

The Attributes, Role and Reward *of a* Backbencher *in the* Federal Parliament

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Prepared for

The Commonwealth Remuneration Tribunal

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1. Introduction

Egan Associates (EA) have been engaged to provide advice to the President and Members of the Remuneration Tribunal and its Secretariat about the role and work value of a Backbench Member of the Federal Parliament.

The report has been prepared to assist the Remuneration Tribunal in its consideration of appropriate reward for Backbenchers. The prime focus is on the Backbench Member of the Federal Parliament, not on officeholders in Government or Opposition parties. For the purpose of clarity, a Backbencher can be a Member of either the House of Representatives or the Senate. They can be from any Party in the Parliament or Independent Members.

Executive Summary

In gaining a comprehensive appreciation of the role of a Backbench Member of Parliament John Egan was joined by members of the Remuneration Tribunal in discussions with twenty-seven Members of Parliament representing city, urban, rural and regional electorates across all States and the ACT. These interviews incorporated discussions with independent Members of both the House of Representatives and the Senate.

Additionally, an online survey was forwarded to all Members of Parliament seeking information on the nature of their work and workload, including their engagement in the Parliament and in the electorate. EA received a 60 per cent return from the online survey which was managed on their behalf by the Australian Survey Research Group.

Additionally, EA sought an alternate market based perspective from Mercer¹ in relation to salary levels in both the public and private sectors for work of equivalent value.

The current research in many respects was consistent with the research of others and my own earlier research into the role of a Backbench Member of Parliament at the time sittings commenced in the new Federal Parliament House in 1988.

It was evident from discussions and from questionnaire returns that Members of Parliament work long hours, both when the Parliament is sitting (around twenty weeks per year) and during weeks when they are in the electorate.

While the Tribunal's and my own principal focus was on Backbench Members of Parliament, our interviews also included discussions with Members who had held Ministerial office in a Coalition Government, Parliamentary Whips, committee Chairs and Deputy Chairs. EA also sought input from Principal Advisers and Chiefs of Staff with long experience to obtain a perspective of the role of a Member of Parliament from the staff's perspective and also held discussions with the non-Parliamentary leadership of the Labor Party, Liberal Party and National Party.

These enquiries confirmed that Members of Parliament work long hours and those in rural and regional electorates as well as those situated some distance from Canberra devote a considerable period of time each week either travelling in the electorate or travelling to Parliamentary sittings.

EA's research revealed that in respect of the 43rd Parliament the typical Member has served for a period beyond two terms of the House of Representatives, though more than ninety

¹ Mercer (Australia) Pty Limited.

Members of the Parliament have served less than two terms. The average age of a Member of Parliament is 51, though the range of ages is from early 20s to early 70s.

The vast majority of Members of Parliament have undertaken tertiary education, with thirty Members of Parliament having training in the law. A number of regional and country Members have experience in farm management and small business management. A number have prior backgrounds in the trade union movement or as political advisers or commentators.

EA's research broadly confirmed that the role of a Backbench Member of Parliament remains similar to that described in the 1988 study, though subsequent to that time the demands on Members from 24/7 media and the level and speed of communication sponsored by the new electronic age has placed significant new demands on all Backbench Members of Parliament arising from these two significant changes.

While acknowledging these changed circumstances, both Egan Associates and Mercer in undertaking an independent review have determined that the work value of a Backbench Member of Parliament, while in a number of respects is more complex, is broadly aligned to my assessment in the late 80s. The most problematic and challenging aspect of determining work value experienced by both organisations is wrestling with the duality of a Backbencher's role, one in the Parliament overseeing Government expenditure, formulating policy and legislation, the other in supporting their constituency which in many electorates represent highly challenged sectors of the national economy each indicatively impacting on the wellbeing and welfare of 150,000 citizens.

The work value methodology used by Mercer at the time of this research retains the same constructs and processes that I developed for application in both the public and private sectors from the 1970s and has been retained since that time across many Government organisations to which Mercer continue to consult and formed the basis in the early 80s and subsequent to that time as the key work value foundation for the Chief Executive and Senior Executive Services across Governments throughout Australia.

In reviewing the salaries paid across a number of industry and sector settings both Egan Associates and Mercer have offered a perspective of the marketplace which is broadly aligned and which in aggregate reflected an indicative salary level drawn from data at both the end of the 2010 calendar year and from recent disclosures for positions of comparable work value, though not necessarily workload. The range in values having regard to both average and median salary levels was from \$150,000 to \$302,269. Having regard to averages the spread was from \$154,000 to \$302,269 and in relation to medians from \$150,000 to \$293,632. The average salary value drawn from both samples was \$208,780.

It was acknowledged that Members of Parliament do not receive performance aligned payments which are widely embraced at senior management level in the public sector, though particularly the private sector, and do not receive shares in Australia Inc or any equivalent which is a common benefit of senior management in listed public companies, subject to the performance of those individuals and the companies.

A matter raised by all groups with whom both the Tribunal and myself held discussions was the changes to Parliamentary superannuation which took effect from the October 2004 general election and in many respects changed attitude toward tenure and, from many potential candidates' perspectives, was a disincentive given the high risk attached to regular elections and more volatile sentiment in the constituency.

In the committee report titled *'Review of Parliamentary Entitlements'* of April 2010, in referring to employment after a Parliamentary career, in chapter 2 the report states: "For

those wishing to re-enter the workforce, the transition can be challenging, and the absence of accrued annual and long service leave can make a period of readjustment even more difficult. The departure from office can be sudden, for example in the event of an unexpected election result...”

Egan Associates acknowledge that (with changes to superannuation policy generally and limits being imposed on contributions to superannuation capped at \$25,000 (this amount to be indexed annually) from the 2011-12 financial year in accordance with movement in average weekly ordinary time earnings rounded down to the nearest multiple of \$5,000) two classes of participant exist in the Parliament, Members serving prior to the 2004 elections who participate in a defined benefit plan and those who have joined the Parliament at or after the October 2004 elections who participate in an accumulation plan. EA do, however, acknowledge in this context, that Members of Parliament who have only served subsequent to 2004 are experiencing a relative detriment to their retirement benefit compared to their long serving Parliamentary colleagues, though this detriment is paralleled in the private sector by those who have changed jobs and as a consequence lost the benefit of their participation in legacy defined benefit retirement plans. In this context I have formed the view that adjusting salary alone, which has a direct bearing on retirement benefits and the funding cost, cannot be separated in ensuring the equitable treatment of Members of Parliament.

EA note that some concessional contribution provisions remain, though understand that these changes proposed are yet to receive Royal Assent. EA presume that this inequality in retirement benefit opportunity is a matter which will be separately considered by the Remuneration Tribunal.

The work value as determined by Egan Associates and Mercer was at the upper reaches of SES1 and potentially overlapping SES2 positions. This was primarily a derivative of the challenge of determining the position impact of a Member of Parliament for which perspectives varied:

- from a small business manager (that is managing the costs of serving the Member and the electorate),
- through to a shared accountability for the Federal Government’s annual expenditures in the order of \$400 million or improving the nation’s gross domestic product in the order of \$1.3 trillion or the economic benefit of the electorate (which the Member of the House of Representatives in particular has a clear accountability for supporting).

I am mindful of this work value tension and in particular acknowledge that the original work completed by me in 1988 did not focus on the broad electoral impact of a Backbench Member of Parliament, nor the Backbench Member of Parliament’s increasing engagement in the stewardship of Government expenditure and sustainability of the nation’s gross domestic product.

Having regard to the background of Backbench Members of the Parliament and the market data from all sectors, including the reference points which Members and Parliamentary parties believed to be relevant, I formed the view that an appropriate range of salaries which the Tribunal could draw upon in determining Backbench conditions of employment would be represented by the interquartile range (25th percentile to 75th percentile) of the individual, median and average salary levels across all comparator samples of sufficient size. EA acknowledge that an interquartile range of medians and averages clearly does not address the differential in the indicative hours worked by position incumbents from which data has been drawn and those of a Backbench Member of Parliament. This factor is highlighted in the report where data has been provided in relation to many skilled technical, trades and

operative staffs in the resources sector who on a 38 hour week basis would draw a salary in the range of \$90,000 to \$100,000 (depending on level/ skill), though whose annual earnings arising from shift allowances, extended work days and weekend work can deliver an annual wage above \$200,000.

The interquartile range derived from the analysis referred to above is from \$176,000 to \$236,000, with the median value being \$203,000. The interquartile range of the separate median and average salary samples was comparable.

As will be noted from the material set out in this report, these figures are well below many 75th percentile salary comparators which are more likely to be representative of those Members in Government or the private sector working hours comparable to those of a Member of Parliament and would represent a range which would be regarded as competitive on the basis of some Backbench Members' employment prior to entering Parliament, and in many cases would represent remuneration well below that which would have been received by a select group of Backbenchers given their qualifications and experience.

On the basis that any salary would be determined in the fourth quarter of the 2011 calendar year, it would be my judgement that it needs to reflect a contemporary market at that time. In light of rolling benefits arising under award agreements and the level of pay adjustment in the public and private sectors in the second half of 2011 and in addressing the aged nature of the data drawn upon for this research, EA believe that an appropriate range within which the Remuneration Tribunal should consider the salary of a Backbencher would be as set out in the table below.

	Minimum	Median	Maximum
Salary	\$185,000	\$211,500	\$250,000

While there are clearly a number of Backbench Members of Parliament who could command salaries at a higher level, the background of Members and their period of service is highly varied. Notwithstanding, they all work long hours. In my judgement an appropriate (albeit conservative) positioning would be to determine a salary level between the adjusted minimum and adjusted median of the interquartile range. In this context the adjusted median reflects a median salary across the distribution of averages and medians, not the arithmetic average between the highest and lowest figure within the interquartile range.

In light of the current salary level of a Backbench Member of Parliament being \$140,910, it would be my recommendation that the Remuneration Tribunal make a determination between the adjusted minimum and the median salary within the interquartile range. While there are clearly a number of Backbench Members of Parliament who could command salaries at the higher level others may not be similarly advantaged. The Tribunal needs to reflect on the fact that no performance component would be incorporated in their decision and also the alternate income opportunities, albeit that a Member's workload is considerable by any standards and their current level of experience (both prior to entering Parliament and as a Member of Parliament) is highly varied.

Project Overview

1.1 Report Objectives and Inputs

Egan Associates have been advised that since Federation a single rate of pay has been set for all Members of both Houses.

EA have been further advised that the salary of State/Territory Parliamentarians; the assistance and/or administrative support provided to Parliamentarians; and the matter of

additional remuneration paid to Parliamentarians fulfilling additional roles to that of a Backbencher; are **not** of primary relevance to the study.

EA have been further advised that the current study is not required to investigate the specific roles of Ministers, Shadow Ministers or Parliamentary Officeholders.

Among the matters which the research is required to embrace is information on the following:

- Who becomes a Member of Parliament?
- What is their background and what are their qualifications?
- What sort of career would they be likely to have were they not in the Parliament?

The various roles of a Backbencher – as a representative of their electorate; as a legislator; as a Member of Parliamentary committees – both their outside and inside Canberra roles should be examined and consideration should be given to:

- Working hours,
- Level of responsibility,
- Job security,
- Other related matters.

In the above context the Remuneration Tribunal commissioned John Egan to participate, with the President and members of the Tribunal, in interviews with a minimum of twenty-five Members of the Parliament across Party lines, while concurrently having regard to the diversity of electorates and the proximity of electorates to Canberra. The purpose of these interviews was to gain their perspective on:

- the role of a Member of Parliament,
- whether it is difficult to attract appropriate candidates, and
- what the challenges in attracting candidates are.

EA was commissioned to conduct an online survey to ascertain details on Members' backgrounds prior to entering Parliament and their role as a Member of Parliament, their time commitment to the role (both when in Canberra and in the electorate).

Following the above research Egan Associates were required to outline the workload and nature of the accountabilities of a Backbench Member of Parliament and offer a perspective in relation to both the workload and accountability of relevant comparator employment groups in the public and private sector and to identify, analyse and comment on any comparators from the federal public sector that might provide indications relevant to conclusions on appropriate remuneration for a Backbench Member of Parliament.

Additionally, the research program was required to provide information in relation to remuneration arrangements in the private sector having regard to members of professions, executives or others where either work value and workload or workload are considered to be comparable.

1.2 The Work of a Member of Parliament

The relative weight or focus of the work of a Backbencher is influenced by a number of factors, including whether they are a Member of the House of Representatives or the Senate, the nature of their electorate and its proximity to Canberra, their role in the Parliament, their personal skills and attributes and areas of policy and legislative interest.

Members of the Parliament fulfil a variety of roles, providing leadership in their communities for the Government or in various aspects of the work of the Parliament. Their engagement is primarily influenced by their role, the Party to which they belong, the demands of the electorate, their skills and interests.

Backbenchers with whom members of the Tribunal and John Egan met had varying engagements in the Parliament extending from Shadow Ministers in the Opposition, individuals with leadership roles in their Party, Backbenchers chairing committees of the Parliament or fulfilling the role of Deputy Chair, together with those who served on a number of committees or fulfilled other roles concerned with the management of business in either House of the Parliament or involved in supporting the relevant Whip.

Members serve on a significant number of committees, including House standing committees, joint committees administered by the House or the Senate, joint select committees administered by the Senate, Senate committees or select committees of the Senate.

Additionally, Members may fulfil positions in their Party, both in the Parliament and within the administrative arm of the Party at Federal or State level and will also fulfil roles in party caucus committees and in various other groups which can include friendship groups or parliamentary groups focused on particular issues external to formal committees of the Parliament.

In facilitating a significant response to the questionnaire and obtaining a wide representation from the Parliament EA were greatly assisted by the Party Whips and their Chiefs of Staff.

To further supplement my appreciation of the role of the political parties and the nature of candidates which they were seeking to represent the constituents across Australia, both for the House of Representatives and the Senate, I met with federal representatives of the major parties.

The emphasis of a Member of the House of Representatives or a Senator's role varies between weeks they are in Canberra when the Parliament is sitting and weeks they are in their electorate or electoral division working on matters relevant to their constituents or serving on enquiries conducted by committees of the Parliament.

The work of a Member of Parliament is clearly not restricted to Monday to Friday but extends over seven days of the week, with many Members travelling on Sundays in the weeks in which Parliament sits from their electorate to Canberra, as well as travelling within their State or constituency to attend events or meet with constituents across their seven day period.

In preparing guideline questions for discussions with Members of Parliament and the questionnaire to be distributed to all Members of Parliament, Egan Associates also obtained information from a number of Infosheets from both the House of Representatives and the Senate and other resources from the Parliamentary Library which provided additional

information on the role of a Backbencher and the role of committees in the Parliament and further drew information from a number of websites.²

Drawing upon the above research, a questionnaire was designed to enable Members of Parliament to describe their role, including their membership of committees of the Parliament, and their workload. Additionally, a guideline questionnaire was provided for members of the Tribunal to assist in personal interviews. (See Attachment 2.)

1.3 Acknowledgements

Acknowledgement is made here of the generous help and support from a number of individuals and organisations in producing this report.

I particularly wish to thank members of the Tribunal including the President, John Conde, and members John Prescott and Jillian Segal who devoted considerable time to participating in the interview program with Backbench Members of Parliament and in the review of issues as they arose leading to the publication of this report.

I also wish to acknowledge the support of the Secretary of the Tribunal, Derren Gillespie who, together with his staff, coordinated interviews (both within the Parliament and external to the Parliament) and provided considerable background information to assist in various aspects associated with the preparation of this report.

I was particularly appreciative of the contribution made by the twenty-seven Members of the House of Representatives and the Senate who were generous with their time and willing to express their views about the role and demands of a Member of Parliament openly.

I also appreciated the willingness of the executive directors of the Labor Party, Liberal Party and National Party for making time available to provide a perspective on the challenges associated with attracting Members of Parliament across a wide spectrum of electorates, and also to the staff supporting Members of Parliament, providing insights into the work of a Backbench Member of Parliament, a Shadow Minister and a Minister, as well as committee Chairs and Whips. Their contribution was invaluable.

I also received support from Tricia Deasy and the staff at Australian Survey Research Group in the questionnaire design and in managing Member feedback. Their effort was evident in achieving a 60 per cent return.

The assistance provided by Mercer in meeting tight timelines and providing an independent view on both work value and salary levels in both the public sector and private sector marketplace was helpful.

I would also specifically wish to acknowledge the assistance of Dr Vince Murdoch and Jo Reinhard (nee Mulligan), who assisted me on the 1988 study, for their contribution in summarising research inputs and editing the document, as well as Kirsten Ross in the preparation of the analysis of the survey data in a coherent and concise form, as well as other staff at Egan Associates who were involved in typing numerous drafts of this manuscript.

² <http://www.aph.gov.au/>
<http://www.aph.gov.au/committee/index.htm>
<http://www.aph.gov.au/Senate/committee/com-list.htm#Standing>
http://www.aph.gov.au/house/committee/comm_list.htm#standing
<http://www.aph.gov.au/house/info/infosheets/is04.pdf>
<http://www.aph.gov.au/Senate/pubs/briefs/brief04.htm>

2. Structure of Enquiry

2.1 Preparation

Following a detailed briefing by the President of the Remuneration Tribunal and the Tribunal Secretary a program of work was agreed in order to fulfil the objectives stated above. Interviews with Directors of political parties, support staff of Members of Parliament and Backbenchers representing a cross section of electorates and Party membership, including Independents, were scheduled. Meeting rooms were provided in the Federal Parliament for the conduct of all discussions other than meetings with Directors of political parties which were held at their headquarters.

Agreement was reached with the Tribunal in relation to a schedule for the completion of the project, including progressive updates on responses to the Member survey and the work being undertaken by the subcontractors.

2.2 Methodology

2.2.1 Interviews

A central component of the research undertaken by Egan Associates was a series of discussions held with twenty-seven Members of Parliament, including Members of both Houses, Members of all parties and Independent representatives in both Houses, with individuals from metropolitan, regional and rural electorates, from all States and the ACT. John Egan was joined by the President and Members of the Tribunal for these discussions.

These discussions were intended to provide an insight into the role of Members of the House of Representatives and the Senate, particularly including:

- background and experience which they bring to the role,
- role in the Parliament,
- role in the electorate,
- role in the Party,
- leadership and administrative role,
- time commitment.
- whether it is difficult to attract appropriate candidates, and
- what the challenges in attracting candidates are.

2.2.2. Online Survey

In order to meet the study's objectives, Egan Associates designed a questionnaire to capture appropriate information from Members of Parliament, and sought an independent service provider with appropriate expertise in the conduct of online surveys to manage the conduct of this aspect of the enquiry. Egan Associates coordinated the work of the online survey facilitator, Australian Survey Research Group Pty Ltd (www.aussurveys.com).

The Australia Survey Research Group (ASR) was experienced in the conduct of similar online surveys and applied their standard methodologies in relation to the management of

the online survey process and the analysis of data. In consultation with ASR, Egan Associates determined the most appropriate form of analysis to undertake reflecting the different constituencies, Party and House membership, together with other demographic attributes.

2.2.3 Additional Independent Work Value Assessment

In order to ensure an independent assessment of the work value of a Backbench Member of Parliament and a collage of potentially different comparators in relation to determining their salary, at the request of the Tribunal and on John Egan's recommendation, Egan Associates commissioned Mercer (www.mercer.com.au) to provide that independent perspective in relation to both work value and reward.

The Mercer organisation adopted protocols which were developed by John Egan in the 1970s and with which he is thoroughly familiar. These work value methodologies were applied by John Egan in the comprehensive review of Parliamentary salaries and conditions of employment in 1988. Their methodology is set out more comprehensively in an attachment to the report and referred to in the section of the report dealing with work value and remuneration.

2.2.4 Review of Public and Private Sector Pay

In drawing the widest possible base for community comparison across a number of Australian workforces Egan Associates researched pay in Local and State Governments, in listed public companies and private companies where scale and occupation were regarded as relevant, from survey data covering professions and the small to medium business sector, as well as payment to trades and other skilled staff working long hours in the resources sector in both Western Australia and the Eastern States.

A key challenge has been addressing the pay of individuals employed by public and private enterprises where they have entitlements to annual leave and long service leave, in many contexts receive the benefit of salary continuance and other insurances, as well as bonuses and loadings. This is a circumstance quite different from a Backbench Member of Parliament who is not an employee, does not have entitlements to loadings reflecting their long hours of work (both during the week and on most weekends), nor do they receive bonuses or have any security of tenure except at the behest of electors.

2.2.5 Review of Past Research

Egan Associates drew upon past research prepared by others in relation to the work of a Member of Parliament and in particular a report of April 2010 titled '*Review of Parliamentary Entitlements*' commissioned by the Special Minister of State and Cabinet Secretary, Senator The Hon Joe Ludwig, a document titled '*What Lies Beneath: The Work of Senators and Members in the Australian Parliament*' by Dr Scott Brenton, 2009, an Australian Parliamentary Fellow, and a paper prepared by Professor Geoff Gallop for an address to the Australasian Study of Parliament Group in November 2008, together with a paper prepared by Jack Stillborn in May 2002 titled '*The Roles of the Member of Parliament in Canada: Are They Changing?*'.

Additionally, Egan Associates drew upon the last comprehensive review of the role and reward of a Member of Parliament, including extensive interviews which John Egan undertook for the Remuneration Tribunal in 1988 and was provided with comprehensive background from the Secretariat on adjustments to Backbencher pay, both prior to and subsequent to that review.

2.2.6 Review of Current Parliamentary System

A number of websites were reviewed in order to provide Egan Associates with an appropriate and contemporary background, together with the readings referred to above, on the structure of the Federal Parliament. The key site referred to was the Federal Parliament House website (www.aph.gov.au).

3. Background to the Parliament

As outlined a number of websites were reviewed in order to provide Egan Associates with an appropriate and contemporary background, together with the readings referred to above, on the structure of the Federal Parliament.

The material in this section draws heavily upon published documents which were sourced in providing a succinct overview of the Federal Parliament. It also draws on survey responses and additional information provided by Members.

3.1 Structure, Membership and Operation of the Federal Parliament

The Federal Parliament comprises two Houses, the House of Representatives and the Senate. The House is often referred to as the Lower House, whilst the Senate is known as the Upper House; in this report I refer to the former as the House and the latter as the Senate.

At the time of conducting the research the House consisted of 150 Members representing 150 separate electorates across the States and Territories. The number of electorates by State and Territory is as set out below:

- New South Wales: 48 electorates;
- Victoria: 37 electorates;
- Queensland: 30 electorates;
- Western Australia: 15 electorates;
- South Australia: 11 electorates;
- Tasmania: 5 electorates;
- The Australian Capital Territory: 2 electorates;
- The Northern Territory: 2 electorates.

The Senate has 76 Members composed of 12 representatives from each State plus 2 from each of the Territories. Combined, the two Houses of Parliament comprise the legislative arm of the Australian political system. Representatives of electorates and Members of the Senate are elected by those eligible to vote.

At the time of the research the Parliament had independent representatives, together with representatives of four parties, including the Australian Labor Party, the DLP, the Liberal Party, the National Party and the Australian Greens.

The Parliament, through adopting the Westminster system, consists of representatives who form the Government and another group of representatives the Opposition, with Independents either supporting or not supporting the Government. Each Member of Parliament represents either an electorate or an electoral division, the latter being a State or Territory.

The Parliament meets during twenty weeks of the year for the purpose of making laws which will affect all citizens of the country. Members of Parliament have specific accountabilities,

some of which are met in committee, others in the legislature, to hold the Government accountable for its actions, to monitor the expenditure of public funds, to act as a forum for debate and discussion and for the expression of grievances.

Both Houses of Parliament are governed by protocols and procedures and there are committee processes in place in both Houses to ensure that the Parliament is conducted in accordance with these protocols.

At the time of conducting this study the Parliament would be regarded as a 'hung Parliament', with the following representing the standing of representatives:

- Australian Labor Party: 72
- Liberal Party: 60
- National Party: 12
- Australian Greens: 1
- Cross-bench Members: 5

The membership of the Senate at the time of undertaking this study was:

- Australian Labor Party Senators: 31
- Liberal Party Senators: 28
- National Party Senators: 6
- Australian Greens Senators: 9
- Other Senators: 2

There are many official positions in the Parliament to facilitate its conduct. When Parliament meets the presiding officer in the House of Representatives is the Speaker and in the Senate the President. The majority of Members of Parliament would be known as Backbenchers. A number of Members of both Houses if in Government parties have Ministerial or Parliamentary Secretarial responsibility, and in Opposition parties have a number of Members who would be referred to as Shadow Ministers or Shadow Secretaries.

Some Members represent metropolitan seats, others urban, regional or rural seats. A Senate Backbencher represents the whole State or Territory for which they were elected and in this context represents everyone (and specifically, no one), whereas a Backbencher in the House of Representatives represents a specific electorate, having broadly between 85,000 and 130,000 electors.

All Members of Parliament have electorate duties, duties to their Party and Parliamentary duties, the latter including attending Parliament, supporting their front bench colleagues, participating in debates on legislation or on other formal occasions such as matters of public importance, urgency debates, adjournment debates, as well as contributing to debate in their Party rooms and participating in the election of leaders of their Party and also contributing to the work of committees in the Parliament.

In the electorate Members deal with a diversity of constituent enquiries, complaints and problems across a wide spectrum of topics, though more frequently matters concerning

social welfare, immigration, education and health, together with other matters which will often be specific to the electorate and may concern industry or business development, agriculture, forestry or fishing interests, mining interests, unemployment or circumstances impacting specifically on the disadvantaged or indigenous peoples.

While Ministers and Shadow Ministers have specific portfolio obligations and are not active participants in committees, most Backbenchers participate in committee work, either a committee of their relevant House or joint committees of both Houses, with more experienced Backbenchers or those with specific skills being appointed by their Party Whips to chair committees or act in the capacity of deputy chair, or join committees as a member where they may have particular skills, interest or electorate concerns.

Members of the House of Representatives and Territory Senators are required to seek re-election on a three year cycle basis should Parliament go its full term. For others in the Senate their period of appointment is for six years, with half the Senate being re-elected at each general election of the Parliament, Senators commencing their term in July in the year following the election.

3.2 Member Demographics of the 43rd Parliament of the Commonwealth

The 43rd Parliament includes 159 Members between the age of 40 and 59, with approximately 40 Members in each five year block over that twenty year spread. [These are set out later.] Members of Parliament include those elected for the first time to the 43rd Parliament and more than 90 representatives having served less than six years, with the length of service in both chambers as a percentage of membership being similar.

Across the Parliament there were 8 Members with doctorate degrees, 49 with masters degrees, and across the Parliament Members collectively held more than 200 university qualifications. In the 43rd Parliament at the time of commencing the current research the youngest Member of Parliament was 21 years of age, elected in 2010. The oldest Member of Parliament was over 70. The average age of a Parliamentarian at the time of the 2010 election was 51. The difference between the chambers is minimal.

Between the 183 Parliamentarians with a tertiary education they hold more than 360 qualifications, the most common being a bachelors degree (of which there were 212), 8 hold doctorates, 49 masters degrees, 25 graduate diplomas and a further 30 hold diplomas, professional or certificate qualifications. Of the qualifications 90 were in the field of law, 30 in the field of economics and commerce, 25 in administration, 24 in education and 13 in health.

In relation to the roles which Members of Parliament held before being first elected to Parliament, 30 worked in the legal profession, 57 in small to medium sized businesses, with a number being previously employed in farming or by a trade union and more than a third of the Parliament having previously worked in political related roles, including a political lobbying or consultancy firm or engaged in political research or from an electorate office. Those having a prior Party, union, administration or official Party role were much more prevalent in the Senate, with more than twice the proportion than House of Representative Members. Over the past fifteen years there has been a decline in the number of Parliamentarians from education-related professions or farming and grazing.

Of the current Parliament nearly two-thirds had served less than twelve years and 45 Members or 20 per cent had served less than three years. The longest serving Member in the 43rd Parliament was Philip Ruddock, the Member for Berowra in New South Wales, who had served in the House of Representatives for thirty-eight years.

Government statistics reveal that the careers of Members of Parliament are becoming shorter, generally lasting no more than twelve years. Statistics compiled since Federation

through to the 1980s revealed an average length of a Member of Parliament's service to be in the range of sixteen to seventeen years.

The Backbenchers interviewed revealed a pattern of prior employment and service in the Parliament not dissimilar from the aggregate statistics. The Members of Parliament interviewed by John Egan and the Tribunal are listed in Attachment 2.

3.3 Selection of a Backbencher – How Does a Member Enter Parliament

While the research has had a prime focus on identifying the diversity of a Backbencher's role and on that basis determining work value and relevant comparators in both the public and private sectors, a unique feature of the appointment of a Member of Parliament is the manner in which one is selected to stand for Parliament.

For management and senior professional roles in both the private and public sectors, the overriding principle leading to appointment is that the incumbent or candidate prior to appointment is selected having regard to their prior accomplishments, experience, their education and skills, with occasional consideration being given to their physical attributes and good health. The traditional selection process for appointment to a senior role is different to the process which leads to an individual becoming a Member of Parliament.

Unless an Independent Member of Parliament and in that context, a self selected candidate for election to the Parliament, a candidate is chosen by a political Party to represent their interests at either the level of electoral division (a Senator) or an electorate (Member of the House of Representatives).

An assumed pre-condition for pre-selection of a candidate is that they are ideologically aligned with the Party. Equally from the constituent's perspective they want a Member both capable of representing their interest and contributing to the development of National policy, with the prospect that some elected members, either of the House of Representatives or the Senate will play a leadership role in Government, becoming a Minister, a Parliamentary Secretary or when in Opposition, a role shadowing those functions.

The Parliament therefore, through the Party system needs to provide for candidates who are representative of the community and capable of representing their constituency on the one hand and on the other, a sufficient number of candidates to serve their Party in Government in a leadership position. This is likely to place emphasis on the parties seeking representatives from across all facets of community life to represent its citizens and manage the business of the nation. From a Party's perspective, candidates need to be both electable and re-electable in the chosen electorate.

On the basis of EA's research and international research, there do appear to be some highly desirable attributes which would be essential in the pre-selection process. For Members of the House of Representatives, having a manner which is seen to be approachable and engaging would appear to be fundamental. Of significant importance, appears to be communication skills, intelligence, leadership qualities, research and analytical skills, negotiation skills, stamina and good health. A given is that any candidate pre-selected to stand for Parliament must have the highest level of integrity and be regarded by the community as beyond reproach.

If the above hypotheses are valid, a critical aspect of the Parliamentary process is candidate selection by parties. Notwithstanding these challenges EA's assessment of work value has had no regard to incumbency, but rather the task as described through discussion with approximately thirty Backbench Members of Parliament, and through data revealed in questionnaire responses completed by 60 per cent of Members of the Parliament including current Officeholders of the Parliament, Ministers of the Government and those who held similar positions in a prior Government, as well as Members of both Houses who have been a Backbencher for the duration of their Parliamentary service.

4. Role, Accountability, Workload and Attributes of a Backbencher

In this section I provide an overview of the Role, Accountability and Workload of a Backbencher. The Overview provides a summary of this. The following sections, The Role in Parliament, the Role in the Electorate, the Leadership and Administrative Role and the Party Political Role cover in more detail what is expected of a Backbencher. The workload of a Backbencher is demonstrated in terms of time commitment and finally I list the attributes of a Backbencher

4.1 Overview

A Member of Parliament, from either the House of Representatives or the Senate, has a variety of roles based on political allegiances and policy interests, the attributes of their electorate, whether they are serving as a Member of the Government or the Opposition, or whether they are in a minority Party or Independent, together with their engagement in the constituency and role in the Parliament.

The work of a Backbench Member of Parliament can be varied and influenced by a range of factors, including their electoral margin, whether they serve in the House of Representatives or the Senate, whether they are a Member of the Government or Opposition and the nature of their electorate, be it urban or rural. The 43rd Parliament which commenced in mid 2010 further changed with the new House of Representatives and Senate membership differing in some respects from prior Parliaments, with the increased influence of Independents and Members of the Australian Greens leading to a circumstance of the Government having a minority membership in both chambers.

The role of a Backbencher has in recent years involved a considerable uplift in workload arising from both the volume and complexity of legislation and policy issues generated by various constituent groups which often extend beyond the boundaries of the electorate or the nation and are continuously reported in the media.

The requirement to engage with a diversity of stakeholders, principally the Backbencher's constituency, has been heightened by the rapid expansion of communication based technologies imposing greater demands on Members of Parliament who are required to respond to a diversity of media enquiries in their electorate, several hundred emails a week, tweets, response to their blogs and Facebook on a regular basis.

Members of both Houses are expected to be across the activities of their Party, the issues before the Parliament and the Government, including emerging policy initiatives and respond promptly to enquiries from their electorate. They are expected by the Parliament to fulfil an active role in the review and debate on Government policy and administration across a range of matters impacting on the nation. Constituents with whom Backbench Members interact on a regular basis not only expect them to be fully aware of matters before the Federal Parliament but also have an understanding of the principal activities of State Governments and the operational role of Local Government in their electorate and/or State or Territory.

The breadth and pace of the issues confronting a Member of Parliament appear to have increased considerably over the past twenty years, even though the core elements of the role of a Backbencher have remained broadly constant. It is the breadth of the role's content, the rate of change, the impact of a better informed electorate, the uplifted engagement of Australia internationally, including its membership of the G20, and the 24/7

media environment which have modified expectations and changed the pace of Parliamentary activity.

Over the past generation there has also been a series of global events which have focused increased attention on economic and environmental factors and the nation's demographic change which have heightened focus and expectations in the areas of health and education. A Backbench Member of the House of Representatives' engagement with their electorate continues, however, to retain common areas of required support, including social welfare and immigration related challenges.

Within the Parliament, Members contribute to discussion and debate on issues of public importance, public policy and legislation before the Parliament. They contribute to the formulation of policy through participation in committees, both within the Party Caucus and bipartisan Parliamentary committees. In addition to these formal committees Members also participate in informal committees, ad hoc advisory committees and friendship groups.

Many Parliamentarians are engaged in leadership roles within the Parliament, either in Government (including Ministers of State and Parliamentary Secretaries, the Speaker of the House, Managers of Parliamentary business, Whips, President of the Senate, to name the more prominent roles) or in Opposition (where Backbenchers can also be called upon to fulfil the role of a Shadow Minister, a Shadow Parliamentary Secretary, or manage Opposition business in either the House of Representatives or the Senate, or a Whip).

Outside the above nominated roles which fall to elected Members of Parliament who carry a basic accountability as a Backbencher, Members would also participate in a number of committees, with many Members chairing important committees of the Parliament (including joint committees of both Houses and select committees of the Senate) or be Deputy Chair. The latter two positions are generally aligned to whether the Backbencher is a Member of the Government or a Member of the Opposition. The breadth and complexity of committee work is set out in Attachment 1.

Within the constituency, Members represent the interests of their electorates on a wide range of matters affecting their constituents. A Backbencher's engagement in the community would address a diversity of involvements including community organisations, significant employers and influential groups seeking to influence public policy. Members would also be asked to respond to issues outside the direct involvement of the Federal legislature and public service, including matters which are within the province of Local and State Governments. All Members in the current electronic age receive significant numbers of emails each week and a number are proactive in social media, communicating directly with their electorate constituents on matters relevant to their needs. They react to the electorate's demands, providing an informed interface between the individual and the bureaucracy and act as a point of reference to assist constituents in personal or other difficulties they might be experiencing.

Members of the Senate are generally less focused on individual electorates than Members of the House of Representatives, though would be called upon to provide support in electorates where their Party is not represented in the Parliament and in receiving submissions or being lobbied on behalf of organisations across the State which they represent for support on matters arising from either Parliamentary enquiries, foreshadowed legislation or existing legislation. Members of the Senate (and less frequently Members of the House of Representatives) would be approached by organisations seeking Government assistance by way of grants or support to further their community based or commercial endeavours.

Within the Party, Members (other than Independents) are involved with their political Party at State and Federal level, particularly in respect of policy development and through engaging with branches at Federal, State and constituent level. Involvement in branch or Party meetings in the electorate contributes to informing the community of Government and Party policy initiatives and provides a forum for Members to listen to the views of their constituency.

