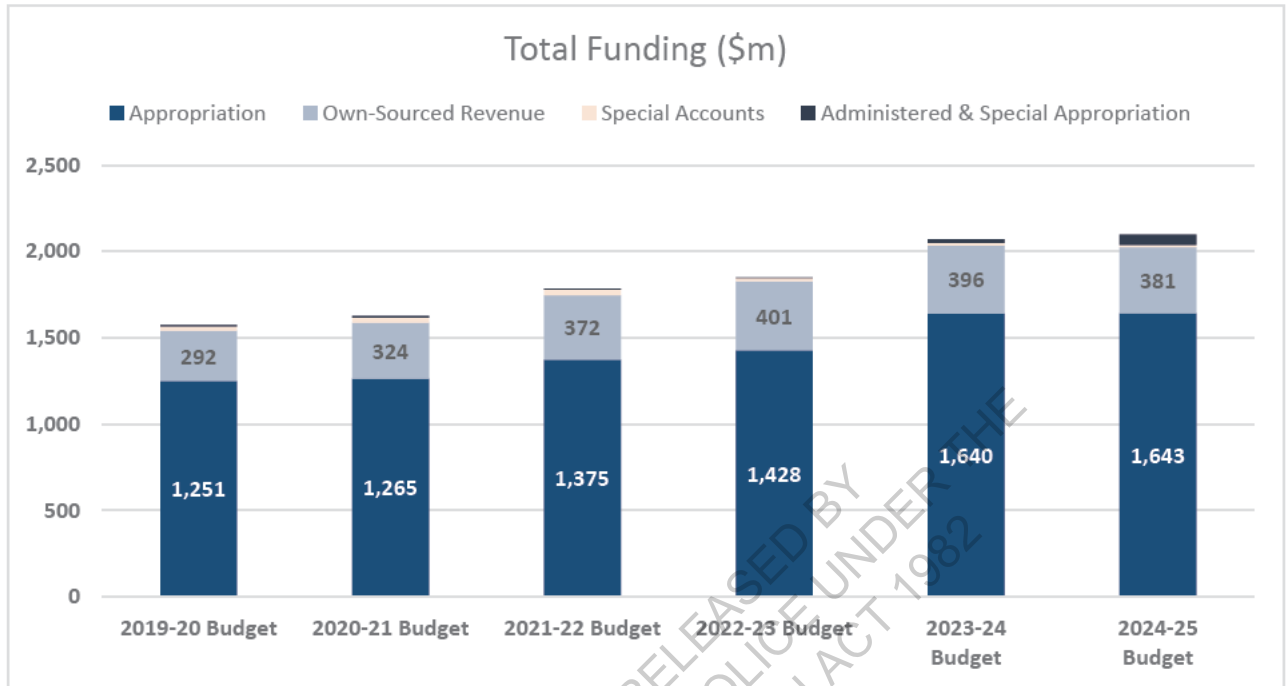
- An **increase of 152 ASL** between 2023-24 Budget and 2023-24 PAES is due to:
 - Measures received in 2023-24 PAES:
 - 2023-2030 Cyber Security Strategy: Enhancing AFP Cybercrime (9.0 ASL in 2023-24)
 - Taskforce AEGIS (110.1 ASL in 2023-24)
 - PACPOL (PNG Centre of Excellence) (32.5 ASL in 2023-24)
- An **increase of 145 ASL** between 2023-24 PAES and 2024-25 Budget is due to:
 - New measures received in 2024-25 Budget:
 - Western Sydney Airport (25.0 ASL in 2024-25)
 - National Firearms Register (3.3 ASL in 2024-25)
 - Other operational requirements (112.5 ASL in 2024-25)
 - SIAF (4.2 ASL in 2024-25)

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SES1 clearing officer: Manager Lachlan Funnell: s 47E(d)

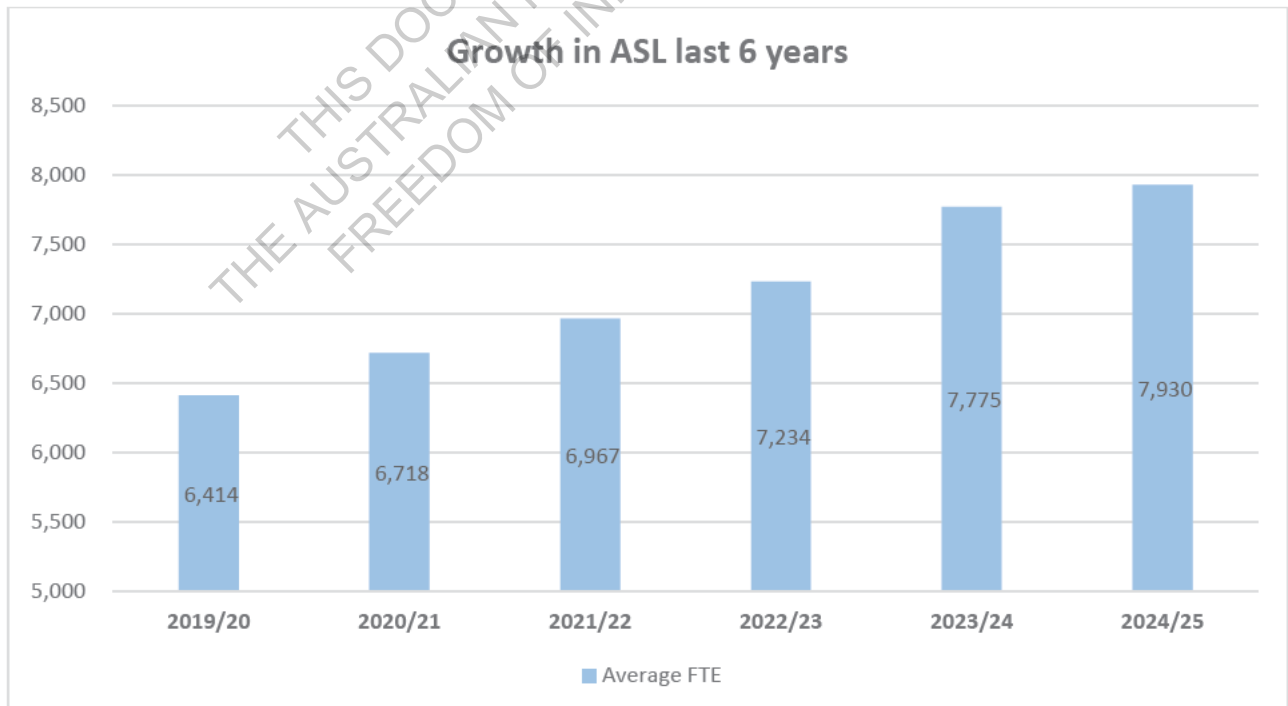
Appropriation Increases from 2019-20 to Indicative 2024-25

33.3% increase in funding since 2019-20 Budget



Growth in AFP ASL from 2019-20 Budget

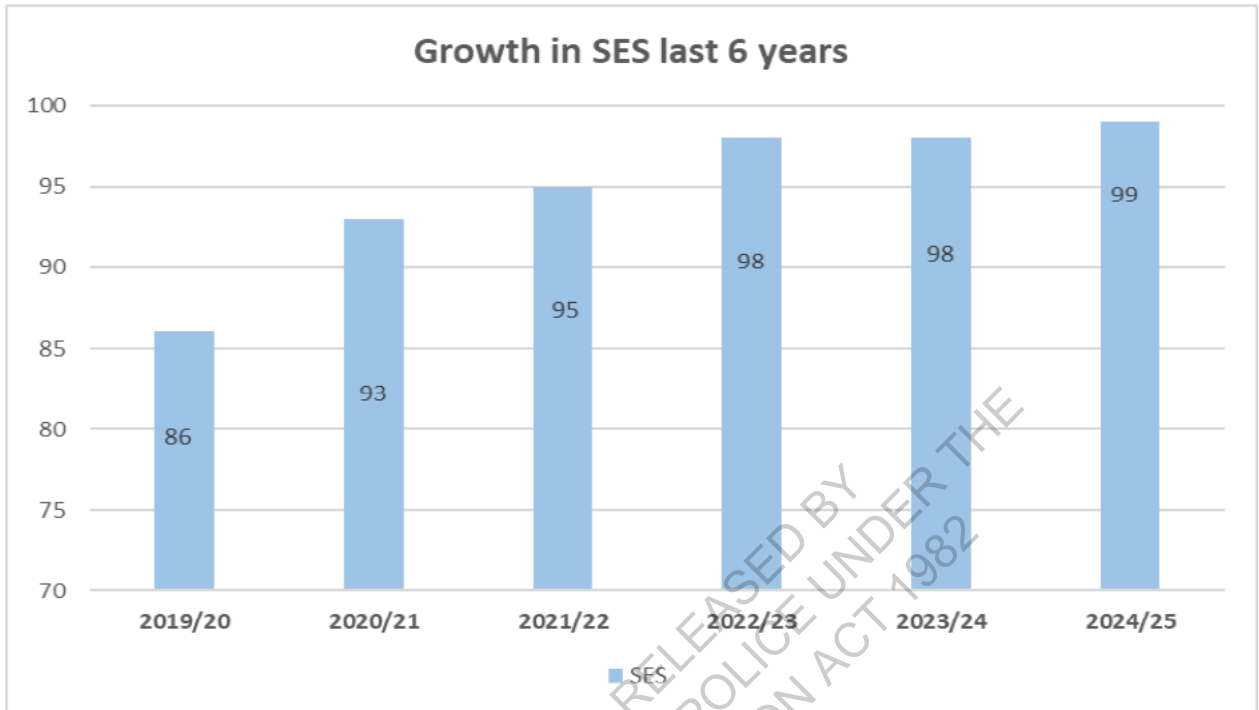
23.6% increase in ASL since 2019-20



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Growth in AFP SES ASL from 2019-20 Budget

15.1% increase in SES ASL since 2019-20 Budget



Efficiency Dividend (ED)

- As an Australian government department, the AFP is subject to efficiency dividends.
- The AFP’s total efficiency dividend rate is detailed below.

	2023-24 \$'000	2024-25 \$'000
Efficiency Dividend	1.0%	1.0%
Total ED	1.0%	1.0%

	2023-24 \$m	2024-25 \$m
Efficiency Dividend*	(16.6)	(17.0)

*Total appropriation per table 1.1 in PBS multiplied by 1%.

