



# Functional Governance Better Practice Guide

## Technical Specialist Framework

Date of initial endorsement:	22 May 2018
Date of last review:	22 May 2018
Endorsed by:	National Manager People Safety and Security
Owner:	Manager People Strategies
Contact:	People Strategies
Identifier:	MPS042
IPS Status	Full

## Disclosure and classification

This document is UNCLASSIFIED and is intended for internal AFP use. Disclosing any content must comply with Commonwealth law and the AFP National Guideline on information management.

## Compliance

This instrument is part of the AFP's professional standards framework. The [AFP Commissioner's Order on Professional Standards \(CO2\)](#) outlines the expectations for appointees to adhere to the requirements of the framework. Inappropriate departures from the provisions of this instrument may constitute a breach of AFP professional standards and be dealt with under Part V of the [Australian Federal Police Act 1979 \(Cth\)](#).

This document is a functional governance instrument as defined under s.4 of the [AFP Commissioner's Order on Governance \(CO1\)](#).

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## Table of Amendments

Actions	Date of Effect	Date of signature	Delegate
Amendment to section 4 - Principles	8 April 2019	8 April 2019	Manager People Strategies
Amendment to section 6 – approval process	8 April 2019	8 April 2019	Manager People Strategies
Amendment to section 15 – contact information	8 April 2019	8 April 2019	Manager People Strategies

## 1. Definitions

AFP Appointee	Defined in section 4 of the <i>Australian Federal Police Act 1979</i> .
Base Salary	Salary band and increment point against which an employee is remunerated and, except for the calculation of higher duties allowance, does not include any allowances in Part VI of the <a href="#">AFP Enterprise Agreement 2017-2020</a> .
Commissioner	The Commissioner of the AFP and/or their authorised delegates.
Employee/s	A person engaged under section 24 of the <i>Australian Federal Police Act 1979 (Cth)</i> .
Hard barrier	A break between two classification levels where the only mechanism for internal advancement is through a selection process based on merit principles.
Increment point	Point within a salary band that an employee is paid.
Merit	(including “Merit Principles”) means ensuring all eligible people are provided an opportunity to apply for existing vacancies, and that any employment decisions are transparent and based on a fair assessment of the applicant’s ability to perform a role and is consistent with Regulation 3 of the <i>Australian Federal Police Regulations 1979</i> .
Operational Requirement/s	Requirements of the role an AFP employee and any direction to perform other duties.
Remuneration Committee	The committee responsible for reviewing all requests regarding remuneration where delegation has not occurred and providing a final recommendation to the Commissioner for endorsement.
Technical Specialist	Has the meaning given in Part III of the <a href="#">AFP Enterprise Agreement 2017-2020</a> .

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Technical Specialist Framework Classification Structure	Salary band levels to which the AFP applies work level standards and sets associated performance expectations for Technical Specialists.
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## 2. Introduction

This better practice guide outlines the overarching principles and supporting administrative procedures required for the application and operation of the Technical Specialist Framework (TSF) specified under Part III of the [AFP Enterprise Agreement 2017 - 2020 \(EA\)](#).

The TSF has a separate classification structure with distinct terms and conditions that recognise roles requiring inherent high level specialty or technical skill.

This enables Technical Specialist (TS) to be appropriately recognised and remunerated in isolation of broader managerial or financial responsibilities.

## 3. Application

This document covers all employees who are performing duties in a role that is assigned to the TSF under Part III of the EA.

## 4. Principles

The AFP TSF is based on the following principles:

- a framework that will apply to a limited number of specialised professional AFP positions;
- a contemporary model that recognises skill sets and/or tasks that currently sit outside the scope of the general AFP classification structure;
- a remuneration structure to ensure that employees with unique, specialised technical skills are attracted and retained in a competitive niche government employment market; and
- employees engaged are not required to undertake any leadership or management responsibilities and are working on specialised projects and tasks unable to be performed within the Band structure.

## 5. Assignment of role to the Technical Specialist Framework

The TSF recognise technical proficiency whilst preserving the integrity of the organisational work level standards and general classification structure. The AFP general classification structure will maintain work value in recognition of leadership and financial delegation.