Leadership and Administration: A Backbencher is expected to be a leader in their community and well-informed about a myriad of policy, regulatory and administrative issues, not only those relevant at a Federal level but also in respect of many State and Local Government issues. A Backbencher is supported generally by a staff of four, including one senior staff member, who are required to address a wide range of matters on behalf of the Backbencher in the electorate or, when Parliament is sitting, in Canberra. Managing the allocation of each staff member's workload and, where practicable, using part-time members with appropriate knowledge of policy, regulation, legislation and administrative matters, including responding to many thousands of emails during any one calendar year is a key obligation of a Backbencher in meeting the expectations of the electorate.

Travel: In order to meet their obligations as a Backbencher, Members of the House of Representatives and the Senate are required to undertake extensive travel in meeting their various obligations. Approximately twenty weeks of the year they are required to travel to Canberra to attend Parliamentary sittings and participate in committee work which is Canberra based. Arising from the recently extended hours of Parliament, many Members are required to travel on the Sunday prior to sittings commencing and a number are unable to make direct connections to their electorate on the Thursday evening following Parliamentary sittings. When participating in significant enquiries conducted by the Parliament Members are required to travel State-wide or nationally in the conduct of those enquiries.

A significant number of Members and most Senators also undertake extensive travel in meeting with their constituents, ranging from individuals and small businesses, to community organisations, educational institutions, major employers, schools, hospitals and other key bodies across their electorate. Members' electorates vary in size from less than 100 square kilometres to in excess of 1,000,000 square kilometres. Those Backbenchers whose electorates are a considerable distance from Canberra and whose electorates are substantial in terms of area covered undertake considerable travel and are often away from home four or more nights a week when Parliament is sitting and three or more nights a week during those periods of the year when Parliament is not sitting.

The time commitment to travel to both Canberra and within the constituency is varied, though some Backbenchers indicated that their weekly commitment to travel substantially exceeded 20 hours when in their electorate and up to a day when travelling both to and from Canberra (due to transport connections) during sitting weeks. A number of Members of rural and regional electorates revealed that they had more than one hour's travel from the nearest airport to their home which added further burden to their travel obligations. For some, road transport travel time was significantly greater than the above.

Discussions with Members of both Houses of Parliament and questionnaire returns from 60 per cent of the Parliament to the current enquiry in relation to the role, accountability and workload of a Member of Parliament highlighted the long hours demanded and the criticality of Members of Parliament possessing key attributes and skills which would be reflective of the management class and seasoned professionals across all spectrums of industry and public sector workforces nationally.

The role as described in face to face discussion and through the questionnaire responses reveals the significance of a requirement for a breadth of work experiences and higher education leading to well developed communication skills and leadership and negotiation skills, a capacity to undertake research and the possession of highly developed analytical skills, as well as personal confidence and, in the current political environment, intuitive political instinct. For a Member of the House of Representatives in particular the capacity to engage with and effectively represent the constituency was also of paramount importance.

In summary, the Principal Accountability of a Backbencher is to:

- Represent, defend and promote national interests by contributing to the development of public policy and legislation via the process of community, Party and Parliamentary engagement.
- Further the needs and interests of constituents, as far as practicable, having regard to both the national interest and Government policy, as well as administrative and operational constraints of the bureaucracy.

4.2 Role in the Parliament

During sitting weeks of the Parliament a Member of the House of Representatives or the Senate would be actively engaged in a diversity of issues for a minimum of twelve hours each day. This would involve responding to urgent matters raised in the constituency, undertaking research in preparation for Question Time in either the House of Representatives or the Senate, preparing materials to contribute to debate on a bill or matter of public importance in the Parliament or in Caucus meetings of the Party scheduled for the relevant sitting week.

Typically a Member also pursues areas of specific interest through Parliamentary committees which relate to a personal interest, previous occupation or skill, constituent or Party priority. Senators who do not have a specific electorate constituency devote a considerable deal of their time engaged in Parliamentary debate on proposed Government policy and legislation and matters of national interest and contribute extensively to the conduct of enquiries which involve nation-wide hearings through select or standing committees, as well as ad hoc and joint committees of the Parliament. During sitting weeks Senators would often receive delegations from industry groups in their State or parties seeking to respond to matters of significant public interest which are the subject of Parliamentary debate, media discussion or the work of Senate or joint committees.

Members of Parliament representing regional or rural constituents are actively involved in matters of particular relevance to their constituency, including infrastructure, telecommunications, agriculture and the broad footprint of resources, indigenous affairs and development. They will often participate in committees of special interest or prior experience relevant to their electorate or their State.

Work pertaining to the development of Government or Opposition policy in respect of legislation or matters of significance to the Parliament tend to be substantially completed in Caucus and formal committee work during sitting weeks, as well as through debate and Question Time in the House of Representatives or the Senate.

The nature of a Backbencher's engagement in committee work is varied, though committee Chairs on the major committees of the Parliament have quite onerous roles in leading the work of the committee and its enquiries and in this context are generally supported by additional staff. The time commitment of a Deputy Chair can be influenced by their other

committee obligations or the criticality of the work of the committee to the Parties in Opposition.

In addition to their role as a Parliamentarian, Ministers and Shadow Ministers have additional obligations in the Parliament which relate to their role in Government or in shadowing the effectiveness of the Government of the day across the entire range of Government administration.

In fulfilling the above obligations all Members devote a considerable period of time to background reading relevant to the issues before the Parliament, including their work in committees and devote considerable time in preparation for speaking in the House or preparing submissions associated with their committee engagements. While their roles are different in nature, Members of both Houses fulfilling Ministerial or Shadow Ministerial roles, or those engaged in the management of the business of Parliament are equally involved in significant preparatory work associated with their engagement with the business of the Parliament.

Under the current workings of the Parliament Members of both Houses are active participants in bipartisan committees which are the principal forum for debate and discussion on issues of public policy.

The major categories of committee of the Parliament are:

- House Standing Committee
- Joint Committee administered by the House
- Joint Committee administered by the Senate
- Joint Select Committee administered by the Senate
- Senate Committee
- Select Committee of the Senate.

Other Parliamentary committees tend to parallel ministerial areas of accountability and matters pertaining to the conduct of the Parliament.

Each Member of the House of Representatives or the Senate represents a constituency, be it an electorate or a State or Territory if a Senator. In addition to fulfilling their obligations as Backbenchers, a number of Members of Parliament hold an office in the Parliament, either in the Government or in the Opposition, and, if not a Minister or Shadow Minister or Speaker of the House or President of the Senate, are likely to have considerable engagement in committees of the Parliament. The specific accountabilities which are set out below are fulfilled to varying degrees subject to the specific obligations of a Member of Parliament in addition to the traditional role of a Backbencher.

Specific Accountabilities in the Parliament

- Contribute to the formulation of legislation and the development of public policy in the capacity of Minister, Shadow Minister, Parliamentary Secretary, Shadow Parliamentary Secretary or Officer of the Parliament for the Government or Opposition parties, or through participation in Parliamentary committees as Chairman, Deputy Chairman or Member.

- Negotiate with the major parties, if an Independent or Member of a minority Party, in determining positions on key issues coming before the Parliament.
- Participate in Parliamentary enquiries as a member of select committees investigating the effectiveness and adequacy of Government administration and/or Agencies of Government.
- Conduct research into matters before the Parliament of special/constituent interest and contribute to debate and policy/regulatory outcomes through engagement in the Parliamentary process.
- Participate in Party Caucus room discussion on policy and legislative initiatives reflecting either the concerns of interest groups or the views of constituents in respect of known Party policy or the Parliament's legislative agenda.
- Prepare questions to be addressed by Ministers or their representatives in either the House of Representatives or the Senate.
- Prepare speeches on matters of public importance, electorate interest or in contributing to Parliamentary debate.
- Conduct research and prepare submissions or comprehensive file notes to assist in committee work as either committee Chair, Deputy Chair, Secretary to the committee or Member.
- Identify conflict between national and local electorate needs, managing communications within the electorate, both in canvassing views and informing the electorate of Parliament's decisions.

4.3 Role in the Electorate

In the electorate the majority of Backbenchers are supported by full-time staff, those staff being engaged in a wide range of administrative activities and research, with some team members having expertise in dealing with the media, in the operation of the Government bureaucracy or in areas of significant interest within the electorate constituency. As Senators do not have a specific electorate constituency but rather represent the State, their engagement in the broader electorate will have an emphasis on major policy matters, enquiries being conducted by the Senate or joint committees of the Parliament, or in broad policy or administrative issues which cross a number of electorates though are of particular social or economic concern to the State. Members serving large electorates will generally have more than one office in order to provide comprehensive constituent representation, both by the Member's staff and the Member.

Significant and universal constituent issues addressed by Members of Parliament pertained to social welfare, the environment, immigration and related policy or administrative matters. Other issues, of which there were many, tended to be electorate specific and related to particular industry sectors including, for example, farming and agriculture, as well as infrastructure or interest groups concerned with export and investment controls.

Additionally, Members are called upon to deal with a wide variety of community concerns, this aspect of their role resembling that of an ombudsman in that they are required to be involved in solving constituent problems and associated investigative work with the view to assisting in dispute resolution. Many Members' activities may also overlap the work of their State and Local Government counterparts due to particular skills, location of their electoral office or Party representation. They may be called upon to represent constituents in a wide

variety of matters noted above, as well as telecommunications, postal services, family law, the provision of health and educational services, the environment, transport, the local economy and their engagement with financial institutions, local business, as well as the institutions of State and Local Government and community groups.

Most Members of the House of Representatives are active in a wide range of community organisations and are patrons of many, including Rotary, Apex, cultural and sporting bodies, organisations for the aged, nursing homes, hospitals, schools, business or special interest groups. They are expected, particularly in the rural areas, to show significant interest in both the endeavours and difficulties of their constituent community, to be widely travelled, readily accessible and a concerned resident of the electorate.

A significant majority of Backbenchers have an active role in the media, including local newspapers, radio stations, television networks and other forums. Backbenchers would often have a regular engagement with community or regional radio networks, have a column in local newspapers and respond to requests from regional television networks. Others with a specific portfolio interest, including Ministers and Shadow Ministers, would appear regularly in television debate and discussion on issues of electorate, State or national significance and be asked by their Party to fulfil commitments on behalf of the Government or the Opposition parties. Subject to individual skill and interest, a number of Backbenchers would attend conferences and submit papers in various forums debating on issues of national importance or emerging community interest on behalf of the Party and/or the electorate which they represent.

Many Backbenchers revealed that they are never off duty and when in the electorate attending to personal matters they are often approached by constituents seeking assistance and/or expressing a point of view. They reflect that these experiences extend over the entire week.

Specific Accountabilities – Constituency

- Represent the interests of constituents in a wide range of matters affecting their wellbeing;
- Manage the contribution of the electoral office staff in fulfilling their ombudsman role;
- Attend community functions across a wide spectrum of local organisations, including hospitals, schools, clubs, special interest groups, as well as local authorities and councils to observe the electorate's 'pulse';
- Engage with constituents across the electorate in order to gain an understanding of emerging community or interest group expectations;
- Communicate with the electorate through the effective use of electronic mail in various forms, including blogs and other social media, traditional media outlets (including newspapers radio stations and television organisations), as well as via newsletters in order to keep the community informed on legislative and regulatory outcomes, Government initiatives directly supporting the electorate, as well as enquiries conducted by the Parliament directly impacting on the community of the electorate;
- Act as Patron to constituent organisations;
- Represent Ministers, Shadow Ministers, the Prime Minister or Leader of the Opposition in the constituency, as appropriate;

- Act as a clearing house for Government decisions through the electorate office and supervise staff, ensuring courteous attention to constituent needs;
- Respond to correspondence, where appropriate, either personally, by phone, email or letter;
- Manage, or influence, the distillation of the community's contribution to legislation or policy formulation in the context of Parliamentary enquiry or matters before the Parliament considered essential by the Party in ensuring appropriate representation of constituent interests.
- Attend events, making speeches where appropriate, within the constituency, including Party meetings or public forums with a political agenda, educating the public in respect of Government policy or proposed initiatives or in the support of community protest in relation to Government policy or proposed initiatives.
- Liaise with captains of industry, interest groups, local councils and other persons of influence in the community.

4.4 Leadership and Administrative Role

A Backbencher, independent of any other roles which they fulfil in the Government or the Opposition of the day or in the Parliament has a significant and growing administrative task in both managing communications during periods when the Parliament is sitting and during those periods when the Backbencher is participating in the work of the Parliament or serving constituents, either in a local electorate or more broadly as in the case of a Senator. Each week a Member of Parliament, in collaboration with their staff, would devote considerable time to managing their diary in the weeks ahead and juggling priorities in respect of the numerous invitations that they receive to participate in electorate based activities, while also setting aside time to deal with more complex matters on which constituents have sought their personal support and assistance.

Backbenchers are addressing their constituents' response in a 24/7 media environment where substantial communication arises by email or through responses to social media where a number of Backbenchers use Facebook or blogs to communicate issues of relevance to their constituents and/or reflect a particular interest or expertise of the Backbencher. Backbenchers are required to manage staff in both the electorate and with them in Canberra during the five months of the year when Parliament is sitting, those staff dealing with a diversity of matters which are time critical, often politically sensitive, and regularly arising from media speculation or competing political views expressed in the wider community and seen to have a direct impact on a Backbencher's constituents.

Time management and people management are critical leadership accountabilities of a Backbencher in meeting their numerous and diverse obligations in the constituency, often where that constituency covers well in excess of 1,000 square kilometres. Events in which Backbenchers are expected to have a degree of engagement would include those involving community organisations, including religious bodies, schools (many Backbenchers have in excess of fifty schools in their electorate) and a myriad of other community based enterprises, a number of those being under the control of either Local or State Governments.

A Backbencher and his or her staff need not only to be across the breadth of issues before the Parliament and under consideration by their Party, but also the myriad of issues which are being discussed in their electorate, be that State-wide or a more closely defined boundary, with more than 90,000 electors being continually confronted by matters of a personal, social welfare or economic matter, or those created by Government bureaucracy

at either Local, State or Federal level. A member of Parliament is required to be a leader in the constituency they represent.

Specific Accountabilities – Leadership and Administration

- Inform electorate staff in all facets of Government and/or Opposition policy and bureaucracy initiatives to facilitate their provision of assistance in the constituency.
- Encourage electorate staff to participate in training provided for their benefit, particularly having regard to the emerging 'electronic office' environment, both in the Parliament and the electorate.
- Direct electorate staff in their management of constituent communications, ensuring they are timely, cost-efficient and courteous.
- Ensure that a nominated electorate staff member maintains the accounts of the electorate office to a standard capable of independent audit.
- Ensure that electorate staff are fully conversant with all relevant entitlements affecting the conduct of their office and the Member and that thorough records, capable of independent audit, are maintained.
- Ensure that electorate staff comply with established administrative requirements which govern their conduct and that of the electorate office.
- Ensure that electorate staff have a thorough awareness of the support available within the Parliament in Canberra and through relevant Government Departments in providing administrative support to enable the Backbencher to fulfil their obligations to both the Parliament and the constituency.
- Ensure that all personal record management is completed thoroughly and that entitlements are conformed to and are in accordance with guidelines issued by either the Parliament or the bureaucracy.
- Seek and adopt support in managing the budget of the electorate office, including staff resourcing, the allocation of overtime and travel costs and other electorate based expenses in accordance with approved entitlements.
- Determine how salaries and allowances payable to electorate staff should be best allocated within approved budgets and electorate office entitlements.

4.5 Party Political Role

The majority of Members of Parliament belong to a political Party and as a consequence are actively involved in a wide range of political activities. They are expected to maintain allegiance to the Party and support it in the House, outside the Parliament and in various political promotional, campaign and fundraising activities. Members of the House of Representatives are more focused on working with branches of their Party within their constituency. Senators, however, tend to be active in constituencies where their Party is not represented Federally, as well as at State and Federal level in respect of Party policy development and Party administration.

Members of both Houses are also active in community organisations affiliated with their Party, particularly those actively engaged in the development of public policy. Re-election is important for all Members of Parliament, in the House of Representatives and the Senate,

and as a consequence Backbenchers have a continuous involvement in local Party branch activities and associated fundraising initiatives, as well as their ongoing engagement with their Parliamentary Party colleagues. Backbenchers also assume partial accountability for recruiting their successors and/or other new potential Parliamentarians in support of their Party's interest.

Specific Accountabilities – Party

- Participate in and contribute to fundraising activities in the electorate in order that the Party branches are sufficiently solvent to contribute to election and other necessary campaigns.
- Publicise issues and reflect the values of the Party widely throughout the constituency.
- Serve the Party in a variety of constituent-based roles.
- Attend branch meetings, electorate committees, area/regional conferences, State and Federal Council meetings where appropriate, administrative committees of the Party and other policy formulating entities as requested.

4.6 Workload of a Backbencher

The research in terms of hours of work by Members of the Senate and Members of the House reveals in taking an overall perspective during weeks when Parliament meets the median hours devoted to the role is 70.

The variability was not great, though 45.6 per cent of Senators revealed that during weeks when the Parliament met they devoted more than 70 hours a week to their engagement compared to 36.1 per cent for Members of the House of Representatives.

While the median in both cases was equivalent, the average hours devoted to the role when Parliament is not meeting stood at 70.85 for all Members of Parliament. For Members of the House 38.6 per cent worked more than 70 hours, of which 15 on average was travel time, whereas for Senators a similar commitment stood at 32.6 per cent.

4.7 Attributes of a Backbencher

The research revealed that the top ten attributes and skills perceived by Backbenchers of Parliament were as follows:

- Communication skills
- Honesty and integrity
- Community representation skills
- Intelligence
- Being approachable
- Leadership skills
- Negotiation skills
- Confidence
- Intuitive political instinct
- Courage
- Stamina

- Research and analytical skills
- Caring and empathic nature

Taken overall, these responses indicate that seven attributes were selected by more than 50 per cent of survey respondents. By far the two highest ranked attributes were communication skills, and honesty and integrity, both recording over 85 per cent support. Next were five attributes – community representation skills, intelligence, being approachable, leadership and negotiation skills.

All of these attributes are likely to be reasonably consistent with the generally accepted community image of what a Parliamentarian should be.

5. Australian and International Research

As background research into the role of a Backbencher, Egan Associates reviewed both Australian and International Research, including a number of reports previously undertaken for the Federal Government, the Remuneration Tribunal and the Parliament. Each of these provided additional perspectives on the role of a Backbencher.

The Remuneration Tribunal Secretariat made a number of documents available to me to assist in the conduct of my research into the role and workload of a Backbench Member of Parliament. Much of that research was sourced from the Parliamentary Library which EA very much appreciated.

Among the documents which the Secretariat brought to EA's attention was a presentation by Dr Geoff Gallop on the role of a Member of Parliament, presented to a study of Parliament Group in Parliament House, Sydney in November 2008. EA were also directed to a comprehensive Study written by Dr Scott Brenton, a 2009 Australian Parliamentary Fellow, in his work titled *'What Lies Beneath'*, Sub-title *'The Work of Senators and Members of the Australian Parliament'*. EA also reviewed a report commissioned by the Federal Government titled *'A Review of Parliamentary Entitlements'* submitted in April 2010. EA were also directed to a paper prepared by Jack Stillborn, written in May 2002 on the roles of the Member of Parliament in Canada; Are they Changing?

Through the Tribunal EA also gained access to contemporary extracts to be included in the forthcoming edition of the Parliamentary Handbook, primarily on the demographics of the current Parliament.

To further enable us to undertake the work in relation to establishing a work value comparator base with senior positions in the Australian or broader public sector environment, the Tribunal made available to us on a confidential basis, copies of advices provided to the Government by Mercer.

Observations

In the comprehensive research report prepared by Dr Brenton, he made a number of observations following his research which also reflected on international research. He noted, for example, that Sweden found that a majority of Senators perceived scrutiny of legislation as their most important function, followed by reviewing and improving Government policies. His research in relation to the work of Members of the Parliament focused on the 42nd Commonwealth Parliament, where the number of Parliamentarians were comparable to the current Parliament. As only one Parliament separated the conduct of the research, demographics of the Parliament remained broadly consistent. In addition to surveying current Members of Parliament, Dr Brenton's research also involved questioning former Parliamentarians. In respect of sitting Parliamentarians the survey had 80 responders and in respect of prior Parliamentarians, 153 respondents. The response rate was commented upon as favourable.

Given the online questionnaire response rate (137 Members) was higher, I believe EA were favourably advantaged, given that the research was to inform my work and advise the Tribunal on appropriate levels of salary for Members of Parliament.

The findings in the Brenton Report about the difference in the focus of the work of a Member of the House of Representatives and the Senate were consistent with the current research. While EA did not specifically focus on the difference in the role of campaigning, the additional comments and feedback from the interviews reflected a different nature of

dependence upon the electorate of a Member of the House of Representatives compared to a Member of the Senate.

Members of the House of Representatives reported that their role was very different from that of a Senator in approximately 50 per cent of cases, compared to marginally more than 20 per cent in the case of a Senator.

The views of current as compared to prior Members, were more stark in highlighting this difference. Both House and Senate respondents in the study thought that the work patterns were very different or quite different. Dr Brenton's observation in this regard is that these perceptions were based more on ignorance than fact.

In respect of hours committed during Parliamentary weeks, the 2009 study reflects a broadly comparable result, particularly in non-sitting weeks when Senators are more heavily engaged in Committee work compared to the House of Representative colleagues. The Brenton 2009 research of Members of the prior Parliament revealed that approximately half of the Members of the House of Representatives worked between 12 and 15 hours a day during both sitting and non-sitting weeks, with a further third working longer hours, though during sitting weeks Members of the Senate revealed a higher workload.

The observations in the Brenton 2009 report in relation to the impact of technology and the speed with which information is distributed widely in a community, was consistent with both my discussions and the response to questionnaires.

The time devoted to travel in the electorate which revealed a higher commitment in non-sitting weeks of Members, compared to Senators was confirmed in EA's research, though Senators revealed considerable travel involved when they were serving on Committees, conducting hearings nationally.

EA's research in relation to the differences between urban, rural and regional areas in respect of issues before Members of the House of Representatives and those of Members of the Senate observed by Dr Brenton, were also consistent with research undertaken in 2000 by the Australian Parliamentary Fellow, Jennifer Kirkham.

The relative time commitment of Senators in liaising with lobbyists and interest groups compared to Members of the House of Representatives reported in the 2009 study was confirmed in interviews conducted by myself with members of the Tribunal. The general observations of the 2009 study in relation to work in the Parliament were closely aligned, particularly the time commitment of Senators to Committee work.

The observations in relation to cross bench or independent or minor Party representatives in the Brenton Report were confirmed by the current discussions and comments made by minor Party representatives to the questionnaire.

While the focus of EA's research was not on who or what a Member of Parliament believed to be their core representative role, discussions and feedback clearly revealed the importance for Members of the House of Representatives of the needs and interests of their direct electorate constituency, with Senators having in part a broader perspective in representing the Party in their State. It was evident during the individual meetings when a number of Members had to interrupt the discussion to attend to a Division in their relevant House for a short period, that the Party's perspective was highly critical.

The perspective highlighted in the Brenton Study on who or what current Parliamentarians think they primarily represent was clearly supported in individual meetings with Backbench Members of the Parliament, though also broadly supported in discussion.

The observation of Senators in relation to the criticality of their review role was strongly supported, though equally the independent Members of the House of Representatives with whom the Tribunal met revealed a significant focus of their engagement in both that context and in the context of meeting their perception of their obligations in representing the interests of their electorates.

The observations presented by Dr Geoff Gallop, to the Parliamentary Group that the various activities of a Member of Parliament and differing priorities, are both influenced by the House in which a Member sits and whether they are a representative of the Government or Opposition were clearly supported in the current research.

Dr Gallop's paper, also referred to in the *'Review of Parliamentary Entitlements'*, described an extensive range of regular activities for a Parliamentarian: "Working with electors and organisations within the electorate, informing the electorate about important issues or initiatives, attending Party meetings (conferences, electorate councils, branches, policy committees), attending Parliamentary Party meetings, participating in Parliamentary debates, working on a Parliamentary committee, developing a portfolio of interest if they are a Minister (or indeed a Shadow Minister), attending functions on behalf of the Government (or Opposition), issuing media statements or responding to the media...".

The key areas of accountability which Dr Gallop highlighted were confirmed in the current study with individual discussions with both myself and the members of the Tribunal supporting his observations in relation to the role of the Backbench Member in the community. The observations of the Gallop Paper in relation to the work of a Member in the constituency, was fully endorsed by both questionnaire responses and Backbench Members of the Parliament with whom the Tribunal met.

As a long serving Member of Parliament and a Premier of Western Australia, Dr Gallop's paper was in part used to inform the questions which were put to Backbench Members of Parliament through the online questionnaire. The one area where there was less focus and probing in the questionnaire and less comment in Dr Gallop's report than the current research revealed, although it was nominated as a key role by Dr Brenton, was the increasing importance of the 24/7 media and the demand on Members of Parliament from the media and electronic response to a far greater level of expectation by the community to respond to emails or through social media outlets.

In the 2010 Review of Parliamentary Entitlements the Committee's research revealed that over the past 13 years sittings of the House of Representatives have occurred on average 18.5 weeks each year (excluding years disrupted by election campaigns), and for the Senate 16.5 weeks respectively³. The Report goes on to state that most sittings call for Members to spend four days in Canberra, usually arriving on a Sunday night and leaving on a Thursday evening or Friday morning. With the addition of travel time the best part of a working week is accounted for. This means that for nearly one in every three weeks a Parliamentarian is expected to be away from home and, quite often, away from family. These time demands cover Parliamentary business only; they do not include the many days and nights spent travelling for electorate or Party business, or matters related to additional Parliamentary positions which a Member may hold.

EA further note in the review that when the Australian Constitution was written it was assumed that Backbench Members would earn a living outside Parliament, so provision was made for an allowance rather than a salary. The workload of a Minister was considered to represent a full time role and a salary was provided. By the 1950s, the evolving role of a

³ Parliament of Australia (2009), Senate Statistical Summary number 14/2009.

Member had the clear implication that carrying on an external occupation was increasingly difficult if Parliamentarians were to remain effective.⁴

The report goes on to reflect that the notion of the full-time Parliamentarian is now accepted and the significant workload demands of the electorate and the Parliament, not least from increased committee work, are acknowledged.

The Canadian research presented by Jack Stillborn was broadly consistent with research focussing on the Commonwealth Parliament in respect of the contemporary role of a Member of Parliament, particularly the criticality of serving the constituency where Stillborn's observations that the constituency service activity could in part be fulfilled by public servants, particularly appointed to perform the role of Ombudsman or citizen liaison functions. Stillborn highlights arguments by others that the purpose of Parliament is not merely to reflect local opinion and interest, but to define the National interest and in through this process relies centrally upon deliberative discussion, compromise and independent judgement.

He comments on the role of a Member as being a delegate or Trustee. In relation to the latter the observation was that a Backbench Member of Parliament would vote on the basis of personal conviction and judgment and in that context be seen as a representative of the constituents' concern, resulting in Government that is demonstrably responsive to the public. These pluralistic publics of the constituent and the Party while potentially embedded in ideology clearly required an independence from Party discipline, which did not appear evident in the questionnaire responses.

While the research informed EA's approach to enquiry both through personal interview and the questionnaire distributed to Members of Parliament, it did not explore some of the issues in depth. While EA did explore the differences in time commitment, attributes and the relative rank of activities of a Member of both Houses of Parliament, the work did not require us to focus on the role of Parliament as a forum for reform, or the conflict if it exists between the role of a delegate representing the Party or a Trustee representing constituents. Nor did it explore in detail the ways in which Members of Parliament might better address preparing themselves for improved performance and effectiveness or acquiring skills in areas where they might be deficient.

⁴ Young, L (1996) Parliamentarians, Outside Employment and Outside Income. Research note 50 1995-1996, Parliamentary Library.

6. Work Value of the Role of a Backbencher

For the purpose of Egan Associates' research, based on the profile of the Members of the Federal Parliament in 2011, my analysis in relation to the nature of the work and the expertise required assumes that a majority of Backbench Members of Parliament have a thorough appreciation of the nature of the work, with the majority having served two or more terms in the Parliament, a majority having post secondary or tertiary education, with a significant number having experience in business, in agriculture or a profession prior to entering Parliament.

Backbench Members must have the capacity to undertake appropriate research and background reading and prepare briefs on matters of importance to their constituents or the Party. They also contribute to the work of parliamentary committees (most Backbench Members serve on between three and four committees covering a significant breadth of matters of national importance *(from economics, education and employment, the environment, foreign affairs, immigration, defence and trade, law enforcement, agriculture, resources, fisheries and forestry, climate change, infrastructure and communications or regional Australia, to name but a few – see Attachment 1)*, in a number of cases as a Chair or a Deputy Chair. They most certainly need the capacity over a nine year period in Parliament to have occupied both roles, one in Opposition and the other in Government.

A Backbencher needs to be able to prepare a series of briefs on a regular basis in relation to matters before the Parliament and before committees of the Parliament and present those in the Parliament, to the media and in their electorate, particularly to highly engaged and/or influential constituents. Where there is a difference of view between their constituency and the Party or the legislation being proposed in the Parliament, the Backbencher is required to engage in the constituency and in the Party in policy debates in order to ensure that legislation under consideration is drafted in a manner which addresses constituent concerns and reflects the ideological position of the Party.

In the constituency, Members need to be able to address a wide range of matters requiring an understanding of the bureaucracy and the responsibility of not only the Federal Parliament and the manner in which legislation or regulation impacts on their constituents, either as individuals, as small businesses or as enterprises of significant scale, but also where the Federal Government's obligations are peripheral, though representation might be required to businesses in the community on behalf of constituents, Local Government or the State Government.

Members also need to have leadership skills in managing a minimum staff of four, and in larger electorates or where Members have additional obligations in the Parliament a larger staff, managing those staff concurrently as two teams for approximately half the year, with some supporting the Backbencher in Canberra and others continuing to address issues arising in the electorate.

A Backbencher also needs computing skills and a capacity to prepare correspondence and respond to constituents who send on average well over 1,000 emails to Backbenchers each week. While electorates differ in their scale, typical occupation, age profile and wealth, as well as proximity to Canberra, Members need to be able to adapt to the changing needs of their constituents, ensuring that they represent those constituents appropriately.

In order to fulfil these obligations a typical Backbencher, requires a period of service in the Parliament in many instances in order to become familiar with all the nuances and sensibilities relevant to the community's expectation of their obligations to them as their representative. The indicative Member of Parliament needs significant communication skills,

skills in analysis and research, an ability to listen, to present constituents' and the Party's ideas in the Parliamentary forum in Question Time and at other times and in committees, to be able to represent the Party and occasionally Ministers or Shadow Ministers in their electorate, face the media in all its forms (print, radio, television and internet) and respond to questions which are either national or regional in character and/or related to specific policy initiatives or proposals.

The breadth of issues which a Member of Parliament is required to be across is substantial and while there may be variations in the nature of a Backbencher's involvement in policy formulation, committee work, debates in the Parliament and addressing the media or dealing with a wide array of constituent matters, the breadth of knowledge required and of issues is significant.

Members of the House of Representatives have a far more engaged role with their constituents on matters of social welfare, immigration, employment and other matters of economic importance, whereas Senators would often have a more intimate engagement in the review of the effectiveness of Government administration, the consideration of legislation and new policy proposals by the Government of the day and dealing with the more significant organisations in the constituency, commercial, cultural and other.

The level of interpersonal skill required by a Member of Parliament, including their communication skills, while not required to be exceptional, needs to be at a level of a seasoned and accomplished professional. The nature of problem-solving required and the degree to which structure is provided in addressing a wide variety of challenges, arising from the administration of Government at the three levels of Government, the impact of foreshadowed Government initiatives through legislation or regulation on their constituents is significant.

Clearly the demands on a Backbencher are not as significant as those on Ministers or Shadow Ministers and Parliamentary Secretaries or significant officeholders in either House of the Parliament, though do represent an order of magnitude that would be required of a senior professional or middle manager in an enterprise of some scale.

Determining the accountability of a Backbencher is somewhat more challenging. At one level they have accountability for managing the costs of their electorate office, including travel, accommodation and all staff costs (including their own) which would indicatively be in the range of \$500,000 to \$1,000,000 per annum, accounting to the Parliament, the Auditor-General and their own Party in relation to those expenditures. Further, through their work in committees Members are addressing matters of significant economic consequence or social consequence affecting the nation and the constituency which they specifically represent. In this context they are a prime source of advice to their Party and the Parliament, advising on constituent needs which collectively impact on the wellbeing of the nation.

Equally, while their influence in relation to national Government expenditures and the Australian economy (GDP) may well be modest, the scale of expenditures and/or revenue initiatives, albeit they are one of more than 200 individuals addressing such circumstances, would often be in the order of tens, if not hundreds, of millions of dollars on an annual basis.

Taking a public sector view and reflecting on my work in 1988, I have formed the view that the accountability, though not the workload, of a Backbench Member of Parliament is equivalent to a substantive Level 1 SES position.

This assessment reflects a role in the Australian Public Service of a key executive or specialist advisor in a major Department. This work value assessment acknowledges the significant growth in administration and communication demands on Members of Parliament

which has arisen primarily as a result of email and electronic communication and a media environment which is 24/7, addressing a wide range of Local, State and Federal policy, regulatory and community support initiatives. The breadth of legislation has also retained, if not increased, its intensity in relation to international affairs, trade and economic matters generally, as well as issues straddling the environment, employment and education, with health and allied research absorbing a greater proportion of global GDP as citizens are living longer lives. Applying the same work value principles as in the 1988 study and a range of possible scenarios with respect to a Backbencher's accountability to the Parliament, the national policy agenda or the oversight of a '*global electorate budget*' for the role all outcomes were on the cusp of the work value range attributed to an SES Level 1 and Level 2 position across Commonwealth Public Sector employers as reported in Mercer's August 2011 report and remain consistent with their research which was specifically commissioned for this study.

The above assessment does not embrace the additional obligations that some Members of Parliament have in relation to chairing significant committees of either House or, in the case of the Opposition, assuming accountability as Shadow Ministers or Shadow Secretaries, nor does it take into account any additional obligations and the attendant accountabilities of Members of Parliament who are officeholders, either with the Government or Opposition parties. It is my understanding that many of these roles, though not the Shadow Minister or Secretary roles, attract loadings.

6.1 What the Public Might Think

A question to consider is ***what would the average member of the public expect to see of their Member of Parliament – what profile would they expect their Member to have?***

There are a number of factors which could be the basis on which the electorate votes in a particular member of the House of Representatives and the Senate, including:

- political party preference,
- knowing the local member or senator,
- a vote against the incumbent party,
- position on a particular policy issue,
- perception of the local member based on media coverage and performance in Parliament as seen through the media, and
- feelings about the member's contribution to the electorate and its constituents at a macro and personal level.

It is probably safe to say that the electorate would be more familiar with the local member or Ministers than they would be with non ministerial Senators given the focus of work in the electorate of Members of the House of Representatives.

Which of the factors outlined above will dominate a voter's decision will depend on the voter's personal experience and level of involvement in the political process. For some that involvement extends to political party membership, at the other end it is limited to what they see on television at night, the 30 second grabs from the House that day from a door stop interview covered by TV and radio, columns in local press or newsletters from the member to the household. Somewhere in between there are various sources of informed political debate and discussion via a multitude of media and internet outlets. To generalise on what

the public wants from its politicians is therefore challenging but is an important consideration in terms of understanding the experience and/or level of expertise which the electorate seeks from its representative and accordingly appreciating what level of remuneration the public might accept as reasonable for a Member of Parliament.

In the Government commissioned report *'Review of Parliamentary Entitlements'* it was stated that despite the demanding level of work, community activity and disruption to private life, the Australian public has a traditionally distrustful attitude towards its representatives. It further went on to state that, as noted in the Parliamentary research paper number 18 in 2002⁵: "Where there is respect, it is grudging or belated. The desire to serve is equated with excessive ambition and, as a generalisation, those entering public life are viewed with suspicion as self-seeking".

The changing and intensified coverage of politics by the media has no doubt impacted on the voting public's perception of politicians, be that the instant nature of most coverage, the showcasing of feisty debates in Parliament and the presence of members late into the night sleepy or the constant replaying of gaffs, and the questioning of every remark made by a member, as well as television coverage reflecting body language. Much of the media coverage focuses on the person, the drama, the snippets of the day rather than the substance of political policy or Members' daily Parliamentary and electorate work.