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**Australian Federal Police
Senate Estimates Brief
Budget Estimates Hearing – 2024**

Brief Number: SB24-000037

Appropriations movements in in 2024-25 Budget

Tables 2.1.1, 2.2.1, and 2.3.1 – Budgeted Expenses by Outcome						
Item	2023-24	2024-25	2025-26	2026-27	2027-28	Explanation of movements
Program 1.1: Federal Policing – Investigations						
Administered expenses	1,071	1,107	1,132	1,180	1,222	Administered funding for CT & Cyber is ongoing, only impacted by WCI.
Special appropriation s77	50	50	0	0	0	Budget for estimated claims on lost monies.
Departmental appropriation	737,857	789,011	706,566	709,250	746,522	Increase in 2024-25 due to the termination of a 23-24 measure, movements in existing measures and WCI/ED movements.
S74 external revenue	111,171	92,208	58,680	58,728	50,937	Drop in 2024-25 funding associated with the conclusion of a number of CAA funded projects and the termination of OSI capital funding.
Special accounts	10,628	10,628	10,628	10,628	10,628	Flatlined expected course revenue and member contributions
Expenses not requiring approp.	92,627	86,635	89,461	89,432	128,983	Non-ROU Depreciation & Resources received free of charge.
Total expenses for program 1.1	953,404	979,639	866,467	869,218	938,292	
Program 2.1: ACT Community Policing						
S74 external revenue	215,874	218,492	228,382	233,159	241,650	Flat-lined. ACT police funding via ACT government.
Expenses not requiring approp.	7,661	8,427	8,593	8,787	9,005	Non-ROU Depreciation & Resources received free of charge.
Total expenses for program 2.1	223,535	226,919	236,975	241,946	250,655	
Program 3.1: Specialist Protective Services						
Departmental appropriation	456,110	479,048	448,499	465,009	464,656	s 47E(d)
S74 external revenue	55,992	57,877	59,896	61,984	64,145	Flat lined. Mostly Defence protection establishments.
Expenses not requiring approp.	30,289	36,887	32,080	27,223	22,382	Non-ROU Depreciation & Resources received free of charge.
Total expenses for program 3.1	542,391	573,812	540,475	554,216	551,183	
Program 3.2: International Police Assistance and External Territories						
Administered expenses	19,165	59,005	59,954	74,632	77,429	Additional funding received from 2023-24 onwards for Pacific Law Enforcement Package
Departmental appropriation	221,683	221,194	221,245	227,370	232,595	Additional funding received from 2023-24 onwards for Pacific Law Enforcement Package
S74 external revenue	13,162	10,030	9,895	9,080	9,353	Drop in 2024-25 associated with the completion of International projects with s74 arrangements with DFAT.
Expenses not requiring approp.	4,559	4,119	3,374	2,336	1,802	Non-ROU Depreciation & Resources received free of charge.
Total expenses for program 3.2	258,569	294,348	294,468	313,418	321,179	

Terminating measures

Funding required in the forward years with existing authority to comeback

Year/Round		Title	Termination date	Funding Type	Comment
2021-22	Budget	National Strategy to Prevent Child Sexual Abuse - Strengthen regional policy, legislative and operational responses to counter child sexual abuse	30/06/2025	Departmental	s 47E(d)
2022-23	Budget	Strengthening Australia's Arrangements for Managing Terrorist Offenders and Countering Violent Extremism (NCTOR)	30/06/2026	Departmental	s 47E(d) of HRTO
2022-23	October Budget	Fraud Fusion Taskforce	30/06/2026	Departmental	s 47E(d) as part of 2024 MYEFO. The AFP are working with NDIS and Services Australia on the best way forward.
2023-24	Budget	HRTO Continuation	30/06/2026	Departmental	The AFP will seek to continue HRTO as part of 2025-26 Budget process
2023-24	MYEFO	Op AEGIS Taskforce	30/06/2024	Departmental	The AFP has agreement for s 47E(d) in 2024-25. The AFP will seek to bring forward on-going requirements as part of the 2025-26 Budget when BAU operating model is confirmed.
2024-25	Budget	Palaemon Implementation	30/06/2025	Departmental	s 47E(d) as part of 2024-25 MYEFO with a full Concept of Operations and Workforce Plan

Funding required in the forward years with no authority

Year/Round		Title	Termination date	Funding Type	Comment
2021-22	Budget	s 37(2)(b)	1/07/2025	Departmental	Nil - we are seeking s 47E(d) to on-going costs for managing the system
2022-23	Budget	Transnational, Serious and Organised Crime Package	30/06/2026	Departmental	Will likely seek authority to bring forward a proposal at 2025 MYEFO or 2026-27 Budget
2023-24	MYEFO	s 37(2)(b)	30/06/2025	Departmental	Funding through JCF was for original scoping. The team are reviewing what on-going costs would be and best way forward to manage.

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2023-24	MYEFO	Augmenting and Automating the Disruption of Cybercrime	30/06/2027	Departmental	Will likely seek authority to bring forward a proposal at 2025 MYEFO or 2026-27 Budget
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Terminating items - extension is not required.

Year/Round		Title	Termination date	Funding Type	Comment
2023-24	MYEFO	Solomon Islands Assistance Force Extension	30/08/2024	Departmental	Nil required. On-going costs to be managed through the Pacific Policing Initiative

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**Australian Federal Police
Senate Estimates Brief
Budget Estimates Hearing – 2024**

Brief Number: SB24-000038

Brief title: Hot Issue – Enterprise Agreement

Responsible Deputy: Acting Chief Operating Officer

Key Points

- The AFP commenced bargaining on 15 September 2023. As at 16 April 2024, 19 Bargaining meetings have occurred.
- The AFP tabled a pay offer on 5 March 2024 that is within the Government bargaining parameters.
- A first tranche of draft clauses were provided to the bargaining representatives on 12 April 2024. The second tranche provided on 24 April 2024 and the consolidated draft was provided on 9 May 2024.
 - The AFP held three (3) meetings with the bargaining representatives between 26 April and 3 May 2024 to go through feedback on the draft agreement.
- The AFP offer aligns with Australian Public Service common conditions in most circumstances, cases where those common conditions may not be as beneficial as what AFP employees already receive have not been adopted.
- The AFP is putting forward a pay rise of 11.2% over 3 years, in line with Public Sector Workplace Relations Policy 2023.
- The AFP offer includes several new allowances and conditions that will significantly enhance remuneration and flexibility for employees, in line with what the workforce, as well as employee bargaining representatives have asked for.
- The AFP believes overall that employees will be better off under the new agreement.
- The AFP engaged in good faith negotiations with all bargaining representatives, including the AFPA, the Community and Public Sector Union (CPSU) and 39 employee bargaining representatives (41 in total).
- The AFP received approval from the APSC of the proposed draft Agreement on 16 May 2024, and released the agreement to the workforce under the 7-day access period on the same day.
- **The vote opened at 9am 24 May AEST and closes 7pm 31 May AEST.**
- The AFP is aware that the AFPA has lodged a formal petition (EN6189) to House of Representatives with regards to the AFP's Enterprise Agreement offer.
- The AFPA's petition opened 15 May 2024 and closes 12 June 2024.

Enterprise Agreement Negotiations

- The AFP commenced bargaining on 15 September 2023 and 19 bargaining meetings have occurred with the last bargaining meeting held on 4 April 2024.
- The AFP issued its Notice of Employee Representational Rights (NERR) to the workforce on 15 September 2023, following a request received by the AFPA on 2 September 2023.
- The AFP worked through over 500 claims submitted for bargaining consideration.
- The APSC approved the AFP Funding and Remuneration declaration on 4 March 2024 and a supplementary funding declaration on 10 April 2024.
- The pay offer was tabled to bargaining representatives on 5 March 2024 and to the workforce on **11 April 2024**.
- This offer includes:
 - A pay rise of 11.2% over three years. It is 4% year 1, 3.8% year 2 and 3.4% year 3.
 - A one-off cash payment for all employees of \$871.
 - For our workforce:
 - A new Use of Force Allowance for AFP employees with use of force qualifications – this is \$3,000 every year of the agreement for AFP eligible employees.
 - A new Unsociable Hours Allowance
 - A new Workplace Responsibility Allowance
 - Changes to Police tenure requirements for career progression
 - Changes to PSO Broadbands for progression
 - Nil changes to composite and leave entitlements
 - Alignment with all Australian Public Service common conditions, except in cases where those common conditions may not be as beneficial as what AFP employees currently receive.
- National musters were commenced from Monday 15 April and rolled out across the AFP, led by the Chief Negotiator, DC Barrett. Musters were held virtually and across Perth, Adelaide, Sydney, Melbourne, Brisbane and Canberra.

AFPA Membership Survey results:

- In late 2023, the AFPA surveyed its members with 1,800 AFPA members (nearly 50% of total AFPA membership) providing their views on the Enterprise Agreement conditions.
- Caution should be taken when reading the outcomes of the AFPA survey due to the sample size (22.4% of AFP workforce), overrepresentation of some cohorts (sworn) and limited scope/methodology (lack of transparency into full question set, and questionnaire construction).
- As the AFPA has released a results key finding reports, and not a comprehensive results report, it can be difficult to interpret information without visibility of all questions asked.
- As only a high level summary has been provided to the AFPA, it is difficult to assess the validity of the results and how they compare to internally held data and metrics.

Pay and Cost of Living

- The AFPA asserts that many AFP members are forced to regularly forgo basic necessities to keep up with cost of living. The AFP cannot refute this claim, but do note that:
 - The AFP average annual remuneration (inclusive of salary, allowances, composite and overtime – excluding superannuation) of a:
 - Band 2-5 Police officer is over \$128,000
 - Band 2-5 PSO is over \$120,000
 - AFP average annual salary of Band 1-8 is over \$125,000

§ 47E(d)

If asked, what are you doing about the AFP being the lowest paid police in Australia?

- In December 2023 the AFP Commissioner made representations to government to put forward our case to go beyond what is offered within the government bargaining parameters. Following this, an arrangement was reached to allow us to provide allowances that recognise key areas of hardship for AFP members.
- Like all government departments, agencies and the ADF, any remuneration arrangements must be affordable.
- The AFP recognises the unique and specific challenges that our members face each day and we have – and continue to – worked closely with the support of the Australian Public Service Commission (APSC) and the Government to identify the best employment conditions for our people. It is important that any future enterprise agreement acknowledges the unique role and responsibilities of the AFP in a way that is consistent with the Government Workplace Relations Policy and parameters as they apply to Non-APS agencies.
- The offer was created **as a result of negotiations** with employee bargaining representatives, and based on what the workforce asked for as part of the AFP's pre-bargaining survey.

- Actual comparisons against other state and territory policing agencies is difficult due to the difference in how their police officers progress through ranks.
- The AFP is a uniformed workforce that includes Protective Service Officers and Professional employees.
- The AFP understand that:
 - **Victoria** Police (Police Officers, Protective Service Officers, Police Reservists and Police Recruits Enterprise Agreement 2019) provides that there officers received a
 - 1.5% salary increase on 1 July 2023.
 - 1.75% good will payment to members while salary negotiations continue.
 - **Queensland** Police Service Certified Agreement 2022 -2024, provides for the following salary increases:
 - 4% 1 July 2022
 - 4% 1 July 2023
 - 3% 1 July 2024
 - The Public Sector Wages Policy Statement 2023 provides that the statement also applies to any industrial agreement covering the **Western Australia** Police Force (Industrial Agreement 2021) provides a 3% salary increase.
 - **Tasmanian** Police Award variation provides for the following salary increases
 - 3.5% 1 December 2022
 - 3% 1 December 2023
 - 3% 1 December 2024
 - The **Northern Territory** Public Sector 2021-2025 Enterprise Agreement
 - 3% 30 June 2022
 - 3% 30 June 2023
 - 3% 30 June 2024
 - **South Australian** police, Police Officers Award does not provide for annual salary increases.
 - A Probationary Constable receives \$67,527 base salary and a Sergeant \$94,008
 - Crown Employees police officers 2021 award (**New South Wales police**)
 - 2.04% 1 October 2021
 - 2.04% 1 July 2022
 - 2.04% 1 July 2023
- While AFP Police Officers may be placed in regional locations, most roles can be performed from capital cities as opposed to the remoteness that can be seen in Western Australian Police and Queensland Police.

If asked, are you embarrassed that SES numbers have exploded and SES are paid so highly when staff are the lowest paid in Australia?

- The SES numbers have increased proportionate the complex criminal environment the AFP is currently operating within.
- The Commissioners remuneration is set by the Remuneration Tribunal.
- Remuneration and conditions adjustments for AFP's SES are to be consistent with the Non-APS Public Sector Workplace Relations Policy.
- The AFP is putting forward a pay rise of 11.2 per cent over three years, comprising 4 per cent in Year 1, 3.8 per cent in Year 2 and 3.4 per cent in Year 3, in line with Government policy.

- In terms of staff being the lowest paid, a comparison between AFP remuneration and that of state counterparts is not possible due to the differences in allowances and other conditions received, making a like for like comparison difficult.

If asked about media reporting that Firefighters are receiving 16% salary increase.