There should be no leadership or management expectations within the scope of a TS role.

Under Part III (1) of the EA, all roles requiring TS skills as an inherent requirement and key component of the role may qualify for assignment to the AFP TSF. Expertise held by an employee outside the scope of an identified role requirement (such as those listed in (a) – (c) below) is not a relevant consideration (for example, secondary language or translation skills used from time to time).

All role descriptions will detail exclusive technical expertise to support AFP outcomes.

In determining eligibility for a role, the following should be considered:

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- (a) the role requires a highly technical specialised skill set in a specific and/or restricted field, which is not readily transferrable to other functions of the AFP; and/or
- (b) the requirement of a tertiary qualification to the required discipline from a recognised tertiary institution or a qualification which is appropriate to the duties required; and/or
- (c) the role requires essential qualifications and experience acknowledged as specialist industry recognised experience for advancement arrangements.

All roles are considered professional and not restricted Policing or Protective Service Officer roles. Sworn employees can apply to perform TS roles, however employees in restricted roles that apply for a TS role recognise that time spent in the role will not count toward Policing or Protective Service Officer experience.

Employees assigned to roles in the TSF will not be eligible for, or paid, the core composite.

## 6. Approval process

Approval to determine roles as TS will be progressed through the Executive Support team in writing, for approval by the Commissioner.

The written business case should be submitted via the relevant National Manager to Industrial Relations and is to include:

- (a) specialised technical skill set required to undertake the role;
- (b) reasons why the TS role is required;
- (c) term of the role;
- (d) proposed remuneration;
- (e) financial implications; and
- (f) organisational risks if not endorsed.

Role criteria need to be clearly defined; based on the skills and/or qualifications required by the AFP and the needs of the AFP, not a specific individual.

This process is to be completed prior to any recruitment process or offer of employment.

## 7. Employee engagement or assignment within the Technical Specialist Framework

The only way for employees to move into or out of the TSF is through a merit selection process.

This does not preclude direct engagement for ongoing and non-ongoing roles.

### **Movement within the Technical Specialist Role**

The TSF classification is divided by hard barriers due to a reflection of the AFP's role requirement. The ability to progress across these hard barriers will only be through a merit selection process.

### **Movement between a Broadband and a Technical Specialist Role**

Employees found suitable via a merit selection process, assigned to a role in a broadband detailed in Attachment B of the EA, immediately prior to transferring to a role under the TSF will cease to progress through any broadband advancement arrangements for the duration of time assigned to the TSF.

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There is no ability for an employee to return to the broadband at a higher salary band than the salary band they were previously assigned within the advancement arrangements. Incremental progression above the increment point at which they left the broadband will be determined by:

- the number of years' experience in the TS role;
- an assessment of transferable knowledge and skills gained in the TS role; and
- any compulsory criteria specific to the relevant broadband as outlined in Attachment B of the Agreement.

In these circumstances, an employee who returns to a role in the policing broadband must have maintained their Use of Force (UoF) certification while performing the TS role, unless the AFP Chief Medical Officer provides an exemption on medical grounds.

Incremental progression can only occur after assessment of transferable knowledge and skills, if requested by the employee. The employee will need to provide supporting evidence, outlining the transferable knowledge and skills gained during their time in the TSF and accompanied by written endorsement from a management representative within the TSF. This documentation should be forwarded to the delegate for review and a determination; the employee will then be advised by People Strategies of the outcome.

Any formal training and prerequisite requirements will be identified during this assessment. Progression through any broadband barrier will not occur until all relevant criteria are met.

Accelerated advancement is not permitted when determining the salary band and increment point an employee will return to when re-entering the broadband arrangements. Advancement will not exceed that which would have been possible under Attachment B arrangements.

A minimum period of 12 months service at the new increment point must be completed before the employee will be eligible for any further incremental advancement. Advancement will also remain subject to the core requirements and successful completion of any other assessment criteria required under advancement arrangements.

## 8. Term of employment

Roles assigned to the TSF may be determined by the Commissioner as non-ongoing or ongoing subject to operational requirements.