So how does the public take into account some of the factors considered in the profiling of a Backbench Member of Parliament?

Age – local Members range in age from their early twenties to their seventies, with the average age around fifty. This would indicate that most voters are supporting an experienced member of the community, be they long serving in the Parliament or differently experienced in various facets of employment, either in the Government or private sectors. **Qualifications** – the level of qualifications of Backbench Members of Parliament varies considerably with some older Members, while long in experience in the Parliament completed little beyond their secondary education and more recent Members are more highly qualified, many having post graduate education. The extent to which the voting public are provided with comprehensive CVs on their potential Member would vary across electorates and the strategy determined by their political party. Given the high level of post secondary qualifications of Members of Parliament, I believe it is probable that a reasonable proportion of the voting public believe that candidates are suitably qualified for office. Within this context the more likely expectation of voters would be that candidates are qualified in terms of experience, education and understanding of both local and national issues to be effective as a local Member or Senator for the State.

Experience – the extent to which experience or political allegiance is critical is unknown, though given the median age of Members of Parliament and the fact that the majority have served more than two terms in Parliament, it would be my expectation that the voting public have an expectation that candidates have an appreciation of the political process and the issues in their electorate and are capable of representing their interests in Parliament and are able to get things done on their behalf in the electorate.

Background – the voting public clearly accepts a range of backgrounds in its local Members and Senators, with people of a range of backgrounds voted in each election, although not necessarily each electorate. It is evident from an analysis of the background of current Members that many Liberal Members have a legal or commercial background as do many in

⁵ Candidates, Members and the Constitution. Research paper number 18, Parliamentary Library Canberra, page 37.

the Labour Party as well as many in the Labour Party having smaller business or trade union backgrounds. Again making a generalisation, it appears that the voting public does not as a whole have a particular bias towards a certain background, that depending on the electorate, candidates from a wide variety of backgrounds can become a Member of Parliament.

Skills – Given that the public vote in a certain way for a number of reasons, it is likely that they vote for an individual assuming a certain level of expertise, including that the candidate can:

- represent their views
- communicate effectively (including listening and influencing) in Parliament, with the media and in the electorate
- respond to electorate concerns
- manage their time to deliver the most for their electorate
- manage the many interests of the electorate
- balance the interests of the electorate with those of the political party
- find a way to resolve any particular issues which arise for them as a Member of the electorate.

How would they assess their performance?

All Members of Parliament acknowledge that the Ballot Box is the primary assessment of both their and their Party's performance. In this context they share accountability with the Party in many instances which may outweigh their effectiveness as a local representative. A Backbench Member of Parliament's tenure every three years is in the hands of the electorate.

Research would indicate that the performance of Senators has a significant impact on their endorsement by the Party, whereas the performance of a Member of the House of Representatives is under more regular scrutiny by the voting public.

What is more likely to be judged, the performance of the individual or the performance of the political party?

This is an issue over which the local Member or Senator can have a varying degree of influence. A good local Member can often be re-elected despite their party losing favour. The political process in a democracy for Members of the House of Representatives clearly places them in a position where their contract is up for renewal every three years and for a Member of Senate, every six years. The general public probably do not factor in this tenuous and uncertain employment setting when considering appropriate levels of pay.

If I were to assume that the broader public have an appreciation of the background of their local Member and some appreciation of the background of a Senator, they would be increasingly aware that Members of Parliament have experience in the Parliamentary process in policy setting in many areas which directly impact on their well being, are tertiary qualified and work long hours.

There is also likely to be a perception that a Member of Parliament is in their forties or fifties and thus have twenty or more years work experience. Would they look to salary levels of

clerical and administrative staff, trades or technical staff or are they more likely to reflect on senior professionals and the managerial class as indicative of candidates they would support in representing them in the Federal Parliament?

It would be my assessment that it would be the latter rather than the former employment categories that would broadly represent the community's '*straw man*' of a Member of Parliament.

7. Appropriate Remuneration for a Backbencher in the Federal Parliament

Given that the average age of a Member of Parliament is over 50 and that more than 80 per cent of Members of Parliament have post secondary qualifications, that figure having risen from 15 per cent at the time of Federation, it would be reasonable to consider the types of occupations that graduates with twenty or more years' experience, working 50 hours or more per week in meeting the obligations of their role, might be paid.

EA's research (drawn from approximately 60 per cent of Members of Parliament) reveals that the indicative time commitment (exclusive of travel) to their work during both sitting weeks and non-sitting weeks would exceed 50 hours per week, and in approximately 25 per cent of cases exceed 70 hours per week.

It is also noted that Backbenchers, in addition to the breadth of their accountabilities, have some attributes of a hard-working small business person with a staff of four to six working across a range of policy, research, community engagement and administrative matters, handling an indicative budget in the order of \$500,000 to \$1,000,000 per annum, subject to the scale of the electorate and their resourcing.

More than half the Members of Parliament have qualifications in the law, administration, economics and commerce, though before entering the current Parliament only 30 had worked in the legal profession, 57 had a background in business, 8 in the farming sector, with more than a third of Members of Parliament having prior work experience in politics and related occupations.

More than half the Parliament had served the equivalent of two or more terms of the House.

While a Member of Parliament has a modest direct operating budget, all 226 Members of Parliament representing an electorate or State are the principal forum upon which 22.75 million Australians have a significant dependence in relation to their welfare, including their access education, health and employment. They are the principal forum overseeing the Commonwealth's budget of \$400 billion and its broader workforce of several hundred thousand and the Nation's gross domestic product of \$1.3 trillion.

All Members of Parliament through their participation in the form of Parliament and its committees and their engagement with organisations throughout the nation and internationally have an obligation to contribute to both their electorate's and the Nation's economy and the well being of its citizens. Their shared and contributory engagement at the level of GDP approximates \$6 billion per Member and in more direct terms in relation to the national Government's direct budget expenditures approximates \$1.75 billion.

Each Member of the House of Representatives has an engagement in supporting families and enterprises within electorates directly affecting around 150,000 citizens, with Senators having a wider though less intimate involvement in substantive matters at State and National level with a higher degree of engagement with large organisations in both the private and public sectors. In this context, finding counterpart positions in Government or the private sector is in itself challenging. The potential tentacles of impact through a Backbencher's contribution to the Nation's good is both different and more far reaching than senior management in medium sized enterprises or seasoned professionals in accounting, architecture, engineering, exploration, the health professions, law or science. They equally face an entirely different environment in relation to their tenure and while performance assessment on a universal basis is challenging to compare with other forms of employment, they are effectively required to resign at the time of each election and resubmit for a further

period of appointment. This '**scorched earth model**' of employment is not a common feature of middle management and senior professionals across the country.

A politician's continuing employment is also not entirely within their grasp. Members of the House of Representatives in particular need to be effective in supporting a myriad of needs in their electorate though also require endorsement and support for their Party in the broader electorate. In this context, Member performance across the entire spectrum of assessment may or may not determine their continuing employment their re-election to Parliament will be influenced by issues outside their control.

In the committee report titled '*Review of Parliamentary Entitlements*' of April 2010, in referring to employment after a Parliamentary career, in chapter 2 the report states: "For those wishing to re-enter the workforce, the transition can be challenging, and the absence of accrued annual and long service leave can make a period of readjustment even more difficult. The departure from office can be sudden, for example in the event of an unexpected election result. Depending on how long they have spent in the Parliament, members' skills in former occupations may well be out of date. At the same time, former members may find themselves branded as 'overqualified' when trying to return to their profession due to the high-level skills they have developed while in Parliament, working closely on significant national issues."

In endeavouring to determine a market level of reward for a Backbench Member of Parliament I have had a sole focus on base salary, acknowledging that the Tribunal address job facilities and various allowances relevant to the role of a Member of Parliament separately from their consideration of the base level of a Backbencher's pay. In this context I acknowledge that the market generally, in securing and retaining individuals with comparable accountability, though less often a similar workload, would also provide job facilities and meet obligations under the superannuation guarantee legislation.

I also acknowledge that in both public and private sectors a number of individuals with similar work value and accountability to a Backbench Member of Parliament would also participate in bonus plans, though those bonus plans would be highly variable in terms of both payment and reward opportunity. In the public company sector a proportion would also participate in a long term incentive plan which would be broadly equivalent in time to the term of a Member of the House. These represent additional reward for service and performance.

7.1 Comparative Reward

In endeavouring to have access to a number of viewpoints in relation to pay I have drawn upon a broad collage of information from the private sector, the public sector (including Local Government), the resources sector, the legal profession and medium sized businesses, as well as calling upon Mercer to provide a public and private sector view aligned to the work value methodology which they continue to apply and which I developed and applied in the 1988 study.

Egan Associates Research

Members of Parliament have experience in working across the broad dimensions of the national economy and are engaged in a diversity of policy and administrative issues impacting on electorate communities, industries and community organisations. With this experience alternative employment opportunities could be found in the private sector.

EA's research team compiled data on the top five executives reporting to the Chief Executive Officer in these companies, both inclusive of the Chief Financial Officer and exclusive of the Chief Financial Officer. In this context I have not considered that senior executives in the top

200 companies which reflect the nation's largest companies represent an appropriate comparator.

The financial attributes of the companies surveyed (ASX 200-300) are set out in the table below.

	Median	25th Percentile	Average
Annual Revenues	\$94.5 million	\$9.2 million	\$244.4 million
Operating Expenditure	\$80.5 million	\$3.5 million	\$229.0 million
Market Capitalisation	\$348.0 million	\$297.0 million	\$354.0 million

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The above data reflects that this grouping of companies is quite diverse in relation to its range of operating expenditures and annual revenues and is reflective of both a developing business with modest revenues and expenditures through to a medium sized enterprise among the larger companies in this group, where revenues and expenditures exceed \$200 million.

Having regard to the breadth of roles upon which EA collected information, none is accountable for achieving the group's revenues, managing its entire expenditures or allocating its entire resources. EA drew information on a number of advisory or functional management positions such as Chief Financial Officer, Chief Legal Officer, Commercial, Product Development, Sales & Marketing or Factory Manager. These executives in the larger companies among the group sampled generally have oversight of a facet of the enterprise's operations, though would require significant skill, a breadth of experience, a capacity to negotiate internally and externally, manage a workforce and accept accountability for the outcome of their endeavours.

The work value of these management positions was considered comparable to that of a Backbench Member of Parliament. I assumed that senior management in these companies would work a minimum of fifty hours a week. The data which appears below excludes any benefit which executives or senior professionals in these companies receive by way of entitlement to participation in employee share or rights plans which can deliver further remuneration in alignment with their company's success.

The tables below report the outcome of EA's research.

Top Five Executives: ASX 200-300 (exclusive of the CEO)

	Median	25th Percentile	Average
Salary	\$243,083	\$188,079	\$256,385
Fixed Remuneration	\$273,469	\$211,590	\$288,433
Total Reward	\$351,103	\$254,640	\$409,432

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Top Five Executives: ASX 200-300 – Sector Exclusive (exclusive of the CEO)

	Median	25th Percentile	Average
Salary	\$261,422	\$202,241	\$279,442
Fixed Remuneration	\$294,100	\$227,522	\$314,373
Total Reward	\$411,147	\$293,296	\$456,415

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Top Five Executives: ASX 200-300 (exclusive of the CFO)

	Median	25 th Percentile	Average
Salary	\$242,237	\$193,736	\$259,216
Fixed Remuneration	\$272,517	\$217,093	\$291,800
Total Reward	\$349,852	\$257,867	\$410,261

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Top Five Executives: ASX 200-300 – Sector Exclusive (exclusive of the CFO)

	Median	25 th Percentile	Average
Salary	\$256,666	\$198,815	\$279,691
Fixed Remuneration	\$288,750	\$223,667	\$314,653
Total Reward	\$398,488	\$292,491	\$447,272

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Indicative positions from which data was drawn in the above Private Sector sample include:

- Business Development/Corporate Development Manager
- Business Group Head
- Chief Financial Officer
- Chief Geologist/Exploration Manager
- Chief Information/Technology Officer
- Chief Legal Officer
- Commercial Manager
- Company Secretary
- Engineering Manager
- Government/Regulatory Affairs/Public Affairs Manager
- Logistics/Supply Chain/Distribution Manager
- Mine Superintendent
- Product Development Manager
- Production/Manufacturing Manager
- Research & Development Manager
- Sales & Marketing Manager

7.2 Local Government

A number of Backbench Members indicated that they believe that their role was equivalent to senior members of the profession from which they may have come prior to entering Parliament or General Managers of Local Council, the latter being frequently mentioned.

In the context of the above, I note that the New South Wales Local Government Remuneration Tribunal, in their determination on 28 April 2011 prepared a document which reflected on the workload and complexity of issues associated with both executives and elected Members of a Local Government organisation.

Section 239 of the NSW Local Government Act 1993 requires the Tribunal to determine categories for Councils and Mayoral Officers for the purpose of determining fees, and Section 240 of the Act requires the Tribunal to determine categories according to the following criteria.

- the size of areas;
- the physical terrain of areas;

- the population of areas and the distribution of the population;
- the nature and volume of business dealt with by each Council;
- the nature and extent of the development of areas;
- the diversity of communities served;
- the regional, national and international significance of the Council;
- such matters as the Remuneration Tribunal considered relevant to the provision of efficient and effective Local Government;
- such other matters as may be prescribed by the regulations.

The Act clearly confirms that Councillors comprise the governing body of a Council and make decisions by passing resolutions and that the role of a General Manager is to implement Council decisions and carry out functions imposed by legislation.

The Act sets out the key responsibilities of the General Manager of a Council as follows:

“The general manager is generally responsible for the effective and efficient operation of the council’s organisation and for ensuring the implementation of the council’s decisions without undue delay. The general manager carries out all their functions within the guidelines and policy framework approved by the council.

The general manager also has a role to play in assisting the governing body of council develop its strategic direction. The general manager is responsible for guiding the preparation of the Community Strategic Plan and the council’s response to it via the Delivery Program. The general manager is responsible for implementing the Delivery Program and will report to the governing body of council on its progress and conduct regular updates and reviews.

The general manager is responsible for recruiting and appointing staff within the organisation structure determined by the governing body of council. This must be in accordance with the budget approved by the council’s governing body and be for the purpose of carrying out the council’s statutory functions and implementing council’s Community Strategic Plan, Delivery Program and Operational Plan.

The general manager must consult with the governing body of council before appointing or dismissing senior staff. The general manager must report to the council at least annually on the contractual conditions of senior staff (cl.217 of the Regulation).

The general manager is responsible for performance management of staff, including staff discipline and dismissal.

The general manager is also responsible for ensuring councillors are provided with information and the advice they require in order to make informed decisions and to carry out their civic duties.

The governing body of council may direct the general manager to provide councillors with advice or a recommendation, but cannot direct as to the content of that advice or recommendation.

Generally, requests by councillors for assistance or information should go through the general manager, except where he or she has authorised another council officer to undertake this role. The Guidelines for the Model Code of Conduct contemplate that a council should develop a policy to provide guidance on interactions between council officials. This policy should be agreed to by both the council's governing body and the general manager.

Councillors could reasonably expect general managers will report routinely on significant industrial issues and/or litigation affecting the council, particularly those that impact on the council's budget or organisation structure."

In the context of these observations and observations set out in the summary of feedback from discussion with Backbench Members (see Attachment 5) the following provides information reported in metropolitan and regional press, commenting on disclosed remuneration arrangements for principal executives in Councils.

Council	Remuneration
City of Sydney	\$392,062
Lake Macquarie	\$311,000
Wollongong	\$314,000
Perth	\$242,000
Clarence Valley	\$240,000
Tweed	\$271,000
Lismore	\$235,000

In Western Australia the Government Salaries & Allowances Tribunal, reporting on Local Government Chief Executives, has had regard to factors which influence its determination of Regional Government Chief Executives. The Tribunal indicate that some Regional Local Governments employ a part-time CEO, however the determination is based on an assumed full-time role. The Tribunal also indicated that their research revealed that in some regions there was considerable pressure on CEO remuneration resulting in Local Governments paying above the Tribunal's recommendation. This was particularly the case in the Pilbara, the Midwest and the Goldfields Esperance regions.

The Tribunal has established a band of rates in relation to the nature of a Local Government CEO and also acknowledged that in addition to salary those CEOs required to work in remote areas and regional areas of the State would receive allowances reflective of that circumstance. They also acknowledged that there was some pressure on CEO pay levels arising from the demand for engineers and planners, where some of the skills required in Local Government were also in demand from the Western Australian resources sector. In the more significant Local Government areas pay ranges were higher than those in less demanding Local Government entities.

For major centres including the City of Perth, Stirling and Wanneroo the remuneration package was set between \$241,382 and \$327,034. For other major centres, including Armadale, Canning, Fremantle, Joondalup, Kalgoorlie-Boulder, Mandurah and Swan the pay range was established between \$222,216 and \$300,081. Total reward package was to include base salary, annual leave loading, provision of a motor vehicle or allowance, superannuation and any other benefits, including fringe benefits tax, deemed appropriate by the Council. Exclusive of the base package were travel and relocation costs, provision of computer facilities, entertainment allowance, expense of office allowance, isolation or

location allowance, a mobile phone, rental subsidy, water and power subsidies as appropriate, professional development and library allowance.

While the above data provides information on Local Government General Managers, I am of the view that their accountability for substantial budgets, significant staff numbers and a breadth of community services, that the majority of these roles are more substantial in work value terms than the position of a Backbench Member of the Federal Parliament.

I acknowledge that the breadth of issues addressed by a General Manager at a Local Government level would be less than a Backbench Member of Parliament, serving on three or four Committees of the Parliament and fulfilling the obligations set out above.

I would however be of the view that the work value of a Backbench Member of Parliament would be more broadly equivalent to the most senior staff reporting to a General Manager of a significant local Government organisation.

It would be my judgement that in considering the salary levels of executives and General Managers of Local Governments, that the level of time commitment exclusive of travel, would not be dissimilar.

7.3 The Legal Profession

In relation to payment levels for lawyers EA note that one of the well-known practitioners in this field is Mahlab Recruitment, and that their research reveals that legal officers of varying levels of seniority received annual remuneration indicatively in the range of \$163,000 to \$205,000 per annum (SA3), though up to \$300,000 below Partner level. Their research reveals that small CBD firms' median Partner's annual remuneration stands at \$478,000 in Sydney and in Adelaide \$310,000.

In relation to the information on payments to experienced legal officers or partners in small CBD firms, it would be my judgement that their level of expertise in many respects would be comparable to a number of Backbench Members of Parliament, though I would anticipate that their hours of work would be considerable and they would have absolute accountability for the quality of service and advice which they provide, rather than shared accountability. In that context I would see those roles as more onerous in terms of accountability, though in a significant majority of cases the briefs which they would be engaged in either preparing or reviewing would be significantly less broad in scope or consequence.

7.4 The Resources Sector

Given that a number of Backbench Members of Parliament had an industrial/technical/trades background and a number are representative of regional and rural areas across Australia where mining is a significant industry, a further point of general market comparison in terms of wage outcomes for positions in the mining sector (where long hours are required) would be trades and operative staff (as distinct from management staff) in the mining sector. In this context EA have sought to obtain information on shovel operators, earthmoving equipment operators, haul truck operators and shot-firers in open-cut mining, as well as operators of haulage and loader operators in underground mines.

EA note from survey material which they have been able to source that the average hourly rate for a shovel operator is around \$50 (though they can extend up to \$60), for operators of earthmoving equipment the average hourly rate is around \$45 (though they can also increase to around \$55), that truck operators' average hourly rate is around \$40 (though they can be paid upward of \$60) in the open-cut environment, whereas in the underground environment a loader operator's average hourly rate would be above \$50 (and upward of

\$60), and for an underground service technician average hourly rates would be around \$45 (and would extend above \$50).

On the basis of this data, with an indicative hourly rate for an experienced operator to be deemed to be around \$50, this would equate to \$3,500 per week without the benefit of shift loadings, penalty rates or overtime. I understand that the work of these employees would embrace shifts often of a twelve hour duration and shift cycles over a twenty four hour period and seven days per week.

In the eastern state coal fields experienced locomotive drivers operating across numerous regions from mine to port would typically be in receipt of a base hourly rate in the \$40 to \$55 range. While their normal 40 hour work week delivers a nominal rate of pay reflective of their hourly rate, data covering over 700 locomotive drivers reveals average annual earnings in the order of \$200,000. These earnings arise from shift penalties, overtime penalties and other allowances, including disability allowances arising from working in enclosed spaces, working at heights, working on rail tracks of substantial length, working with corrosive substances, working in tunnels, being required to handle cement, working in wet places, in wet weather and so on. These rates of pay for a 70 hour week for the above skilled operatives and trades staff, without penalty and overtime premiums, deliver annual salaries for the same period of work well above that of a Member of Parliament whose indicative hourly rate, without premiums, would be less than \$40.

On a work value, as distinct from a workload, basis, while the intensity of their work is unquestioned and the hours of their work are long and in continuous shifts not dissimilar from a Backbench Member of Parliament, I believe that these operatives while working in trying conditions, often in remote areas, are fulfilling obligations where the work value is significantly less than that of a Backbench Member of Parliament, though the environmental setting within which they work is more harsh.

Contract engineering draftsmen and other skilled technicians employed in the mining industry indicatively receive contract payments between \$60 and \$80 per hour, they often work 12 hour shifts rostered on every day for 21 days and then have a 7 day break. They provide for their own superannuation, their own annual leave, long service leave and insurances and on an annualised basis receive contract payments between \$200,000 and \$250,000. These professional staff in the majority of cases have no management accountability but rather play a key role in the provision of technical support and documentation on projects which represent the backbone of activity in many resource companies. Many are graduates and highly experienced. They work long hours, often in remote locations and have expertise in a defined, though specialised, technical field.

For professional staff engaged in community and Government affairs in the mining sector EA's research reveals indicative salaries for seasoned professionals to be in the range of \$180,000 to \$200,000, with fixed remuneration being in the range of around \$215,000 through to \$240,000. For those involved in industrial relations, OH&S or environmental management I understand from survey data that the range of reward in the mining sector nationally would be similar to the position nominated above.

7.5 Mercer Research

EA also drew upon work completed by Mercer for the Commonwealth Government in August 2011⁶ in providing some comparative information in relation to positions of comparable work

⁶ 2010 APS SES Remuneration Survey (data as at 31 December 2010).
2010 Broader Market Comparison – APS SES and Non-SES Remuneration (data as at 31 December 2010).

value to SES 1 and SES 2 positions across the combined Public Sector, including Commonwealth and State Governments, as well as the Private Sector, for positions of comparable value. The tables below set out relevant market data in respect of SES 1 and SES 2 positions at either the median or average, where such data was readily sourced from the above reports. In the Mercer report commissioned by Egan Associates specifically for this study they have rounded the figures in the tables below. Private Sector data also provides information on the market 25th percentile.

Commonwealth Public Service SES 1

	Median	Average
Salary	\$158,277	\$160,972
Fixed Remuneration	\$210,175	\$210,459
Total Reward	\$213,017	\$214,300

In relation to the work value of the positions of SES 1 executives in the Commonwealth Public Service or at State level, while I believe there would be broad comparability in relation to work value at the upper band level, it would be my assessment that Members of Parliament would have a workload which demands a time commitment at least thirty percent greater than their public sector counterparts in significant SES 1 or equivalent roles.

Commonwealth Public Service SES 2

	Median	Average
Salary	\$200,726	\$205,288
Fixed Remuneration	\$262,680	\$264,364
Total Reward	\$266,763	\$269,862

Composite Public Service Equivalents

	SES 1 Median	SES 2 Median
Salary*	\$161,537	\$202,740
Fixed Remuneration	\$179,144	\$224,839
Total Reward	\$189,027	\$236,812

* Fixed remuneration figures have been discounted by 10.9 per cent - see Mercer Report, Table 14, Attachment 10.

Private Sector SES Equivalents

	SES 1 Median	SES 2 Median
Salary*	\$201,656	\$293,632
Fixed Remuneration	\$226,864	\$330,336
Total Reward	\$250,040	\$371,117

* On the basis of Egan Associates' experience benefits, including superannuation, was deemed to represent 12.5 per cent of salary.

Additionally, Egan Associates commissioned Mercer specifically to provide work value and remuneration information in relation to the contemporary role of a Backbench Member of Parliament as a further touchpoint to assist me in preparing advice to the Remuneration Tribunal.

Mercer provided both a work value assessment and market data (see Attachment 10) based upon the description of the role of a Backbencher set out above. Their report confirmed Egan Associates' views in terms of work value, though took a slightly different perspective in

relation to the position impact, though the outcome remained consistent with my work value observation expressed above.

Their research revealed a diversity of salary payments across a variety of positions from which they sourced information from their extensive databases. The information which they have provided has been collected over the period December 2010 through to October 2011 and is reported accordingly.

The information which they provided in relation to the general market for positions of comparable work value revealed the following:

	75th Percentile	Median	25th Percentile
Salary	\$229,500	\$190,800	\$157,900

Drawing on a position based analysis from their Quarterly Salary Review (September 2011), the following tables reflect the interquartile range for a number of nominated positions deemed by Mercer to be relevant to the study of Backbench Member salaries. I did observe a reasonable degree of variability between the figures reported in their June Quarterly Salary Review and their most recent Salary Review. That variance was both up and down.

Annual Salary				
	75th Percentile	Median	25th Percentile	Average
General Manager	\$283,000	\$207,000	\$170,000	\$228,000
Division Manager	\$190,000	\$150,000	\$100,000	\$154,000
Principal Human Resources Executive (Tier 3*)	\$226,000	\$200,000	\$177,000	\$209,000
Industrial Relations Manager	\$188,000	\$165,000	\$126,000	\$158,000
Principal Finance & Accounting Executive (Tier 3*)	\$278,000	\$236,000	\$191,000	\$245,000
Head of Audit	\$194,000	\$164,000	\$145,000	\$182,000
Principal Information Technology Executive (Tier 3*)	\$286,000	\$246,000	\$195,000	\$236,000
Principal Sales & Marketing Executive (Tier 3*)	\$261,000	\$215,000	\$190,000	\$231,000
Principal Marketing Executive (Tier 3*)	\$260,000	\$238,000	\$188,000	\$230,000
Principal Sales Executive (Tier 3*)	\$273,000	\$230,000	\$200,000	\$239,000
Principal Manufacturing Executive	\$231,000	\$203,000	\$174,000	\$202,000
Head of Logistics	\$245,000	\$179,000	\$134,000	\$193,000
Head of Supply Chain Solutions	\$201,000	\$169,000	\$151,000	\$176,000
Principal Legal Officer	\$255,000	\$227,000	\$191,000	\$230,000
Corporate Secretary	\$256,000	\$161,000	\$114,000	\$196,000

* Tier 3 reflects a position reporting to an executive who in turn reports to the Chief Executive Officer of the company.

In drawing upon their database from Local Government their research revealed the following salaries of key roles reporting to General Managers (Local Government Remuneration Review - October 2011):

	75th Percentile	Median	25th Percentile	Average
Salary	\$186,000	\$174,000	\$159,000	\$175,000

7.6 Australian Institute of Management's 2011 National Salary Survey

In my judgement it is worthwhile in addition to the above private sector comparators, to consider alternate sources of information on reward which exist in the private sector for a

typical Member of Parliament who has tertiary training and more than twenty years experience. In doing so, I have examined the remuneration for other key support roles in the private sector.

In this context, as an alternate comparator I have drawn information from the Australian Institute of Management's 2011 National Salary Survey. This survey includes information from employers in all States, in both urban and regional areas. It includes data from more than 180 organisations with revenues of less than \$20 million to more than \$200 million, the majority with annual revenues between \$20 million and less than \$100 million.

A Chief Executive of a small business with revenues of less than \$20 million received an annual salary on average \$237,545. Their fixed remuneration on average was \$288,690. Among companies with annual turnovers between \$100 million though less than \$200 million, the average salary was \$302,269, and fixed remuneration \$359,363

Taking by way of illustration the role of Chief Financial Officer in the manufacturing sector, the range of average salaries was from \$174,518 through to \$205,969. The range in averages across all States was from \$180,572 (Vic/Tas) through to \$201,596 (Qld).

For a Head of Human Resources in a company with revenues above \$200 million the average salary was \$179,597 and the fixed remuneration \$212,306. The variance in average salary by state was from \$176,207 (Qld) through to \$206,005 (SA/NT).

For a principal engineering executive in a company with turnover of \$200 million or more the average salary was \$185,312 and the average fixed remuneration was \$252,242.

7.7 A Backbencher's Perspective on Pay

Many Backbench Members of Parliament with whom discussions were held identified a variety of key external comparator roles in both the private sector and in Government where Members of Parliament are exposed to and work with senior public sector staff engaged in Committees of Enquiry and Senate Estimates.

As a significant number of Members of Parliament have training in the law and others have experience of Local Government and in small business, regular points of reference as an appropriate benchmark for determining their salary included General Managers of a major regional or urban city council, Deputy Secretaries of Commonwealth Government Departments and/or their counterparts in State Government, and members of the judiciary. While reference was not made to Justices of the High Court, reference was made to Judges in the Federal or Family Courts or Federal Magistrates where current salaries range from \$305,070 to \$391,140.

In relation to senior positions in State Government to which a number of Backbench Members referred, while they did not have possession of the necessary detail, I note that Assistant Commissioners or Chairs of varying Tribunals where a legal qualification was generally a requirement, the range in remuneration was from around \$230,000 to \$330,000.

Positions of Deputy Secretary in the Commonwealth were also referred to as relevant comparators. EA acknowledge there is a significant diversity of responsibilities assumed by Deputy Secretaries in the Commonwealth. It is, however, my understanding that the range in current salaries of those reporting to a Secretary are from around \$240,000 to \$400,000 and, as reported elsewhere in this document, a nominal range in payments to General Managers of substantial Local Government organisations would be in the range of around \$220,000 to \$320,000, excepting major cities which are outside that range.

While being offered these perspectives as an appropriate and reasonable comparison and in part representing an alternate career path which could have been considered by some Backbench Members of Parliament, I have formed the view that these comparators are not appropriate and represent positions where the basic requirement, while many of the basic requirements for these positions might be possessed by some Members of Parliament, the nature of accountability and the direct impact of their judgements is significantly different.

A number of Backbench Members of Parliament with whom we met had also been successful in small business, whether that was in rural and farming pursuits or another form of small business, in all instances the Members revealed that they worked long hours, they were highly challenged, though their salaries were substantially more than their income as a Backbench Member of Parliament.

A number of Members, also seeking to attract candidates for future elections or for past elections, revealed that in approaching potential candidates aged between their late 30s and late 40s who were actively engaged in the community and successful in a profession or a small business, and in many respects would be a suitable representative of community interests and also able to bring to the Parliament specific skills relevant to the matters before the Parliament were not able to consider such a career change because of the current costs associated with providing for their family, particularly their children's education.

To this extent I formed the view that pursuing a career as a Member of Parliament has for many more of an attribute of a vocation than employment which will be financially rewarding. Most acknowledge there are substantial psychic or other benefits associated with the privilege of participating in national debate and also having the opportunity when in Government to serve in a leadership role in that Government.

7.8 Recommended Salary for a Backbench Member of Parliament

The range in median salary values from the principal sources of data was from a low \$150,000 to a high of \$293,632, with the median of the medians being \$202,740. The range in averages was from \$154,000 to \$302,269, with the median value of averages being \$201,596.

The work value as determined by Egan Associates and Mercer was in the top decile of work value for Commonwealth Government SES1 positions and tangential with the first decile work value of SES2 positions. The primary challenge in assessing work value was determining the position impact of a Member of Parliament for which perspectives varied from a small business manager (that is managing the costs of the serving Member and the electorate office) through to a shared accountability for the Federal Government's annual expenditures in the order of \$40 billion or improving the nation's gross domestic product in the order of \$1.3 trillion or the economic contribution of the electorate, for which the Member of the House of Representatives in particular has a clear indirect accountability. Varying perspectives shared with Backbench Members and members of the Remuneration Tribunal made me particularly mindful of this work value tension.

Accordingly, and having regard to the background of Backbench Members of the Parliament and the market data from all sectors, including the reference points which Members and Parliamentary parties believed to be relevant, on a historic basis I formed the view that an appropriate range of salaries which the Tribunal could draw upon in determining Backbench conditions of employment would be represented by the interquartile range (25th percentile to 75th percentile) of the individual, median and average salary levels across all comparator samples of sufficient size. The interquartile range derived from this analysis is \$176,000 to \$236,000, with the range median being \$203,000. As will be noted from the material set out in this report, these figures are well below many 75th percentile salary comparators which are

more likely to be representative of those Members in Government or the private sector working hours comparable to those of a Member of Parliament and would represent a range which would be regarded as competitive on the basis of some Backbench Members' employment prior to entering Parliament, and in many cases would represent remuneration well below that which could be commanded for individuals with their qualifications and experience.

In relation to senior management in medium size listed public companies, other than the Chief Executive Officer, I believe in many respects that a Backbench Member of Parliament would be fulfilling a role of similar complexity and demand, having regard to work value, though would equally accept that, in the challenging environment of the private sector, dealing with shareholders' expectations, pursuing growth and improved profitability as well as the constant challenges associated with rapid changes in technology and science, the workload and commitment of these executives would not fall significantly short of that of a Backbench Member of Parliament.

In light of rolling wage reviews arising under award agreements and the level of pay adjustment in both the public and private sectors in the second half of 2011 in addressing the aged nature of the data drawn upon for this research, I believe that an appropriate range within which the Remuneration Tribunal should consider the salary of a Backbencher would be as set out in the table below.

	Minimum	Median	Maximum
Salary	\$185,000	\$211,500	\$250,000

In light of the current salary level of a Backbench Member of Parliament being \$140,910, it would be my recommendation that the Remuneration Tribunal make a determination between the adjusted minimum and the median salary, that is \$185,000 to \$211,500. This restricted salary range within the first half of the interquartile range is:

- broadly reflective of a private sector 25th percentile for positions of comparable work value,
- pitched below that of a chief executive of a Local Government organisation,
- reflective of an experienced professional in legal services though substantially below a partner in a small CBD professional practice, and
- pitched below that of a seasoned graduate working in a variety of professions or a manager overseeing a diversity of functions in a medium sized business.

In preparing this recommendation I am mindful that Backbench Members of Parliament who are either a Chair or Deputy Chair of a substantive Committee of the Parliament, receive additional remuneration for the fulfilment of that obligation, that Officers of the Parliament also receive additional remuneration as do Ministers of the Crown and the Prime Minister.

This report has not focused on those allowances or the established relativities between a Backbench Member of Parliament and office holders within the Parliament, which I understand will be the subject of further enquiry by the Tribunal.

I am fully aware that in meeting their obligations Members of Parliament receive support, including the provision of facilities in their electorate office, in the Parliament, the provision of a vehicle to enable them to travel around their electorate and where convenient to locations where Committee enquiries are taking place, to airports or indeed to the Parliament in

Canberra. I am equally aware of other provisions including contributions to a Backbench Member of Parliament's superannuation, travel allowances, electorate allowances and separation benefits. It is my experience that where appropriate in other settings, employers provide similar allowances or support for their staff.

A concern which I have in relation to the recommendation is that should the salary of a Backbench Member of Parliament be adjusted between the minimum and the maximum of the proposed salary range, then approximately 100 Backbench Members of Parliament who are members of the accumulation superannuation program established under the Parliamentary Superannuation Act 2004 will be receiving contributions from their employer (the Parliament of Australia) which exceeds the prescribed concessional caps or limits and would be subject to a penalty tax – the excess contributions tax. This tax would be imposed on the Member of Parliament, not the superannuation fund, although the tax can be deducted from the individual Member's superannuation account. The current rate of penalty tax is 31.5 per cent and is payable in addition to the 15 per cent tax which applies to superannuation plan contributions.