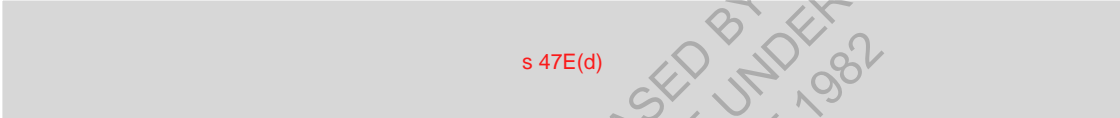
- The AFP understand that Air Services firefighters received the same 11.2% pay offer as set by Government.
- Questions on the Air Services firefighths pay negotiation and outcomes are best addressed to Air Services.
- The AFP recognise that adequate compensation extends beyond monetary pay. With this in mind, the AFP has proposed a suite of enhanced conditions that will provide real benefits to staff. These additional benefits are designed to provide tangible improvements to the working lives of our staff, reflecting our commitment to addressing the unique needs of AFP members.
- The AFP was able introduce the following Allowances to our Agreement:
 - Unsociable hours (paid in addition to the 22% composite)
 - Workplace Responsibility
 - Use Of Force

Attrition

- The AFPA asserts that, if 11.2 percent pay rise is accepted, that almost half of the AFP workforce would leave the AFP to seek a better-paying job.
- 1,420 respondents to the AFPA survey indicated that they considered leaving the AFP in the last 12 months. While this reflects 78.9% of all survey respondents, **this only reflects 17.68% of all AFP employees.**
- While this number is higher than the AFP would like to see, the result is only slightly higher than the intention to leave rate captured in the 2022 AFP Staff Survey (15.9% of employee indicated that they planned to leave within the next two years).
- The AFPA asserts that a “significant majority” of respondents (78.1%) would be active in leaving the AFP within 12 months if the 11.2% pay rise wasn’t increased. This is an incorrect interpretation of the data.
- The reason for considering leaving was not captured for members who selected ‘yes’.
- It is unknown if this is due to pay or other reasons.
- Respondents were also asked ‘what is your intention if the offer stays at 11.2%?’
 - 45.4% of respondents to the survey selected ‘leave the organisation as soon as possible’ which reflects 10.1% of the AFP workforce.
- Previously AFP Staff Surveys have found that intentions to leave captured by the survey do not reflect actual attrition rates.
- Actual AFP voluntary attrition rates are:
 - AFP overall – 6.4%
 - Police – 4.5%
 - PSO – 5.7%
 - Unsworn – 8.0%
- The AFP acknowledges that just because this has not translated into actual attrition, does not mean that effort should be placed to reduce the number of members intending to leave.

- The AFP benefits from high retention, and also acknowledges the value that healthy attrition and broader workplace experiences brings to the workplace.

Background:

- The APSC approved the AFP's bargaining position on 14 September 2023. Approval of some aspects of the bargaining position were withheld, subject to further consideration of the agency's financial position once the Funding and Remuneration Declaration was provided and reviewed.
- The AFP's Funding and Remuneration Declaration was approved by the Australian Public Service Commissioner, as required by the Government's Public Sector Workplace Relations Policy 2023 (cl 91) on 4 March 2024. A supplementary declaration was approved on 10 April 2024.
- The AFP's most recent pay increase was in line with the Government's interim workplace arrangements policy. A 3% wage increase was provided to band 1 to 8, Technical Specialist Officers, and Executive Level employees on 25 May 2023.
-  s 47E(d)
- On 6 October 2022 the APSC released the Public Sector Interim Workplace Arrangements 2022 (Interim Arrangements) The Interim Arrangements operated from 1 September 2022 to 31 August 2023. They revoked and replaced the Public Sector Workplace Relations Policy 2020 in its entirety.
- The Interim Arrangements were a mechanism for and encourage all Commonwealth agencies to increase any scheduled pay increases between 1 September 2022 and 31 August 2023 to a maximum of 3%.
- The AFP provided a 3% wage increase for band 1 to 8 and Executive Level employees on 25 May 2023.
- The new Public Sector Workplace Relations Policy 2023 was released on 28 March 2023 and replaced the Interim Arrangements. It is comprised of two parts.
 - Part 1 applies to agencies and employees engaged under the Public Service Act, and
 - Part 2 applies to Commonwealth agencies that engage staff under alternative legislation.
- The AFP falls under Part 2.
- More recently, the Government released the Government Parameters made under cl 98 of the Workplace Relations Policy on 30 October 2023. Non-APS agencies may only make remuneration and conditions adjustments within the terms of the Parameters.
- The Government published the final Statement of Common Conditions on 1 December 2023.

Recent Media Interest

1. AFPA on Sky News

Sky News

[https://links.streem.com.au/sky-news-20240514-yxR0N5ZuNPJC9i7hKh3hb1y09q?keywords\[\]=AFP&keywords\[\]=AUSTRALIAN%20FEDERAL%20POLICE](https://links.streem.com.au/sky-news-20240514-yxR0N5ZuNPJC9i7hKh3hb1y09q?keywords[]=AFP&keywords[]=AUSTRALIAN%20FEDERAL%20POLICE)

2. 3AW Melbourne

[https://links.streem.com.au/3aw-20240513-VeKL5X7CLX1CyCdhhzhq1dgPe?keywords\[\]=federal%20police&keywords\[\]=AFP](https://links.streem.com.au/3aw-20240513-VeKL5X7CLX1CyCdhhzhq1dgPe?keywords[]=federal%20police&keywords[]=AFP)

3. ABC News Radio

[https://links.streem.com.au/abc-canberra-20240513-qkOe3aLc0jkTmCNhnhYh8aZAPE?keywords\[\]=AFP](https://links.streem.com.au/abc-canberra-20240513-qkOe3aLc0jkTmCNhnhYh8aZAPE?keywords[]=AFP)

4. 2GB Sydney

[https://links.streem.com.au/2gb-20240513-QQAg9l3sL4lCxCbhGhOh4de9x1?keywords\[\]=Federal%20Police](https://links.streem.com.au/2gb-20240513-QQAg9l3sL4lCxCbhGhOh4de9x1?keywords[]=Federal%20Police)

5. AFP union threatens industrial action over pay stoush, calling for parliament and airport shutdown

The West Australian

A strike threat from the Australian Federal Police union could leave the sitting of federal parliament and regular airport operations in doubt.

The Australian Federal Police Association is urging its membership not to accept an 11.2 per cent wage rise agreement as it pushes for a better deal through threatened strike action after months of negotiations.

<https://links.streem.com.au/the-west-australian-20240513-68d7J0Bu3VXSQUjhbhlhvk8Y6Z>

6. AFP strike threatens airports, parliament

Yahoo! News

A strike threat from the Australian Federal Police union could leave the sitting of federal parliament and regular airport operations in doubt. The Australian Federal Police Association is urging its membership not to accept an 11.2 per cent wage rise agreement as it pushes for a better deal through threatened strike action after months of negotiations. The union confirmed to NCA NewsWire, surveying of AFPA membership showed a perceived lack of appreciation from the Federal government towards its main administrative police force. The survey found 80 per cent of the 2206 surveyed were opposed to the current wage rise deal, and 87 per cent did not feel the government respected the AFP's work and responsibilities.

<https://au.news.yahoo.com/afp-strike-threatens-airports-parliament-075500507.html>

7. Australian Federal Police demand same pay rise as federal furies – The Mandarin
(<https://www.themandarin.com.au/244613-australian-federal-police-demand-same-pay-rise-as-federal-furies/>)

Australian Federal Police Senate Estimates Brief Budget Estimates Hearing – 2024

Brief Number: SB24-000039

Brief title: Hot Issue – Protected Industrial Action

Responsible Deputy: Acting Chief Operating Officer

Key Points

- The AFP has received three Protected Action Ballot Orders (PABO).
 - The Australian Federal Police Association (AFPA). Received 14 February 2024.
 - Four independent bargaining representatives. Received 11 March 2024.
 - Community and Public Sector Union. Received 12 April 2024.
- AFP employees who choose to take part in any proposed protected industrial action should not do anything that may put the welfare of other AFP members or public safety at risk.
- The AFP have worked closely with operational areas across the agency and the AFPA to ensure we are prepared to minimise any disruptions and ensure operational capacity is not impacted should any actions occur.
- Our priority remains a safe and respectful work environment for our members so we can keep the community safe.

Protected Industrial Action

AFPA

- The AFPA applied to the Fair Work Commission (FWC) for a Protected Action Ballot Order (PABO) on 14 February 2024. The ballot closed on 8 March 2024 and was successful.
- The AFPA issued the AFP with their first Notice of intention to commence protected industrial action on 14 March 2024 (the Notice). As a result of ongoing discussions between the AFP and AFPA this Notice was withdrawn, meaning protected industrial action did not occur on Friday 22 March 2024 as proposed in the Notice.
- A copy of the withdrawn Notice dated 14 March was provided in response to QoN (reference SQ24-000089 & SQ24-000096).
- The AFPA replaced this Notice with a new Notice on 21 March 2024. The notice outlined four (4) specific actions that may commence from Wednesday 27 March 2024 and a further two (2) specific actions that may commence from Friday 29 March 2024.
- On 2 April 2024, the AFP received an additional two Notices from the AFPA. The six (6) actions notified in these Notices may commence from Saturday 6 April 2024.
- On 18 April 2024, the AFPA received an additional three Notices from the AFPA. The additional three (3) actions notified in these Notices were advised may commence from 24 April 2024.
- **The AFPA have advised the AFP of their intention to commence 14 of the originally advised 36 actions.**
- Potential affected business areas across the AFP have previously been advised of the possibility of industrial action and have in place business specific mitigations to minimise operational impact.

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- The AFPA are promoting the writing on vehicles on their social media accounts. Specifically, eligible AFPA members from Adelaide and Melbourne airport commenced the action at the same time people were traveling to Adelaide for the AFL 'gather Round' event.
- The AFPA can only advise their members to undertake actions that were undertaken prior to 5 May 2024. Any notifiable actions that were not undertaken by this date cannot be lawfully undertaken now.
- Where a 'work stoppage' takes place to take part in protected industrial action, the AFP has communicated with relevant stakeholders and published information on how to manage work stoppages.
- Should the AFPA seek to commence new actions, they will be required to lodge another PABO in accordance with the Order and the Fair Work Act 2009 (Cth).
- Employees participating in industrial action must continue to comply with the behavioural expectations applicable to them, including the AFP Code of Conduct and Professional Standards.

Information on each action is provided in the following table.

Action	Information	Comments
1. Indefinite or periodic bans on members agreeing to perform voluntary duties.	From 10 April 2024, AFPA members at all locations may undertake this action.	This action is ongoing and will continue until it is terminated by written notice from the AFPA
2. Indefinite or periodic bans on all forms of criminal or traffic infringement notices, except for traffic infringement notices relating to drunk / drug driving, antisocial or dangerous driving behaviours or penalty notices triggering an immediate disqualification or suspension of licence.	From 27 March 2024, AFPA members at all locations may undertake this action.	It is unknown whether the AFPA have undertaken this action
3. Indefinite or periodic bans on the attendance at any Australian Court as informants or witnesses other than in reply to a subpoena	From 29 March 2024, only AFPA members who are contacted by the AFPA can perform this specific action.	It is unknown whether the AFPA have undertaken this action
4. Indefinite or periodic bans on the transport of witnesses for the Office of Public Prosecutions.	From 29 March 2024, only AFPA members who are contacted by the AFPA to perform this specific action	It is unknown whether the AFPA have undertaken this action
5. Indefinite or periodic bans on the collection of data, recording of daily industrial action instances and provision of information to the Australian Federal Police and Government regarding protected industrial actions.	Inactive	As this action was not undertaken prior to 5 May 2024, it cannot be lawfully undertaken
6. Indefinite or periodic bans on the giving of a direction by a member to another member to perform work which is inconsistent with any form of protected industrial action.	Inactive	As this action was not undertaken prior to 5 May 2024, it cannot be lawfully undertaken

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7. Indefinite or periodic bans on compliance with a direction to perform work which is inconsistent with any form of protected industrial action.	Inactive	As this action was not undertaken prior to 5 May 2024, it cannot be lawfully undertaken
8. The indefinite or periodic interruption of work in order for members to speak to the media in relation to the bargaining process, protected industrial action and concerns regarding workloads, Australian Federal Police resource shortages or disadvantages with the existing Enterprise Agreement.	Inactive	As this action was not undertaken prior to 5 May 2024, it cannot be lawfully undertaken
9. Indefinite or periodic bans on a member contacting another member (the second member) who is not in receipt of an availability allowance, outside the second member's working hours, except for in the circumstance of an emergency situation or genuine welfare matter.	From 27 March 2024, AFPA members at all locations may undertake this action.	This action is ongoing and will continue until it is terminated by written notice from the AFPA
10. The indefinite or periodic interruption of work, in order to change signature blocks in emails and replace it with the protected industrial action signature block and campaign messages circulated by The Australian Federal Police Association.	Inactive	As this action was not undertaken prior to 5 May 2024, it cannot be lawfully undertaken
11. Indefinite or periodic bans on the preparation and entry of Management Significant Entries into any Information Management System provided there is no identifiable risk to public safety.	Inactive	Note - the AFPA commenced this Action but have advised that this action is not be undertaken at this time
12. Indefinite or periodic bans on the collection of administrative statistics.	Inactive	As this action was not undertaken prior to 5 May 2024, it cannot be lawfully undertaken
13. When requested by a member of the public to sign a statutory declaration or witness a document, the indefinite or periodic interruption of work to inform them about the Australian Federal Police Association industrial relations campaign.	Inactive	As this action was not undertaken prior to 5 May 2024, it cannot be lawfully undertaken
14. The interruption of work periodically, over an indefinite period or for specified periods, when answering the phone to inform the public about the Australian Federal Police Association industrial relations campaign, provided that the phone call does not relate to an emergency matter.	Inactive	As this action was not undertaken prior to 5 May 2024, it cannot be lawfully undertaken
15. The interruption of work periodically at any location, over an indefinite period or for specified periods, to allow members to speak to the public, media, politicians and/or government representatives	Inactive	As this action was not undertaken prior to 5 May 2024, it cannot be lawfully undertaken.