If a TS role is designated as a non-ongoing requirement and there is a need to extend the contract or move to an ongoing basis, the business area will need to seek appropriate delegate approval.

The business area is responsible for monitoring the continued requirement for a TS role if it hasn't been identified for a specific time in the first instance.

### **Role requisites**

The employee is responsible for monitoring and maintaining all relevant qualifications, certifications and/or mandatory registration with a professional body (as required), in order to perform the TS role throughout an assignment within the TSF.

This requirement recognises that some technical specialties require ongoing professional development to maintain the relevant specialist capability; such as the completion of compulsory professional certifications.

This can be potentially facilitated and subsidised via the AFP Tertiary Study Assistance Scheme.

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## 9. Remuneration

Employees assigned to a role in the TSF will be remunerated in accordance with Part III (17) of the EA and will be afforded annual base salary increases in accordance with section 7 of the EA.

## 10. Hours of duty

The Commissioner may direct an employee under the TSF to work a specific pattern of hours to meet operational requirements.

The employee's required hours of work will be 40 hours per week as averaged over a 12-month averaging period. Employees in TS roles are expected to manage their workload and model appropriate attendance patterns, being mindful of the AFP's commitment to work-life balance.

The employee and AFP acknowledge that the level of remuneration that the employee receives reflects an expectation that the employee may be required to work rostered shifts and/or hours outside of the hours of 0800 – 1600 Monday to Friday without further remuneration. This ensures the ability to reconcile the average of 40 hours of work per week over a 12 month averaging period.

Where the employee requests to work less than full time hours through an Individual Flexibility Arrangement, all the terms and conditions contained within this policy will be applied on a pro-rata basis.

## 11. Higher duties

In order to maintain the integrity of the specialist stream, higher duties within the TSF cannot be undertaken by employees in the general AFP classification structure. Higher duties can only be performed by employees assigned to roles within the TSF.

Eligible employees may perform duties of a TS role at a higher salary band within the TSF classification if the role requiring higher duties at the higher salary band has been pre-determined and established by the Commissioner, such as a 'junior specialist' assuming the role responsibilities and work value of a 'senior specialist' on leave. This is to recognise developmental opportunities within the TS cohort.

Terms and conditions under Section 29 of the EA will apply to TS roles required to be performed at higher duties.

If an employee and their supervisor agree, an employee in a TS role performing higher duties outside the TSF may choose not to be paid higher duties allowance. In this case the employee will remain on the salary level payable prior to the commencement of higher duties.

## 12. Exclusions

All terms and conditions of the EA apply to employees under the TSF, except for:

(a) PART IV - Attendance and Organisation of Work;

(b) PART V - The AFP Working Patterns;

(c) PART VI - Allowances, sections:

(i) 26 - Overtime;

(ii) 27 - Temporary Operational Composite;

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- (iii) 30 - Night Shift Allowance;
- (iv) 31 - On-Call Allowance;
- (v) 32 - Recall to Duty; and
- (vi) 33 - Close Duty Allowance.

## 13. Removal of roles from the Technical Specialist Framework

Removal of roles from the TSF are determined by the Commissioner.

Should an identified specialist role become excess or role responsibilities evolve and align with the AFP classification structure in Part II, section 10(2) of the EA, employees will be subject to the workforce adjustment provisions in the EA (together with the application of the consultation provisions).

## 14. Review of decisions

The dispute resolution procedures in section 71 of the EA will deal with the prevention and settlement of disputes arising from an interpretation of the provisions of the EA or this policy.

## 15. Further advice

Any initial enquiries relevant to the application of this better practice guide should be referred to People Centre via email at: [PeopleCentre@afp.gov.au](mailto:PeopleCentre@afp.gov.au).

## References

### Legislation

- [Australian Federal Police Act 1979](#) (Cth)
- [Fair Work Act 2009](#) (Cth)

### AFP governance

- [AFP Enterprise Agreement 2017-2020](#)
- [AFP Enterprise Agreement 2017-2020 – Determination No. 3 of 2017 Instrument of Delegations](#)

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