The penalty tax may not commence to apply until July 2012 when concessions for those over 50 will be removed, subject to Parliamentary legislation receiving Royal Assent, and for all Members who have been elected to the Parliament from October 2004 their contribution would exceed the concessional rate of \$25,000. This penalty would not apply to those Backbench Members of Parliament and other Members whose service to the Parliament pre-dates the October 2004 general election as they would remain members of the Parliamentary Contributory Superannuation Scheme (PCSS) which is a defined benefit program with preserved retirement provisions. Should a Backbench Member's salary be increased to \$185,000 the accumulation plan contribution would be \$28,490, should the maximum within the nominated range be approved by the Tribunal the contribution would be \$32,571. This circumstance would be further aggravated by those Backbench Members of Parliament who have a leadership role in Parliamentary committees for which they receive a superannuable loading and also impact on Government Ministers and officeholders of the Parliament who first entered the Parliament at the 2004 elections.

A key difference in the adjudication on appropriate reward for a Backbench Member of Parliament and a significant proportion of the private sector, where reward is not predicated on inputs or hours worked but rather output, their reward is adjusted in a manner which reflects contribution. This circumstance is reflected in the payment of partners in professional firms and executives in the private sector and is highlighted in the tables above, where there is a clear differential between salary or fixed remuneration and total reward for positions which I have determined to be comparable in work value – the performance reward component.

Where bonus payments for example are taken into account, deeming the employment benefits associated with a Backbench Member of Parliament being set at around \$40,000 per annum (a vehicle and superannuation for those Members joining the Parliament since 2004), the private sector reward for comparable positions at the median are rewarded at around \$350,000 and in many sectors substantially above. These payments in an appropriate reward framework reflect an employee's effectiveness and contribution to the prosperity of the organisation. The manner in which salaries are determined for a Backbench Member of Parliament does not embrace such considerations, though in my adjudication I have assumed that electorate responsibilities are broadly similar, participation in all aspects of Parliamentary work and engagement with the Party are similar, and that the typical Backbench Member has served two or more terms in the Parliament and in that context is a seasoned Member of the Parliament.

I acknowledge that there are opportunities for additional reward as noted above, through chairing committees, occupying a key office in the Parliament including Speaker of the House, Deputy Speaker, President or Deputy President of the Senate, Party Whip, etc., as well as for those in Government additional payments for assuming accountability as a Minister with stewardship over a significant proportion of Government administration and National welfare.

In the context of the role of a Backbench Member of Parliament, I also acknowledge that in the majority of instances the Party plays a significant role in managing the pre-selection process, though the ultimate test of Parliamentary membership is support from the electorate.

I understand that the Remuneration Tribunal will address the level of electorate support available to a Member of Parliament, and in particular financial demands which may be made on them which impact on their financial circumstance.

Service and Responsibility Loadings

A matter not canvassed, though one which may encourage commitment to appropriate tenure in serving the nation's constituents, would be to introduce a loading which reflected Parliamentary tenure such that a Member of Parliament within the recommended range nominated above might receive progressive increments, those increments being capped in their third term, reflecting their experience as a Member of Parliament while concurrently all allowances and premiums paid for additional responsibilities assumed by both Backbenchers and those in Ministerial roles would retain their relativity to the base or minimum rate for a Member of Parliament. The chart below reflects the application of this principle if it were considered to have merit either at the time of the next review or a subsequent detailed review of a Backbencher's salary incorporating appropriate market based wage adjustments.

It is acknowledged, in highlighting the above, that such a strategy may not be considered consistent with equality of pay across all electorates irrespective of a Member's length of service to the Parliament.

\$211,500	Third Parliamentary Term Salary
\$198,250	Second Parliamentary Term Salary
\$185,000	First Parliamentary Term Salary

The above construct reflects the introduction of a premium for both experience and commitment to serve in the widest stakeholder context. It would also provide an incremental reward which may attract an additional superannuation contribution for those Members who have joined Parliament at or after the 2004 general election.

In the above context and to mitigate further disparity between long serving and more recent serving Members of Parliament, it would be my judgement that the Remuneration Tribunal should address the superannuable salary upon which Members of Parliament who participate in the Parliamentary Contributory Superannuation Scheme is based. That is, I have formed the view that adjusting salary which has a direct bearing on retirement benefits and associated funding costs cannot be separated in ensuring the equitable treatment of Members of Parliament.

7.9 Nexus with State Legislatures

State Backbencher Members of Parliament

Egan Associates formed the view that State Backbench Members of Parliament were not an appropriate comparator in work value terms. While many of the attributes required to be an effective State Member of Parliament were common to both groups, I formed the view that the indicative electorate of a Federal Member of Parliament, including the size and breadth of economic activity by constituency was larger; further Federal Backbench Members of Parliament had an engagement in a more diverse portfolio of issues as their focus was both National and global when in the legislature, though when in the electorate clearly embraced obligations to deal with constituents in addressing matters arising from Local Government, the State Government, as well as the Federal Government.

The depth of research and requirement to engage in complex Committee matters in a Parliament with a budget substantially larger than any single State and a direct obligation to enhance the Nation's prosperity and grow its GDP, clearly fell upon Members of Federal Parliament. In almost every dimension the role was more substantial.

The average travel time to attend Parliamentary sessions was greater and due to the size of the electorates, travel time within the electorate in managing local constituents' issues, be they individuals, small business or major employers, was also more significant and generally the consequence of inadequate Government support, more critical.

I note that many State Governments have traditionally adjusted Backbenchers' remuneration in accordance with common principles to those adopted by the Commonwealth Members of Parliament, though in this context the majority have established a proportional relationship in setting Backbench salaries compared to those of the Commonwealth.

Given the greater engagement of the Council of Australian Governments (COAG) in addressing a significant number of issues involving integrated solutions for the benefit of the Nation's citizens between State Governments and the Federal Government, I acknowledge that the challenges which face State Governments through this coordination process and in meeting the needs of their constituents (which are clearly more intense in relation to infrastructure, energy, education and health, by way of example. I understand that Members of State Legislatures are required to work long hours and actively engage in their constituency, including addressing the crossover of constituent expectations in relation to the role of State and Local Governments which would contribute to a reasonable view that there is a high degree of comparability in relation to background, workload and essential attributes for Members of State and Commonwealth Legislatures. Notwithstanding this circumstance, my general observation is that the legislative policy and committee work engagement of Members of the Federal Parliament is more intense and the consequence of error, both nationally and internationally, more profound.

In light of these observations and my recent research which comprehensively updates work over the last two decades, in my judgement, given the substantive changes in the world, any adjustment to the Commonwealth Parliamentary Backbenchers' salary should not lead to a direct flow-on to State Parliaments without an equivalent and comprehensive assessment of the role, workload and accountability of Members of State legislatures.

Attachment 1 – Committees of the Parliament

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Preamble

To assist in understanding the breadth of the role of a Backbench Member of Parliament I believe it is important to have an appreciation of the breadth, depth and significance of the work which Backbenchers fulfil on committees of the Parliament.

EA's research revealed that Senators in particular, though all Backbench Members of the House of Representatives that do not have other onerous obligations in the Parliament, typically serve on either three or four committees. Outside these formal committees many Backbenchers serve on other advisory and friendship committees and serve their parties on caucus committees in areas where they have a policy interest, a constituent interest or where their expertise is sought by the Party. The preparatory work required of a Backbench Member of Parliament in being an effective Member of a Parliamentary committee was revealed to us as being particularly onerous.

In discussions with members of the Tribunal I had the benefit in meeting with a number of Backbenchers, a number of whom had been Ministers in a prior Government, many of whom currently or had previously, chaired demanding committees of the Parliament, to gain further insight into the nature of committee work and in particular the demands on Backbenchers serving on committees which represented the source of legislation impacting on all facets of the nation.

The material which appears below is substantially extracted from the Government websites

1. Purpose of Parliamentary Committees

The **purpose of Parliamentary committees** is mainly to conduct inquiries into specified matters which includes taking submissions, hearing witnesses, sifting evidence, discussing matters in detail and formulating reasoned conclusions.

An important function of committees is to **scrutinise Government activity** including legislation, the conduct of public administration and policy issues. Committees may oversee the expenditure of public money and they may call the Government or the public service to account for their actions and ask them to explain or justify administrative decisions.

A Parliamentary committee consists of a **group of Members or Senators** (or both in the case of joint committees) appointed by one or both Houses of Parliament. Through its committees the Parliament obtains information from Government agencies and peak bodies and advice from experts on the matters under investigation.

Under the current workings of the Parliament Members of both Houses are active participants in bipartisan committees which are the principal forum for debate and discussion on issues of public policy.

2. Major Committees of the Parliament

- House Standing Committees
- Joint Committees administered by the House of Representatives
- Senate Committees
- Joint Committees administered by the Senate
- Select Committees of the Senate

- Joint Select Committees administered by the Senate

A House of Representative Committee is comprised of Members of the House only.

A Senate Committee is comprised of Members of the Senators only.

A joint committee is one on which both senators and Members of the House of Representatives serve. Joint committees are established where it is considered that matters should be the subject of simultaneous inquiry by both houses.

Joint committees may be statutory, select or standing committees. Joint statutory committees are established by statute (an Act of Parliament). Joint select or standing committees are established under the standing orders of each house. The powers and proceedings of joint committees are determined by resolution of both houses.

3. List of all Current Committees as at October 2011

3.1 House of Representative Committees

House Standing Committees

Aboriginal and Torres Strait Islander Affairs
 Agriculture, Resources, Fisheries and Forestry
 Appropriations and Administration
 Climate Change, Environment and the Arts
 Economics
 Education and Employment
 Health and Ageing
 Infrastructure and Communications
 Petitions
 Privileges and Members' Interests
 Procedure
 Publications
 Regional Australia
 Selection
 Social Policy and Legal Affairs

House Select Committees

There are currently no House Select Committees.

Joint Committees administered by the House

Australia's Clean Energy Future Legislation (Select)
 Broadcasting of Parliamentary Proceedings
 Cyber-Safety (Select)
 Electoral Matters
 Foreign Affairs, Defence and Trade
 Intelligence and Security
 Migration
 National Broadband Network
 National Capital and External Territories
 Public Accounts and Audit
 Public Works
 Publications
 Treaties

3.2 Senate Committees

Senate Committees

Appropriations and Staffing
Community Affairs
Economics
Education, Employment and Workplace Relations
Environment and Communications
Finance and Public Administration
Foreign Affairs, Defence and Trade
Legal and Constitutional Affairs
Privileges
Procedure
Publications
Regulations and Ordinances
Rural Affairs and Transport
Scrutiny of Bills
Selection of Bills
Senators' Interests

Joint Committees Administered by the Senate

Australian Commission for Law Enforcement Integrity
Law Enforcement (Formerly Australian Crime Commission)
Corporations and Financial Services

Select Committees

Australia's Food Processing Sector
Scrutiny of New Taxes

Joint Select Committees Administered by the Senate

Australia's Immigration Detention Network
Gambling Reform

There are also other types of committees such as party (eg Australian Labor Party, Australian Greens, Liberal Party, National Party) committees, Government committees or inquiries (eg Productivity Commission inquiries) and judicial inquiries.

4 House of Representative Committees

4.1 Role of House of Representative Committees

Parliamentary committees investigate specific matters of policy or Government administration or performance. They are able to do things which would not be possible to undertake in the formal environment of either House, such as finding out the facts of a case or issue, gathering evidence from expert groups or individuals, sifting evidence and drawing up reasoned conclusions.

Parliamentary committees are one mechanism the House uses to keep a check on the activities of the Government. Because they have extensive powers to call for people, including public servants, and documents to come before them, committees can thoroughly investigate questions of Government administration and service delivery. Committees may oversee the expenditure of public money and they may call the Government or the public service to account for their actions and ask them to explain or justify administrative decisions.

Committees can contribute to better informed policy-making and legislative processes. They help Members to access a wide range of community and expert views so that through the committee process, the Parliament is able to be better informed of community issues and attitudes. Committees provide a public forum for the presentation of the various views of individual citizens and interest groups.

In a sense committees take Parliament to the people and allow direct contact between members of the public and groups of Members of the House. Because they can travel extensively throughout Australia and have flexible procedures, they provide opportunities for people to have their say on the issues being investigated. By simply undertaking an inquiry a committee may promote public debate on the subject at issue.

4.2 Categories of House of Representative Committees

Committees can be categorised in several ways and a particular committee may fall into more than one category:

- Standing Committees are committees appointed for the life of a Parliament and they are usually re-established in some form in successive Parliaments. They have a continuing role
- Select Committees are appointed as the need arises, for a specific purpose, and thus have a more limited life which is normally specified when the Committee is established. Once a select Committee has carried out its investigation and presented its final report, it ceases to exist.
- Joint Committees draw their membership from, and report to, both Houses of Parliament.
- Statutory Committees are those established by an Act of Parliament, that is, by statute. All existing statutory Committees are Joint Committees
- Domestic or internal Committees are those with investigatory powers. Generally speaking the term is used to describe all Committees other than the Main Committee and domestic or internal Committees.
- General purpose standing Committees are investigatory or scrutiny Committees, appointed at the commencement of each Parliament to enquire into and report upon any matters referred to them by the House or a Minister. They cover most Government activity, with each Committee covering a particular spread of subjects and thus a number of related Government departments and authorities. The House of Representatives does not have dedicated legislation Committees.
- The Main Committee is a committee established to be an alternative venue to the Chamber for debate of a range of business (i.e. the second reading and consideration in detail stages of bills, Committee and delegation business, private Members' business and papers presented to the House). It cannot hear witnesses and is not an investigatory Committee.

4.3 Membership of House of Representatives Committees

Most Members of Parliament, except Ministers and Parliamentary Secretaries, serve on Committees – even the Speaker is a member of certain Committees. Committees vary in size and may have as few as seven or as many as thirty four members. They are normally composed of Members from the various parties or independent Members in proportion to the numerical strength of each group in the House. In practice Government Members have the

majority on each Committee and chair the Committee. Committee work is an important part of the duties of a Member and generally places considerable demands on a Member's time.

4.4 Powers of House of Representatives Committees

Committees have considerable powers, usually delegated by the House appointing them. Committees established by law have particular powers set out in the relevant legislation. They are normally given powers to order people to attend. The House is able to punish offences which interfere with the work of its Committee. Committee proceedings are considered to be "proceedings in Parliament" and therefore "privileged", with Members and others participating being protected from being sued or prosecuted for anything they may say during such proceedings.

4.5 House of Representatives Investigatory Committees in Operation

The scope and purpose of each inquiry undertaken by an investigatory Committee is set out in the terms of reference for the inquiry. The first step is to advertise its terms of reference in the press and invite people and organisations to make submissions. Experts and those with interest in the subject may be approached to make a submission. An analysis of existing material on the subject is made by the Committee staff and information is sought from Government departments and agencies.

Having considered the information Committees may invite those who have made submissions to attend public hearings. Committees may also conduct seminars, public meetings to hear the opinions of the public and experts. After examining the evidence, the Committee then prepares a report setting out its conclusions and making recommendations. This report is presented to the House, or to both Houses, in the case of a joint Committee.

A feature of most Committee work is the ability of Members from all parties to work constructively together to develop proposals they can agree on. Depending on the scope of the subject matter, enquiries may take only a few weeks, or may last many months when wide community input is required.

4.6. Current Issues Being Addressed by Committees

4.6.1 Standing Committees

Standing Committee on Aboriginal and Torres Strait Islander Affairs

The Standing Committee on Aboriginal and Torres Strait Islander Affairs conducts inquiries into matters referred to it by the House of Representatives or a Minister of the Commonwealth Government.

The Committee is currently inquiring into language learning in Indigenous communities.

This Committee consists of seven members; four Government Members and three non-Government Members.

Reports

Inquiry into language learning in Indigenous communities.

Standing Committee on Agriculture, Resources, Fisheries and Forestry

The Standing Committee on Agriculture, Resources, Fisheries and Forestry conducts inquiries into matters referred to it by the House of Representatives or a Minister of the Commonwealth Government.

This Committee consists of 8 members; 4 Government Members, 3 non-Government Members and 1 non-aligned Member.

Reports

- *Constitutional Corporations (Farm Gate to Plate)*
- *Environment Protection and Biodiversity*
- *Wild Rivers (Environmental Management)*

Standing Committee on Appropriations and Administration

The Committee has been established to:

- consider estimates of the funding required for the operation of the Department of the House of Representatives each year;
- provide to the Speaker for presentation to the House and transmission to the Minister for Finance and Deregulation, the committee's estimates of amounts for inclusion in appropriation and supply bills for the Department of the House of Representatives;
- consider proposals for changes to the administration of the Department of the House of Representatives or variations to services provided by the Department;
- consider and report to the Speaker on any other matters of finance or services as may be referred to it by the Speaker;
- consider and report to the House on any other matters of finance or services as may be referred to it by the House;
- make an annual report to the House on its operations;
- consider the administration and funding of security measures affecting the House and advise the Speaker and the House as appropriate; and
- consider any proposals for works in the Parliamentary precincts that are subject to Parliamentary approval and report to the House on them as appropriate.

When conferring with the Senate Standing Committee on Appropriations and Staffing, the House Appropriations and Administration Committee may:

- consider estimates of the funding required for the operation of the Department of Parliamentary Services each year; and
- provide to the Speaker for presentation to the House and transmission to the Minister for Finance and Deregulation, estimates of amounts for inclusion in appropriation and supply bills for the Department of Parliamentary Services.

This Committee consists of nine members; five Government Members, and four non-Government Members.

Standing Committee on Climate Change, Environment and the Arts

The Standing Committee on Climate Change, Environment and the Arts conducts inquiries into matters referred to it by the House of Representatives or a Minister of the Commonwealth Government.

This Committee consists of seven members; four Government Members and three non-Government Members.

Committee activities

- Inquiry into Australia's biodiversity in a changing climate.
- Inquiry into the Offshore Petroleum and Greenhouse Gas Storage Amendment (Significant Incident Directions) Bill 2011.

Standing Committee on Economics

In summary, the role of the Standing Committee on Economics is to carry out inquiries into matters referred to it by the House of Representatives or a Minister of the Commonwealth Government. Material that can be referred includes any pre-legislation proposal, bill, motion, petition, vote or expenditure, other financial matter, report or paper.

Annual reports of Government departments and authorities and reports of the Auditor General tabled in the House stand referred to the relevant committee for any inquiry the committee may wish. Reports stand referred in accordance with the schedule tabled by the Speaker to record the areas of responsibility of each committee.

This Committee consists of seven members; four Government Members, three non-Government Members.

Standing Committee on Education and Employment

The Standing Committee on Education and Employment conducts inquiries into matters referred to it by the House of Representatives or a Minister of the Commonwealth Government. In summary, the role of the Standing Committee on Education and Employment is to carry out inquiries into matters referred to it by the House of Representatives or a Minister of the Commonwealth Government.

This Committee consists of seven members; four Government Members and three non-Government Members.

Committee activities

- Inquiry into mental health and workforce participation.
- Inquiry into the Schools Assistance.
- Inquiry into school libraries and teacher librarians in Australian schools.

Standing Committee on Health and Ageing

In summary, the role of the Standing Committee on Health and Ageing is to carry out inquiries into matters referred to it by the House of Representatives or a Minister of the Commonwealth Government.

Committee activities

- Inquiry into Registration Processes and Support for Overseas Trained Doctors.
- Inquiry into Tobacco Plain Packaging.
- Inquiry into Early Intervention Programs Aimed at Preventing Youth Suicide.

Standing Committee on Infrastructure and Communications

The Standing Committee on Infrastructure and Communications conducts inquiries into matters referred to it by the House of Representatives or a Minister of the Commonwealth Government.

The Committee is currently inquiring into:

- Smart Infrastructure.
- The ratio of cabin crew members on aircraft.

This Committee consists of eight members; four Government Members, three non-Government Members and one non-aligned Member.

Committee activities

- Inquiry into the role and potential of the National Broadband Network.

Standing Committee on Petitions

The Committee receives and processes petitions, and inquires into and reports to the House on any matter relating to petitions and the petitions system.

A petition is basically a request for action. The right to petition Federal Parliament has been one of the rights of citizens since federation, and it is the only way an individual can directly place grievances before the Parliament. Petitions may be received by the House on public or individual grievances provided that they relate to matters on which the House has the power to act. Hundreds of petitions are received by the House every year on a variety of matters.

Standing Committee of Privileges and Members' Interests

The Committee of Privileges and Members' Interests is established to:

- inquire into and report on complaints of breach of privilege or contempt which may be referred to it by the House or any or related matter referred to it by or in accordance with a resolution of the House; and
- inquire into and report on the arrangements made for the compilation, maintenance and accessibility of a Register of Members' Interests;
- consider proposals by Members and others on the form and content of the Register of Members' Interests;
- consider specific complaints about registering or declaring interests;
- consider possible changes to any code of conduct adopted by the House; and
- consider whether specified persons (other than Members) ought to be required to register and declare their interests.

The committee may report when it sees fit, and must report to the House on its operations in connection with the registration and declaration of Members' interests during the year.

Standing Committee on Procedure

The Standing Committee on Procedure is a domestic committee of the House of Representatives. It is appointed to inquire into and report on the practices and procedures of the House and its committees.

As a result of reports of the Procedure Committee a number of initiatives have been taken relating to the business of the House, including significant developments relating to private Members' business and procedures for the consideration of legislation, including the establishment of the Main Committee.

As a result of reports of the Procedure Committee a number of initiatives have been taken relating to the business of the House, including significant developments relating to private Members' business. Major changes in the procedures for the consideration of legislation, including the establishment of the Main Committee, also followed recommendations of the Procedure Committee. More recently the committee initiated a complete rewrite and reorganisation of the standing orders to make them easier to understand for Members and the public.

The committee consists of seven Members of the House (four Government and three non-Government).

Standing Committee on Publications

The Publications Committee makes recommendations to the House on which documents that have been presented to the House (and on which the House or the Senate has not already made a determination), should be included in the Parliamentary Papers series.

Each House of the Parliament has a Publications Committee which has the power to confer with each other. In practice most meetings are joint meetings of the two committees. The standing orders of each House permit the publications committees to undertake inquiries and make reports on:

- the printing, publication and distribution of Parliamentary and Government publications, and
- other matters which may be referred by the relevant Minister.

This Committee consists of seven Members; four Government Members and three non-Government Members. The Members of the House of Representatives may, in conference with the Senate Committee on Publications, meet as the Joint Committee on Publications. Both the House and Senate Committees can recommend that documents presented to the Parliament be incorporated into the Parliamentary Papers series, however only the Joint Committee has the power to conduct inquiries.

Standing Committee on Regional Australia

In summary, the role of the Standing Committee on Regional Australia is to carry out inquiries into matters referred to it by the House of Representatives or a Minister of the Commonwealth Government.

This Committee consists of nine members; four Government Members, four non-Government Members and one non-aligned Member.

Committee activities

- Inquiry into the use 'fly-in, fly-out' (FIFO) workforce practices in regional Australia.

- Inquiry into the impact of the Murray-Darling Basin Plan in Regional Australia.

Selection Committee

The Selection Committee has been established primarily to determine the program of business for committee and delegation business and private Members' business for each sitting Monday, to recommend items of private Members' business to be voted on, and to select bills for referral to committees.

The Committee is comprised of eleven Members of the House of Representatives.

Standing Committee on Social Policy and Legal Affairs

The Standing Committee on Social Policy and Legal Affairs conducts inquiries into matters referred to it by the House of Representatives or a Minister of the Commonwealth Government.

This Committee consists of seven members; four Government Members and three non-Government Members.

Committee activities

- Inquiry into the operation of the insurance industry during disaster events.
- Inquiry into the Family Law Legislation Amendment (Family Violence and Other Measures).

4.6.2 Joint Committees Administered by the House of Representatives

Joint Committee on the Broadcasting of Parliamentary Proceedings

The primary role of the committee is to regulate the radio broadcast and rebroadcast of the proceedings of Parliament.

Joint Select Committee on Cyber Safety

The Joint Select Committee on Cyber-Safety was established to inquire into and report on:

- the online environment in which Australian children currently engage, including key physical points of access (schools, libraries, internet cafes, homes, mobiles) and stakeholders controlling or able to influence that engagement (Governments, parents, teachers, traders, internet service providers, content service providers);
- the nature, prevalence, implications of and level of risk associated with cyber-safety threats, such as:
 - abuse of children online (cyber-bullying, cyber-stalking and sexual grooming);
 - exposure to illegal and inappropriate content;
 - inappropriate social and health behaviours in an online environment (e.g. technology addiction, online promotion of anorexia, drug usage, underage drinking and smoking);
 - identity theft; and
 - breaches of privacy;
- Australian and international responses to current cyber-safety threats (education, filtering, regulation, enforcement) their effectiveness and costs to stakeholders, including business;

- opportunities for cooperation across Australian stakeholders and with international stakeholders in dealing with cyber-safety issues;
- examining the need to ensure that the opportunities presented by, and economic benefits of, new technologies are maximised;
- ways to support schools to change their culture to reduce the incidence and harmful effects of cyber-bullying including by:
 - increasing awareness of cyber-safety good practice;
 - encouraging schools to work with the broader school community, especially parents, to develop consistent, whole school approaches; and
 - analysing best practice approaches to training and professional development programs and resources that are available to enable school staff to effectively respond to cyber-bullying;
- analysing information on achieving and continuing world's best practice safeguards;
- the merit of establishing an Online Ombudsman to investigate, advocate and act on cyber-safety issues; and

Such other matters relating to cyber-safety referred by the Minister for Broadband, Communications and the Digital Economy or either House.

Joint Standing Committee on Electoral Matters

The Committee was established for the purposes of its current inquiry into the funding of political parties and election campaigns.

Joint Standing Committee on Foreign Affairs, Defence and Trade

The Joint Standing Committee on Foreign Affairs, Defence and Trade is to consider and report on such matters relating to foreign affairs, defence, trade, and human rights as may be referred to it by either House of the Parliament; the Minister for Foreign Affairs; the Minister for Defence; or the Minister for Trade.

Committee activities

- Inquiry into Australia's Human Rights Dialogues with China and Vietnam.
- Inquiry into Australia's trade and investment relationship with Japan and the Republic of Korea.
- Inquiry into Australia's Relationship with the Countries of Africa.
- Inquiry into Australia's trade and investment relations with Asia, the Pacific and Latin America.

Parliamentary Joint Committee on Intelligence and Security

There are two main activities that the PJCIS is tasked with. These are:

- conducting a Review of the Administration and Expenditure of the Australian Intelligence Community; and
- preparing an Annual Report of Committee Activities for the Parliament.

The Committee may review the listing of organisations as terrorist organisations.

Committee activities

- Review of the Listing of Al-Qa'ida in the Arabian Peninsula (AQAP) and the re-listing of six Terrorist Organisations:

Al Qa'ida (AQ),
Jemaah Islamiah (JI)
Al-Qa'ida in the Islamic Maghreb (AQIM)
Jamiat ul-Ansar (JuA)
Abu Sayyaf Group (ASG); and,
Al Qa'ida in Iraq (AQI).

Joint Standing Committee on Migration

The joint committee is one of ten joint committees administered by the House of Representatives and is established by a resolution of the House of Representatives and the Senate.

Current Inquiry

- Inquiry into Multiculturalism in Australia.

Joint Committee on the National Broadband Network

The Joint Committee on the National Broadband Network has been established to inquire into the rollout of the project until the NBN is operational.

To report to the Parliament and the Ministers for Broadband, Communications and the Digital Economy and the Minister for Finance every six months on:

- The rollout of the NBN, including in relation to the Government's objective for NBN Co. Limited:

connect 93 per cent of Australian homes, schools and businesses with fibre-to-the premises technology providing broadband speeds of up to 100 megabits per second, with a minimum fibre coverage obligation of 90 per cent of Australian premises; and service all remaining premises by a combination of next-generation fixed wireless and satellite technologies providing peak speeds of at least 12 megabits per second;
- the achievement of take-up targets (including premises passed and covered and services activated) as set out in NBN Co.'s Corporate Plan released on 20 December 2010 as revised from time to time;
- network rollout performance including service levels and faults;
- the effectiveness of NBN Co. in meeting its obligations as set out in its Stakeholder Charter;
- NBN Co.'s strategy for engaging with consumers and handling complaints;
- NBN Co.'s risk management processes; and
- Any other matter pertaining to the NBN rollout that the Committee considers relevant.

Joint Standing Committee on the National Capital and External Territories

The Joint Standing Committee on the National Capital and External Territories conducts inquiries into matters referred to it by the House of Representatives or a Minister of the Commonwealth Government.

Joint Committee of Public Accounts and Audit

It is one of only seven statutory committees in the Commonwealth Parliament.

The Joint Committee of Public Accounts and Audit exists to hold Commonwealth agencies to account for the lawfulness, efficiency and effectiveness with which they use public monies.

In performing its duties the JCPAA works closely with the Auditor-General and the Australian National Audit Office (ANAO). The Auditor-General provides the Parliament with an independent view of the performance and financial standing of public sector agencies. To help ensure the independence of the Auditor-General, the JCPAA Act empowers the Committee to consider and make recommendations to the Parliament on the annual draft budget estimates of the ANAO. Prior to the federal budget, the Auditor-General provides a series of briefings to the Committee on the ANAO's expected requirements each year. The Chair of the Committee makes a statement to the House of Representatives, on budget day, outlining whether the Committee believes the ANAO has been given sufficient funding to carry out its functions. A corresponding statement is delivered to the Senate by one of the Committee's Government Senators.

Parliamentary Standing Committee on Public Works

The Committee was established in 1913. It is one of the oldest investigative committees of the Parliament. The Committee is constituted by the Public Works Committee Act 1969.

The Act empowers the Committee to inquire into and report to the Parliament on each public work referred to it. The Act requires that all public works for the Commonwealth which are estimated to cost more than \$15 million must be referred to the Committee. There are some exceptions to this rule, but essentially all public works sponsored by Commonwealth departments and major statutory authorities with large building programs come within the ambit of the Committee's investigatory powers.

Essentially, the Committee is required to report as expeditiously as practicable on:

- the stated purpose of the proposed work and its suitability for that purpose,
- the need for the work,
- the cost-effectiveness of the proposal,
- the amount of revenue it will produce if the work is revenue producing,
- the current and prospective value of the work.

Membership

The Committee is bipartisan and consists of six Members of the House of Representatives and three Senators.

Joint Committee on Publications

Each House of the Parliament has a Publications Committee which has the power to confer with each other. In practice most meetings are joint meetings of the two committees. The

standing orders of each House permit the publications committees to undertake inquiries and make reports on:

- the printing, publication and distribution of Parliamentary and Government publications, and
- other matters which may be referred by the relevant Minister.

Both the House and Senate Committees can recommend that documents presented to the Parliament be incorporated into the Parliamentary Papers series, however only the Joint Committee has the power to conduct inquiries. When undertaking an inquiry, the committees are known as the Joint Committee on Publications.

Joint Standing Committee on Treaties

The committee was appointed to inquire into and report on:

- matters arising from treaties and related National Interest Analyses and proposed treaty actions and related Explanatory Statements presented or deemed to be presented to the Parliament;
- any question relating to a treaty or other international instrument, whether or not negotiated to completion, referred to the committee by:
 - (i) either House of the Parliament, or
 - (ii) a Minister; and
- such other matters as may be referred to the committee by the Minister for Foreign Affairs and on such conditions as the Minister may prescribe.

5. Senate Committees

5.1 Role of Senate Committees

The role of Senate Committees is to investigate and to draw attention to what they find. They throw 'light in dark corners' and give advice.

Like many deliberative assemblies, the Senate finds it useful to delegate responsibility for certain tasks to small groups. The Senate may refer a particular matter to a committee because the matter warrants detailed examination, because the Senate wants information to be collected, or because it wants to hear views on the matter. These tasks are more easily undertaken by a small group of senators rather than by the Senate as a whole. Committees encourage and enable senators to develop special interests and expertise in particular aspects of public policy. They also provide an opportunity for organisations and individuals to make representations to Parliament and to have their views placed on the public record.

5.2 Categories of Senate Committees

- A select Committee is created as required to inquire into and report upon a particular matter. It may be established at any time by a resolution of the Senate which will specify the committee's composition, terms of reference and powers. A select committee has a limited life and ceases to exist when the time allocated for it to do its work expires upon the presenting of its final report.

Select committees often inquire into controversial or politically sensitive matters.

Where a particular policy area is considered to merit continuous review, a select committee may have an extended life.

- Standing committees are appointed at the beginning of each Parliament under Senate standing orders. They continue to function until the end of the day before the commencement of the next Parliament. Senate standing committees, covering every area of Government operations, have developed a reputation as the backbone of the Senate's committee work.

Standing committees permit a continuing surveillance of defined fields of Government activity, call upon scholarly research and advice and create an awareness of the Senate's 'watchdog' function. There are a number of different kinds of standing committees: domestic, legislative scrutiny, legislative and general purpose, and joint.

- There are eight domestic committees dealing with matters relating to the internal operations of the Senate including publications, appropriations and staffing, procedure, library services, the provision of other facilities in Parliament House and senators' interests. The Committee of Privileges, which inquires into matters relating to the power and immunities of the Senate (for example, the protection of witnesses before Senate committees) is regarded as one of this group.
- All bills and subordinate legislative instruments that come before Parliament are scrutinised by either the Scrutiny of Bills Committee or the Regulations and Ordinances Committee to ensure that they conform to certain principles mainly concerned with civil liberties.
- The Scrutiny of Bills Committee examines proposed laws before they are debated by the Senate.

The committee does not usually recommend specific changes to bills. It simply highlights those provisions which may offend its criteria—leaving it to senators to propose any changes in the chamber.

- Many of the matters on which Parliament makes laws are extremely complex and it is neither possible nor desirable to include all the details in an Act of Parliament. Many Acts therefore contain a provision that delegates to the Government the power to draw up legislative instruments covering detailed or technical matters required for the purpose of the Act. An Act will usually have a power authorising the Governor-General to make regulations. An Act may also authorise a minister to make other forms of legislative instruments such as determinations, orders, guidelines, standards and airworthiness directives.

A legislative instrument carries the full force of the law it has the same effect as an Act of Parliament. The power to make legislative instruments is therefore an important one which needs to be monitored closely to ensure that it is not abused. For this reason the *Legislative Instruments Act 2003* requires that all legislative instruments be tabled in both houses of Parliament and gives either house the right to disallow (that is, veto) a large number of them.

The Regulations and Ordinances Committee, with the assistance of an independent legal adviser, meets every week that the Senate sits to check all disallowable legislative instruments tabled in the Senate.

The committee works in a bipartisan manner and since its establishment in 1932 the Senate has not rejected a committee recommendation that a legislative instrument be disallowed.

- Central to the Senate's committee system are the legislative and general purpose standing committees. These committees were first established in 1970, along with a dedicated stream of estimates committees, to examine legislation, Government administration and references of a general nature.

The departments and agencies allocated to the eight legislation committees by order of the Senate are as follows:

Legislative and General Purpose Standing Committees	Departments and agencies
Community Affairs	Families, Housing, Community Services and Indigenous Affairs; Health and Ageing
Economics	Treasury; Innovation, Industry, Science and Research; Resources, Energy and Tourism
Education, Employment, and Workplace Relations	Education, Employment and Workplace Relations
Environment and Communications	Sustainability, Environment, Water, Population and Communities; Broadband, Communications and the Digital Economy; Climate Change and Energy Efficiency
Finance and Public Administration	Finance and Deregulation; Human Services; Parliament; Prime Minister and Cabinet
Foreign Affairs, Defence and Trade	Defence; Veterans' Affairs; Foreign Affairs and Trade
Legal and Constitutional Affairs	Attorney-General; Immigration and Citizenship
Rural Affairs and Transport	Agriculture, Fisheries and Forestry; Infrastructure and Transport

- References committees inquire into and report upon various general matters referred to them by the Senate. The scope of inquiries and their terms of reference may range from the very broad and comprehensive to the quite specific. Examination can require evaluation of policy areas and assessment of implementation within and across allocated portfolios.

Since 1982, it has been the practice to forward petitions presented to the Senate to standing committees for consideration. If a committee wishes to pursue an issue raised in a petition, it must seek the reference of the matter by the Senate.

- Legislation committees have a number of functions:

Consideration of proposed Government expenditure

Legislation committees inquire into and report upon the Government's budget proposals (estimates of expenditures) referred to them by the Senate. These estimates are contained in the main appropriation bills introduced into Parliament as part of the Budget in May (budget estimates), and in the additional appropriation bills introduced in November (additional estimates).

Public hearings are held at which the relevant Senate ministers, together with senior officials from the organisations whose estimates are being examined, appear before the committees to explain expenditure proposals and to answer questions concerning the effectiveness and efficiency of various programs.