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<p>about the Australian Federal Police Association industrial relations campaign.</p>		<p><i>Note – The AFPA website advises that this PIA is active as at 16 May 2024.</i></p>
<p>16. The indefinite or periodic interruption of work in order for members to write on AFP vehicles at any location, with non-permanent markings on the vehicle to inform the public about the Australian Federal Police Association industrial relations campaign.</p>	<p>From 6 April 2024, AFPA members in Adelaide, Canberra, Melbourne and Sydney can undertake this action when they are contacted by AFPA to perform this specific action and are in control of AFP marked vehicle</p> <p>Action can only be undertaken between 10:30 am - 12:30pm and between 2:30pm-4:30pm, for up to 5 min</p>	<p>This action is ongoing and will continue until it is terminated by written notice from the AFPA</p>
<p>17. The indefinite or periodic interruption of work for members to park any AFP vehicle at any location, with non-permanent markings on the vehicle to inform the public about the Australian Federal Police Association industrial relations campaign.</p>	<p>From 10 April 2024, only AFPA members who are contacted by AFPA to perform this specific action and are in control of AFP marked vehicle</p> <p>Vehicles will not be parked in a way, at a location, or in a manner that would violate the relevant State's laws if the industrial action were not in place.</p>	<p>This action is ongoing and will continue until it is terminated by written notice from the AFPA</p>
<p>18. The indefinite or periodic interruption of work in order to affix campaign material in work locations stating the concerns of members relating to workloads and staffing shortages.</p>	<p>From 6 April 2024 members at all locations may undertake the periodic interruption of work every day in order to affix campaign material in work locations stating the concerns of members relating to workloads and staffing shortages.</p>	<p>This action is ongoing and will continue until it is terminated by written notice from the AFPA</p>
<p>19. The indefinite or periodic interruption of work in order to affix campaign material in work locations stating the concerns of members relating to workloads and staffing shortages</p>	<p>From 6 April 2024 members at all locations may undertake the periodic interruption of work each day in order to affix campaign material such as pins, stickers, or badges to clothing.</p>	<p>This action is ongoing and will continue until it is terminated by written notice from the AFPA</p>
<p>20. The indefinite or periodic interruption of work to don apparel that is Hi-vis, colourful, and/or with union logo and slogans.</p>	<p>From 6 April 2024, AFPA members will undertake the periodic interruption of work during the first or last hour of their shift in order for the member to spend up to 5 minutes undertaking the relevant action.</p>	<p>This action is ongoing and will continue until it is terminated by written notice from the AFPA</p>
<p>21. The indefinite or periodic interruption of work for members to park police vehicles in front of speed cameras, at school</p>	<p>Commencing 24 April 2024 members at all locations who are in control of an AFP marked</p>	<p><i>The AFPA claimed in a muster that they have undertaken this action.</i></p>

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<p>zones and any Australian Federal Police related Government facility while displaying emergency lights.</p>	<p>vehicle may undertake the periodic interruption of work each shift between 08:00am and 10:00am, and/or between 3:00pm and 5:00pm each shift (applicable to each time zone) to park any AFP marked vehicle where it is safe and lawful to do so in front of speed cameras, at school zones and at any Australian federal Police related Government facility while displaying emergency lights for a period of up to 30 minutes.</p>	<p><i>Note – The AFPA website advises that this PIA is inactive.</i></p>
<p>22. The indefinite or periodic bans on attending any Federal Politicians functions or events that do not carry a “significant” threat rating or higher.</p>	<p>Inactive</p>	<p>As this action was not undertaken prior to 5 May 2024, it cannot be lawfully undertaken</p>
<p>23. Indefinite or periodic bans on escorting Federal Politicians through airports where there is no known or assessed risk</p>	<p>Inactive</p>	<p>As this action was not undertaken prior to 5 May 2024, it cannot be lawfully undertaken</p>
<p>24. Indefinite or periodic bans on investigating any referrals sent to the AFP from the offices of Federal Politicians where no offence has been committed.</p>	<p>Inactive</p>	<p>As this action was not undertaken prior to 5 May 2024, it cannot be lawfully undertaken</p>
<p>25. Indefinite or periodic bans on any liaison visits to any Federal Politicians offices as well as any Foreign Embassy or Consulates.</p>	<p>Inactive</p>	<p>As this action was not undertaken prior to 5 May 2024, it cannot be lawfully undertaken</p>
<p>26. Indefinite or periodic bans on assistance in the controlled delivery of substituted illicit drugs or other substituted illicit items.</p>	<p>Inactive</p>	<p>As this action was not undertaken prior to 5 May 2024, it cannot be lawfully undertaken</p>
<p>27. Indefinite or periodic bans on assistance to other Commonwealth Agencies Executing Warrants, or other processes including arrest, where there is no need for a Specialist Tactical Resource.</p>	<p>Inactive</p>	<p>As this action was not undertaken prior to 5 May 2024, it cannot be lawfully undertaken</p>
<p>28. Indefinite or periodic bans on attendance at Australia Post mail centres and calls for assistance for detection of drug packages.</p>	<p>Inactive</p>	<p>As this action was not undertaken prior to 5 May 2024, it cannot be lawfully undertaken</p>
<p>29. Indefinite or periodic bans on AFP involvement in other Commonwealth investigations (Tobacco (excise), Fraud, etc.) unless so entrenched in Organised Crime as to make it necessary.</p>	<p>Inactive</p>	<p>As this action was not undertaken prior to 5 May 2024, it cannot be lawfully undertaken</p>
<p>30. Indefinite or periodic bans on familiarisation tours for dignitaries and International Protected Persons.</p>	<p>Inactive</p>	<p>As this action was not undertaken prior to 5 May 2024, it cannot be lawfully undertaken</p>

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31. Indefinite or periodic bans on the provision of information to the Australian Institute of Criminology.	Inactive	As this action was not undertaken prior to 5 May 2024, it cannot be lawfully undertaken
32. Indefinite or periodic bans on the provision of training to other Commonwealth Agencies or international equivalents.	Inactive	As this action was not undertaken prior to 5 May 2024, it cannot be lawfully undertaken
33. Indefinite or periodic bans on the filling in of AFP vehicle logbooks.	From 27 March 2024, members at all locations may undertake an indefinite ban on filling in AFP vehicle logbooks	This action is ongoing and will continue until it is terminated by written notice from the AFPA
34. Indefinite or periodic bans on involvement in CACT operations.	Inactive	As this action was not undertaken prior to 5 May 2024, it cannot be lawfully undertaken
35. Indefinite or periodic bans on the submission of criminal asset restraining orders to court	Inactive	As this action was not undertaken prior to 5 May 2024, it cannot be lawfully undertaken
36. Indefinite or periodic bans on attendance at AFP offices where tasks can be undertaken remotely.	Inactive	As this action was not undertaken prior to 5 May 2024, it cannot be lawfully undertaken <i>Note – The AFPA website advises that this PIA is active as at 16 May 2024.</i>

Other PABOs

- The AFP has received an additional two PABOs
- Four Independent Bargaining Representatives applied to the FWC for a PABO on 11 March 2024.
- The AFP attended the mandatory conciliation conference on 9 April 2024 in response to this second PABO. The ballot for this PABO closed 30 April 2024 and was not successful.
- The AFP received a third PABO from the Community and Public Sector Union (CPSU) on 12 April 2024. The conciliation for this ballot occurred on 10am 2 May 2024.
- The CPSU represent a minority of our employees. We expect they represent a small portion of the AFP’s PSO cohort in this round of enterprise bargaining negotiations.
- The CPSU Protected Action Ballot vote closed on Wednesday 8 May with 88.35% of their membership voting and 80% supporting the actions being taken.
- The CPSU have proposed five actions including the writing of slogans on AFP vehicles, refusing to attend shift briefings until campaign material is placed in work locations, refusing to wear a uniform unless affixed with campaign material, a ban on logging information reports used for statistical purposes and bans on entering information into vehicle log books.

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Recent Media Interest

1. AFPA on Sky News

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3. ABC News Radio

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4. 2GB Sydney

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<https://au.news.yahoo.com/afp-strike-threatens-airports-parliament-075500507.html>

- Airport strikes called off as aviation firefighters secure in-principle deal - The Mandarin (<https://www.themandarin.com.au/243941-airport-strikes-called-off-as-aviation-firefighters-secure-in-principle-deal/>)
- The breakthrough in the dispute suggests the potent threat of industrial action across the aviation sector may have been enough to tip the hand of senior Labor hardheads to allow pay increases outside the 11.2% over three years that the Australian Public Service Commission negotiated with the Community and Public Sector Union in return for the right to work from home. If the UFU deal is higher than

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15% and closer to the union's 20% starting point, it is certain to raise questions about how the 11.2% deal many public servants who work shifts or have to work in the office have been stuck with the lower number.

- Enquiry from The Mandarin 1/5 - relating to whether AFP employees have been docked pay as a result of protected action.

Attachments

A. AFPA Notices:

- AFPA Notice to Commissioner – PIA Tranche 1
- AFPA to Commissioner – PIA 2nd Tranche part 1
- AFPA to Commissioner – PIA 2nd Tranche part 2
- AFPA to Commissioner – PIA 3rd Tranches part 1
- AFPA to Commissioner – PIA 3rd Tranches part 2
- AFPA to Commissioner – PIA 3rd Tranches part 3

OFFICIAL

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FREEDOM OF INFORMATION ACT 1982

21 March 2024

Mr Reece Kershaw APM
Commissioner
Australian Federal Police

By email: s 47E(d) afp.gov.au

Dear Commissioner,

NOTICE OF INTENTION TO COMMENCE PROTECTED INDUSTRIAL ACTION

I write to provide notice of the AFPA's intention to commence protected industrial action on Wednesday 27 or Friday 29 March 2024 (as specified on page 2), in accordance with s.414 of the *Fair Work Act 2009* (Cth) (**the Act**).

BACKGROUND

On 21 February 2024, the Fair Work Commission (**FWC**) issued order PR771550 (**the Order**) approving the AFPA's application for a Protected Action Ballot.

On 8 March 2024, the FWC's nominated ballot agent declared the result of the ballot. As you know, 85.06% of eligible voters participated in the ballot, with 96.73% of respondents voting in favour of protected industrial action.

On 14 March 2024, the AFPA sent the AFP a notice of intention to commence protected industrial action (**the Notice**), pursuant to s.414 of the Act.

On 18 March 2024, Clayton Utz (on behalf of the AFP) sent a letter to the AFPA stating that the AFP considered the Notice to be invalid. While the AFPA largely disagrees, in the spirit of good faith bargaining and to prevent unnecessary legal action the AFPA provides this Notice.

WITHDRAWAL OF THE NOTICE

The AFPA hereby replaces the Notice issued on 14 March 2024.

This letter serves as a new notice, pursuant to s.414 of the Act.