Each committee is allocated four days to conduct hearings during budget estimates and two days or more to consider additional estimates.

Supplementary hearings may be held after consideration of budget estimates.

Once committees have completed their consideration of the estimates expenditure they report their deliberations to the Senate.

Consideration of legislation

Committees also inquire into and report on any bills or draft bills referred to them.

Some bills may require consideration only from a technical point of view while others may need to be examined in terms of their substance and impact. Committees endeavour to seek evidence from a wide range of witnesses in the time available, both by receiving written submissions and by oral evidence. The committees meet in public to hear evidence from the appropriate minister and officials, and usually a number of independent experts or representatives of organisations affected by the bill. Often these hearings are held at various locations around Australia relevant to the subject matter of the bill.

The practice of routinely referring bills to committees has given Senate committees a greater role in the consideration of legislation. A committee has no power to amend a bill referred to it, but it may recommend amendments or it may advise the Senate to agree to the bill without changes.

Consideration of annual reports and examination of Government administration

The committees are required to report to the Senate on whether the annual reports are satisfactory, to investigate any matters requiring closer scrutiny, and to monitor whether annual reports are received on time. Committees also report to the Senate if an agency fails to present its annual report. Annual reports of departments and agencies may also be considered by committees in conjunction with their examination of estimates.

Committees may also report on the performance of departments and agencies allocated to them.

Estimates

Annual and additional estimates, contained in the documents presenting the particulars of proposed expenditure and additional expenditure, shall be referred to the legislative and general purpose standing committees for examination and report.

The committees shall hear evidence on the estimates in public session.

The committees may ask for explanations from ministers in the Senate, or officers, relating to the items of proposed expenditure.

5.3 Establishment and Membership of Senate Committees

The Senate's standing orders specify the membership of legislative and general purpose standing committees and the number of positions to be allocated to senators from the Government, opposition, minority parties and independents.

Legislation committees consist of three Government members, two opposition members and one member from the minority groups and independent senators. References committees consist of three opposition members, two Government members and one member from the minority groups and independent senators. Government senators chair the eight legislation committees and opposition and minority party or independent senators are elected as deputy

chairs. Opposition or minority party senators chair the eight references committees and Government senators are elected as deputy chairs.

Senators who are interested in the work of a particular committee but are not members of it may be appointed by the Senate as participating members which gives them all the rights of membership except the right to vote on matters before the committee. Senators may also be appointed to committees as substitute members, to replace an existing member for a specified time, for a particular inquiry or for the consideration of certain issues. Unlike participating members, substitute members have voting rights in respect of those matters for which they are substitute members.

The membership of select committees is specified in the resolution establishing them. They have varied between five and nine members and the chairmanship of the committees may be held by senators from any of the political parties. The size of statutory committees is specified in the legislation which authorises their establishment. Joint committees, because they consist of members of both Houses of Parliament, are larger, ranging in size from ten to 30 members.

Legislative and general purpose standing committees may appoint subcommittees consisting of three or more of its members and refer to any such subcommittee matters which the committee is empowered to consider. Subcommittees usually have the same powers as their parent committees but may not, however, report directly to the Senate; their task is to report their findings back to their parent committee. The Appropriations and Staffing Committee and the Scrutiny of Bills Committee are also authorised to appoint subcommittees to assist them in carrying out their business. Subcommittees increase the flexibility of committees and enable them to pursue several tasks simultaneously.

5.4 Powers of Senate Committees

The direction and extent of a Senate committee's inquiry is determined by its terms of reference. Committees do not have powers of their own: they possess only the authority delegated to them by the Senate itself.

5.5 The Inquiry Process of Senate Committees

The senators serving on a committee are assisted by a small secretariat consisting of a secretary and research and administrative staff. The secretary is a committee's principal adviser on committee procedures and manages all aspects of the committee's research and operations.

Committee inquiries are usually advertised in the national press, reaching the people and organisations most likely to make submissions. The committee conducting the inquiry will also seek submissions from Government and non-Government agencies known to have an interest in the matter under inquiry. Persons or organisations with a specialist knowledge or interest may be specifically invited to make submissions.

Committees analyse the material submitted to them, sometimes with the assistance of expert advisers. Some witnesses who have made submissions are invited to attend public hearings so that submission material can be further investigated and tested.

As well as hearing evidence in Canberra, committees frequently travel to other cities and regional areas to listen to witnesses. In this way, they are able to obtain first-hand experience of the issues under consideration. Committees may also arrange informal briefings, seminars, and site inspections to augment their formal evidence-gathering.

The proceedings of committees are recognised as proceedings of Parliament and attract the same privileges and immunities as Parliament itself. This means that witnesses receive very wide protection and immunity enabling them to give evidence freely and honestly without fear of recrimination. Parliamentary privilege also means that witnesses cannot be sued or prosecuted for what they say in evidence to a committee.

Senate requires the chair of a committee to prepare a draft report and submit it to the committee for consideration. In practice, the chair gives drafting instructions to the secretary who prepares a draft with secretariat assistance. After a final report has been agreed to, committee members may add a minority or dissenting report or attach relevant conclusions and recommendations.

The Senate's comprehensive committee system has significantly strengthened the Federal Parliamentary system of Government. It assists the Senate to perform its law-making and inquiry role more effectively and to keep the Government accountable for its actions.

Committees also provide a formal channel of communication between Parliament and the public and this encourages greater community participation in the Parliamentary process. Travelling to stakeholders in town and country, committees hear local views on Government policy. Media attention is drawn to matters that might otherwise have been overlooked.

5.6 Current Issues Being Addressed by Senate Committees

5.6.1 Senate Standing Committees

Procedures

A Procedure Committee, consisting of the President, the Deputy President, the Leader of the Government in the Senate, the Leader of the Opposition in the Senate and six senators, shall be appointed at the commencement of each Parliament, with power to act during recess and to confer with a similar committee of the House of Representatives.

The committee may consider any matter relating to the procedures of the Senate referred to it by the Senate or by the President.

The Deputy President shall be the chair of the committee.

Privileges

A Committee of Privileges, consisting of seven senators, shall be appointed at the commencement of each Parliament to inquire into and report upon matters of privilege referred to it by the Senate.

The committee shall consist of seven senators, four nominated by the Leader of the Government in the Senate and three nominated by the Leader of the Opposition in the Senate.

The committee shall elect as its chair a member nominated by the Leader of the Opposition in the Senate.

Appropriations and Staffing

A Standing Committee on Appropriations and Staffing shall be appointed at the commencement of each Parliament.

The committee shall inquire into:

- proposals for the annual estimates and the additional estimates for the Senate;

- proposals to vary the staff structure of the Senate, and staffing and recruitment policies; and
- make an annual report to the Senate on the operations of the Senate's appropriations and staffing, and related matters; and
- consider the administration and funding of security measures affecting the Senate and advise the President and the Senate as appropriate.

The committee shall consist of the President and eight other senators: the Leader of the Government in the Senate or a Senate minister nominated to represent the Leader of the Government in the Senate from time to time, and three other members of the Government party nominated by the Leader of the Government in the Senate, and the Leader of the Opposition in the Senate or a senator nominated to represent the Leader of the Opposition in the Senate from time to time, and three other senators not being members of the Government party, nominated by the Leader of the Opposition in the Senate or by any minority groups or independent senators; and in the absence of agreement between the opposition and any minority groups or independent senators as to nominations, any question as to representation shall be determined by the Senate.

The chairman of the committee shall be the President, who may from time to time appoint another member of the committee to be deputy chairman, who shall act as chairman at any time when there is no chairman or the chairman is not present at a meeting of the committee.

Publications

A Publications Committee, consisting of 7 senators, shall be appointed at the commencement of each Parliament, with power to act during recess and to confer and sit as a joint committee with a similar committee of the House of Representatives.

All documents presented to the Senate which have not been ordered to be printed by either House of the Parliament shall stand referred to the committee, which shall make recommendations on the printing of documents.

When sitting with a similar committee of the House of Representatives, the committee shall also have power:

- to inquire into and report on the printing, publication and distribution of Parliamentary and Government publications and on such related matters as are referred to it by the relevant minister; and
- to send for persons and documents.

The committee shall elect as its chair a member nominated by the Leader of the Government in the Senate.

Senators' Interests

A Committee of Senators' Interests shall be appointed at the commencement of each Parliament:

- to inquire into and report upon the arrangements made for the compilation, maintenance and accessibility of a Register of Senators' Interests;

- to consider any proposals made by senators and others as to the form and content of the register;
- to consider any submissions made in relation to the registering or declaring of interests;
- to consider what classes of person, if any, other than senators ought to be required to register and declare their interests; and
- to make recommendations upon these and any other matters which are relevant.

The membership of the committee shall as closely as possible reflect the composition of the Senate and, until modified by a subsequent resolution, shall consist of 8 senators, 3 nominated by the Leader of the Government in the Senate, 4 nominated by the Leader of the Opposition in the Senate and 1 nominated by any minority groups or independent senators.

The nominations of the minority groups or independent senators shall be determined by agreement between the minority groups and independent senators and, in the absence of agreement duly notified to the President, the question of the representation on the committee shall be determined by the Senate.

The committee shall elect as its chair one of its members nominated by the Leader of the Opposition in the Senate.

The committee shall have power to confer with a similar committee of the House of Representatives.

The committee shall, as soon as practicable after 31 December in each year, prepare and table in the Senate a report on its operations during that year, and shall also have power to report from time to time.

Current Inquiry: Draft code of conduct for Senators

Regulations and Ordinances

A Standing Committee on Regulations and Ordinances shall be appointed at the commencement of each Parliament.

All regulations, ordinances and other instruments made under the authority of Acts of the Parliament, which are subject to disallowance or disapproval by the Senate and which are of a legislative character, shall stand referred to the committee for consideration and, if necessary, report.

The committee shall scrutinise each instrument to ensure:

- that it is in accordance with the statute;
- that it does not trespass unduly on personal rights and liberties;
- that it does not unduly make the rights and liberties of citizens dependent upon administrative decisions which are not subject to review of their merits by a judicial or other independent tribunal; and
- that it does not contain matter more appropriate for Parliamentary enactment.

The committee shall consist of six senators, three being members of the Government party nominated by the Leader of the Government in the Senate, and three being senators who are not members of the Government party, nominated by the Leader of the Opposition in the Senate or by any minority groups or independent senators.

Scrutiny of Bills

At the commencement of each Parliament, a Standing Committee for the Scrutiny of Bills shall be appointed to report, in respect of the clauses of bills introduced into the Senate, and in respect of Acts of the Parliament, whether such bills or Acts, by express words or otherwise:

- trespass unduly on personal rights and liberties;
- make rights, liberties or obligations unduly dependent upon insufficiently defined administrative powers;
- make rights, liberties or obligations unduly dependent upon non-reviewable decisions;
- inappropriately delegate legislative powers; or
- insufficiently subject the exercise of legislative power to Parliamentary scrutiny.

The committee, for the purpose of reporting upon the clauses of a bill when the bill has been introduced into the Senate, may consider any proposed law or other document or information available to it, notwithstanding that such proposed law, document or information has not been presented to the Senate.

The committee shall consist of six senators, three being members of the Government party nominated by the Leader of the Government in the Senate, and three being senators who are not members of the Government party, nominated by the Leader of the Opposition in the Senate or by any minority groups or independent senators.

Selection of Bills

A Selection of Bills Committee shall be appointed at the commencement of each Parliament to consider all bills introduced into the Senate or received from the House of Representatives, except bills which contain no provisions other than provisions appropriating revenue or moneys, and to report:

- in respect of each such bill, whether the bill should be referred to a legislative and general purpose standing committee; and
- in respect of each bill recommended for referral to a standing committee:
 - the standing committee to which the bill should be referred,
 - the stage in the consideration of the bill at which it should be referred to the standing committee, and
 - the day which should be fixed for the standing committee to report on the bill.

The committee shall consist of the Government Whip and 2 other senators nominated by the Leader of the Government in the Senate, the Opposition Whip and 2 other senators nominated by the Leader of the Opposition in the Senate, and the whips of any minority groups.

A report from a standing committee relating to a bill referred to it under this order shall be received by the Senate without debate, and consideration of the report deferred until the order of the day relating to the bill is called on.

5.6.2 Senate Select Committees

Select Committee on Australia's Food Processing Sector

Terms of Reference

- the competitiveness and future viability of Australia's food processing sector in global markets;
- the regulatory environment for Australia's food processing and manufacturing companies including but not limited to:
 - taxation,
 - research and development,
 - food labelling,
 - cross-jurisdictional regulations,
 - bio-security, and
 - export arrangements;
- the impact of Australia's competition regime and the food retail sector, on the food processing sector, including the effectiveness of the Competition and Consumer Act 2010;
- the effectiveness of anti-dumping rules;
- the costs of production inputs including raw materials, labour, energy and water;
- the effect of international anti-free trade measures;
- the access to efficient and quality infrastructure, investment capital and skilled labour and skills training; and
- any other related matter.

The committee consist of nine senators, four nominated by the Leader of the Opposition in the Senate, three nominated by the Leader of the Government in the Senate and two nominated by any minority party or independent senators.

Senate Select Committee on Scrutiny of New Taxes

The Select Committee on New Taxes initiated an inquiry into the following matters:

- new taxes proposed for Australia, including:
 - the minerals resource rent tax and expanded petroleum resource rent tax,
 - a carbon tax, or any other mechanism to put a price on carbon, and
 - any other new taxes proposed by Government, including significant changes to existing tax arrangements;
- the short and long term impact of those new taxes on the economy, industry, trade, jobs, investment, the cost of living, electricity prices and the Federation;
- estimated revenue from those new taxes and any related spending commitments;

- the likely effectiveness of these taxes and related policies in achieving their stated policy objectives;
- any administrative implementation issues at a Commonwealth, state and territory level;
- an international comparison of relevant taxation arrangements;
- alternatives to any proposed new taxes, including direct action alternatives; and
- any other related matter.

Community Affairs Committees

Community Affairs Legislation Committee

- Currently there are no inquiries for the Legislation Committee

Community Affairs References Committee

- Commonwealth contribution to former forced adoption policies and practices
- Commonwealth Funding and Administration of Mental Health Services
- The factors affecting the supply of health services and medical professionals in rural areas
- The Regulatory Standards for the Approval of Medical Devices

Review of the Professional Services Review (PSR) Scheme

Economics Committees

Economics Legislation Committee

- Constitutional Corporations (Farm Gate to Plate) Bill 2011
- Consumer Credit and Corporations Legislation Amendment (Enhancements) Bill 2011

Economics References Committee

- The impacts of supermarket price decisions on the dairy industry
- Finance for the not for profit sector

Education, Employment and Workplace Relations Committees

Education, Employment and Workplace Relations Legislation Committee

- Education Services for Overseas Students Legislation Amendment (Tuition Protection Service and Other Measures) Bill 2011; Education Services for Overseas Students (TPS Levies) Bill 2011; and Education Services for Overseas Students (Registration Charges) Amendment (Tuition Protection Service) Bill 2011

Education, Employment and Workplace Relations References Committee

- All aspects of higher education and skills training to support future demand in agriculture and agribusiness in Australia
- The administration and purchasing of Disability Employment Services in Australia

Environment and Communications Committees

Environment and Communications Legislation Committee

- Australian Renewable Energy Agency Bill

Environment and Communications References Committee

- The capacity of communication networks and emergency warning systems to deal with emergencies and natural disasters

Finance and Public Administration Committees

Finance and Public Administration Legislation Committee

- The performance of the Department of Parliamentary Services (DPS)

Finance and Public Administration References Committee

- Currently there are no inquiries for the References Committee

Foreign Affairs, Defence and Trade Committees

Foreign Affairs, Defence and Trade Legislation Committee

- Currently there are no inquiries for the Legislation Committee

Foreign Affairs, Defence and Trade References Committee

- An equity and diversity health check in the Royal Australian Navy—HMAS Success
- Effectiveness of the Federal Government's response to Australian citizens who are kidnapped and held for ransom overseas
- Procurement procedures for Defence capital projects

Legal and Constitutional Affairs Committees

Legal and Constitutional Affairs Legislation Committee

- Native Title Amendment (Reform) Bill 2011

Legal and Constitutional Affairs References Committee

- International Child Abduction to and from Australia

Rural Affairs and Transport Committees

Rural Affairs and Transport Legislation Committee

- Air Navigation and Civil Aviation Amendment (Aircraft Crew) Bill 2011; Qantas Sale Amendment (Still Call Australia Home) Bill 2011
- Quarantine Amendment (Disallowing Permits) Bill 2011

Rural Affairs and Transport References Committee

- Animal welfare standards in Australia's live export markets
- Biosecurity and quarantine arrangements
- Examination of the Foreign Investment Review Board National Interest Test
- The management of the Murray-Darling Basin
- Operational issues in export grain networks

5.6.3 Joint Committees Administered by the Senate

Joint Select Committee on Australia's Immigration Detention Network

The Joint Select Committee on Australia's Immigration Detention Network will conduct a comprehensive inquiry into Australia's Immigration Detention Network, including its management, resourcing, potential expansion, possible alternative solutions, the Government's detention values, and the effect of detention on detainees.

The committee will also inquire into the reasons for and nature of riots and disturbances, their management, and the length of time detainees have been held in the detention network, the reasons for their stay, the processes for assessment of protection claims and any other matters relevant to the terms of reference.

Inquire into and report on:

- any reforms needed to the current Immigration Detention Network in Australia;
- the impact of length of detention and the appropriateness of facilities and services for asylum seekers;
- the resources, support and training for employees of Commonwealth agencies and/or their agents or contractors in performing their duties;
- the health, safety and wellbeing of asylum seekers, including specifically children, detained within the detention network;
- impact of detention on children and families, and viable alternatives;
- the effectiveness and long-term viability of outsourcing immigration detention centre contracts to private providers;
- the impact, effectiveness and cost of mandatory detention and any alternatives, including community release; and

- the reasons for and nature of riots and disturbances in detention facilities;
- the performance and management of Commonwealth agencies and/or their agents or contractors in discharging their responsibilities associated with the detention and processing of irregular maritime arrivals or other persons;
- the health, safety and wellbeing of employees of Commonwealth agencies and/or their agents or contractors in performing their duties relating to irregular maritime arrivals or other persons detained in the network;
- the level, adequacy and effectiveness of reporting incidents and the response to incidents within the immigration detention network, including relevant policies, procedures, authorities and protocols;
- compliance with the Government's immigration detention values within the detention network;
- any issues relating to interaction with States and Territories regarding the detention and processing of irregular maritime arrivals or other persons;
- the management of good order and public order with respect to the immigration detention network;
- the total costs of managing and maintaining the immigration detention network and processing irregular maritime arrivals or other detainees;
- the expansion of the immigration detention network, including the cost and process adopted to establish new facilities;
- the length of time detainees have been held in the detention network, the reasons for their length of stay and the impact on the detention network;
- processes for assessment of protection claims made by irregular maritime arrivals and other persons and the impact on the detention network; and,
- any other matters relevant to the above terms of reference.

The committee consist of eleven members, two Members to be nominated by the Government Whip or Whips, two Senators to be nominated by the Leader of the Government in the Senate, two Members to be nominated by the Opposition Whip or Whips, two Senators nominated by the Leader of the Opposition in the Senate, one Member and one Senator nominated by the Australian Greens Whip, and one non-aligned member.

Gambling Reform—Joint Select Committee

Inquire into and report on:

- The Productivity Commission report on gambling, released in June 2010, including a national response to the full set of its recommendations;
- The design and implementation of a best practice full pre-commitment scheme – that is uniform across all States and Territories and machines - consistent with the recommendations and findings of the Productivity Commission;

- Legal advice commissioned and received by the Commonwealth by 1 February 2011 regarding the Commonwealth's constitutional competence and prospects for successfully legislating in this area, including the reasoning supporting the legal advice and financial and other consequences flowing from it;
- Any gambling-related legislation that has been tabled in either House, either as a first reading or exposure draft;
- Appropriate terms of reference, to be set by no later than 30 June 2013, of a further Productivity Commission Inquiry to examine the impact of pre-commitment schemes on problem gambling and to determine what further harm minimisation measures may be necessary.
- Monitoring the impact of reforms to address problem gambling; and
- Such other matters relating to gambling referred by either House.

Make recommendations to the Minister for Families, Housing, Community Services and Indigenous Affairs and the Assistant Treasurer, to inform any position that the Commonwealth will take to the COAG Select Council on Gambling Reform.

Australian Commission for Law Enforcement Integrity Joint Committee

The Committee has the following duties:

- to monitor and review the Integrity Commissioner's performance of his or her functions;
- to report to both Houses of the Parliament, with such comments as it thinks fit, on any matter:

connected with the performance of the Integrity Commissioner's functions; or
relating to ACLEI;

That the Committee considers should be directed to the attention of Parliament:

- to examine:

each annual report prepared by the Integrity Commissioner under section 201; and
any special report prepared by the Integrity Commissioner under section 204;
and report to the Parliament on any matter appearing in, or arising out of, any such
annual report or special report;
- to examine trends and changes in:

law enforcement in so far as they relate to corruption; and
corruption generally in, or the integrity of staff members of, Commonwealth
Government agencies with a law enforcement function;
- and report to both Houses of the Parliament on any change that the Committee thinks
desirable:

to the Integrity Commissioner's functions or powers; or
to the procedures followed by the Integrity Commissioner; or
to ACLEI's structure;

- to inquire into any question in connection with the Committee's duties that is referred to it by either House of the Parliament, and to report to that House upon that question.

Subsection (1) does not authorise the Committee:

- to investigate a corruption issue or an ACLEI corruption issue; or
- to reconsider the Integrity Commissioner's decisions or recommendations in relation to a particular corruption issue or ACLEI corruption issue; or
- to reconsider a special investigator's decisions or recommendations in relation to an ACLEI corruption issue.

The Committee shall consist of ten members, namely, five members of the Senate appointed by the Senate, and five members of the House of Representatives appointed by that House.

Parliamentary Joint Committee on Corporations and Financial Services

The committee is established by the *Australian Securities and Investments Commission Act 2001*. The duties of the committee as follows:

- to inquire into, and report to both Houses on:

activities of ASIC or the Panel, or matters connected with such activities, to which, in the Parliamentary Committee's opinion, the Parliament's attention should be directed; or
the operation of the corporations legislation (other than the excluded provisions), or of any other law of the Commonwealth, of a State or Territory or of a foreign country that appears to the Parliamentary Committee to affect significantly the operation of the corporations legislation (other than the excluded provisions); and
- to examine each annual report that is prepared by a body established by this Act and of which a copy has been laid before a House, and to report to both Houses on matters that appear in, or arise out of, that annual report and to which, in the Parliamentary Committee's opinion, the Parliament's attention should be directed; and
- to inquire into any question in connection with its duties that is referred to it by a House, and to report to that House on that question.

Parliamentary Joint Committee on Law Enforcement

Functions of the Committee

The Committee has the following functions:

- to monitor and to review the performance by the ACC of its functions;
- to report to both Houses of the Parliament, with such comments as it thinks fit, upon any matter appertaining to the ACC or connected with the performance of its functions to which, in the opinion of the Committee, the attention of the Parliament should be directed;
- to examine each annual report on the ACC and report to the Parliament on any matter appearing in, or arising out of, any such annual report;
- to monitor and to review the performance by the AFP of its functions;

- to report to both Houses of the Parliament, with such comments as it thinks fit, upon any matter appertaining to the AFP or connected with the performance of its functions to which, in the opinion of the Committee, the attention of the Parliament should be directed;
- to examine each annual report on the AFP and report to the Parliament on any matter appearing in, or arising out of, any such annual report;
- to examine trends and changes in criminal activities, practices and methods and report to both Houses of the Parliament any change which the Committee thinks desirable to the functions, structure, powers and procedures of the ACC or the AFP;
- to inquire into any question in connection with its functions which is referred to it by either House of the Parliament, and to report to that House upon that question.

5.6.4 Additional Joint Committees

Library

A Library Committee, consisting of the President and 6 senators, shall be appointed at the commencement of each Parliament, with power to act during recess, and to confer and sit as a joint committee with a similar committee of the House of Representatives.

The committee may consider any matter relating to the provision of library services to senators.

The President shall be the chair of the committee.

House

A House Committee, consisting of the President, the Deputy President and 5 senators, shall be appointed at the commencement of each Parliament, with power to act during recess, and to confer and sit as a joint committee with a similar committee of the House of Representatives.

The committee may consider any matter relating to the provision of facilities in Parliament House referred to it by the Senate or by the President.

The President shall be the chair of the committee.

A full list of current Parliamentary inquiries can be found at:

http://www.aph.gov.au/committee/inquiries_comm.htm

ASSESSMENT OF THE WORK OF A MEMBER OF PARLIAMENT

Following the passage of the *Remuneration and Other Legislation Amendment Act 2011*, the Remuneration Tribunal now has the responsibility of determining the base salary of Parliamentarians.

Prior to issuing its first determination on Parliamentary base salary, the Tribunal has decided to examine the workload and accountabilities of Members of both Houses. The study is intended to answer the question "What does a Parliamentarian do?", providing information that is vital for answering the Tribunal's principal question - "What should a Parliamentarian be paid?"

The Tribunal is seeking input from all Members of the Parliament in this process.

It is hoped that this questionnaire will be completed by close of business on 30 September. The questionnaire is being administered by Australian Survey Research Group Pty Ltd (**ASR**). All materials supplied will be kept confidential and no individual member or their response to the questionnaire will be identified.

The Tribunal, along with our consultant Mr John Egan, will also look to interview personally some 25 members selected so as to take into account factors such as gender, length of service, geographical distribution, type of electorate (e.g. inner city, suburban, semi-rural, rural), safe or marginal seat; party affiliations or otherwise; and the balance between members of the House of Representatives and Senators.

QUESTIONNAIRE FOR COMPLETION BY MEMBERS OF PARLIAMENT

Introduction and Explanation on How to Complete the Questionnaire

Parliamentary Background

1. If a member of the House of Representatives, what type of electorate do you represent?

<input type="checkbox"/> Rural	<input type="checkbox"/> Regional
<input type="checkbox"/> Urban	<input type="checkbox"/> Metropolitan

2. What is your highest level of education?

<input type="checkbox"/> Secondary School	<input type="checkbox"/> Graduate Certificate
<input type="checkbox"/> Technical or Trades Qualification	<input type="checkbox"/> Graduate Diploma
<input type="checkbox"/> Bachelor or Honours Degree	<input type="checkbox"/> Masters Degree
	<input type="checkbox"/> PhD

3. How many times have you stood for and been elected to Parliament?

	Once	Twice	Three times	Four times or more
Stood for Parliament				
Been elected to Parliament				

4. What type of employer were you engaged with prior to entering Parliament?

<input type="checkbox"/> Government	<input type="checkbox"/> Self Employed
<input type="checkbox"/> Public Company	<input type="checkbox"/> Trade Union
<input type="checkbox"/> Private Company	<input type="checkbox"/> Other
<input type="checkbox"/> Not-For-Profit	

5. What was your occupation prior to entering Parliament? (You may have more than one entry.)

<input type="checkbox"/> Clerical/Administration	<input type="checkbox"/> Sciences/Research
<input type="checkbox"/> Home-maker	<input type="checkbox"/> Teacher/Academic
<input type="checkbox"/> Management	<input type="checkbox"/> Technical or Trades Work
<input type="checkbox"/> Member of a Profession, eg Law, Medicine, Architecture, Engineering	<input type="checkbox"/> Other

6. Please indicate if your current Parliamentary standing includes any of the following:

<input type="checkbox"/> Chairman of a Parliamentary Committee	<input type="checkbox"/> Shadow Minister of the Parliament
<input type="checkbox"/> Government Minister	<input type="checkbox"/> Party Leader in the Senate
<input type="checkbox"/> Party Leader in the House of Representatives	<input type="checkbox"/> Officeholder of the Parliament

7. In addition to being a Member of the House of Representatives or the Senate, do you earn income from other activities (exclusive of investment returns) which might include paid work as an employee, payment as a member of a Board of Trustees, a director of a private company or for professional, technical or trades work?

<input type="checkbox"/> Yes	<input type="checkbox"/> No
------------------------------	-----------------------------

If yes, what is your estimate of this income in the last financial year?

<input type="checkbox"/> Less than \$10,000	<input type="checkbox"/> \$10,000 to \$20,000
<input type="checkbox"/> \$20,000 to \$30,000	<input type="checkbox"/> \$30,000 to \$50,000
<input type="checkbox"/> \$50,000 to \$70,000	<input type="checkbox"/> \$70,000 to \$100,000
<input type="checkbox"/> Above \$100,000	

Key Responsibilities of a Member of Parliament

Below are a number of activities that Members of Parliament may perform in their daily or weekly activities. Please indicate how much you agree or disagree that these activities are needed to perform your role effectively as a Member of the House of Representatives or as a Member of the Senate.

If you have not yet experienced an activity, or you don't have a view, please choose the latter answer option rather than leave the question blank.

8. Specific Accountabilities in Parliament

- (i) Contribute to the formulation of legislation and the development of public policy.

- (ii) Participate in Parliamentary enquiries as a member of a Parliamentary committee.

- (iii) Conduct research into matters before the Parliament of special/constituent interest.

Strongly Agree	Agree	Part Agree and Part Disagree	Disagree	Strongly Disagree	Don't have a View
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

- (iv) Participate in party room discussion on political, policy and/or legislative initiatives.
- (v) Prepare questions to be addressed by Ministers or their representatives in the Senate or House of Representatives.
- (vi) Prepare speeches.
- (vii) Manage the balance of national and local electorate needs in representation.
- (viii) Other – please specify

9. Specific Accountabilities in an Electorate/Electoral Division

- (i) Represent the interests of constituents in a wide range of matters affecting their wellbeing.
- (ii) Manage the contribution of the electoral office in addressing constituents' needs.
- (iii) Attend community functions.
- (iv) Communicate with the electorate.
- (v) Act as Patron to organisations in the electorate/electoral division.
- (vi) Represent Ministers, Shadow Ministers, the Prime Minister or Leader of the Opposition, as appropriate.
- (vii) Act as a clearing house for Government decisions through the electorate or electoral division office.
- (viii) Respond to correspondence either in person, by phone or by letter.
- (ix) Manage or influence contributions from community groups.
- (x) Other – please specify

Strongly Agree	Agree	Part Agree and Part Disagree	Disagree	Strongly Disagree	Don't have a View
					<input type="checkbox"/>

10. Principal Accountabilities in Administration

- (i) Inform support staff in all facets of Government policy and legislative initiatives.

Strongly Agree	Agree	Part Agree and Part Disagree	Disagree	Strongly Disagree	Don't have a View
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

- (ii) Encourage support staff to participate in relevant training programs.

- (iii) Direct support staff in their management of constituent communications.

- (iv) Ensure that support staff maintain office accounts to a standard capable of independent audit.

- (v) Ensure that support staff comply with established administrative requirements of the Department of Finance and Deregulation.

- (vi) Other – please specify

11. Principal Accountabilities within the Party

- (i) Participate in and contribute to fundraising activities.

Strongly Agree	Agree	Part Agree and Part Disagree	Disagree	Strongly Disagree	Don't have a View
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

- (ii) Publicise issues and reflect the values of the party or constituency represented.

- (iii) Serve the party or constituency in a variety of electorate-based roles.

- (iv) Attend branch meetings, electorate committees, area/regional conferences, and other committees of the party.

- (v) Other – please specify

- (vi) If an Independent Member of the House of Representatives or Senate, please identify activities not relevant above which you believe to be highly important.

– please specify

12. Which of the following Parliamentary committees do you serve on? [On receiving your initial response more detailed questioning will appear.]

(i) **House Standing Committee**

☐ Yes ☐ No

[For drop-down box:]

1. Aboriginal and Torres Strait Islander Affairs

What is your present role?

☐ Chair ☐ Member

How complex is the work of the committee?

'Highly Complex' means that committee members have to juggle multiple priorities, balancing international and national issues with constituent needs. Highly complex work would also involve matters representing significant areas of Government expenditure, with several issues before the committee involving either State and Federal Government programs or the Australian Government with international alliances critical to the nation's reputation. **'Complex'** may involve balancing national security compared to the rights of individuals to their privacy in a well defined area involving a single piece of legislation where there is a reasonable degree of sensitivity in relation to party ideologies or varying views between State Legislatures. Committees which are **'Not Complex'** might focus on a single issue under the control of the Federal Parliament involving a limited number of constituents and limited expenditure.

Highly Complex
Very Complex
Complex
Moderately Complex
Not Complex

Your time commitment

Having regard to the last twenty-four months and the committee's activities and taking a view as to your **annual level of commitment**, would you describe your time commitment in preparation, attendance and travel associated with your membership of the committee as requiring:

More than 6 weeks
4 to 6 weeks
2 to 4 weeks
1 to 2 weeks
Less than 1 week

2. Agriculture, Resources, Fisheries and Forestry
3. Appropriations and Administration
4. Climate Change, Environment and the Arts
5. Economics
6. Education and Employment
7. Health and Ageing
8. Infrastructure and Communications
9. Petitions
10. Privileges and Members' Interests
11. Procedure
12. Publications
13. Regional Australia

14. Selection

15. Social Policy and Legal Affairs

(ii) Joint Committee administered by the House

☐ Yes ☐ No

[For drop-down box:]

1. Broadcasting of Parliamentary Proceedings

What is your present role?

☐ Chair ☐ Member

How complex is the work of the committee?

'Highly Complex' means that committee members have to juggle multiple priorities, balancing international and national issues with constituent needs. Highly complex work would also involve matters representing significant areas of Government expenditure, with several issues before the committee involving either State and Federal Government programs or the Australian Government with international alliances critical to the nation's reputation. **'Complex'** may involve balancing national security compared to the rights of individuals to their privacy in a well defined area involving a single piece of legislation where there is a reasonable degree of sensitivity in relation to party ideologies or varying views between State Legislatures. Committees which are **'Not Complex'** might focus on a single issue under the control of the Federal Parliament involving a limited number of constituents and limited expenditure.

Highly Complex
Very Complex
Complex
Moderately Complex
Not Complex

Your time commitment

Having regard to the last twenty-four months and the committee's activities and taking a view as to your **annual level of commitment**, would you describe your time commitment in preparation, attendance and travel associated with your membership of the committee as requiring:

More than 6 weeks
4 to 6 weeks
2 to 4 weeks
1 to 2 weeks
Less than 1 week

2. Cyber-Safety (Select)

3. Electoral Matters

4. Foreign Affairs, Defence and Trade

5. Intelligence and Security

6. Migration

7. National Broadband Network

8. National Capital and External Territories

9. Public Accounts and Audit

10. Public Works

11. Publications

12. Treaties

(iii) Joint Committee administered by the Senate

☐ Yes ☐ No

[For drop-down box:]

1. Australian Commission for Law Enforcement Integrity

What is your present role?

☐ Chair ☐ Member

How complex is the work of the committee?

'Highly Complex' means that committee members have to juggle multiple priorities, balancing international and national issues with constituent needs. Highly complex work would also involve matters representing significant areas of Government expenditure, with several issues before the committee involving either State and Federal Government programs or the Australian Government with international alliances critical to the nation's reputation. **'Complex'** may involve balancing national security compared to the rights of individuals to their privacy in a well defined area involving a single piece of legislation where there is a reasonable degree of sensitivity in relation to party ideologies or varying views between State Legislatures. Committees which are **'Not Complex'** might focus on a single issue under the control of the Federal Parliament involving a limited number of constituents and limited expenditure.

Highly Complex
Very Complex
Complex
Moderately Complex
Not Complex

Your time commitment

Having regard to the last twenty-four months and the committee's activities and taking a view as to your **annual level of commitment**, would you describe your time commitment in preparation, attendance and travel associated with your membership of the committee as requiring:

More than 6 weeks
4 to 6 weeks
2 to 4 weeks
1 to 2 weeks
Less than 1 week

2. Law Enforcement
3. Corporations and Financial Services

(iv) Joint Select Committee administered by the Senate

☐ Yes ☐ No

[For drop-down box:]

1. Australia's Immigration Detention Network

What is your present role?

☐ Chair ☐ Member

How complex is the work of the committee?