COMMENCEMENT OF PROTECTED INDUSTRIAL ACTION

The Order and s.414 of the Act require the AFPA to provide the AFP with written notice before members can commence any protected action. The required notice period is five working days for 11 of the protected actions, and three working days for the remaining 25 protected actions.

This letter serves as formal notification that the AFPA intends to commence the protected actions below. Should the AFPA seek to commence any of the remaining actions, we will provide another notification in accordance with the Order and the Act.

The following actions (numbered to reflect the numbering in the Order) will be initiated until such time further notice is provided in writing to the Australian Federal Police by the Australian Federal Police Association:

2. Commencing 27 March 2024, members at all locations may undertake an indefinite ban on issuing criminal or traffic infringement notices, except for traffic infringement notices relating to drunk/drug driving, antisocial or dangerous driving behaviours or penalty notices triggering an immediate disqualification or suspension of licence.
3. Commencing 29 March 2024, members at all locations may undertake an indefinite ban on attending any Australian Court as informants or witnesses other than in reply to a subpoena.
4. Commencing 29 March 2024, members at all locations may undertake an indefinite ban on the transport of witnesses for the ACT Office of Public Prosecutions and Commonwealth Office of Public Prosecutions.
9. Commencing 27 March 2024, an indefinite ban on a member at any location contacting another member (the second member) who is not in receipt of an availability allowance, outside the second member's working hours, except for in the circumstances of an emergency situation or genuine welfare matter.
11. Commencing 27 March 2024, members at all locations may undertake an indefinite ban on the preparation and entry of management significant entries into any Information Management System provided no identifiable risk to public safety is identified by the relevant member, or by the relevant member's Supervisor and provided in writing to the member concerned.
33. Commencing 27 March 2024, members at all locations may undertake an indefinite ban on filling in AFP vehicle logbooks.

The above-listed actions will continue until a future date specified by the AFPA, following the AFP's production of a draft Enterprise Agreement (in consultation with the AFPA and other registered bargaining parties) which the AFPA Bargaining Team and AFPA Executive determine to be acceptable for a majority of the AFPA membership. Upon these requirements being met, the AFPA will provide written notice to the AFP and AFPA members to inform of the cessation of protected industrial action.

3

The AFPA will continue to negotiate with the AFP in good faith to create an Enterprise Agreement that values all members.

Should you wish to discuss, please contact me on (02) 6285 1677 or via return email at alex.caruana@afpa.org.au.

Yours faithfully,

s 47F(1)

Alex Caruana
President

CC Deputy Commissioner Neil Gaughan APM
Chief Police Officer
ACT Policing
Australian Federal Police
By email: s 47E(d) @afp.gov.au

THIS DOCUMENT IS RELEASED BY
THE AUSTRALIAN FEDERAL POLICE UNDER THE
FREEDOM OF INFORMATION ACT 1982

2 April 2024

Mr Reece Kershaw APM
Commissioner
Australian Federal Police

By email s 47E(d) @afp.gov.au

Dear Commissioner,

NOTICE OF INTENTION TO COMMENCE PROTECTED INDUSTRIAL ACTION

I write to provide notice of the AFPA's intention to commence protected industrial action on **6 April 2024** in accordance with s.414 of the *Fair Work Act 2009* (Cth) (**the Act**).

BACKGROUND

On 21 February 2024, the Fair Work Commission (**FWC**) issued order PR771550 (**the Order**) approving the AFPA's application for a Protected Action Ballot.

On 8 March 2024, the FWC's nominated ballot agent declared the result of the ballot. As you know, 85.06% of eligible voters participated in the ballot, with 96.73% of respondents voting in favour of protected industrial action.

COMMENCEMENT OF PROTECTED INDUSTRIAL ACTION

The Order and s.414 of the Act require the AFPA to provide the AFP with written notice before members can commence any protected action. The required notice period is five working days for 11 of the protected actions, and three working days for the remaining 25 protected actions.

This letter serves as formal notification that the AFPA intends to commence the protected action below on **6 April 2024**. Should the AFPA seek to commence any of the remaining actions, we will provide another notification in accordance with the Order and the Act. All actions undertaken will comply with the AFP Code of Conduct and the duration of any interruption of work will be recorded by the relevant member.

The following action (numbered to reflect the numbering in the Order) will be initiated until such time further notice is provided in writing to the Australian Federal Police by the Australian Federal Police Association:

1. Commencing 6 April 2024, members at all locations may undertake an indefinite ban on members agreeing to perform voluntary duties. The term voluntary encompasses electing to perform work outside scheduled rostered hours and any other unpaid duties.

18. Commencing 6 April 2024 members at all locations may undertake the periodic interruption of work every day in order to affix campaign material in work locations stating the concerns of members relating to workloads and staffing shortages.

19. Commencing 6 April 2024 members at all locations may undertake the periodic interruption of work each day in order to affix campaign material such as pins, stickers, or badges to clothing.

20. Commencing 6 April 2024 members at all locations may undertake the periodic interruption of work every shift to don apparel that is Hi-Vis, colourful and/or with union logo and slogans. Such action will not interfere with the safety of the member or the public, and will not prevent the member being identified as an AFP appointee.

The AFPA will continue to negotiate with the AFP in good faith to create an Enterprise Agreement that values all members.

Should you wish to discuss, please contact me on (02) 6285 1677 or via return email.

Yours faithfully,

s 47F(1)

Alex Caruana
President

CC Deputy Commissioner Scott Lee APM
Chief Police Officer
ACT Policing
Australian Federal Police
By email: s 47E(d) @afp.gov.au

Deputy Commissioner Krissy Barrett APM
Deputy Commissioner National Security
Australian Federal Police
By email: s 47E(d) @afp.gov.au

2 April 2024

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By email: s 47E(d) afp.gov.au

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This letter serves as formal notification that the AFPA intends to commence the protected action below on **6 April 2024**. Should the AFPA seek to commence any of the remaining actions, we will provide another notification in accordance with the Order and the Act. All actions undertaken will comply with the AFP Code of Conduct and the duration of any interruption of work will be recorded by the relevant member.

The following action (numbered to reflect the numbering in the Order) will be initiated until such time further notice is provided in writing to the Australian Federal Police by the Australian Federal Police Association:

16. Commencing 6 April 2024 members at all locations may undertake the periodic interruption of work every shift in order for members to write the AFPA approved slogans on

AFP marked vehicles at any location, with non-permanent markings on the vehicle to inform the public about the Australian Federal Police Association industrial relations campaign.

17. Commencing 6 April 2024 members at all locations may undertake the periodic interruption of work each shift for members to park any AFP marked vehicle marked as per action 16 above at any location where it is safe and lawful to do so, in order for the member(s) to engage with the public about the Australian Federal Police Association industrial relations campaign. Such action will only be undertaken where there is no interference with the safety of the member or the public.

The AFPA will continue to negotiate with the AFP in good faith to create an Enterprise Agreement that values all members.

Should you wish to discuss, please contact me on (02) 6285 1677 or via return email.

Yours faithfully,

s 47F(1)

Alex Caruana
President

CC Deputy Commissioner Scott Lee APM
Chief Police Officer
ACT Policing
Australian Federal Police
By email: s 47E(d) @afp.gov.au

Deputy Commissioner Krissy Barrett APM
Deputy Commissioner National Security
Australian Federal Police
By email: s 47E(d) @afp.gov.au

18 April 2024

Mr Reece Kershaw APM
Commissioner
Australian Federal Police

By ema s 47E(d) @afp.gov.au

Dear Commissioner,

NOTICE OF INTENTION TO COMMENCE PROTECTED INDUSTRIAL ACTION

I write to provide notice of the AFPA's intention to commence protected industrial action on **24 April 2024** in accordance with s.414 of the *Fair Work Act 2009* (Cth) (**the Act**).

BACKGROUND

On 21 February 2024, the Fair Work Commission (**FWC**) issued order PR771550 (**the Order**) approving the AFPA's application for a Protected Action Ballot.

On 8 March 2024, the FWC's nominated ballot agent declared the result of the ballot. As you know, 85.06% of eligible voters participated in the ballot, with 96.73% of respondents voting in favour of protected industrial action.

COMMENCEMENT OF PROTECTED INDUSTRIAL ACTION

The Order and s.414 of the Act require the AFPA to provide the AFP with 3 days written notice before members can commence the below protected action.

This letter serves as formal notification that the AFPA intends to commence the protected action below on **24 April 2024**. Should the AFPA seek to commence any of the remaining actions, we will provide another notification in accordance with the Order and the Act. All actions undertaken will comply with the AFP Code of Conduct and the duration of any interruption of work will be recorded by the relevant member.

The following action (numbered to reflect the numbering in the Order) will be initiated until such time further notice is provided in writing to the Australian Federal Police by the Australian Federal Police Association:


21. Commencing 24 April 2024 members at all locations who are in control of an AFP marked vehicle may undertake the periodic interruption of work each shift between 08:00am and 10:00am, and/or between 3:00pm and 5:00pm each shift (applicable to each

time zone) to park any AFP marked vehicle where it is safe and lawful to do so in front of speed cameras, at school zones and at any Australian federal Police related Government facility while displaying emergency lights for a period of up to 30 minutes. Members are still required to attend priority matters if required and will not interrupt members' response to calls for assistance.

The AFPA will continue to negotiate with the AFP in good faith to create an Enterprise Agreement that values all members.

Should you wish to discuss, please contact me on (02) 6285 1677 or via return email.


Yours faithfully,



s 47E(1)

Alex Caruana
President

CC Deputy Commissioner Scott Lee APM
Chief Police Officer
ACT Policing
Australian Federal Police
By email  @afp.gov.au

Deputy Commissioner Krissy Barrett APM
Deputy Commissioner National Security
Australian Federal Police
By email:  @afp.gov.au

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THE AUSTRALIAN FEDERAL POLICE UNDER THE
FREEDOM OF INFORMATION ACT 1982

18 April 2024

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Commissioner
Australian Federal Police

By email: s 47E(d) afp.gov.au

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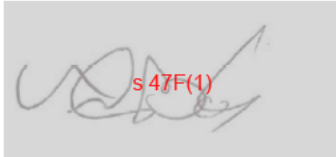
36. Commencing 24 April 2024 members at all AFP locations may undertake the periodic ban on attendances at AFP offices for up to 3 days per week, where tasks can be undertaken remotely and where those tasks have previously been undertaken remotely, such as during

COVID-19. This action is subject to a member being able to be directed to attend an AFP Office due to emergency or public safety issues.

The AFPA will continue to negotiate with the AFP in good faith to create an Enterprise Agreement that values all members.

Should you wish to discuss, please contact me on (02) 6285 1677 or via return email.

Yours faithfully,



Alex Caruana
President

CC Deputy Commissioner Scott Lee APM
Chief Police Officer
ACT Policing
Australian Federal Police
By email: s 47E(d) [@afp.gov.au](mailto:scott.lee@afp.gov.au)

Deputy Commissioner Krissy Barrett APM
Deputy Commissioner National Security
Australian Federal Police
By email: s 47E(d) [@afp.gov.au](mailto:krissy.barrett@afp.gov.au)

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18 April 2024

Mr Reece Kershaw APM
Commissioner
Australian Federal Police

By email: s 47E(d) @afp.gov.au

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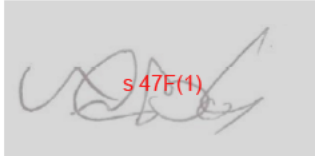
15. Commencing 24 April 2024 members at all locations may undertake the periodic interruption of work of a shift between 10:00am and 12:00 noon applicable to each time zone (or as notified 24 hours in advance), to allow members to speak to the public, media,

politicians and/or government representatives about the public about the Australian Federal Police Association industrial relations campaign for a period of up to 30 minutes.

The AFPA will continue to negotiate with the AFP in good faith to create an Enterprise Agreement that values all members.


Should you wish to discuss, please contact me on (02) 6285 1677 or via return email.

Yours faithfully,



Alex Caruana
President

CC Deputy Commissioner Scott Lee APM
Chief Police Officer
ACT Policing
Australian Federal Police
By email:  [@afp.gov.au](mailto: @afp.gov.au)

Deputy Commissioner Krissy Barrett APM
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FREEDOM OF INFORMATION ACT 1982

Australian Federal Police Senate Estimates Brief Budget Estimates Hearing – 2024

Brief Number: SB24-000054

Brief title: People – Staff Survey

Responsible Deputy: Acting Chief Operating Officer

Key Points

- The survey was administered from 11 September – 1 October 2023.
- The 2023 survey was not a full Employee Census. The 2023 Survey took a more **targeted approach** compared to the 2022 survey, focusing on better understanding how the health and wellbeing of the workforce is influenced by workplace factors.
- It was the first of a new 'In Focus' survey which is a shorter survey series that will run every two years and help AFP delve deeper into key issues from the previous year's survey, with the full survey to occur every two years.
- As a policing agency, our employees are routinely involved in operations or exposed to experiences that can pose substantial risks to their physical and psychological safety. Psychosocial hazards are aspects of work which have the potential to cause psychological or physical harm.
- Health and wellbeing was selected as this year's focus because:
 - It was a key theme that emerged from the 2022 staff survey.
 - Changes in the environment, including legislative changes, have highlighted the importance of taking proactive steps to provide safe workplaces, address psychosocial hazards, and support health and wellbeing.
- Health and wellbeing is an area where leaders at all levels across the AFP can (and must) take individual and collective action and the In Focus results provide data-driven insights to highlight key areas of organisational focus and next steps.
- The AFP is actively engaged in understanding risks to our people, and the 2023 staff survey was integral in informing other important initiatives, such as the next iteration of the Health and Wellbeing Strategy, as well as identifying targeted interventions required.

Key Statistics

Key Strengths identified through the 2023 survey were:

Strong positive relationships	<ul style="list-style-type: none">• Belonging (71)• Supervisor Support (75),• Leading for Wellbeing (77)• Team Environment (74).
Supported by their supervisor	<ul style="list-style-type: none">• 82% of respondents agreeing that they feel confident raising work-related concerns• 74% agreeing they feel confident disclosing any difficulties.
Commitment and Loyalty	<ul style="list-style-type: none">• 83% committed to the AFP's goals• 80% of our staff indicating they are proud to work for the AFP.

Areas of focus identified through the survey were:

Job Control, Role Clarity and Workload Management factors	<ul style="list-style-type: none"> • 4 to 5 points lower than the 2022 AFP Staff Survey
Work-related stress reports	<ul style="list-style-type: none"> • Compared to 2022, 44% indicating a high to severe stress level (9% above the AFP average).
Workload management	<ul style="list-style-type: none"> • 28% of respondents believing there is an expectation to do many different tasks in too little time. • 41% stating they have too many competing priorities.
Job Control (Decision-making)	<ul style="list-style-type: none"> • from 47 in 2022 to 42 in 2023.

If pressed on not undertaking the full survey and “removing questions”

- The AFP has adopted a survey cycle that includes a full ‘Employee Census’ every second year, followed by a shorter and much more focused survey in every subsequent year.
- The full set of questions will be included in the full AFP Employee Census for 2024.
- This approach gives us greater flexibility to do other multiple short ‘pulses’, should this be required, without creating ‘survey fatigue’ for the workforce.
- The AFP has not previously been in the practice of undertaking yearly staff surveys. Since 2020 the AFP has undertaken a staff survey every year compared to twice (2015 and 2018) in the prior 5 years.
- While Senior Leaders are important for driving wellbeing in the workplace, research on wellbeing in policing¹ indicates that it is direct supervisors that are critical in leading for wellness and making practical changes to the workplace that can have a positive impact on employee wellbeing.

How does the AFP compare to similar command and control agencies?

- Independent analysis found AFP is operating from a position of strength compared to peers
- 2023 survey – 88% of comparable indicators above or in line with other ops agencies. [2/17 below; 8 above, 7 in line with average]
- 2022 survey: 89% of the AFPs results are above or in line with other operational agency results
 - 48% of the comparison questions² are above the benchmark average
 - 41% were in line with; and only
 - 11% (2 out of 17 questions) the AFP were below the benchmark³

If asked about the Lack of fairness in decision-making? What are you doing to address this?

¹ Drew, J., Bartles, S., Herrington, V (2023) Leadership for Wellness: A strategy for developing police and public safety leaders

² In total, there are 17 comparable questions with other command and control agencies.

³ Survey questions: q2c. Where appropriate, I am able to take part in decisions that affect my role (-6%) and q19c. I am consulted about proposed changes at work (-11%).

SES2 clearing officer: National Manager, Brooke Everett, NMPC s 47E(d)

SES1 clearing officer: Manager, Tracey Frey, Manager Future Workforce: s 47E(d)

- We know what our people expect of us, which is why we don't shy away from asking these questions.
- Questions in the 2023 Survey were centred around decision-making that impacts employees in the workplace, such as application of internal policies and area specific procedures. Employee's perceptions can be influenced on the favourableness of the decision made.
- While lack of fairness in decision making remains an area of focus for the AFP, **we have seen significant increases in employee perception of higher duties processes** (9 percentage points which equates to a 26% increase in positive perception)
 - **increase from 35% agree in 2021 to 44% agree in 2023.**
- This shows we are having an impact in addressing the staff survey results year on year.

If asked about the Lack of job control that employees are reporting

- The questions related to job control seek to measure the level to which layers of decision-making act as a barrier to employees performing their best.
- The AFP is committed to a process of continuous improvement and is focused on improving its systems, processes and technology.
- The AFP recognises that appropriate administrative processes and decision-making delegations are integral to operations, and many processes are enshrined in legislation. We will continue to focus on streamlining where possible, and fostering a culture that understands and values processes integral to successful operations.

If asked Will there be senior leadership questions in the next survey?

- Yes, there will be questions on employee perceptions of senior leadership.
- We will be commencing consultation and cognitive testing of survey questions to ensure we continue to have accurate, valid and actionable measures of perceptions of Senior leaders.
- The AFP will continue to adopt a process of continual improvement – which will include changing survey questions where necessary.
- This includes things such as ensuring participants understand terminology, what is asked of them, and if they are able to provide an accurate assessment of what is asked.
- We will be commencing consultation and testing on better measures for SES. This may mean that future SES questions are changed – we are comfortable with the limitations that may provide for trend data, with a focus on ensuring the most fit for purpose survey, to support our people.

If asked what are you doing to respond to the 2023 staff survey results?

- To address employee concerns regarding layers of decision making we have launched a 'streamlining decision-making platform' where employees can detail specific examples of layers of decision making within their work area and suggestions on how to improve these processes.
 - These suggestions will be provided to leaders to consider and implement where appropriate
- As established in 2022, the AFP has a staff survey action planning approach which details the expectation for all Senior leaders to develop action plans in response to results.

- This has been strengthening in 2023 with additional guidance on incorporating actions into Command workforce plans
- We are also reviewing our policy on fitness time at work to ensure we are fair and transparent in our approach to employee exercise during work hours.
 - This is in direct response to employee free text comments and ensuring we meet our employees expectations for fairness and transparency in decision making

If pressed on why evidence of records of meetings with ORIMA were not provided (QoN)?

- Meeting minutes are an expectation for boards and committees, not for project meetings and discussions.
- The AFP met frequently with ORIMA to discuss survey requirements and research goals for the 2023 survey. These meetings were virtual and did not require formal minutes.

If asked, did you remove the questions on senior leadership because you were worried about poor results?

- No, the AFP rejects that statement.
- The full length of the AFP staff survey is a similar size to the APS Census, which is 177 questions (including demographic questions).
- Following advice from research firms and best practice on workforce survey design, the AFP decided to adopt a survey cycle that utilises a shorter, more focused survey every second year.
- The survey was constructed to understand psychosocial hazards in the workplace, and replicated questions used in other psychosocial hazard surveying.
 - This intent, theme and purpose was communicated to all employees ahead of time – including in the Commissioner’s all-staff email when the survey was launched.
- It is also included on Page 2 of the Results Report released to staff and externally.
- The AFP Staff Survey is intended to support employees and make positive changes – not as a performance management process for Senior Leaders. We have appropriate processes for that.
- Under the Commissioner’s leadership, we have been driving a **proactive approach** to our cultural and wellbeing landscape. Including:
 - Re-affirmed his vision and expectations for the senior leaders in the AFP, through his **Statement of Intent to all SES**, and set the leadership expectations.
 - This puts our people at the centre and ensures our leaders are taking an active interest in the growth of their people, their health and wellbeing, developing their leadership capability, as well as modelling leadership behaviours at all times.
 - Introduced a **new SES Performance Framework**, including 360 degree feedback on senior executive, to provide a more robust approach to assess SES performance. The Framework sets clear expectations for our SES cadre as leaders in the AFP.
 - Stood up the **Leadership Development Committee (LDC)** where leadership performance is regularly discussed, as well as focusing on expected behaviours, taking a values approach and uplifting our leadership capability.

SES2 clearing officer: National Manager, Brooke Everett, NMPC s 47E(d)

SES1 clearing officer: Manager, Tracey Frey, Manager Future Workforce: s 47E(d)

- Formed a **strategic partnership with the Australian Human Rights Commission** focused on supporting the AFP to make evidence-based changes to its culture and enhance diversity and inclusion.
- In response to the most recent survey the Commissioner and Executive have commenced work on four key focus areas:
 - Developing an inclusive change management policy and education to engage more regularly with our people on changes that affect them
 - Developing a refreshed AFP Leadership and Behaviours Framework
 - Revisiting our Leadership Strategy and uplifting leadership capability
- In regards to feedback regarding senior leadership, we have also introduced:
 - In 2022 a **12-month SES Development Program**, facilitated by KPMG, to develop SES leadership capability to more effectively manage the operations of the AFP.
 - In early 2022 a **Core Leadership Continuum** was released, which is a substantial suite of development 'modules' for Bands 2-8 as well as EL and SES.
 - As part of the AFP's five-year strategic partnership with the former AHRC, Sex Discrimination Commissioner **Kate Jenkins hosted** several **senior leadership roundtables** to build senior executive capability and confidence to create a high-performing and safe environment for all their people.
- Recognising our senior executives' lead role and their subsequent impact across the organisation, throughout 2024 all our senior executive will take part in **new Cultural Capability Training** and separately, will be participating in further building their capability in Creating a Psychologically Safe Workplace.

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**Australian Federal Police
Senate Estimates Brief
Budget Estimates Hearing – 2024**

Brief Number: SB24-000062

Brief title: People – Overtime

Responsible Deputy: Acting Chief Operating Officer

Key Points

- The AFP operates in a high tempo, complex and often unpredictable environment. This can lead to our members working additional hours to address threats and maintain national and international security.
- The AFP is conscious of work pressure and the impact on our members' health and wellbeing, work life balance, and our legislative requirements.
- As a national police force, the AFP is involved in major and often complex operations of national security. Over recent years, we have seen an increase in the utilisation of overtime, due to:
 - An increase in activity at airports throughout Australia
 - Community Policing (Anti-Vax protests in the ACT as an example)
 - Major cyber security breaches (Medibank and Optus)
 - Heightened requirement for Close Personal Protection (CPP) for high office holders and major events (including the Federal Election in 2022)
 - The requirements under the Memorandum of Understanding (MOU) arrangement with the Department of Defence to provide Infrastructure protection at some key sites across the country – due to the remote localities of these sites' members may be required to work additional hours due to a smaller workforce.
- Working overtime is a mutual agreement between the member and the AFP and is paid in accordance with the terms in the AFP Enterprise Agreement.
- As required in the AFP's Enterprise Agreement, employees are expected to accurately record the hours they have been approved to work in the appropriate time-recording system.

If pressed:

- **Total overtime expense in 2022-23 was \$43.3m**, being 2.5% of the AFPs total expenses.
- Total overtime expenses YTD to 31 March 2024 was \$29.8m, compared to budget of \$28.6.
- Despite this, overtime is tracking towards an improvement compared to the 2023 FY, since the YTD expense to 31 March 2023 was \$30.4m.