'Highly Complex' means that committee members have to juggle multiple priorities, balancing international and national issues with constituent needs. Highly complex work would also involve matters representing significant areas of Government expenditure, with several issues before the committee involving either State and Federal Government programs or the Australian Government with international alliances critical to the nation's reputation. **'Complex'** may involve balancing national security compared to the rights of individuals to their privacy in a well defined area involving a single piece of legislation where there is a reasonable degree of sensitivity in relation

Highly Complex
Very Complex
Complex
Moderately Complex
Not Complex

to party ideologies or varying views between State Legislatures. Committees which are **'Not Complex'** might focus on a single issue under the control of the Federal Parliament involving a limited number of constituents and limited expenditure.

Your time commitment

Having regard to the last twenty-four months and the committee's activities and taking a view as to your **annual level of commitment**, would you describe your time commitment in preparation, attendance and travel associated with your membership of the committee as requiring:

More than 6 weeks
4 to 6 weeks
2 to 4 weeks
1 to 2 weeks
Less than 1 week

2. Gambling Reform

(v) Senate Committee

[For drop-down box:]

☐ Yes ☐ No

1. Appropriations and Staffing

What is your present role?

☐ Chair ☐ Member

How complex is the work of the committee?

'Highly Complex' means that committee members have to juggle multiple priorities, balancing international and national issues with constituent needs. Highly complex work would also involve matters representing significant areas of Government expenditure, with several issues before the committee involving either State and Federal Government programs or the Australian Government with international alliances critical to the nation's reputation. **'Complex'** may involve balancing national security compared to the rights of individuals to their privacy in a well defined area involving a single piece of legislation where there is a reasonable degree of sensitivity in relation to party ideologies or varying views between State Legislatures. Committees which are **'Not Complex'** might focus on a single issue under the control of the Federal Parliament involving a limited number of constituents and limited expenditure.

Highly Complex
Very Complex
Complex
Moderately Complex
Not Complex

Your time commitment

Having regard to the last twenty-four months and the committee's activities and taking a view as to your **annual level of commitment**, would you describe your time commitment in preparation, attendance and travel associated with your membership of the committee as requiring:

More than 6 weeks
4 to 6 weeks
2 to 4 weeks
1 to 2 weeks
Less than 1 week

2. Community Affairs

3. Economics

4. Education, Employment and Workplace Relations

5. Environment and Communications

6. Finance and Public Administration
7. Foreign Affairs, Defence and Trade
8. Legal and Constitutional Affairs
9. Privileges
10. Procedure
11. Publications
12. Regulations and Ordinances
13. Rural Affairs and Transport
14. Scrutiny of Bills
15. Selection of Bills
16. Senators' Interests

(vi) **Select Committee of the Senate**

☐ Yes ☐ No

[For drop-down box:]

1. Australia's Food Processing Sector

What is your present role?

☐ Chair ☐ Member

How complex is the work of the committee?

'Highly Complex' means that committee members have to juggle multiple priorities, balancing international and national issues with constituent needs. Highly complex work would also involve matters representing significant areas of Government expenditure, with several issues before the committee involving either State and Federal Government programs or the Australian Government with international alliances critical to the nation's reputation. **'Complex'** may involve balancing national security compared to the rights of individuals to their privacy in a well defined area involving a single piece of legislation where there is a reasonable degree of sensitivity in relation to party ideologies or varying views between State Legislatures. Committees which are **'Not Complex'** might focus on a single issue under the control of the Federal Parliament involving a limited number of constituents and limited expenditure.

Highly Complex
Very Complex
Complex
Moderately Complex
Not Complex

Your time commitment

Having regard to the last twenty-four months and the committee's activities and taking a view as to your **annual level of commitment**, would you describe your time commitment in preparation, attendance and travel associated with your membership of the committee as requiring:

More than 6 weeks
4 to 6 weeks
2 to 4 weeks
1 to 2 weeks
Less than 1 week

2. Scrutiny of New Taxes

13. During weeks when the Parliament meets, what percentage of your time is allocated to the following activities:

- (i) Participation in the Legislature
- (ii) Participation in Parliamentary committee work
- (iii) Participation in party matters
- (iv) Engagement with the community/constituency
- (v) Travel
- (vi) Other (please specify)

TOTAL

14. In weeks during which Parliament is not sitting, what proportion of time do you allocate to:

- (i) Participation in Parliamentary committee work
- (ii) Participation in party matters
- (iii) Engagement with the community/constituency
- (iv) Travel
- (v) Other (please specify)

TOTAL

15. During weeks when the Parliament meets, how many hours do you commit to your role as described above? (Participation in the Legislature, in Parliamentary committee work, in party matters, engagement with the community/constituency, travel.)

--

 No. of Hours

16. In weeks during which Parliament is not sitting, how many hours do you commit to your role as described above? (Participation in Parliamentary committee work, in party matters, engagement in the community/constituency, travel.)

--

 No. of Hours

17. During weeks when the Parliament meets:

If a Member of the Senate. In your judgement, is your time commitment similar to a Member of the House of Representatives?

Very Similar							Very Different
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18. During weeks when the Parliament meets:

If a Member of the House of Representatives. In your judgement, is your time commitment similar to a Member of the Senate?

Very Similar Very Different

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19. During weeks when the Parliament is not sitting:

If a Member of the Senate. In your judgement, is your time commitment similar to a Member of the House of Representatives?

Very Similar Very Different

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20. During weeks when the Parliament is not sitting:

If a Member of the House of Representatives. In your judgement, is your time commitment similar to a Member of the Senate?

Very Similar Very Different

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21. What is the most significant factor influencing the amount of time you spend travelling?

- (i) Proximity of your electorate/electoral division to Canberra
- (ii) Size of your electorate
- (iii) Number of committees in which you participate
- (iv) Other

22. Considering your role as a Member of Parliament, how would you evaluate your allocation of time?

Legislative debate, including Question Time

Too Much About Right Too Little

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Work in committees

Too Much About Right Too Little

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Research and briefings

Too Much About Right Too Little

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Receiving constituents

Too Much About Right Too Little

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Making representations on behalf of constituents

Too Much About Right Too Little

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Attending Party meetings

Too Much About Right Too Little

--	--	--	--

Informal engagement with colleagues

Too Much About Right Too Little

--	--	--	--

Dealing with media enquiries

Too Much About Right Too Little

--	--	--	--

Personal time

Too Much About Right Too Little

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Travel

Too Much About Right Too Little

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23. How many hours per week on average would you have worked in your previous employment or would be reflective of those engaged in a similar occupation to that in which you were engaged prior to entering Parliament?

<input type="checkbox"/> Less than 40	<input type="checkbox"/> 41 to 45
<input type="checkbox"/> 46 to 50	<input type="checkbox"/> 41 to 55
<input type="checkbox"/> 56 to 60	<input type="checkbox"/> 61 to 70
<input type="checkbox"/> 71 to 80	<input type="checkbox"/> More than 80

24. Which policy areas reviewed by the Parliament do you take the most interest in? [Nominate up to three.]

The Arts	<input type="checkbox"/>
Education	<input type="checkbox"/>
Employment/Industrial Relations	<input type="checkbox"/>
Agriculture	<input type="checkbox"/>
Sport	<input type="checkbox"/>
Justice/Police	<input type="checkbox"/>
Health	<input type="checkbox"/>
Trade/International Representation	<input type="checkbox"/>
Welfare	<input type="checkbox"/>
Defence	<input type="checkbox"/>
Economics/Finance/Taxation	<input type="checkbox"/>
Immigration	<input type="checkbox"/>
Other – please specify	<input type="checkbox"/>

25. Members of Parliament have indicated the following activities are important. Please indicate the degree to which you agree or disagree with that proposal.

Legislative debate, including Question Time

Strongly Agree	Agree	Part Agree and Part Disagree	Disagree	Strongly Disagree	Don't have a View
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Work in committees

Strongly Agree	Agree	Part Agree and Part Disagree	Disagree	Strongly Disagree	Don't have a View
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Research and briefings

Strongly Agree	Agree	Part Agree and Part Disagree	Disagree	Strongly Disagree	Don't have a View
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Receiving constituents

Strongly Agree	Agree	Part Agree and Part Disagree	Disagree	Strongly Disagree	Don't have a View
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Making representations on behalf of constituents

Strongly Agree	Agree	Part Agree and Part Disagree	Disagree	Strongly Disagree	Don't have a View
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Attending Party meetings

Strongly Agree	Agree	Part Agree and Part Disagree	Disagree	Strongly Disagree	Don't have a View
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Informal engagement with colleagues

Strongly Agree	Agree	Part Agree and Part Disagree	Disagree	Strongly Disagree	Don't have a View
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Dealing with media enquiries

Strongly Agree	Agree	Part Agree and Part Disagree	Disagree	Strongly Disagree	Don't have a View
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

26. Below are listed a number of qualities or attributes which may be required to be possessed by a Member of Parliament. Could you identify up to ten which you consider to be the most important.

Administrative skills	<input type="checkbox"/>
Being approachable	<input type="checkbox"/>
Caring and empathic nature	<input type="checkbox"/>
Communication skills	<input type="checkbox"/>
Community representation skills	<input type="checkbox"/>
Computer literacy	<input type="checkbox"/>
Confidence	<input type="checkbox"/>
Courage	<input type="checkbox"/>
Diplomatic skills	<input type="checkbox"/>
Forming informal coalitions of support quickly	<input type="checkbox"/>
Good health	<input type="checkbox"/>
Good memory	<input type="checkbox"/>
Honesty and integrity	<input type="checkbox"/>
Intelligence	<input type="checkbox"/>
Intuitive political instinct	<input type="checkbox"/>
Leadership skills	<input type="checkbox"/>
Maintain confidences/confidentiality of material when important	<input type="checkbox"/>
Negotiation skills	<input type="checkbox"/>
Research and analytical skills	<input type="checkbox"/>
Stamina	<input type="checkbox"/>
Worldly in outlook	<input type="checkbox"/>
Other	<input type="checkbox"/>

Attachment 3 – Work and Workload of a Member of Parliament

Survey Results

“Work Value of the Role of a Member of Parliament”

Overall Participation

The overall participation rate in the survey by the members of the House of Representatives and Senate was 60.0 per cent.

The participation in the survey by political party, gender, age and House is broadly reflective of the current members of Parliament.

The percentages disclosed in the tables below are calculated in proportion to each political party's representation, gender, age and House.

Demographics of Parliamentarians

Political Party	Distribution of survey participants	Distribution in Parliament	Participation rate % of Party
Australian Greens	5.2%	4.4%	70.0%
Australian Labor Party	42.2%	46.2%	54.8%
Country Liberal Party	0.7%	0.4%	100.0%
Democratic Labor Party	0.0%	0.4%	0.0%
Independent	0.7%	2.2%	20.0%
Liberal Party of Australia	42.2%	38.7%	65.5%
The Nationals	8.9%	7.1%	75.0%
The Nationals WA	0.0%	0.4%	0.0%
Total	100.0%	100.0%	

Gender	Distribution of survey participants	Distribution in Parliament	Participation rate % of gender
Female	31.9%	29.3%	65%
Male	68.1%	70.7%	58%
Total	100.0%	100.0%	

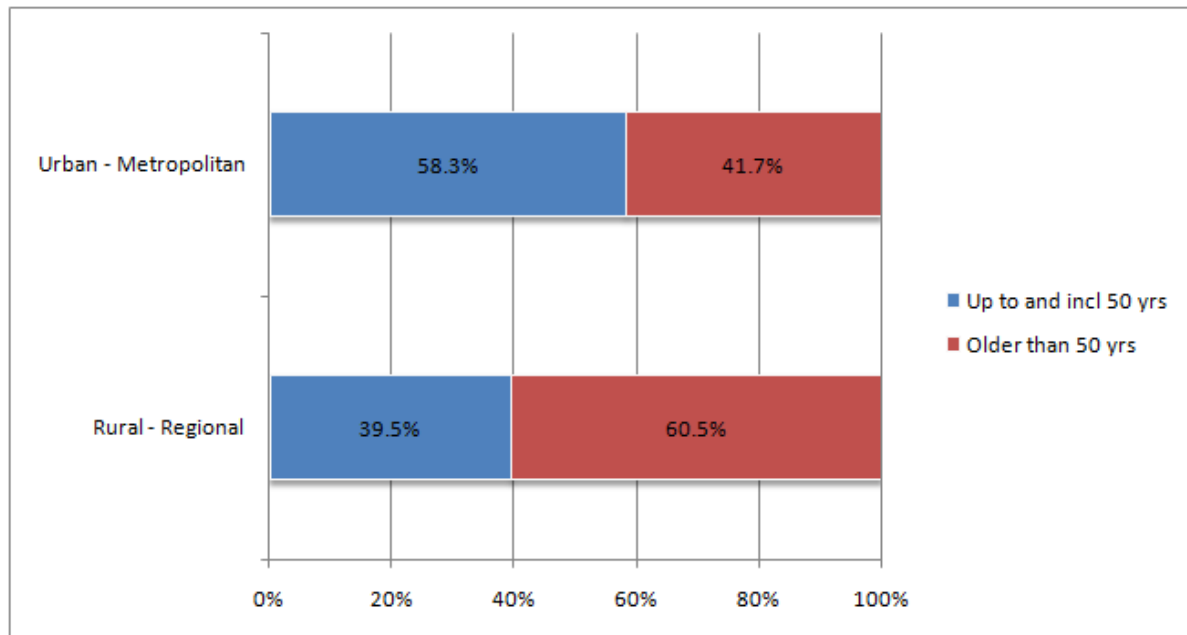
Age	Distribution of survey participants	Distribution in Parliament
Up to and including 50 years	44.4%	44.0%
Older than 50 years	55.6%	56.0%
Total	100.0%	100.0%

Chamber	Distribution of survey participants	Distribution in Parliament
House of Representatives	65.2%	66.7%
Senate	34.8%	33.3%

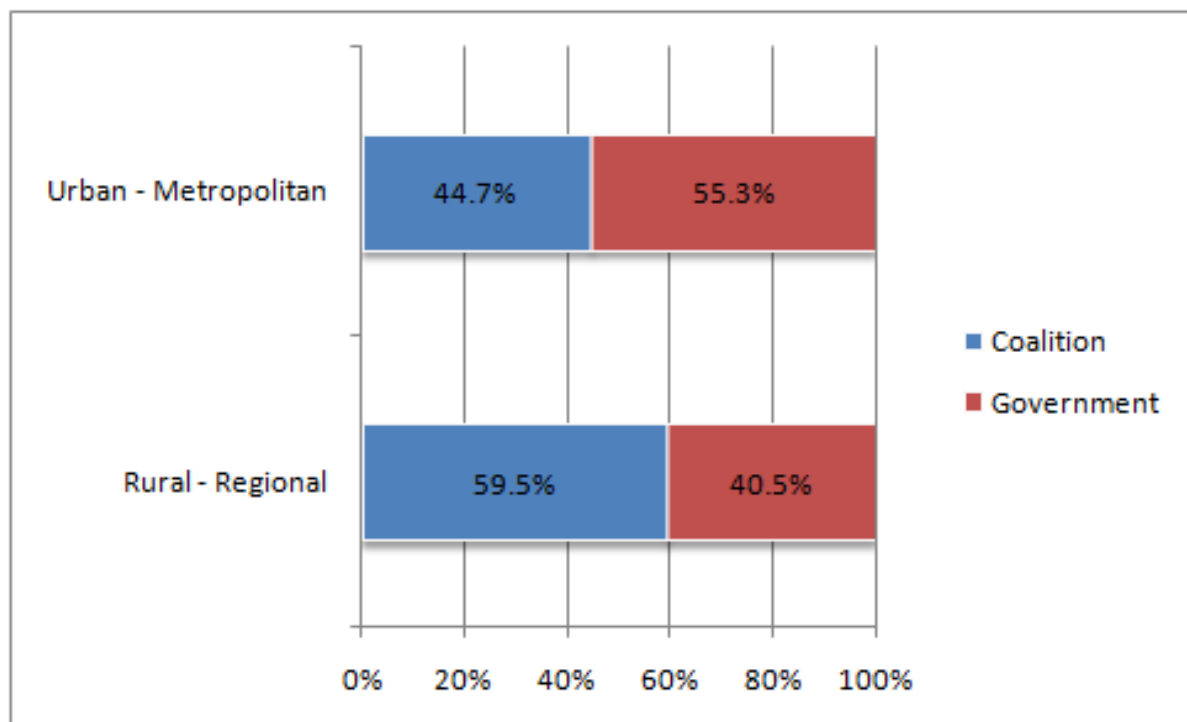
House of Representatives – Members' representation by electorate type

Electorate	% of respondents
Rural	15.1%
Regional	29.1%
Urban	16.3%
Metropolitan	39.5%
Total	100.0%

Age distribution by electorate type



Party distribution by electorate type



Member of Parliament's election history

Stood for Parliament but not been elected

More than 70 per cent of respondents revealed they had failed to be elected on at least one occasion. Approximately thirty percent of respondents indicated that they had been elected each time they stood.

	% of respondents
Once	37.5%
Twice	16.7%
Three times	5.6%
Four times or more	9.7%

Been elected to Parliament

One third of respondents had been elected on four or more occasions.

	% of respondents
Once	25.8%
Twice	28.1%
Three times	13.3%
Four times or more	32.8%

Distribution by House

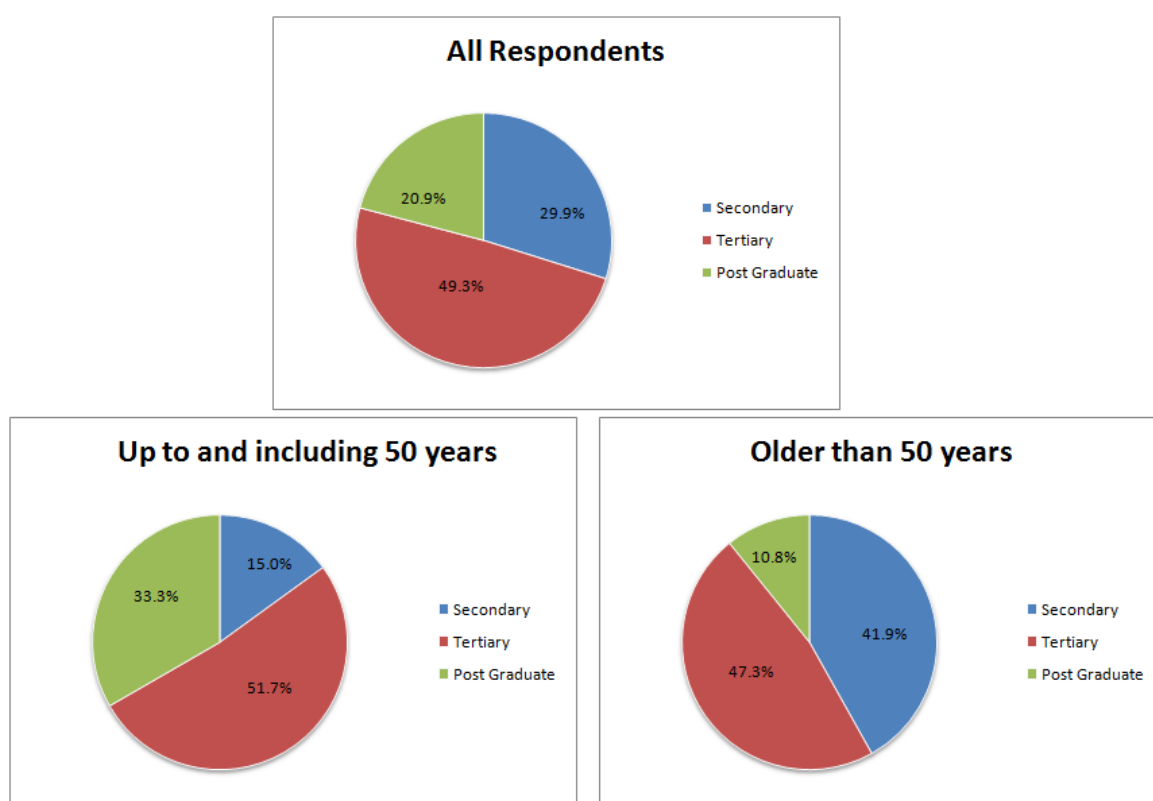
	House of Representatives	Senate
Once	20.7%	34.8%
Twice	25.6%	32.6%
Three times	12.2%	15.2%
Four times or more	41.5%	17.4%

Parliamentary Members' education and employment background

Respondent's highest level of education

	% of respondents
Secondary school	18.7%
Technical or trades qualification	11.2%
Bachelor or Honours Degree	33.6%
Graduate Certificate	6.0%
Graduate Diploma	9.7%
Masters Degree	16.4%
PhD	4.5%

Respondent's highest level of education and age distribution



Previous employer prior to entering Parliament

	% of respondents
Government	25.4%
Self-employed	29.9%
Public company	3.7%
Trade union	15.7%
Private company	14.2%
Not-for-profit	7.5%
Other	3.7%

Limited differences were observed by House.

Previous employer by age distribution

	Up to and including 50 years	Older than 50 years
Government	23.3%	27.0%
Self-employed	16.7%	40.5%
Public company	6.7%	1.4%
Trade union	13.3%	17.6%
Private company	26.7%	4.1%
Not-for-profit	11.7%	4.1%
Other	1.7%	5.4%

Previous occupation prior to entering Parliament

	% of respondents
Clerical / administration	5.9%
Home-maker	1.5%
Management	37.0%
Member of a profession, such as Law, Medicine, Architecture, Engineering	30.4%
Sciences / research	1.5%
Teacher / academic	9.6%
Technical / trade work	5.9%
Other	25.2%

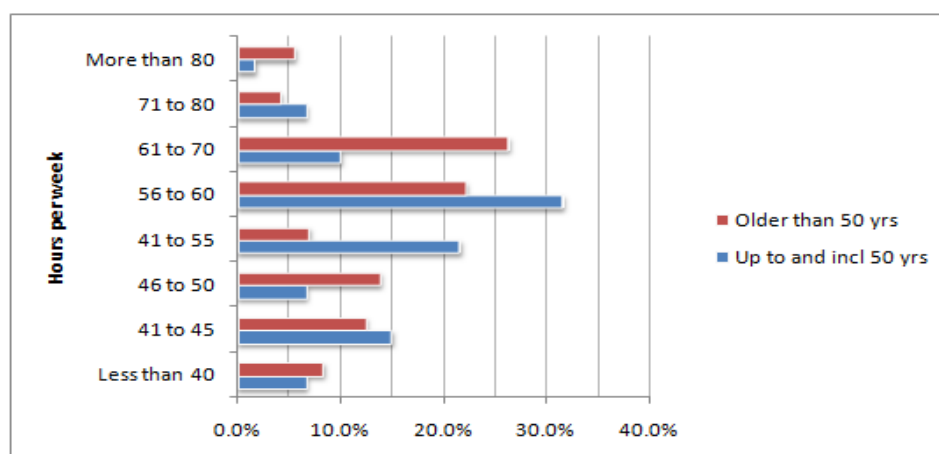
Other: responses included Farmer, Police Officer, Political or Policy Advisor and Trade Union Official.

Length of working week prior to entering Parliament

Hours per week	% of respondents
Less than 40	7.6%
41 to 45	13.6%
46 to 50	10.6%
41 to 55	13.6%
56 to 60	26.5%
61 to 70	18.9%
71 to 80	5.3%
More than 80	3.8%

Previous hours worked by age distribution

Hours per week	Up to and including 50 years	Older than 50 years
Less than 40	6.7%	8.3%
41 to 45	15.0%	12.5%
46 to 50	6.7%	13.9%
41 to 55	21.7%	6.9%
56 to 60	31.7%	22.2%
61 to 70	10.0%	26.4%
71 to 80	6.7%	4.2%
More than 80	1.7%	5.6%



Members' external earnings

Ninety-three per cent of respondents indicated that their Parliamentary remuneration was their only source of employment income.

Less than 7 per cent of respondents indicated that they had a source of external income from employment or professional activities and more than 80 per cent of those respondents indicated that this income was less than \$10,000 per annum.

Role in the Parliament

Current Parliamentary standing

	Frequency
Chairman of a Parliamentary Committee	43
Government Minister	8
Officeholder of the Parliament	21
Shadow Minister of the Parliament	28
Party Leader in the Senate	2
None of the above	45

Accountabilities in Parliament

Members in responding to the importance of key aspects of their role either strongly agree or agree with the following accountabilities as a Member of Parliament.

Accountabilities in Parliament	% of respondents
Manage the balance of national and local electorate needs in representation.	98.5%
Contribute to the formulation of legislation and the development of public policy.	98.5%
Conduct research into matters before the Parliament of special/constituent interest.	97.7%
Participate in Parliamentary enquiries as a member of a Parliamentary Committee.	97.0%
Prepare speeches.	97.0%
Participate in party room discussion on political, policy and/or legislative initiatives.	96.2%
Prepare questions to be addressed by Ministers or their representatives in the Senate or House of Representatives.	78.2%

The accountability to 'Prepare questions' was significantly lower ranked than the others, with this being the accountability which 7.5 per cent of respondents expressed that they disagreed and 2.3 per cent strongly disagreed.

The view by political party (excluding the Australian Greens and Independents from Government) significantly differed on this accountability.

	Strongly Agree	Agree	Part agree and part disagree	Disagree	Strongly disagree	Don't have a view
Government	16.1%	33.9%	25.0%	16.1%	5.4%	3.6%
Coalition	59.4%	39.1%	0.0%	1.4%	0.0%	0.0%

The accountability to "Prepare Speeches" was ranked the highest by respondents under "Strongly Agree" to perform the role effectively and "Prepare Questions" was ranked the highest under "Agree".

The accountability to “Contribute to the formulation of legislation and the development of public policy” differed significantly by political party and House.

	Strongly Agree		Strongly Agree	Agree
Government	58.9%	House of Representatives	68.6%	29.1%
Coalition	82.6%	Senate	83.0%	17.0%

The rating on the accountability “Manage the balance of national and local electorate needs in representation” also differed by House.

	Strongly Agree	Agree
House of Representatives	87.2%	11.6%
Senate	66.0%	31.9%

Approximately one third of respondents highlighted activities not specified in relation to their time commitment in sitting weeks. Three broad categories emerged from this response being:

- Work in the electorate
- Media and advocacy
- Committee engagement

Accountabilities in an Electorate / Electoral Division

Members in responding to the importance of key aspects of their role either strongly agree or agree with the following accountabilities as a Member of Parliament.

Accountabilities in an Electorate/Electoral Division	% of respondents
Attend community functions.	100.0%
Communicate with the electorate.	99.2%
Represent the interests of constituents in a wide range of matters affecting their wellbeing.	98.5%
Manage the contribution of the electoral office in addressing constituents' needs.	98.5%
Respond to correspondence either in person, by phone or by letter.	98.5%
Manage or influence contributions from community groups.	87.2%
Represent Ministers, Shadow Ministers, the Prime Minister or Leader of the Opposition, as appropriate.	87.1%
Act as Patron to organisations in the electorate/electoral division.	86.5%
Act as a clearing house for Government decisions through the electorate or electoral division office.	67.9%

The lowest ranked accountability was “Act as a clearing house for Government decisions through the electorate or electoral division office”.

Strongly agree	Agree	Part agree and part disagree	Disagree	Strongly disagree	Don't have a view
38.1%	29.9%	26.1%	3.0%	0.7%	2.2%

This accountability differed by political party.

	Strongly Agree	Agree	Part agree and part disagree	Disagree	Strongly disagree	Don't have a view
Government	50.9%	28.1%	17.5%	3.5%	0.0%	0.0%
Coalition	30.4%	34.8%	31.9%	1.4%	0.0%	1.4%

Approximately one fifth of respondents highlighted activities not specified in relation to their time commitment in the electorate. Two broad categories emerged from this response being:

- Representation of local electorate needs
- Media

Accountabilities in Administration

Members in responding to the importance of key aspects of their role either strongly agree or agree with the following accountabilities as a Member of Parliament.

Accountabilities in Administration	% of respondents
Ensure that support staff comply with established administrative requirements of the Department of Finance and Deregulation.	97.7%
Direct support staff in their management of constituent communications.	96.3%
Encourage support staff to participate in relevant training programs.	93.3%
Ensure that support staff maintain office accounts to a standard capable of independent audit.	93.2%
Inform support staff in all facets of Government policy and legislative initiatives.	85.1%

A small minority of respondents highlighted activities not specified in relation to their accountabilities in administration being recruitment, mentoring, training and development of support staff as being an important aspect of the role.

Accountabilities within the Party

Members in responding to the importance of key aspects of their role either strongly agree or agree with the following accountabilities as a Member of Parliament.

Accountabilities within the Party	% of respondents
Attend branch meetings, electorate Committees, area/regional conferences, and other Committees of the party.	97.0%
Publicise issues and reflect the values of the party or constituency represented.	91.8%
Participate in and contribute to fundraising activities.	88.1%
Serve the party or constituency in a variety of electorate-based roles.	88.1%

A small minority of respondents highlighted activities not specified in relation to their accountabilities within the Party, being the mentoring of young members and party policy and campaign as being of important aspect of the role.

Parliamentary Committees

Participation in Parliamentary Committees

	% of respondents
Yes	86.7%
No	13.3%

	House of Representatives	Senate
Yes	80.7%	97.9%
No	19.3%	2.1%

Parliamentarian Committee participation by type

Type of Committee	% of respondents
House Standing Committee	48.7%
Joint Committee administered by the House	65.8%
Joint Committee administered by the Senate	19.7%
Joint Select Committee administered by the Senate	20.5%
Senate Committee	37.6%
Select Committee of the Senate	15.4%

Responses indicated that there were respondents in the membership of every Committee of the Parliament.

The following table reveals the proportion which respondents represent of all Committee memberships by Committee type.

Type	Average
House Standing Committee	75.7%
Joint Committees administered by the House	59.8%
Joint Committees administered by the Senate	56.7%
Joint Select Committees administered by the Senate	47.3%
Senate Committee	100%*
Select Committee	81.7%

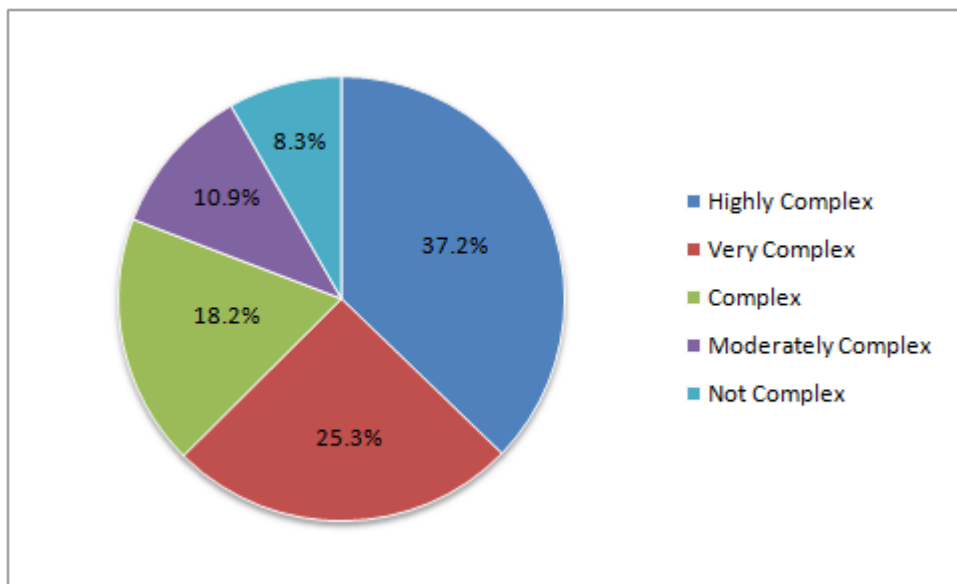
*estimate due to participatory members indicating membership

In addition to formal Committee membership reported above, a number of Senate respondents noted their participation in Committees where they were not formal members approved by the Parliament.

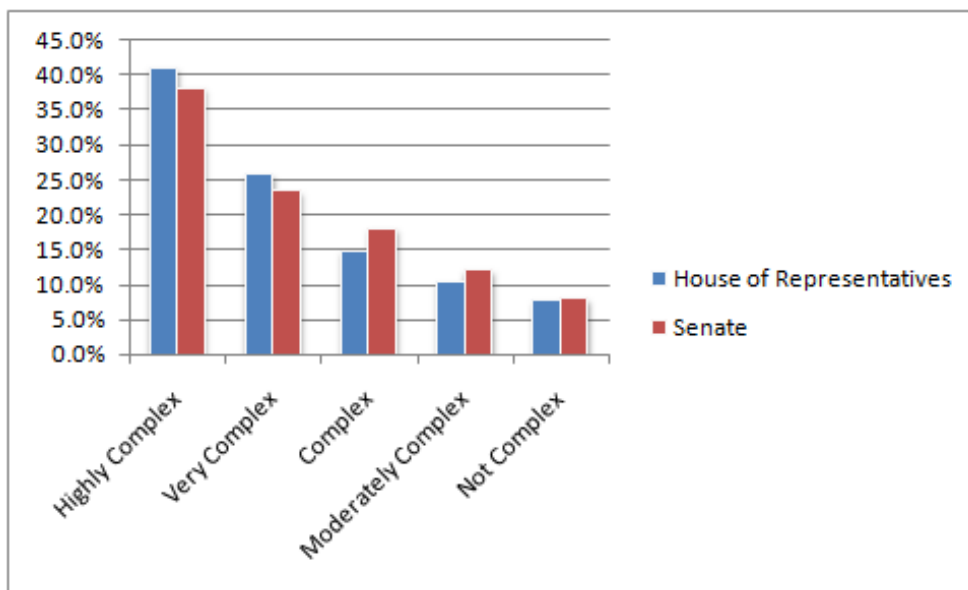
Questionnaire respondents indicated that they held the position of "Chair" in 72.0 per cent of all Parliamentary Committees.

Respondents including "Chairs" of Committees, indicated that twenty percent of Parliamentary Committees required greater than a six week time commitment.

Respondent's assessment of complexity of Committee work



Distribution of complexity by House



Member of Parliament's workload

The data below highlights Parliamentarians allocated time commitment to the primary activities involved in their role in both sitting and non-sitting weeks.

All respondents

Activity	Parliamentary sitting week		Non-sitting week	
	Median	Average	Median	Average
Participation in the Legislature	30.0%	30.5%	N/A	N/A
Participation in Parliamentary Committee work	15.0%	17.4%	10.0%	15.3%
Participation in party matters	10.0%	12.6%	10.0%	9.8%
Engagement with the community/constituency	20.0%	19.9%	55.0%	52.6%
Travel	10.0%	9.1%	10.0%	12.5%
Other Parliamentary activities	30.0%	14.1%	10.0%	12.9%

Respondents by House

Activity	Parliamentary sitting week		Non-sitting week	
	House of Representatives	Senate	House of Representatives	Senate
Participation in the Legislature	30.7%	30.1%	N/A	N/A
Participation in Parliamentary Committee work	14.5%	22.7%	7.6%	27.6%
Participation in party matters	12.6%	12.4%	8.3%	11.7%
Engagement with the community/constituency	22.4%	15.2%	61.4%	36.1%
Travel	8.9%	9.3%	11.9%	13.8%
Other Parliamentary activities	15.1%	12.4%	13.9%	13.4%

There were notable variations in total percentage of time allocation in two activities by House.