If asked further questions regarding overtime:

- AFP members and supervisors have access to interactive dashboards to track their time and attendance to support managing workload and fatigue.
- The AFP is focused on the health and wellbeing of our members, and we continue to monitor overtime hours and ensure our workforce has the skills, capability and capacity to undertake our responsibilities, as detailed in our Ministerial Direction.
- The AFP acknowledges that working additional hours may contribute to fatigue and as such we seek to minimise the use of overtime to the extent practicable.
 - The introduction of Psychosocial Regulations on 1 April 2023 increased both organisational and individual responsibility for managing psychosocial risks and hazards in the workplace. The AFP is actively managing our responsibilities associated with this change.
- Noting that job demands, whether it be high or low, are a psychosocial hazard, we have:
 - Established an Overtime and Penalty Working Group to provide advice and recommendations on efficiencies in rostering and workload practices across the organisation. This group is largely at the SES Band 1 level;
 - Commenced delivery of education modules to holistically address the health impacts of fatigue;
 - We utilise an operational prioritisation model that is centrally administered;
 - Introduced a rostering system (Quintiq) which provides greater visibility of how our people are working and allows us to focus on member health and wellbeing with system flags for excessive hours worked, breaches of the EA and allows for better planning;
 - Continued to focus on leave management and adequate rests from the workplace. This is being bolstered with a new communication strategy to engage our people and leaders to understand their leave obligations and the benefits of utilising their leave entitlements.
 - The AFP is currently focused on leave and flex management as an important lever to reducing any perceived or actual work stress and/or work pressure when managing workforce capacity and supporting people to have adequate and appropriate rest from work.

If asked, what training do you have in place to manage workplace fatigue?

- AFP members and supervisors have access to interactive dashboards to help track their time and attendance to support managing workload and fatigue.
- The AFP is focused on the health and wellbeing of our members, and we continue to monitor hours and ensure our workforce has the skills, capability and capacity to undertake our responsibilities.
- Our SHIELD program also commenced delivery of education modules to holistically address the health impacts of fatigue.
 - Over 120 educational workshops have been run across the organisation.
 - Delivered by our SHIELD clinicians, these education modules look to raise health literacy and support adoption of personal health behaviours to manage and mitigate impacts – Sleep, Exercise, Nutrition, Strategies for managing shift work, managing mental fatigue/burnout.

- Future efforts will focus on tools and skills for supervisors in managing fatigue within their teams through health focussed pastoral care and leadership.
- Our SHIELD Hubs are collaborating with commands to deliver tailored education and supports, amongst other health prevention and support services, and the reception so far has been positive, particularly the practical nature of managing shift work module.
- Education efforts are also supported by individual risk mitigation plans for members seeking additional support. These can be facilitated by direct member enquiry, or through the support of supervisors.
- Fatigue risk mitigation strategies at both a personal and organisational level is expected to be a component of the future health and wellbeing strategy.
- We acknowledge that personal health behaviours play a significant role in managing fatigue risk.

If asked, how do you support your leaders to manage overtime and the health impacts of high job demands?

- AFP Supervisors have access to interactive dashboards to enable them to understand their workforce and take tangible and immediate steps to address any concerns in consultation with their respective workforce and subject matter experts.
- Our rostering system (Quintiq) helps supervisors proactively balance operational requirements within the limitations of the industrial agreement and has a focus on member health and wellbeing.
- In response to the introduction of Psychosocial Regulations on 1 April 2023, we collaborated with Comcare to undertake a proactive psychosocial pilot inspection which identified that, not dissimilar to other agencies, AFP middle management presents a significant area of risk and opportunity in proactively managing psychosocial hazards including job demand. As such, a working group has been established to address a series of recommendations through an action plan that includes, but is not limited to, the following;
 - Comcare are currently developing an AFP specific 'Psychosocial Risk Management and Good Work' presentation for senior leaders to inform their obligations in responding to psychosocial hazards;
 - A tailored presentation was delivered to AFP leaders on 23 November in relation to 'good work design' which considers systems, culture and management practices. We are working with Comcare on a range of 'good work design' micro learns that are currently available and free to access via Comcare's LMS; and
 - A specific risk assessment and treatment plan in relation to 'job demand' is currently under development.

AFPA Survey

- In mid-March 2023, the AFPA conducted an AFP Pay and Morale Survey to obtain members' views on their pay and conditions, as well as their attitudes to their work and the police service in general.
 - We understand that the results of the 2023 survey were disseminated to AFPA members on 12 May 2023.
 - The survey was referenced in an AFPA media release 'Government leaving Commonwealth law enforcement behind' on 2 May 2023 but in relation to wage freezes.
- Caution should be taken when reading the outcomes of the AFPA survey due to the sample size (14% of the workforce), overrepresentation of some cohorts (sworn), and limited scope/methodology (data alone should not drive decisions without understanding the considerations/factors).
- We understand that findings from the AFPA survey relating to hours and overtime included:
 - For most participants, workload is 'too high' (54%) or 'about right' (42%), with the majority having to complete unpaid work in last 12 months with on average 80 hours a year being unpaid.
 - As well as this unpaid work, most participants also worked overtime in the last year, with understaffing being the main cause.
 - Members are likely to work overtime to support colleagues and to supplement basic wages.

Background / Chronology

- While the AFP always seeks to minimise overtime arrangements, given the inherent nature of policing, there will always be a need to utilise overtime in appropriate circumstances.
- Circumstances where overtime may be used include for:
 - Critical events;
 - Shifts under minimum strength due to short notice leave arrangements (such as meeting contractual obligation to have minimum numbers at Defence sites or covering ACT Policing shifts);
 - Major investigations (this is usually paid as overtime at the end of the averaging period);
 - Support working pattern staff working over the weekends for events; and
 - Operations or surge requirements.
- The AFP Enterprise Agreement provides penalty payments which are triggered when an employees' hours exceed a certain number and/or when the minimum notification period of a shift changing is met.
- In recognition of the impact that additional hours of duty or late notice roster changes may have on employees' work-life balance, the overtime rate is paid at a significantly higher rate than base salary for ordinary hours.

FOI Request

- In November 2022, [REDACTED] s 47F(1) sought access to documents under the Freedom of Information Act 1982 (the Act), in the following terms:

“The total number of hours of overtime paid to protective service and sworn staff and the cost of that overtime. All emails from the Executive to command leaders, including internal email announcements to staff, discussing the cut back of overtime (regarding PSO’s and sworn members).”

- The time period for the request has been calculated from 1 July 2019 until 30 June 2022.

AFP cost and hours of overtime – Police and Protective Service Officer

	2019-20 Overtime Paid	2019 - 20 Hours	2020-21 Overtime Paid	2020 - 21 Hours	2021-22 Overtime Paid	2021 - 22 Hours
Police (Inc. Recruits)	\$ 13,923,404	319,169	\$ 17,175,982	340,301	\$ 20,467,352	377,746
PSO	\$ 9,368,528	263,541	\$ 10,750,602	299,318	\$ 11,833,105	327,860
Total	\$ 23,291,932	582,711	\$ 27,926,584	639,618	\$ 32,300,457	705,606

- [refer to Freedom of Information brief for reason for delay in FOI requests.]
- **Attachment A** provides greater detail on the data, as well as figures for 2022/23 and the last 12 months (which were not provided in the FOI request).

General Protections

- The General Protections (GP) provisions under the *Fair Work Act* prevent an employer from taking, or threatening to take, adverse action against an employee (or prospective employee) on the basis of a protected attribute (such as disability or family and carer responsibilities); or because they have exercised a workplace right (such as accessing personal/carer’s leave, lodging a Comcare claim or making a bullying complaint); or where they have been absent from the workplace because of a temporary illness or injury.
- Some examples of adverse action include (but are not limited to):
 - engaging in action which harms an employee in their employment such as cutting shifts or hours,
 - restricting overtime or preventing promotional opportunities and
 - also extends to circumstances where a person’s job is changed to their detriment
- General Protections (GP) claims carry a reverse onus of proof, meaning where an employee alleges that they are being treated adversely because of, or in relation to, a protected attribute or workplace right, the onus is on the employer rather than the employee to establish why the actions taken against that employee was not for a prohibited reason.
- Given the nature of these protections, the AFP engages with the workforce to ensure the business area understand that all decisions, and communications arising from these decisions, are made in accordance with the federal industrial legislation.

Other Media [if required]

- Excess overtime was referenced in an article in the Sunday Telegraph and Herald Sun on 24 September 2023 ‘AFP Officer takes his own life’ in relation to the incident in Western Command.

SES2 clearing officer: National Manager, Brooke Everett, NMPC [REDACTED] s 47E(d)

SES 1 clearing officer: Manager, Tracey Frey, Manager Future Workforce [REDACTED] s 47E(d)

**Australian Federal Police
Senate Estimates Brief
Budget Estimates Hearing – 2024**

Brief Number: SB24-000096

Brief title: Finance – Superannuation Rectification

Responsible Deputy: Acting Chief Operating Officer

Key Points

- The AFP is working with the Commonwealth Superannuation Corporation (CSC) to correct the superannuation records for some employees
- The AFP estimated the remaining liability to be \$24.7 million at 30 June 2023 (2020: \$79 million, 2021: \$86 million, 2022: \$42 million). This has been further reduced by payments during 2023-24 of \$5.8 million. **Further payments will be made in 2023-24, but a value cannot be provided at this time as we are working through the calculations.**
- Of the 9,302 members identified under the project, 6,670 members have been reviewed, finalised and a letter sent to the member with the outcome. The team is currently working through the remaining members, which are all at various stages of completion, including awaiting review by Commonwealth Superannuation Corporation.
- There are three current legal claims against the AFP relating to superannuation entitlements. Given the unique factors in the claims it is unlikely these will have a broader implication for the AFP and project members
- A large number of active members require further reviews and quality assurance to be undertaken to take into account annual superannuation birthday revisions, prior to providing the necessary information to CSC. Given this additional work combined with the complex nature of the remaining reviews, the AFP anticipates that all QAs will be completed by **30 June 2024**.
- The AFP provides regular progress updates to the ATO, the Fair Work Ombudsman, relevant unions and affected employees.

If asked why is the rectification taking so long?

- This is a complex issue the AFP is taking seriously, working as expeditiously as possible.
 - The project is reviewing the records of 9,302 potentially affected employees over a period of 14 years (2007 to present)
 - Each employee's data is reviewed for each year - given the employee received different allowances for different periods.
 - Clear documentation on the calculations and review process are being prepared for inclusion in individual employee records.
- Outcomes of the review are provided to the CSC to assess the impact on the employee's superannuation entitlements. The AFP cannot influence the CSC's timeframes, and there are other agencies also drawing on the CSC's resources.
- The AFP has provided the CSC with additional funding to assist in processing the amendments.

If asked how much additional expense will the AFP incur as a result of the review?

- The exact figure will be unknown until the reviews are complete.
- The AFP is required to pay out additional expenditure covering the historical correction of unpaid superannuation. At 30 June 2023, the remaining provision was estimated at approximately \$24.7 million. This has been further reduced by payments during 2023-24 of \$5.7 million.

If asked do you have systems in place to ensure correct treatment of past payments now?

- The software purchased is fit for purpose. The superannuation rules are coded into the system, producing accurate timely results for employees.
- All reviews undertaken on the project are subject to a quality assurance process to validate information.

If asked what are you doing to improve AFP payroll systems?

- With respect to the superannuation issue, the AFP has implemented a fit for purpose software product, which will ensure the correct treatment of the identified allowances.
- The AFP commissioned a review to consider the appropriateness of current processes to deliver accurate payments in accordance with the AFP Enterprise Agreement terms and conditions. The final report highlights there are no inherent issues, however there are a number of recommendations to improve processes.

Background

- In 2018, the AFP identified it had underpaid superannuation on certain allowances.
- The issue arose from an omission in the drafting of a prior Enterprise Agreement, and was reflected in all subsequent agreements.
- The AFP has undertaken a systematic review into this issue, which identified some allowances should have been considered as salary for superannuation purposes.
- The AFP has been working diligently over a number of years to ensure all affected employees are aware of the plan to rectify the problem. This includes an update to recording systems to ensure this does not happen again.
- The process to repay our employees has taken time due to the complex nature of the calculations, the span of years involved and the large number of employees affected.
- The review work has been prioritised into cohorts in order to address the issues of those employees most immediately affected first – those soon to retire and those retired, followed by current employees by age category (oldest to youngest).
- The AFP has ensured all potentially affected employees are aware of the project.
- The AFP has also worked with the Commonwealth Superannuation Corporation (CSC) and former employee's association to contact employees no longer working with the AFP and request they contact the AFP to provide current contact details.
- The correction undertaken by the AFP is the employer contribution shortfall (including market movements where applicable).