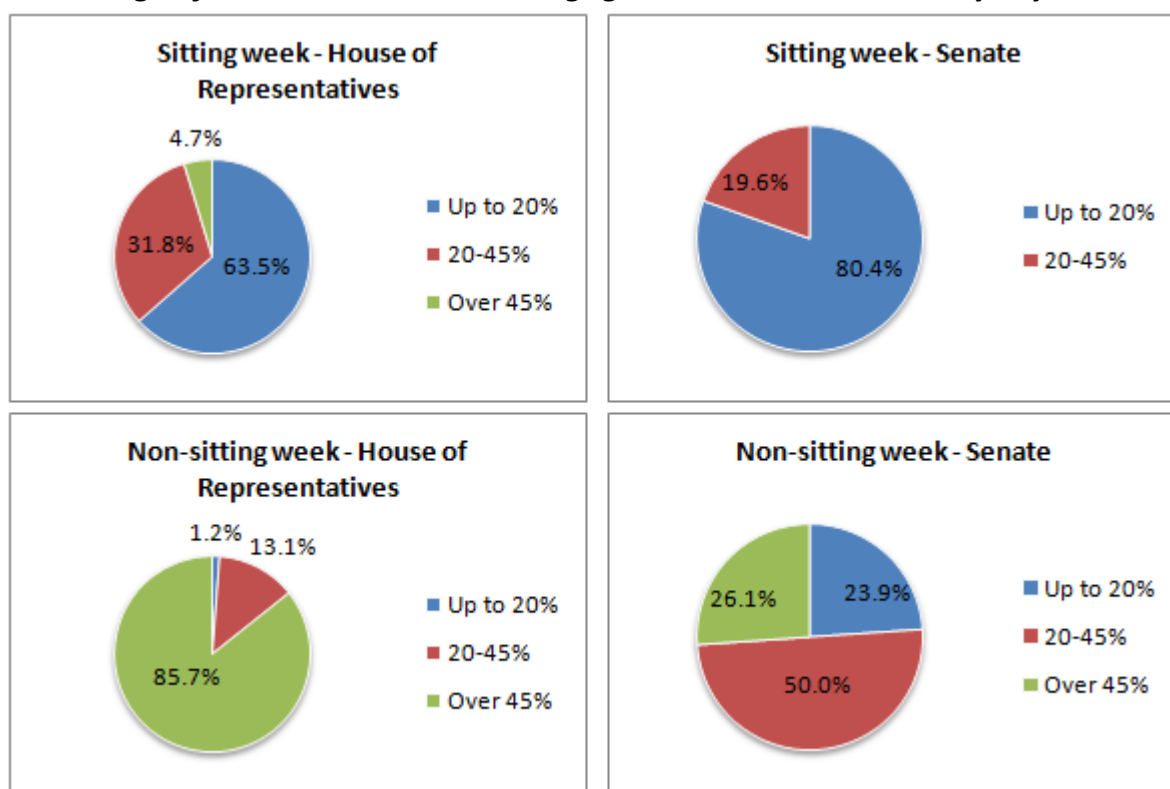
Participation in Parliamentary Committee work

% of total time allocation	Parliamentary sitting week		Non-sitting week	
	House of Representatives	Senate	House of Representatives	Senate
Up to 20	81.4%	58.7%	98.4%	34.1%
20-25	5.7%	4.3%	1.6%	15.9%
26-30	7.1%	15.2%	0.0%	20.5%
31-45	4.3%	15.2%	0.0%	13.6%
Over 45	1.4%	6.5%	0.0%	15.9%

Engagement in the constituency

% of total time allocation	Parliamentary sitting week		Non-sitting week	
	House of Representatives	Senate	House of Representatives	Senate
Up to 20	63.5%	80.4%	1.2%	23.9%
20-25	3.5%	6.5%	0.0%	8.7%
26-30	11.8%	10.9%	7.1%	19.6%
31-45	16.5%	2.2%	6.0%	21.7%
Over 45	4.7%	0.0%	85.7%	26.1%

Percentage of total time allocation “Engagement in the constituency” by House

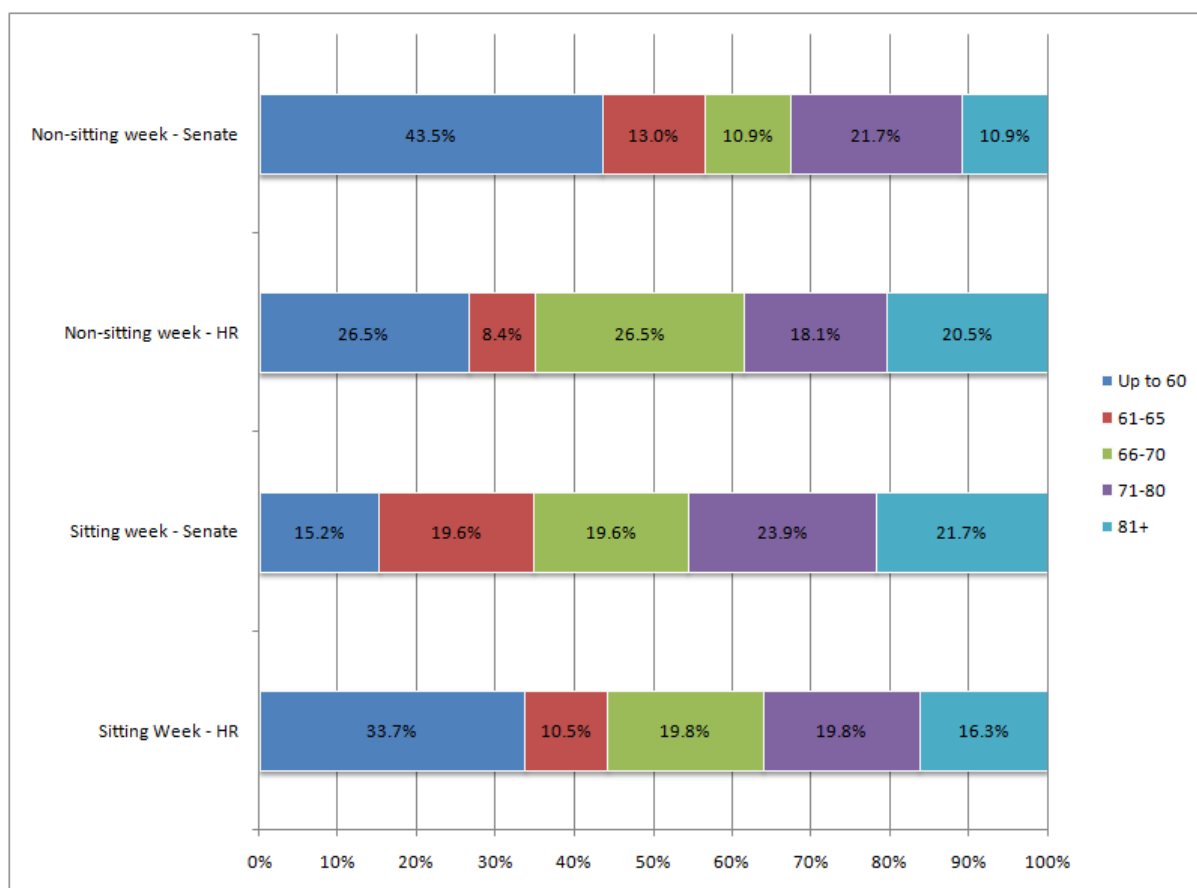


Time Commitment

Hours	Parliamentary sitting week	Non-sitting week
Median	70.0	70.0
Average	69.7	70.9

Time commitment by House

Hours	Parliamentary sitting week		Non-sitting week	
	House of Representatives	Senate	House of Representatives	Senate
Up to 60	33.7%	15.2%	26.5%	43.5%
61-65	10.5%	19.6%	8.4%	13.0%
66-70	19.8%	19.6%	26.5%	10.9%
71-80	19.8%	23.9%	18.1%	21.7%
81+	16.3%	21.7%	20.5%	10.9%



The table below illustrates the hours each week which a Member typically devotes to their principal activities.

Members' allocation of time to a specific activity

<i>HOURS</i>	<i>Parliamentary sitting week</i>		<i>Non-sitting week</i>	
	Median	Average	Median	Average
Participation in the Legislature	18.3	20.6	N/A	N/A
Participation in Parliamentary Committee work	9.1	11.8	7.4	10.4
Participation in party matters	6.1	8.5	7.4	6.7
Engagement with the community/constituency	12.2	13.4	40.5	35.7
Travel	6.1	6.1	7.4	8.5
Other Parliamentary activities	18.3	9.6	7.4	8.8

Members' allocation of time to a specific activity by House

Activity	Parliamentary sitting week		Non-sitting week	
	House of Representatives	Senate	House of Representatives	Senate
Participation in the Legislature	20.6	20.6	N/A	N/A
Participation in Parliamentary Committee work	9.7	15.5	5.1	18.8
Participation in party matters	8.5	8.5	5.7	8.0
Engagement with the community/constituency	15.0	10.4	41.7	24.6
Travel	6.0	6.4	8.1	9.4
Other Parliamentary activities	10.1	8.5	9.4	9.1

Members' views on similarity of their workload to that of a Member of the alternate House

Rating scale	Parliamentary sitting week		Non-sitting week	
	House of Representatives	Senate	House of Representatives	Senate
Very similar	20.0%	26.7%	4.7%	26.1%
Somewhat similar	29.4%	20.0%	12.8%	13.0%
Both similar and different	25.9%	35.6%	19.8%	37.0%
Somewhat different	15.3%	13.3%	26.7%	15.2%
Very different	9.4%	4.4%	36.0%	8.7%

Time

Factors influencing Members' travel time

	% of respondents
Proximity of your electorate/electoral division to Canberra	39.4%
Size of your electorate	28.8%
Number of Committees in which you participate	17.4%
Other	14.4%

The majority of respondents to "Other" indicated that Ministerial or Shadow Ministerial responsibilities were the most significant factor influencing the amount of time spent travelling.

Respondents that were members of the Senate indicated "Proximity" and "Number of Committees" as the most significant factor influencing the amount of time spent travelling.

	House of Representatives	Senate
Proximity of your electorate/electoral division to Canberra	43.0%	32.6%
Size of your electorate	33.7%	19.6%
Number of Committees in which you participate	8.1%	34.8%
Other	15.1%	13.0%

Members' assessment of their time allocation to nominated activities

"About right"

Activity	% of respondents
Attending Party meetings	73.5%
Legislative debate, including Question Time	72.0%
Dealing with media enquiries	66.7%
Making representations on behalf of constituents	65.2%
Receiving constituents	58.8%
Work in Committees	58.1%
Research and briefings	51.5%
Informal engagement with colleagues	48.5%
Travel	37.7%
Personal time	9.8%

"Too little"

Activity	% of respondents
Personal time	90.2%
Informal engagement with colleagues	47.0%
Research and briefings	31.8%

"Too much"

Activity	% of respondents
Travel	59.2%
Work in Committees	30.2%

The only notable difference by House was the view on time allocation for "work in Committees". The table below shows the percentage of respondents by House that indicated their time allocation was "too much" or "slightly too much".

	House of Representatives	Senate
Work in Committees	19.3%	50.0%

Interests and Attributes

Members in responding to the importance of key aspects of their role either strongly agree or agree that the following activities are required to perform their role effectively as a Member of Parliament.

Activity	% of respondents
Receiving constituents	96.9%
Making representations on behalf of constituents	96.9%
Research and briefings	94.6%
Work in Committees	89.3%
Legislative debate, including Question Time	89.3%
Dealing with media enquiries	83.2%
Informal engagement with colleagues	81.7%
Attending Party meetings	81.5%

Relative rank order of activity

Activity	Rank Order
Receiving constituents	1
Making representations on behalf of constituents	1
Research and briefings	3
Work in Committees	4
Legislative debate, including Question Time	4
Dealing with media enquiries	6
Informal engagement with colleagues	7
Attending Party meetings	8

The activity “Research and briefings”, which ninety-four percent of respondents indicated that they strongly agree or agree is important in term of performing their role effectively, had approximately thirty-two percent of respondents indicate that their time allocation was “too little” or “slightly too little”. Research and analytical skill as an important attribute for a Member of Parliament did not rank in the top ten attributes nominated by respondents.

Relative importance of attributes for a Member of Parliament

Rank order by attribute

Attribute	Overall	House of Representatives	Senate
Communication skills	1	1	1
Honesty and integrity	2	2	2
Community representation skills	3	3	13
Intelligence	4	4	3
Being approachable	5	6	6
Leadership skills	6	5	7
Negotiation skills	7	7	9
Confidence	8	15	4
Intuitive political instinct	9	16	5
Stamina	10	9	14

Relative interest in Policy work of the Parliament

Rank order by policy area

Policy area	Rank order
Economics/Finance/Taxation	1
Health	2
Education	3
Employment/Industrial Relations	4
Other	5
Trade/International Representation	6
Agriculture	7
Immigration	8
Defence	9
Welfare	10

Other listed included Regional Australia, Environment, Communications and IT.

Attachment 4 – Interview Guideline used by Members of the Tribunal and John Egan during Interviews with Backbench Members of Parliament

Guideline Questionnaire for discussion with Members of Parliament

The following has been developed as a frame of reference to assist members of the Tribunal Interview Panel in their discussion with Members of Parliament, including Members of the House of Representatives or Members of the Senate.

The attached prompts cover the key areas of enquiry and substantially parallel the questionnaire which has been sent to Members of Parliament.

Introductory Remarks

Dear Member or Senator

We very much appreciate your willingness to contribute to the research of the Tribunal. We are being assisted in our investigation by John Egan.

Question

Being elected to Parliament

1. By way of an introductory observation, could you assist in setting the scene by providing some background as to the process which led to your nomination to represent your constituents and/or party, together with your initial decision to seek election and subsequently serve in the Federal Parliament.
2. In what activities are you involved, both with the party and in the electorate, during each election cycle? Do these activities call on different or similar personal attributes to those required to be an effective Member of Parliament?
3. How time consuming is the election process? If a Member of the Senate, do you support House of Representative campaigns?

Your role in the Parliament

4. Can you describe the key responsibilities as you see them as a Member of the House of Representatives or the Senate.
5. What is the nature of your role in the Parliament, in serving on committees of the Parliament, in the party room and in the electorate?
6. Are there onerous administrative accountabilities which are borne by members of the Parliament?
7. Is your workload more onerous and demanding during weeks in which the Parliament sits or in periods when the Parliament is not sitting?
8. Do you have time during the weeks when Parliament sits to engage with the community and the constituency?

9. Is travel an onerous demand on you in meeting your obligations in attending Parliamentary sittings, participating in committees of the Parliament, engaging in the community and the constituency?
10. How many hours a week would you normally spend in fulfilling your obligations as a Member of the Parliament? Does this differ between sitting and non-sitting weeks?
11. (a) If a Member of the Senate: In your assessment do Members of the House of Representatives have greater time commitments than yourself during weeks when the Parliament is sitting or in weeks when the Parliament is not sitting?

(b) If a Member of the House of Representatives: In your assessment do Members of the Senate have greater time commitments than yourself during weeks when the Parliament is sitting or in weeks when the Parliament is not sitting?
12. Is this influenced by party matters, engagement in the constituency or engagement in Parliamentary committees?
13. Having regard to your time commitment, which activities demand most of your time and do you regard as important?

debate in the Legislature,
work in committees,
undertaking research and receiving briefings,
receiving and meeting with constituents,
making representations on behalf of constituents,
attending party meetings,
informal engagement with colleagues,
dealing with media enquiries or representing the party in media events,
travel.
14. Have you one or two specific areas of particular interest in which you devote more time in relation to debate in the Legislature or involvement in the work of committees, or engagement with the party or in the community?
15. Are there any other issues which you believe are relevant to the Tribunal's enquiry in understanding the workload and accountabilities of a Member of Parliament which we have not addressed?

Your working life prior to entering Parliament

16. What career were you pursuing prior to entering Parliament?
17. Do you have a continuing involvement in the career in which you were engaged prior to entering Parliament?
18. Were the hours that you were required to work prior to entering Parliament comparable to those which you presently work in fulfilling your obligations as a Member of Parliament?

Attachment 5 – List of Members Interviewed

House of Representatives

Name	Party/State/Seat	Electorate sq km	First Elected	2PP % vote 2010
Dick Adams	ALP/TAS/Lyons	32,910	1993	62.29
Adam Bandt	Green/VIC/Melbourne	53	2010	*36.17
Russell Broadbent	Lib/VIC/McMillan	8,328	1990 (Def & Ret twice)	54.41
Darren Cheeseman	ASP/VIC/Corangamite	7,724	2007	50.41
Barry Haase	Lib/WA/Durack	1,587,758	1998	63.67
Luke Hartsuyker	Nat/NSW/Cowper	7,861	2001	59.27
Bob Katter	Ind/QLD/Kennedy	568,993	1993	*46.71
Dr Andrew Leigh	ALP/ACT/Fraser	513	2010	64.20
Paul Neville	Nat/QLD/Hinkler	3,504	1993	60.39
Rob Oakeshott	Ind/NSW/Lyne	11,991	2008 (by election)	*47.15
Julie Owens	ALP/NSW/Parramatta	56	2004	54.37
Melissa Parke	ALP/WA/Fremantle	201	2007	55.70
Rowan Ramsey	Lib/SA/Grey	904,881 ⁷	2007	61.16
Bernie Ripoll	ALP/QLD/Oxley	155	1998	55.57
Philip Ruddock	Lib/NSW/Berowra	782	1973	66.20
Andrew Wilkie	Ind/TAS/Denison	288	2010	*21.26
Tony Windsor	Ind/NSW/New England	59,344	2001	*61.88

Senate

Name	Party/State	Base	First Sat in Senate
Cory Bernardi	Lib/SA	Adelaide	2006
Carol Brown	ALP/TAS	Hobart	2005
Michaelia Cash	Lib/WA	Perth	2008
Ian Macdonald	Lib/QLD	Townsville	1990
Gavin Marshall	ALP/VIC	Melbourne	2002
Christine Milne	Green/TAS		
Fiona Nash	Nat/NSW	Young	2005
Stephen Parry	Lib/		
Glenn Sterle	ALP/WA	Perth	2005
Nick Xenophon	Ind/SA	Adelaide	2008

⁷ Electorate current under redistribution.

* 2PP has no meaning in relation to these Members. Percentage represents their primary vote at 2010 election

Attachment 6 – Staff and Party Officials Interviewed

Staff

Name	Affiliation
Anna George	Government Whip, House of Representatives
Leanne Holland	Deputy President of the Senate (Tasmania – Liberal Party)
Mark Madden	Government Minister and Member for Hotham (Victoria)
Justin States	Member for Berowra (Liberal Party – New South Wales)
Nathan Winn	Opposition Whip, House of Representatives

Party Officials

Name	Affiliation
Brad Henderson	Federal Director (National Party)
Nathan Lambert	Deputy Secretary (Labor Party)
Brian Loughnane	Federal Director (Liberal Party)
George Wright	National Secretary (Labor Party)

Attachment 7 – Observations from Key Support Staff to Members of Parliament

As part of my research I met with a number of Chiefs of Staff/Principal Advisers to ascertain their views on the role of a backbencher. Comments have been categorised in line with my examination of the role of a Backbencher, though views did not vary significantly between the major Parties.

Background and Desirable Attributes

To be an effective Member of Parliament a Member must be intelligent, have political savvy, considerable talent, capability, energy and capacity.

A Member of Parliament must be able to think on their feet and contribute effectively in Parliament, in committees and in Caucus.

A Member needs to have high energy, be highly committed, highly motivated and have unimpeachable integrity.

A Member is accountable to their Parliamentary peers, as well as to the constituents they represent.

A majority of Backbench Members of Parliament bring to the Parliament particular expertise or experience which is relevant to matters before the Parliament, including committee work, where they would be called upon by their Party to play an active role in both informing other Members with less relevant experience or knowledge or leading the Party's engagement in debate on legislation, Question Time or the deliberations of a Parliamentary committee.

You could look upon a Backbench Member of Parliament in one sense as the Chief Executive of a small business. The Member needs to manage their own priorities and the priorities of their electorate or their electoral division, manage staff, deal with issues as they arise and ensure they have allocated an appropriate amount of time to focus on political matters, as well as a broad array of constituent issues.

To be effective a Backbench Member needs to understand how to get decisions made in a timely manner, they need to have media know-how and be effective communicators in both written and face to face communication, they need to understand how the Government functions, they need to understand the role of law and how the Constitution works, have a good understanding of economics and a comprehensive appreciation of all the relevant levers over which they can have an influence or be required to exert influence across their electorate.

It would be desirable if new Members of Parliament were given more comprehensive induction into their role and the expectations of a Member of Parliament, how Parliament works, what support is available within Parliament and in the electorate office, and how to use the Library.

The view of all Parties was that a Backbench Member needs skills to effectively manage their office and the business of their office.

Role in the Electorate

Members of the House of Representatives in marginal seats need to work very hard in their electorate – “there are no votes in Canberra”.

A Member must be active and involved in a wide diversity of community organisations and comfortable and active in social media.

Senators, not having a direct electorate accountability, need to have a capacity to engage with community and industry organisations and business groups, both in listening and in communicating Party or Government policy.

In rural electorates the Member will also often have a column in a local newspaper and be called upon by a number of regional newspapers for comment on matters relevant to the region covered.

Meeting with constituents can involve addressing matters which are relatively straightforward to those which are highly complex.

Members attend numerous functions in their electorate across a variety of organisations, be they cultural, commercial, religious or bodies such as Rotary, the RSL, Lions, Apex, as well as school speech nights or ethnic community organisations.

Members have a pastoral care role within their electorate. Long serving Backbench Members of the Parliament also have a pastoral care role in relation to Members of their own Party and other colleagues in the Parliament, many of whom will experience personal challenges during their representative life which might include personal illness, illness or death of a parent, illness of a child or spouse, or other broader family challenges.

No Member of Parliament, and particularly those in the House of Representatives, can ignore their electorate in the five months of the year when Parliament sits. They need to parallel process matters required to be addressed when in Canberra, while also supporting enquiries or demands from their electorate.

Role in the Party

A key task of a Member of Parliament is to ensure that their seat moves from a marginal position to a safe position or is retained in a safe position.

Many Members of the Senate have electorate obligations where their Party is not represented in the State, and in that context partially fulfil the role of a local Member in engaging with constituents and community organisations, providing the alternate perspective from the Party of the elected Member. In this context both Senators and Members need to be good communicators, good listeners and effective mediators, capable of dealing with the media, capable researchers and effective public speakers.

Members would attend events seven days a week and many Members would be required to represent a Minister in their electorate or occasionally adjacent electorates where they are not the Member but the alternate Party is represented.

Members of the House would be active in attending Branch Meetings in their electorate and a number, particularly in regional and rural electorates, would participate in early morning radio sessions, and occasionally at night, depending on what took place in the Parliament when Parliament is sitting. The media expects attention or a response 24 hours a day.

Role in Parliament

Members need to be active when Parliament sits during Question Time and in periods when legislation is being debated, or in presenting matters of public interest or presenting petitions or in supporting the Leader of their Party.

When both Parliament meets and in non-sitting weeks Members of both Houses would attend numerous lunches and dinners with groups seeking endorsement, support or engagement from the Government or the Opposition.

Many Members participate in delegations where they are invited by cultural, corporate or international organisations and Government representatives to participate in discussions or debate which fulfils both their role of representing the Party's interests, the Government's interests, learning how other Governments deal with common problems in their electorate, or engage internationally with other countries and parliaments.

Members would also attend workshops, think-tanks and various groups and communicate on a regular basis with Party Branch Presidents.

Members during periods when Parliament meets operate in a highly disciplined environment and must be in the Chamber, unless otherwise approved by their Party Whip.

Role in Committees

Members who are active on committees also devote a considerable period of time to that work which often involves national travel and stewarding public hearings.

Senators have a more inquisitorial role in committee work and their committees will often have greater power and influence.

Staff and Support

Members of Parliament must be effective in managing their staff and getting the best out of the resources available to them within the financial constraints allocated.

Members of Parliament, whether Members of the Senate or the House of Representatives, have a significant task, in collaboration with their staff, in time management and ensuring that the necessary staff work is completed in support of their engagement in the House, on committees of the Parliament, in the electorate and in the Party.

Attachment 8 – Summary of Backbenchers’ Comments in relation to their Role, including Comments on Remuneration

Summary of Responses to Member Interviews

House of Representatives

Role in Parliament

The role of a Member in Parliament includes a number of key aspects:

- background reading and preparation for committee and policy development work
- reviewing all Party policy documents and draft legislation in preparation for Parliamentary debate
- giving speeches
- engaging in problem solving
- dealing with the media

Members suggested that:

- time management was critical to the role
- the expectations on an MP are extraordinary
- they are “on duty” when Parliament is sitting

The way a Member approached their responsibilities varies enormously but the demands are constant in all cases.

Role in Committees

Members each indicated that they were involved in Committee work, with all Members sitting on a number of Committees. Members indicated:

- that chairing a Committee is an onerous role influenced by the number of hearings and reports and the consequences of any decisions made
- that sitting on a Committee required travel, deep thought and consideration of complex policy issues of National importance
- that in Committee work the diversity of perspectives brought by Members added to the value of the Committee system
- that Committee work helped to develop better Members and

that Committee work consumed much of the time of a Member.

Role in the Electorate

- Members indicated that their work in the electorate is diverse and clearly influenced by the nature and diversity of their electorate. The breadth of issues covered in their

electorate work was directly related to the size, location and constituency make up of their electorate.

- Electorate work is very time consuming, with Members indicating they work seven days a week when in the electorate, from early morning to mid to late evening. A typical day starts with emails in the morning, meetings with constituents and the media throughout the day, functions such as community and school events in the day and evening and working on behalf of constituents in between.
- The role of the Member in the electorate includes resolving constituent issues which range from broad policy matters to individual family or personal issues.
- Modern day communication appears to have increased the role of a Member in the electorate rather than reducing it. Many constituents use email communication and expect a timely response from their Member. Many members talked of receiving thousands of emails per week which they and staff are required to respond to.
- The 24/7 media cycle has also increased the work load of a Member, where they are often called upon to provide media comment on a range of issues.
- Some Members use the media, electronic and internet communication to communicate with constituents. Some have regular radio slots, write blogs, contribute to newspaper columns, appear on television, issue newsletters and provide regular comment to local media on policy issues.
- The role of a Member in the electorate extends to promoting policy decisions made on behalf of their party. They are also expected to fund raise for their party and to promote their party at local events whilst in the electorate.

Role in the Party

The party role of a Member includes contributing to policy development, raising funds, representing the party and ensuring political balance in Committees by sitting on appropriate Committees.

Time Commitment

Time is a major issue for Members. Members indicated that they work seven days a week, typically starting before 7am and finishing late into the night when Parliament is sitting. In the electorate, similar hours are worked to complete the range of activities expected of a Member by their constituents. Evening and weekend attendance at community events was expected by the electorate.

The time issue is exacerbated for Members who live in large electorates and in electorates which are distant from Canberra. Many Members talked about long travel times to and from Canberra but also within their electorate. A number of Members have more than one electorate office because of the size of their electorate and are required to travel between offices to attend to electorate matters.

Committees often travel to undertake hearings and this adds to the time commitment of Members.

Comments on Role

Members described their roles as:

- identifying what is in the constituents' interest and bringing these values to the party

- split between Parliamentary work, committee work and electorate work, dealing with the media, the party and with constituents
- having to grasp issues quickly and comprehensively, similar to a lawyer receiving a brief
- not that different to a religious minister, helping constituents with a variety of personal issues
- was similar to that of a Council CEO.

In discussing the role, a number of Members indicated that the role and the time commitment required to fill the role had changed considerably with the advance in electronic communication and the 24/7 media cycle. A number of Members indicated that the workload of a Member imposed on them considerable personal sacrifice and placed significant pressures on family life.

The size and nature of the electorate or State also impacted on the perception of the role of a Member. There was some discussion about Members of the House of Representatives needing to spend more time on electorate issues, while Senators also talked about having to cover the issues across the whole State. A number of Members raised the issue that constituents do not necessarily see the difference between levels of Government or between a local Member and a Senator and if they have an issue to raise, they will do so with all or any representative in an effort to ensure it is dealt with. This again has placed additional time pressures on Members.

Comments on Remuneration

A number of comments were made about remuneration. Most comments related to allowances and travel arrangements which are not within the scope of this review. Given that they were discussed by the majority of Members there is a question about the definition of remuneration for a Member.

In terms of remuneration, a number of Members made reference to other roles which they thought comparable to that of a Member including:

- Local Council CEO
- Chief of Staff roles in the Parliament
- Senior Executive Service roles at Levels 1 or 2
- 'Half that of a High Court Judge'
- Commissioner of the Industrial Relations Commission or a Member of Fair Work Australia.

Views on the level of remuneration ranged from it being a well paid job to one that is underpaid when considering comparable roles and other roles in the economy.

Several members raised the issue of travel and dislocation as part of the remuneration issue. There was a tendency to equate travel costs with remuneration. Most concerns were not with the level of remuneration but with the additional costs incurred due to the nature of the job and the electorate (i.e. its size and distance from Canberra).

The issue of superannuation was raised by a number of Members, with a distinct view that Members of earlier Parliaments are advantaged by the "old superannuation scheme" relative

to those more recently joined Parliament. The value placed by Members on the remuneration package appears to be directly impacted by which superannuation scheme they participate in.

The issue of lack of job security and of severance was also raised, a view being expressed that consideration should be given to the fact that most Members will have a relatively short term in Parliament and that finding another job would typically take time.

One view which could be taken as a summary of the many views expressed was that for Parliament to attract the best and brightest minds it should have a sensible rate of pay, taking into account the hours and disturbance and the impact of that commitment on family life.

Senate

Role in Parliament

Senators described their role as including:

- representing Ministers in their state to ensure ministerial statements are distributed in the community
- securing legislation through the Senate
- committee work
- dealing with lobbyists
- acting like a local member in smaller states
- managing the demands of the constituency.

Role in Committees

Senators indicated that a significant proportion of their work was in Committees.

A large amount of time was devoted to reading and preparing for Committee work and hearings.

Senators noted that Chairs of Committees must be present at all times, whereas Members can leave when they need to, the conclusion being expressed that the role of Chair is more onerous and significant.

Role in the Electorate

Senators indicated that they are paired to electorates and spend from one day a month up to two days a week in non-sitting weeks in individual electorates.

The role in the State Electoral Division includes communicating with constituents, attending conferences on policy issues, attending to Committee work within electorates and within their State. Also involved in party work within their State, i.e. disseminating party information and policy in their state.

Time Commitment

Senators indicated that they work seven days a week and work long days often from early morning to late in the evening in Parliamentary sitting weeks. The distance from Canberra to their home base impacts a Senator's time commitment and it was mentioned that travel time is a key issue for them.

Comments on Role

Indicative of other responses, one Senator suggested the role of a Senator is different from that of a Member of the House of Representatives in that Senators attend a number of corporate engagements and meet with lobbyists as their constituency is national or State-wide in breadth. Senators attend and join party meetings for the party. Senators attend Parliamentary Committee meetings and would be required to undertake research and do background research for issues before the Senate or for the Committees on which they serve. Many Senators attend a significant number of functions and are actively engaged in networking.

It was suggested that a Senator's role was more issues based, more diffuse and geographically spread, than that of a Member of the House, given that they are State or Territory based.

The 24/7 media cycle and the constant demand of emails were also raised as a key feature in the role of a Senator. Senators spend considerable time in their role dealing with these two factors.

Comments on Remuneration

There was significant variance in opinion about the level of remuneration of a Member. Comments ranged from:

- believes that the Parliament is struggling to attract top quality people to the Parliament
- the remuneration of Senior Ministerial Advisors is base remuneration of \$220,000 to \$230,000 and believes that would represent a minimum against which Parliamentarians should be paid
- does not believe that the dollars received by a Member of Parliament are proportional to the required standing of a Senator in the community. Does not believe that the payment of the Prime Minister appropriately reflects the positions standing in the community.
- one Member indicated that pay was ok compared to that of a tradesman or factory worker
- Members of the House and Senators also raised the issue of the differential benefit arising from participation in the pre 2004 and post 2004 superannuation scheme.

The issue of allowances was also raised but by fewer Senators than Members of the House of Representatives. The point was made that many Senators believe it was important to quarantine long serving Members at a reference salary and elevate the new base substantially.

It was suggested that a Member of Parliament is not dissimilar from that of a middle manager in the private sector or in Government, or as a partner in a suburban law firm or an accountant or an engineer.

Attachment 9 – Observations from Party Officials

As part of the research undertaken, I met with a number of Parliamentary Party officials to understand the candidate assessment process and challenge. The following is a summary of the views expressed by those interviewed.

Selection of Candidates

Both major Parties indicated that one of their key tasks was ensuring that they had high quality candidates, including current Members, standing in marginal seats. It was also their task to ensure that high quality candidates with capacity for leadership in Government stood for winnable seats at each election.

Desirable Qualities of Candidates

All Parties indicated that candidates needed to:

- have a high level of energy and a significant capacity for hard work,
- have an enthusiasm for dealing with people in the community and a passion for policy and the capacity to contribute to it,
- be numerate and well read,
- be effective on their feet and in the new electronic and social media environment,
- have a capacity to condense a significant amount of information, synthesise it and respond in all manner of settings,
- be able to articulate how their Party was addressing issues of the day, particularly those affecting their electorate.

All Party organisations indicated a significant desire to attract younger, well educated Members in their 30s and early 40s, though revealed that absence from home and significant demands on the role of a Member of Parliament and costs associated with nurturing and educating a young family were often a significant disincentive.

All Party organisations indicated that the task of a Backbencher was arduous and that employment had high risk attached to it. In that context, comment was made as to the appropriateness of considering enhanced separation payments for Members who lost office without adequate retirement provisions and indeed even offering a retention payment for Members of Parliament willing to serve more than three terms, while potentially impacting negatively on their post Parliamentary employment opportunities.

Factors Identified as Impacting the Attractiveness of the Role to Potential Candidates

- All Parties indicated that the adequacy of Backbench pay in the mind of candidates and Members was also influenced by their perception of the duration of their commitment to a career as a Parliamentarian and their age at the time of entering Parliament.
- The time commitment required, the level remuneration and superannuation, and tenure were all raised as issues which reduced the attractiveness of the role to prospective candidates.

- In terms of time commitment, it was recognised that not only were the extended hours of work a factor, but long periods of time where Members are serving in Canberra and away from their family also represent an issue of concern for prospective candidates.
- The significant scrutiny that candidates and their family would be exposed to in such a role was also an area of concern.
- Another key challenge in attracting candidates was the question of tenuous tenure, and inadequate financial support in the event of loss of office.
- All Parties revealed the challenge of attracting to the Parliament senior officers supporting Members, Ministers and Party Leaders whose annual earnings under current award provisions were substantially above those of a Backbench Member of Parliament.
- Both major Parties indicated that pay continues to be a barrier to attracting candidates from some occupational sectors and major cities, particularly where they are seeking candidates who have secure positions in a profession, in Government or in private enterprise, and substantial mortgages. All Parties revealed the challenge of attracting to the Parliament Chiefs of Staff or other senior officers supporting Ministers or leaders in the Party where their annual earnings in their existing roles would be well above \$200,000.
- Retirement income and superannuation were also highlighted as factors which Parties had to address in attracting prospective candidates.
- All Party organisations commented unfavourably on the change to the retirement scheme which was available to Members of Parliament over an extended period of time. They also indicated that it had led to an unfavourable climate in the Parliament where there were two classes of Parliamentarian, those who had served prior to the 2004 elections and those who had been elected to Parliament at or following the 2004 changes to superannuation.

Issues of Career Aspirations and the Trade-off of becoming a Candidate and Potential Member of Parliament

There were varying views about the opportunities of Backbench Members of Parliament who lose their seat or retire in relation to their post Parliamentary career employment opportunity. There was a general view that Members of Parliament who had achieved Ministerial status and been regarded as effective are likely to have more significant employment opportunities after a Parliamentary career. There were, however, comments made of examples where that was not the case at both State and Federal level.

Both major Parties also indicated the challenge in attracting quality Members of Parliament and managing their career and income aspirations where their probable engagement in the Parliament will remain that of a Backbencher, a representative of a local constituency and over time a Chairman of one or more committees in the Parliament.

Attachment 10 – International Research on Attributes of Parliamentarians

Relatively little rigorous research exists about which attributes of politicians are most useful in predicting effectiveness. In the UK, Professor Jo Silvester has been studying the selection process for MPs over the last decade. Following commissions from all three main parties to help identify the qualities politicians need to be effective, Silvester and Dykes, 2007 published research based on the 2005 UK general election.

The results provide illumination on which competencies correlate highest with electoral success. Both the Conservatives and the Liberal Democrats found that Intellectual skills (Critical thinking) and to a lesser extent communication skills were both positively correlated with percentage swing.

Silvester also identified a competencies framework, reproduced below. While there are a lot of overlaps between the parties, there are subtle differences in what the competencies mean for each party and how they are manifested. For example, intellectual skills for the Conservatives relates to being able to process quickly and to grasp large amounts of information. By contrast the Liberal Democrats place emphasis on the strategic relevance of information and on the links between national and local level issues.

Conservatives Competencies and Example Indicators	Liberal Democrat Competencies and Example Indicators
Communication Skills (e.g. Articulate and fluent when addressing an audience, able to think on your feet)	Communication Skills (e.g. Communicates clearly, passionately and with conviction when using different forms of media)
Intellectual Skills (e.g. Quickly processes, understands and learns large amounts of information)	Strategic Thinking and Judgement (e.g. Understands the strategic relevance of information, and makes links between national- and local-level issues)
Relating to People (e.g. Approachable, inspires confidence and trust in others)	Representing People (e.g. Demonstrates tolerance in actively representing people of all backgrounds, ages, ethnicity and interests)
Leading and Motivating (e.g. Communicates a clear vision and persuades others to follow them)	Leadership (e.g. Builds trust, confidence and enthusiasm among supporters)
Resilience and Drive (e.g. Demonstrates stamina and persistence in overcoming resistance)	Resilience (e.g. Has the courage to make and defend unpopular decisions)
Conviction (e.g. Seeks opportunities to present views and persuades others to adopt their ideas)	Values in Action (e.g. Promotes beliefs and key messages through their own actions)

Jo Silvester, May 2010, theppsychoanalyst.org.uk

Also of note, communication skills have different meanings – for the Conservatives it is about being agile, articulate and fluent, whereas for the Liberal Democrats, communication is much more about passion and conviction whatever the medium of communication. The former seems restricted to oratory while the latter traverses all the written, spoken, internet based etc media at the disposal of a politician.

The UK research reveals that communication is a vital discriminator in electoral success. It is therefore not surprising that Backbench Members rated it highly – Government 91 per cent, Coalition 96 per cent.

What Silvester has also discovered in a recent study of 200 UK politicians is that Integrity is the single most important factor in political leadership, and it is the second highest rated attribute in this Australian research too.

Some subtle differences exist between the Australian parties too. For example, the Government ranking of Intelligence is 70 per cent while the Opposition rate it 54 per cent, and Government rate Research and Analytical skills at 47 per cent while Opposition rate it at 41 per cent. What does this mean? It would be useful to tease out a fuller understanding of what these attributes mean for each Party. On the face of the data it could be argued that the Opposition place lower emphasis on intellect and research in favour of being approachable and representing the community. Perhaps the Government responses reflect a higher priority on developing legislation and governing Australia as a whole with an attendant lower priority on being available to their constituency.

What does seem apparent, and is reinforced in the UK research, is that politicians from all parties would benefit from building a far better understanding in the community of what politicians do, and realistically what they can achieve for both the country and the electorate in practical terms. This would lead to a better understanding of the work value of a Parliamentarian which could be valuable in shaping community perspectives on appropriate salaries.

It would also inform the community of the qualities needed of potential candidates, and provide a robust platform for debate and discussion about their performance and contribution.

How might these findings be of value in the Parliamentary setting in the future? Perhaps further inquiry could be focused on determining exactly which of these attributes, and in what order of priority contribute to the effectiveness of a backbencher. Armed with this information, Party Whips and others would be in a far better position to identify those candidates with the best chances of election and of succeeding in Parliament.

Like the UK, my expectation would be that the characteristics for effectiveness may display a high degree of similarity among all politicians, but that there will be both sufficient and significant difference between the Parties. Accordingly, EA imagine that there would be interest in pursuing the identification and articulation of the competencies for each Party, so that recruitment and development of backbenchers could proceed in a more effective manner.

Issues raised in this international research on attributes of Members of Parliament and some variability between the Houses would represent a subject matter for future research by an Australian Parliamentary Fellow.

Attachment 11 – Superannuation

Superannuation contributions in Australia are taxed concessionally, up to certain limits or caps.

Concessional Contributions

Concessional contributions up to the prescribed limit are taxed at 15 per cent making them very tax effective for most taxpayers. The limits or caps are age based. For those under 50 years of age the 2011/2012 limit is \$25,000. For those over 50 years of age the 2011/2012 limit is \$50,000.

Non-concessional Contributions

Non-concessional contributions are also subject to prescribed limits. Taxpayers can make after tax contributions to their superannuation fund up to these limits and such contributions are then subject to 15 per cent tax, representing a significant tax saving to the top marginal rate of tax of 48.5 per cent.

Sources of Information on Current Loadings

<http://www.remtribunal.gov.au/determinationsReports/byYear/2011/2011-22%20Determination.pdf>

<http://www.remtribunal.gov.au/determinationsReports/byYear/2011/Report%201%20of%202011.pdf>

Parliamentary Superannuation Arrangements for New Members of Parliament

The Parliamentary Contributory Superannuation Scheme (PCSS) was closed to new members from the 9 October 2004 general election and new superannuation accumulation arrangements were established for new Senators and Members of the House of Representatives (Members) joining Parliament on or after that general election.

The new arrangements were established under the Parliamentary Superannuation Act 2004 and involve a 9 per cent Government contribution up to 30 September 2006 and 15.4 per cent from 1 October 2006, payable into a superannuation fund chosen by the Member.

The new arrangements apply only to Members joining the Parliament who were not sitting Members when the Parliament was prorogued on 31 August 2004. They also apply to such Members who return to the Parliament after a break.

Existing Members of the PCSS may not transfer to the new arrangements.

New Members are able to choose a complying superannuation fund or Retirement Savings Account to receive their Government contribution. However, the fund must not be a self managed superannuation fund.

A default fund was nominated by the Minister for Finance and Administration to receive the contributions in the event the Member does not make a choice. This fund is the Australian Government Employees Superannuation Trust.

The Government contribution of 15.4 per cent (9 per cent up to 30 September 2006) is calculated on total Parliamentary salaries.

The PCSS is closed to new Members, including former Members who return to the Parliament and former State Members of Parliament. These Members will join the new accumulation arrangements and any pension being paid to a former Member under the PCSS will be suspended. Payment of the suspended pension will recommence once the Member leaves the Parliament again provided the member is not under age 55, in which case the payment will be deferred until the Member reaches that age (or becomes an invalid or dies earlier than that age).

Members covered by the new accumulation arrangements are able to salary sacrifice up to 50 per cent of their total Parliamentary salaries to superannuation. This enables them to supplement the Government contribution. This is provided for in the Remuneration and Allowances Act 1990.

These new accumulation arrangements satisfy the Superannuation Guarantee legislative requirements.

The new arrangements are administered by the Departments of the Senate and the House of Representatives, as appropriate.

Source

<http://www.finance.gov.au/superannuation/parliamentary-superannuation/new-parliamentary-superannuation-arrangements.html>

The attached 21 page report is separately indexed.

WORK VALUE AND MARKET ASSESSMENT OF THE ROLE OF A BACKBENCHER IN THE FEDERAL PARLIAMENT

23 NOVEMBER 2011

Prepared for

EGAN ASSOCIATES

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1 Executive Summary

Executive Summary

Mercer has prepared this report at the request of Egan Associates to provide a further touch point in their review of the salary of a Backbench Member of the Federal Parliament.

Our understanding of the role has been informed by the detailed job analysis work undertaken by John Egan of Egan Associates and reported in *The Role of a Backbencher of the Federal Parliament* (November 2011).

Mercer's approach to this project involved:

- Determining the work value of the Backbencher role utilising the Mercer Cullen Egan Dell job evaluation methodology which enables us to assess the relative job size of positions.
- Reviewing a broad range of remuneration market benchmarks at similar work value levels across a broad range of job families and market sectors to provide the Tribunal with contextual market information regarding levels of base salary paid in the community.

We have presented the market remuneration information in tabular format, reporting the inter-quartile range (i.e. the 25th percentile, median and 75th percentile) and average for each role. These remuneration tables will assist the inquiry to form a view about (1) the overall levels and (2) the spread or distribution of base salary for these roles in the market.

Mercer has drawn upon a range of data sources. Our primary source for private sector remuneration comparisons has been data contained in Mercer's remuneration databases and proprietary surveys. For sake of completeness, we have also provided a summary of Public Sector remuneration levels for roles at similar work value points utilising (1) the Senior Executive Service remuneration survey which we have conducted on behalf of the APS for a number of years and (2) various State Remuneration tribunal determinations.

It must be recognised that benchmarking at base salary level is not the most prevalent approach to remuneration benchmarking undertaken in the Australian market where most private sector organisations now adopt some form of total fixed remuneration concept inclusive of superannuation, motor vehicle and other benefits and the associated FBT cost. Similarly, for most of the private sector comparisons we have made, there would be an element of variable incentive or bonus payment payable on top of the fixed remuneration components and contingent on performance. While these elements are outside the scope of this comparison, they cannot be ignored if an overall assessment of market competitiveness to private sector remuneration practices is contemplated.

2 Work Value Assessment

Work Value Assessment

Mercer has undertaken a work value assessment of the role of Backbencher using the Mercer Cullen Egan Dell (MCED) job evaluation methodology.

The MCED Job Evaluation Methodology

The MCED methodology has been widely used in both the public and private sectors in Australia for many years and has broad acceptance as a reliable methodology for determining the relative work value of many different types of jobs ranging from senior executives, management, professionals, administrative and technical and blue-collar occupations.

The MCED job evaluation methodology is a points-factor methodology which analyses the position in terms of three major factors:

- Expertise – the depth and breadth of knowledge and experience required to perform the role and the interpersonal skills required
- Judgement – the complexity of the job environment and the reasoning or thinking challenges facing the position holder
- Accountability – the results for which the position-holder is accountable – these may be measured in terms of the financial accountabilities or the level of advice provided

Further detail about the MCED job evaluation methodology is included at Appendix 1.

Work Value Assessment Process

Mercer has undertaken its work value assessment of the role of Backbencher informed by the document prepared by Egan Associates entitled *The Role of a Backbencher of the Federal Parliament* (November 2011).

Mercer understands that this document was prepared following an extensive program of interviews with backbench Members of Parliament undertaken by John Egan during August-September 2011. *The Role of a Backbencher of the Federal Parliament* (November 2011) provides a detailed analysis of all aspects of the role and its specific accountabilities.

Work Value Profile

The following table presents Mercer's evaluation of the role of Backbencher in the Federal Parliament

Table 1: MCED Job Evaluation Profile

Position Title	Impact	Expertise	Judgement	Accountability	Work Value Points
Backbench Member of Parliament	Advice	F+4d 309	E-5- 289	F-2+d 356	954

Commentary on Evaluation

Position Impact and Accountability

In the Mercer CED job evaluation methodology, a fundamental aspect of the evaluation process is to determine the most appropriate Position Impact for the position being evaluated.

Positions may be evaluated as:

- **Direct** – where the primary focus of the role is executive management of a business or business unit or Department
- **Indirect** – where the primary focus of the role is to influence the allocation of resources through professional advice, guidance, frameworks and governance.
- **Advice** – where the primary focus of the position is to provide professional advice and recommendations that influence the decision-making process of the organisation.

To illustrate the distinction between Direct, Indirect and Advice by way of analogy from the corporate world:

- A Chief Executive would normally be evaluated as having **Direct** accountability for the overall business results
- A Chief Financial Officer would normally be evaluated as having **Indirect** accountability for the business results as this role typically provides the key input into financial decisions and manages the financial policies, frameworks, systems and processes for the organisation
- A Human Resources Director would normally be evaluated as **Advice** as this role provides professional leadership and specialist advice and counsel that influence the human resource policies and frameworks of the organisation

Position Impact of the Backbench Member

Mercer has considered carefully the most appropriate measure of Position Impact for the role of Backbench Member of Parliament. This section of our advice reviews the various alternatives.

Direct

The Backbench Member has direct accountability for the budget assigned to them for the effective operation of their electoral office, including management of staff and the expenditure of resources. However, this is of a relatively minor scale, and mainly concerned to provide the Backbench Member with access to dedicated resources to enable them to perform their constituency and Parliamentary responsibilities effectively. The Accountability Score using this measure would be E+1d (203 points).

Indirect

It could be argued that the Backbench member plays an important role in influencing the allocation of Government resources in the interests of their constituents. For example, a Backbench Member will be actively involved in lobbying for Government programs relevant to the interests of their constituents, the prioritisation of infrastructure projects, and the location of Government functions in regional cities within their electorate. Effective performance in attracting Government expenditure programs to their electorate will be a factor that many constituents will consider in forming their view of the relative effectiveness of their local member, and consequently their continued electability. With annual Commonwealth expenditure in the order of \$400BN, the indicative average expenditure addressed per Member of Parliament is in the order of \$1.75BN. The Accountability score using this measure would be D6c (356 points).

Advice

However, Mercer has taken the view that the primary accountability of the Backbench Member is to represent their constituents in the legislative work of the Parliament. Egan describes the Principal Accountability of the Backbencher as:

- *Represent, defend and promote national interests by contributing to the development of public policy and legislation via the process of community, Party and Parliamentary engagement.*
- *Further the needs and interests of constituents, as far as practicable, having regard to both the national interest and Government policy, as well as the administrative and operational constraints of the bureaucracy.*

Accordingly, we have selected Advice as the appropriate position impact.

The Backbencher provides advice on issues that affect Government policy and programs, and have consequence at national, regional and local levels. (2+). The Backbencher can be regarded as an expert advisor on the political and community implications of policy and legislative proposals. Their advice is one of many sources that shape the direction of specific proposals – other sources of advice include public servants, lobby groups, Ministers and political parties. (F-) The Accountability score using this measure would be F-2+d (356 points)

Expertise

In Mercer's job evaluation methodology the Expertise factor considers the depth and breadth of knowledge and experience and the level of interpersonal skills required to perform the role at a competent and effective level.

The educational and vocational backgrounds of members of Parliament are varied and members may be drawn from all walks of life to represent their electors.

In practice, most Backbenchers have tertiary qualifications and have pursued a career at a professional and/or managerial level for a number of years prior to entering the Parliament. Experience may have been gained in corporate or small business, in professional firms, in trade unions or political organisations. The experience gained through these varied pursuits equips the Backbench member with a broad range of professional skills in identifying, researching and advocating issues, organisational skills, and sufficient understanding of the political process to build and nurture a support base from which to launch their Parliamentary careers.

The majority of the members of the current Parliament have served more than six years or the equivalent of two terms or more of the House of Representatives. However, in the current Parliament, 45 Members are in their first term and marginally more than 50 members are in their second term.

In Mercer's view, the depth of knowledge and experience of the Backbench Member of Parliament can be equated to middle to senior management roles in a diverse range of organisational settings, equivalent to that required to lead a function within an organisation or undertake a general management role of a sizeable unit, or executive management of a small to medium enterprise. (F+)

Backbenchers develop a broad understanding across a diverse range of policy issues. While some backbenchers will tend to specialise in portfolio areas of interest in their Committee engagements, they must be generalists in their community and constituency work able to identify and assess impacts, explain and advocate policy across the broad gamut of political and community issues. (4)

Backbenchers require a high level of interpersonal skill in order to effectively liaise with a broad range of stakeholders, negotiate effectively with others with divergent interests and perspectives, and to collaborate and reach agreement or resolution in a committee setting with colleagues with differing political views and agendas. (d+)

Judgement

The Backbencher operates in a complex environment where the needs of various constituencies – their electorate, their Party, the national interest, their networks of supporters and their personal careers – must be weighed and balanced. There is a requirement to identify and define emerging issues of community concern, to interpret how national or regional issues may impact their constituency, and to effectively represent these concerns in their engagement in the Parliamentary processes. (E-)

Backbenchers are engaged in the detailed analysis and review of policy and legislative materials and must engage effectively in the consideration of options, evaluation of alternatives and formulation of solutions. They operate strategically and tactically, balance competing interests, and weigh pragmatic and idealistic considerations. (5-)

3 Remuneration Analysis

Remuneration Analysis

Mercer has drawn upon various sources of data to provide remuneration benchmarks for consideration by the Commonwealth Remuneration Tribunal.

Our Remuneration Analysis draws on the following sources:

- Our **General Market Payline**, which provides an indication of the market remuneration levels for positions of *similar work value points scores*. The General Market Payline is derived through statistical analysis of our remuneration databases, which currently include some 60,000 incumbent records across the broad span of industries, organisation sizes and types in Australia
- Positions based information drawn from specific positions in Mercer's **Quarterly Salary Review** publication (June 2011 edition). Mercer identified positions in a range of job families that straddle the middle to senior management levels in mid-sized companies. (Appendix 2. Quarterly Salary Review survey composition)
- The **Australian Public Service Senior Executive Service Survey** that Mercer has conducted on behalf of the Commonwealth since 1997
- For sake of completeness, various **Commonwealth and State Remuneration Tribunal Determinations** that we deemed relevant comparators.

We have provided the remuneration information in the form of tables showing the market distribution for each role.

- The statistics provided are 25th percentile, 50th percentile (median), 75th percentile, which provides a useful indication of the distribution of salaries in the market.
- We have focused on **Base Salary** only. Therefore the data does not include remuneration elements such as motor vehicle benefits, cash allowances or any forms of performance payment or incentive remuneration which are common components of remuneration in the private sector. Similarly, the data provided does not include superannuation contributions.
- Please note that the remuneration information have been rounded to the nearest thousand.

General Market

The table below summarises the inter-quartile range of the general market for roles of similar work value points.

Table 2: Work Value Based Market Remuneration Data, General Market (October 2011)

		General Market - Base Salary (October 2011)⁸		
Position Title	Work Value Points	25th Percentile	50th Percentile	75th Percentile
Backbencher	954	\$157,900	\$190,800	\$229,500

Position-Based Analysis

Table 3: General Management Job Family, QSR (September 2011)

			Quarterly Salary Review (QSR) - Base Salary (September 2011)⁹			
Position Title	Mercer MUPC	Staff Category	25th Percentile	50th Percentile	75th Percentile	Average
General Manager	100.030.111	Senior Manager	\$170,000	\$207,000	\$283,000	\$228,000
Division Manager (excl Manufacturing)	100.030.123		\$100,000	\$150,000	\$190,000	\$154,000

⁸ Source: General Market Payline, October 2011, rounded to the nearest hundred

⁹ Source: Mercer Quarterly Salary Review, September 2011

Table 4: Human Resources Job Family, QSR (September 2011)

			Quarterly Salary Review (QSR) - Base Salary (September 2011)¹⁰			
Position Title	Mercer MUPC	Staff Category	25th Percentile	50th Percentile	75th Percentile	Average
Top Human Resources Executive	120.030.120	Executive	\$177,000	\$200,000	\$226,000	\$209,000
Industrial Relations Manager	120.248.220	Manager	\$126,000	\$165,000	\$188,000	\$158,000

Table 5: Finance and Administration Job Family, QSR (September 2011)

			Quarterly Salary Review (QSR) - Base Salary (September 2011)¹¹			
Position Title	Mercer MUPC	Staff Category	25th Percentile	50th Percentile	75th Percentile	Average
Top Finance and Accounting Executive	210.030.120	Executive	\$191,000	\$236,000	\$278,000	\$245,000
Head of Audit	210.324.130		\$145,000	\$164,000	\$194,000	\$182,000

Table 6: Information Technology Job Family, QSR (September 2011)

			Quarterly Salary Review (QSR) - Base Salary (September 2011)¹²			
Position Title	Mercer MUPC	Staff Category	25th Percentile	50th Percentile	75th Percentile	Average
Top Information Technology Executive	310.030.120	Executive	\$195,000	\$246,000	\$286,000	\$236,000

¹⁰ Source: Mercer Quarterly Salary Review, September 2011

¹¹ Ibid

¹² Ibid

Table 7: Sales and Marketing Job Family, QSR (September 2011)

			Quarterly Salary Review (QSR) - Base Salary (September 2011)¹³			
Position Title	Mercer MUPC	Staff Category	25th Percentile	50th Percentile	75th Percentile	Average
Top Sales and Marketing Executive	400.030.120	Executive	\$190,000	\$215,000	\$261,000	\$231,000
Top Marketing Executive	410.030.120		\$188,000	\$238,000	\$260,000	\$230,000
Top Sales Executive	420.030.120		\$200,000	\$230,000	\$273,000	\$239,000

Table 8: Production and Supply Job Family, QSR (September 2011)

			Quarterly Salary Review (QSR) - Base Salary (September 2011)¹⁴			
Position Title	Mercer MUPC	Staff Category	25th Percentile	50th Percentile	75th Percentile	Average
Principal Manufacturing Executive	600.100.120	Executive	\$174,000	\$203,000	\$231,000	\$202,000
Head of Logistics Management	610.100.130		\$134,000	\$179,000	\$245,000	\$193,000
Head of Supply Chain Solutions	610.100.131		\$151,000	\$169,000	\$201,000	\$176,000

Table 9: Legal Job Family, QSR (September 2011)

			Quarterly Salary Review (QSR) - Base Salary (September 2011)¹⁵			
Position Title	Mercer MUPC	Staff Category	25th Percentile	50th Percentile	75th Percentile	Average
General Counsel/Head of Legal	115.030.120	Executive	\$191,000	\$227,000	\$255,000	\$230,000
Corporate Secretary	110.100.130		\$114,000	\$161,000	\$256,000	\$196,000

¹³ Source: Mercer Quarterly Salary Review, September 2011

¹⁴ Ibid

¹⁵ Source: Mercer Quarterly Salary Review, September 2011

Local Government

We have selected two benchmarks in the local government sector.

1. Mayor – elected, political role responsible for leading the direction of the Council, interface with the community, and chairing the Council meetings and committees. The Mayor would typically work closely with a Chief Executive or General Manager responsible for the operational management of the city organisation and budget.
2. Director roles – these are senior management roles and typically are direct reports to the Chief Executive or General Manager of the Council. They have management accountability for a functional division of Council's activities (eg Community Services, Infrastructure, Finance).

Table 10: Mayor Role, Local Government Remuneration Tribunal (April 2011)

	Local Government Remuneration Tribunal under Sections 239 and 241 – Base Salary (28 April 2011) ¹⁶	
Position Title	Minimum	Maximum
Mayor (Principal City)	\$161,500	\$215,900 ¹⁷

Table 11: Director Roles, Local Government Remuneration Review (October 2011)

	Local Government Remuneration Review- Base Salary (aged to October 2011) ¹⁸			
Position Title	25th Percentile	50th Percentile	75th Percentile	Average
Director Roles (Blended)	\$159,000	\$174,000	\$186,000	\$175,000

¹⁶ Source: Report and Determination of The Local Government Remuneration Tribunal under Sections 239 and 241 of the Local Government Act 1993, Determination Pursuant to Section 241 of Fees for Councillor and Mayors, 28 April 2011, p 12, http://www.dpc.nsw.gov.au/__data/assets/pdf_file/0005/119714/2011_Report_and_determination_Copy_for_Gazette.pdf

¹⁷ The Base Salary figures have been calculated by the adding the Minimum Annual fee to the Additional Fee (\$22,680 + \$138,780) and the Maximum Annual Fee to the Additional Fee (\$33,270 + \$182,610), rounded to the nearest hundred

¹⁸ Source: Mercer Local Government Remuneration Review, November 2009 aged to October 2011, rounded to the nearest thousand

Australian Public Service

We have presented salary information for two Senior Executive Service levels as the cusp of the grades is very close to the evaluation points score in our assessment of the work value of the Backbencher.

Table 12: SES 1, APS Survey (31 December 2010)

			Base Salary, 2010 APS SES Remuneration Survey, 31 December 2010¹⁹			
Employment Agreement/ Determination	Sample Size	Reference (APS Survey)	Q1	Median	Q3	Average
Enterprise Agreement	216	Table 4.2	\$153,600	\$153,600	\$155,800	\$156,000
Australian Workplace Agreement	415	Table 4.3	\$152,300	\$158,300	\$164,600	\$162,200
Collection Section 24(1) Determination	51	Table 4.4	-	-	-	\$158,700
Individual Section 24(1) Determination	958	Table 4.5	\$151,000	\$159,100	\$167,400	\$160,100
Total	1940	Table E.1	\$151,900	\$158,300	\$167,600	\$161,000

¹⁹ 2010 APS SES Remuneration Survey, Australian Public Service Commission, 31 December 2010, <http://www.apsc.gov.au/workplacerelements/2010apssesreport.pdf>, rounded to nearest thousand

Table 13: SES 2, APS Survey (31 December 2010)

			Base Salary, 2010 APS SES Remuneration Survey, 31 December 2010²⁰			
Employment Agreement/ Determination	Sample Size	Reference (APS Survey)	Q1	Median	Q3	Average
Enterprise Agreement	62	Table 4.7	\$188,200	\$188,200	\$188,200	\$190,800
Australian Workplace Agreement	123	Table 4.8	\$188,600	\$198,800	\$215,300	\$207,900
Individual Section 24(1) Determination	252	Table 4.9	\$195,100	\$203,100	\$218,900	\$206,600
Common Law Agreement	91	Table 4.10	\$189,300	\$208,200	\$222,100	\$207,000
Total	547	Table E.2	\$188,600	\$200,700	\$215,900	\$205,300

* The 685-949 points for SES 1 and 950-1499 points for SES 2 are Mercer estimation of point boundaries for APS SES Levels. The Commonwealth uses a classification descriptor as its primary classification tool.

²⁰ 2010 APS SES Remuneration Survey, Australian Public Service Commission, 31 December 2010, <http://www.apsc.gov.au/workplacelrelations/2010apssesreport.pdf>, rounded to nearest thousand

State Public Sector

Table 14: State SES levels

State	Level	MCED points	Base Salary	
			Minimum	Maximum
New South Wales ²¹	SES Level 3	850-989	\$180,100	\$204,600 ²²
	SES Level 4	990-1164	\$204,600	\$223,000 ²³
Victoria ²⁴	EO-3	701-1124	\$124,600	\$173,100 ²⁵
Western Australia ²⁶	Band 6	901-1030	\$165,300	\$223,600 ²⁷

²¹ NSW Remuneration Tribunals, Report and Determination Under Section 24C of the Statutory and Other Offices Remuneration Act, 1975, Chief Executive and Senior Executive Services, 12 October 2011, p11, http://www.dpc.nsw.gov.au/_data/assets/pdf_file/0012/132303/2011_CES_and_SES_gazette_REP_v04.pdf

²² The Base Salary figures have been calculated by discounting the Total Fixed Remuneration(\$1199,701 and \$226,850) by a superannuation assumption of 10.90%, rounded to the nearest hundred

²³ The Base Salary figures have been calculated by discounting the Total Fixed Remuneration(\$226,851 and \$247,300) by a superannuation assumption of 10.90%, rounded to the nearest hundred

²⁴ Victorian Public Service, Executive Remuneration Bands, 1 July 2011, Part 3 Public Administration Act 2004, <http://www.ssa.vic.gov.au/executive-remuneration/public-service.html>

²⁵ The Base Salary figures have been calculated by discounting the Total Fixed Remuneration(\$138,212 and \$191,953) by a superannuation assumption of 10.90%, rounded to the nearest hundred

²⁶ Western Australia Salaries and Allowances Tribunal, Report Under Section 7A of the Salaries and Allowance Act 1975, Local Government and Chief Executive Officers, June 2011, p 13

²⁷ The Base Salary figures have been calculated by discounting the Total Fixed Remuneration(\$183,284 and \$247,971) by a superannuation assumption of 10.90%, rounded to the nearest hundred

Table 14: State SES levels (cont)

State	Level	MCED points	Base Salary	
			Minimum	Maximum
Queensland ²⁸	SES 2 (High)	940-1119	\$146,800	\$152,500 ²⁹
ACT ³⁰	SES 2	900-1299	\$177,700	\$222,500 ³¹
Northern Territory ³²	ECO 2	900-1149	\$175,900	\$188,600 ³³

²⁸ Queensland Government Public Service Commission, Senior Executives – Employment Conditions – Directive no. 05/09, July 2011, <http://www.psc.qld.gov.au/library/document/directive/2009/2009-5-senior-executive-employment-conditions.pdf>

²⁹ The Base Salary figures have been calculated by discounting the Total Fixed Remuneration (\$162,807 and \$169,170) by a superannuation assumption of 10.90%, rounded to the nearest hundred

³⁰ ACT Remuneration Tribunal, Senior Executive Service Staff, Determination No. 2, July 2011

³¹ Sourced the cash component as the equivalent Base Salary figure

³² Northern Territory Government, Executive Contract Officers, August 2011

³³ The Base Salary figures have been calculated by discounting the Total Fixed Remuneration (\$195,059 and \$209,114) by a superannuation assumption of 10.90%, rounded to the nearest hundred

APPENDIX A

MCED Job Evaluation Methodology

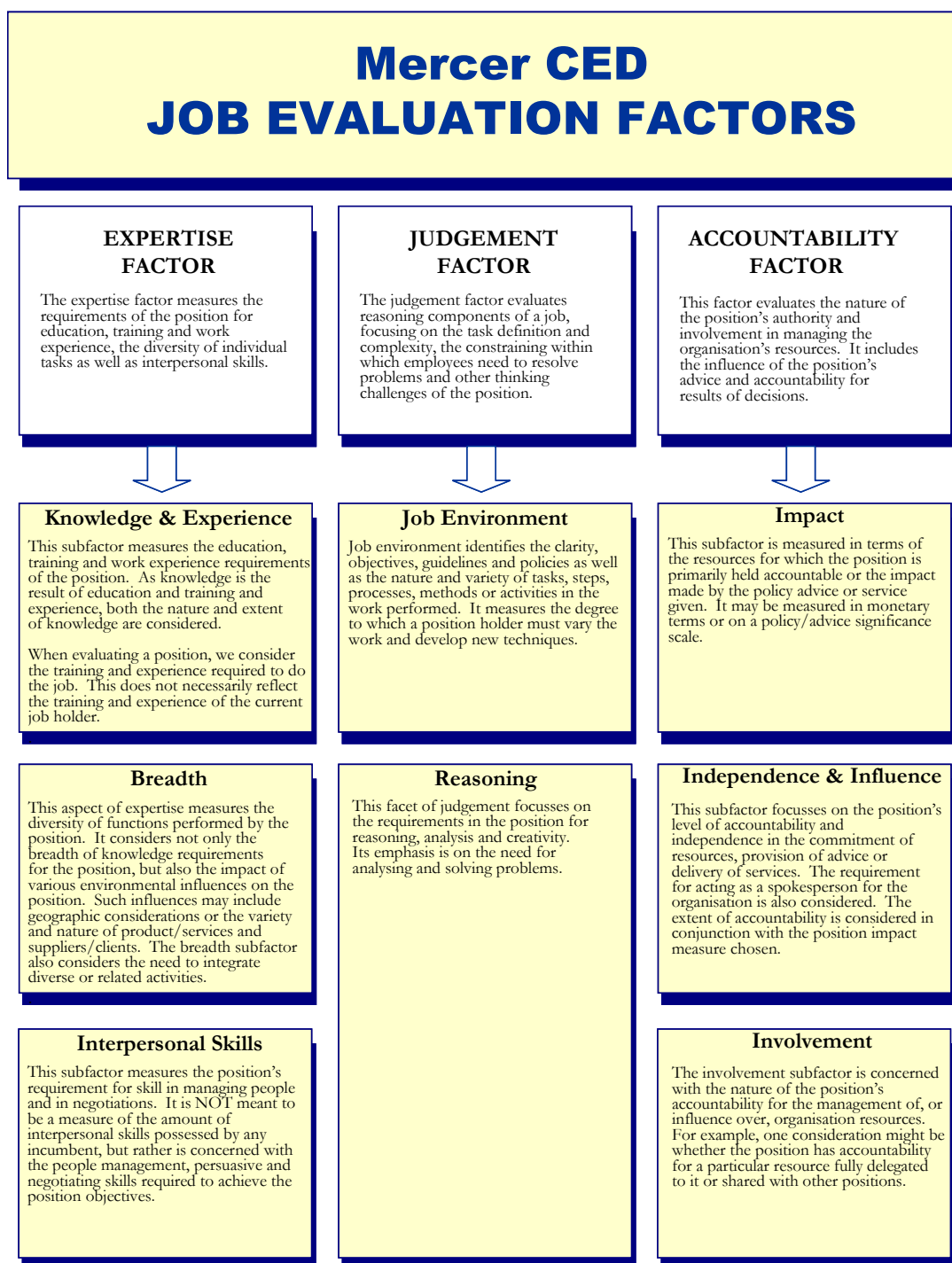
The Mercer CED Job Evaluation methodology provides a systematic and analytical to defining jobs in terms of compensable factors such as size, scope, complexity, specific knowledge and experience requirements and accountability. It results in a quantitative measure of work value that can then be used as a mechanism to access market remuneration data for jobs of equivalent size for comparative purposes.

The job evaluation outcomes are used to establish a work value level for the position. The work value results are then applied to determine a competitive market based remuneration outcome for the position. The use of the job evaluation methodology to establish a work value level also enables internal relativities to be assessed.

Each factor is given a rating to determine a job evaluation profile, which is converted to points. The total points result in an overall work value score for the position which can be used to identify the internal relativities within the organisation. It should be emphasised that our assessment is of the relative work value of the position, not on the qualities that the individual will bring to the job.

Work-value scores can be directly correlated to General Market remuneration through a pay line. The General Market pay lines represent the mathematical relationship between Mercer CED work-value points and market remuneration. Further detail on the evaluation factors is provided in the following page.

Mercer CED Job Evaluation Methodology (continued)



APPENDIX B

Mercer's Quarterly Salary Review

Table 15: Mercer QSR Survey Sample – Size of Operations

Size of operations				
	Q1	Median	Q3	Average
Value of gross assets (\$m) (n = 211)	54	190	1133	5164
Sales turnover (\$m) (n = 410)	74	200	693	1092
Gross profit (\$m) (n = 182)	16	51	155	481
Net profit (\$m) (n = 181)	7	23	92	227

Figure 1: Mercer QSR Survey Sample – Parent Company Location

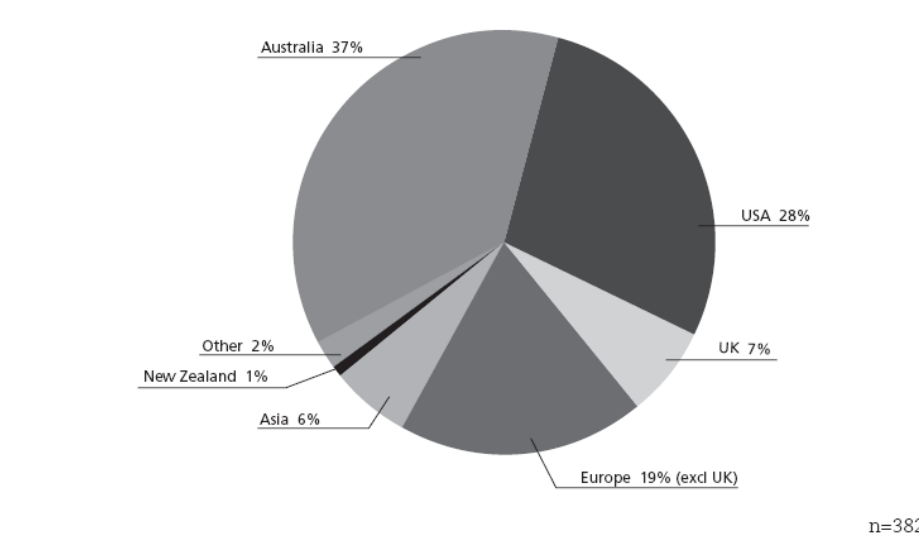


Table 16: Mercer QSR Survey Sample – Employee Numbers

Table 1.4 Employee numbers	
n = 421	% of organisations
Less than 100	23
100 to <250	20
250 to <500	12
500 to <1,000	13
1,000 or more	32

APPENDIX C

Statistical Terms

- The **25th percentile (Q1)** is the position where 25% of organisations pay less and 75% of organisations pay more for a similarly sized role
- The **median/ 50th percentile** is the position where 50% of organisation pay less and 50% of organisations pay more for a similarly sized role
- The **75th percentile (Q3)** is the position where 75% of organisations pay less and 25% of organisations pay more for a similarly sized role
- The **Average** is the sum of all data reported divided by the number of observations in the sample
- **Paylines** are regressed lines of job size (work value) and remuneration that are constructed from referencing Mercer's extensive databases. They enable the estimation of market remuneration data for roles of the same size. i.e. roles with the same work value assessment outcomes.

Remuneration Components

- **Base Salary (BS)** – Annual Salary, including salary sacrificed items, but excluding allowances or additional payments