SES2 clearing officer: Chief Financial Officer, Paul Wood:

SES1 clearing officer: Manager Business Services, Miles Humphrey:

s 47E(d)

**Australian Federal Police
Senate Estimates Brief
Budget Estimates Hearing – 2024**

Brief Number: SB24-000105

Brief title: Legal – Freedom of information (FOI)

Responsible Deputy: Acting Chief Operating Officer

Key Points

- The AFP has experienced an increase of 2.4% in the volume of FOI requests for the period 1 July 2023 to 31 March 2024 compared to the same period last year (1 July 2022 to 31 March 2023).
- The AFP's FOI request processing compliance rate is currently sitting at approximately 58% for the period 1 July 2023 to 31 March 2024, consistent with the last financial year (59%).
- The AFP has implemented measures to improve the AFP's FOI processing compliance, consistent with statutory obligations and community expectations.

Key Statistics

FOI requests received and finalised (as at 31 March 2024):

Financial Year	FOI Requests Received	FOI Requests Finalised	FOI Requests Completed On Time	FOI Request (%) Completed On Time
2021-22	492	482	360	75%
2022-23	682	527	310	59%
2023-24 (YTD)	506	478	277	58%

FOI request **decisions** finalised within the following timeframes (first three quarters of 2023/24 FY), as reported to the OAIC:

Timeframe	Number of Decisions
Within applicable statutory timeframe (on time)	277
Up to 30 days over applicable statutory timeframe	100
31-60 days over applicable statutory timeframe	38
61-90 days over applicable statutory timeframe	24
More than 90 days over applicable statutory timeframe	39

FOI request **outcomes** (first three quarters of the 2023/24 FY) as reported to the OAIC:

Outcome	Number of Decisions
Released in full	15
Released in part	227
Refused in full	148

Merit Review of FOI request decisions (as at 31 March 2024):

Financial Year	Internal Review	Information Commissioner	AAT Review	Total Applications for Merit Review
2021-22	32	11	1	44
2022-23	26	74	1	101
2023-24 (YTD)	25	34	1	42

FOI Processing Improvement Measures

- Measures to improve the AFP's FOI processing compliance, consistent with statutory obligations and community expectations include:
 - Recruitment of additional FOI staff
 - Revision of FOI templates
 - Release of new web application from (May 2024)
 - Tabling FOI compliance reports at executive forums to improve visibility and accountability for timely responses to FOI requests
 - Considering alternative access mechanisms
 - Additional short-term resourcing and increased use of external legal providers.

If asked: What is the AFP doing to improve access to information?

- Where possible, the AFP considers other mechanisms outside FOI requests such as administrative release (e.g. where the request relates to the applicant's personal information and does not include other sensitive information), or proactively publishing information (including operational information) in the AFP's Information Publication Scheme page on the AFP website, to facilitate efficient outcomes for applicants and ensure the effective and efficient use of AFP resources.

Office of the Australian Information Commissioner (IC) 2022-23 Annual Report

- There was significant increase in AFP general FOI legal expenses for the 2022-23 period.
- Of the decisions made by the AFP, 13% of these requests are subject to IC review.

If asked: Why was there a significant increase in AFP general FOI legal expenses for the 2022-23 period?

- The AFP had a 39% increase in FOI requests in the 2022-23 financial year.

Transparency in the Release of AFP Documents

- The AFP is involved in a number of high profile investigations that attract media attention, of significant public interest, and documents relating to such matters are often exempt on the basis of ongoing investigations and / or operational sensitivity.
- The AFP does not seek to avoid transparency. The AFP operates within the parameters of the *Freedom of Information Act 1982* (Cth) (the Act) and carefully considers the purposes of the Act in making a decision, and in considering the views provided by operational areas on the release of material.

AFP Measures to Ensure Favourable Decisions for Applicants and Reduce IC Reviews

- The AFP considers the content of the material, comments from all internal and external stakeholders, as well as the public interest in determining whether material can be released.
- Applicants have internal and IC review rights, which they are able to exercise if they disagree with the outcome of their request.
- The AFP takes into account decisions determined by the Information Commissioner and the AAT as well as guidance from the OAIC that may affect and/or improve future decisions of the agency.

**Australian Federal Police
Senate Estimates Brief
Budget Estimates Hearing – 2024**

Brief Number: SB24-000106

Brief title: Legal – Industrial Dispute Matters

Responsible Deputy: Acting Chief Operating Officer

Key Points

- It is not appropriate for the AFP to comment in detail on matters that are currently before the Fair Work Commission (FWC), the Australian Human Rights Commission (AHRC) or the courts.
- As of 17 April 2024, the AFP has 5 industrial relations disputes before various commissions and courts.
- The Australian Federal Police Association are representing members in one matter.

Key Statistics

Name of the Commission or Court	No of Cases	Summary of Claim
Federal Court of Australia	1	<i>s 47F(1) v Australian Federal Police</i> Historical claim for compensation by employee for bullying and discrimination, precedes the introduction of the <i>Safety, Rehabilitation and Compensation Act 1988</i> .
Fair Work Commission	5	<i>Anti-bullying application by employees s 47F(1)</i> Anti-bullying application against another AFP employee. <i>s 47F(1) v Australian Federal Police</i> General protections application alleging adverse action in respect of his employment. <i>s 47F(1) v Australian Federal Police</i> Claim of unfair dismissal. <i>2 x Protected action ballots by the Community and Public Sector Union and an individual bargaining representative</i> Ballots seeking authorisation for represented employees to engaged in certain industrial action (not strikes) as part of bargaining for a new Enterprise Agreement. In addition, the Australian Federal Police Association have notified, and taken, some industrial action since their protected action ballot was successful.
AHRC	1	<i>s 47F(1) v Australian Federal Police</i> Former employee claims discrimination on the basis of gender (male). Anti-bullying application against another AFP employee.
Total Matters	7	

Industrial Disputes (background only) since 1 September 2023

s 47F(1) v Australian Federal Police

- Claim in the Federal Court of Australia relating to long service leave entitlements under the *Long Service Leave (Commonwealth Employees) Act 1976*.
- Matter resolved through agreement for dismissal with no order as to costs.

s 47F(1) v Australian Federal Police

- Unfair dismissal following termination of employment.
- Matter resolved through FWC conference s 47E(d)

s 47F(1) v Australian Federal Police

- Unfair dismissal proceeding following termination of employment.
- Matter resolved through FWC conference s 47E(d)

s 47F(1) v Australian Federal Police

- Dispute for payment of travelling time under the *Australian Federal Police Enterprise Agreement 2017-2020*.
- Matter determined in favour of the AFP at first instance, followed by appeal decision in favour of AFP.

Complaint made by s 47F(1)

- Complaint related to discrimination under the *Sex Discrimination Act 1984* (Cth) and the *Racial Discrimination Act 1975* (Cth).
- Matter resolved through negotiations s 47E(d)

s 47F(1) v Australian Federal Police

- Federal Circuit Court proceedings alleging discrimination under the *Disability Discrimination Act 1992* (Cth).
- Matter resolved through negotiations s 47E(d)

Wilson v Australian Federal Police

- Unfair dismissal following termination of employment. Termination was for non-compliance with the CO10 vaccine mandate.
- Decision in AFP's favour, and application was dismissed.
- The AFP's vaccine mandate was found to be both lawful and reasonable given the circumstances at the time of termination (17 May 2023).

s 47F(1) v Australian Federal Police

- Unfair dismissal claiming constructive dismissals.

s 47F(1)

- Matter resolved through negotiations s 47E(d)

SES2 clearing officer: Alison Macdonald, a/Chief Counsel: s 47E(d)

SES1 clearing officer: Adam Anastasi, a/General Counsel – Corporate: s 47E(d)

Friend v Australian Federal Police - AHRC

- On 22 September 2020, the AFP finalised Ms Friend’s sexual harassment complaint through a confidential mediation process in the AHRC.
- The AFP takes allegations of workplace bullying and harassment seriously, and has made significant commitments to addressing allegations of this type of behaviour in the workplace in the time since the events complained of by Ms Friend, including:
 - An all-staff message from the Commissioner in December 2023, setting out his commitment to driving changes needed to ensure a safe workplace, where everyone feels safe and confident to call out inappropriate behaviours and, making clear that sexual harassment, bullying and other forms of inappropriate behaviour is unacceptable.
 - A Statement of Intent from the Commissioner to State Emergency Service members, making it clear he expects leaders to model positive behaviour, address inappropriate behaviours, and be actively involved in changes to improve workplace culture.
 - The establishment of a “Respect @ Work” taskforce that has produced strong governance specifically addressing sex discrimination and sexual harassment in the workplace, as well as providing training and support resources.
- The AFP was not a party to the proceedings between Ms Friend and Comcare regarding repayment to Comcare. However, the AFP understand the Full Federal Court delivered its decision on 1 February 2024 upholding the original Federal Court decision, that Ms Friend was not required to repay money to Comcare.
- As the AFP was not a party to the initial decision, or the appeal decision, any questions regarding the Court’s judgments would more appropriately be referred to Comcare.
- The AFP is reviewing the decision to determine what, if any, affect this decision may have on current and future litigation matters in which the AFP is involved.

Costantinou v Australian Federal Police (Federal Court)

- Claim for racial discrimination arising from alleged conduct in mid 2000s.
- Claimant’s employment in the AFP was terminated two years ago for unrelated reasons.
- Claimant sought permission to proceed with the claim despite the significant amount of time that had passed.
- The court declined to grant permission, finding the reasons for delay were not sufficiently compelling.

**Australian Federal Police
Senate Estimates Brief
Budget Estimates Hearing – 2024**

Brief Number: SB24-000117

Brief title: ACT Purchase Agreement and Budget (ACTP)

Responsible Deputy: Acting Chief Operating Officer

Key Points

- ACT Policing’s Budgeted FTE for 2023-24 is 970.83.
- The new Purchase Agreement commenced on 1 October 2022 and provided approximately \$813 million over four years to the AFP for the provision of community policing services to the ACT.
 - This increased to \$900 million following the 2023-24 budget and includes the significant budget measure, ‘More ACT Policing’.

ACT Purchase Agreement

- The Policing Arrangement provides for the negotiation of a 2022-26 Purchase Agreement between the AFP and the ACT Government. The agreement details the outcomes, outputs, performance measures, targets and facilities to be provided and the powers and obligations of the Minister for Police and Emergency Services and the CPO, and associated administrative arrangements.
- The new Purchase Agreement commenced on 1 October 2022 and provided approximately **\$813 million over four years** to the AFP for the provision of community policing services to the ACT. This increased to \$900 million following the 2023-24 budget and budget review. This includes the significant budget measure, ‘**More ACT Policing**’.
- The total 2022-23 ACT Policing Budget appropriation was \$205.001 million.
- The total 2023-24 ACT Policing Budget appropriation is \$218.137 million.

Staffing Profile

	Sworn Police	Sworn PSO	Unsworn	Other	TOTAL
ACT Policing FTE for 2023-24 (as at 27 March 24)	705.42*	14.50	266.45	203**	1,189.37
ACT Policing Headcount as at 27 March 24	723*	15	283		1,021
ACT Policing Average FTE for 2022–23 (as at 30-Jun-23)	692.29	13.09	236.13	203**	1,144.51
ACT Policing Headcount as at 30-Jun-23	731	14	270		1,015

*Includes two Police Recruits. Recruits are assigned to the sworn status they will graduate into.

**Reported FTE includes a *notional* FTE for enabling services provided by the AFP (203).

If asked, how do the policing ratios in ACT compare with other states and territories?

- This is a matter for ACT Government and ACT Policing.
- On 19 June 2023, the ACT Chief Minister and Minister for Police and Crime Prevention announced a significant funding increase for ACT Policing, with an extra \$107 million to fund an additional 126 positions and other items over the next five years.

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