



Protecting
consumers
by improving
professional
standards

2022–2023

Annual Report



AIBS
Australian Institute of
Building Surveyors



NEW SOUTH WALES
BAR ASSOCIATION



API AUSTRALIAN
PROPERTY
INSTITUTE



SABAR



WA BAR
Association



The Law Society
OF WESTERN AUSTRALIA

 VICTORIAN BAR



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About this report

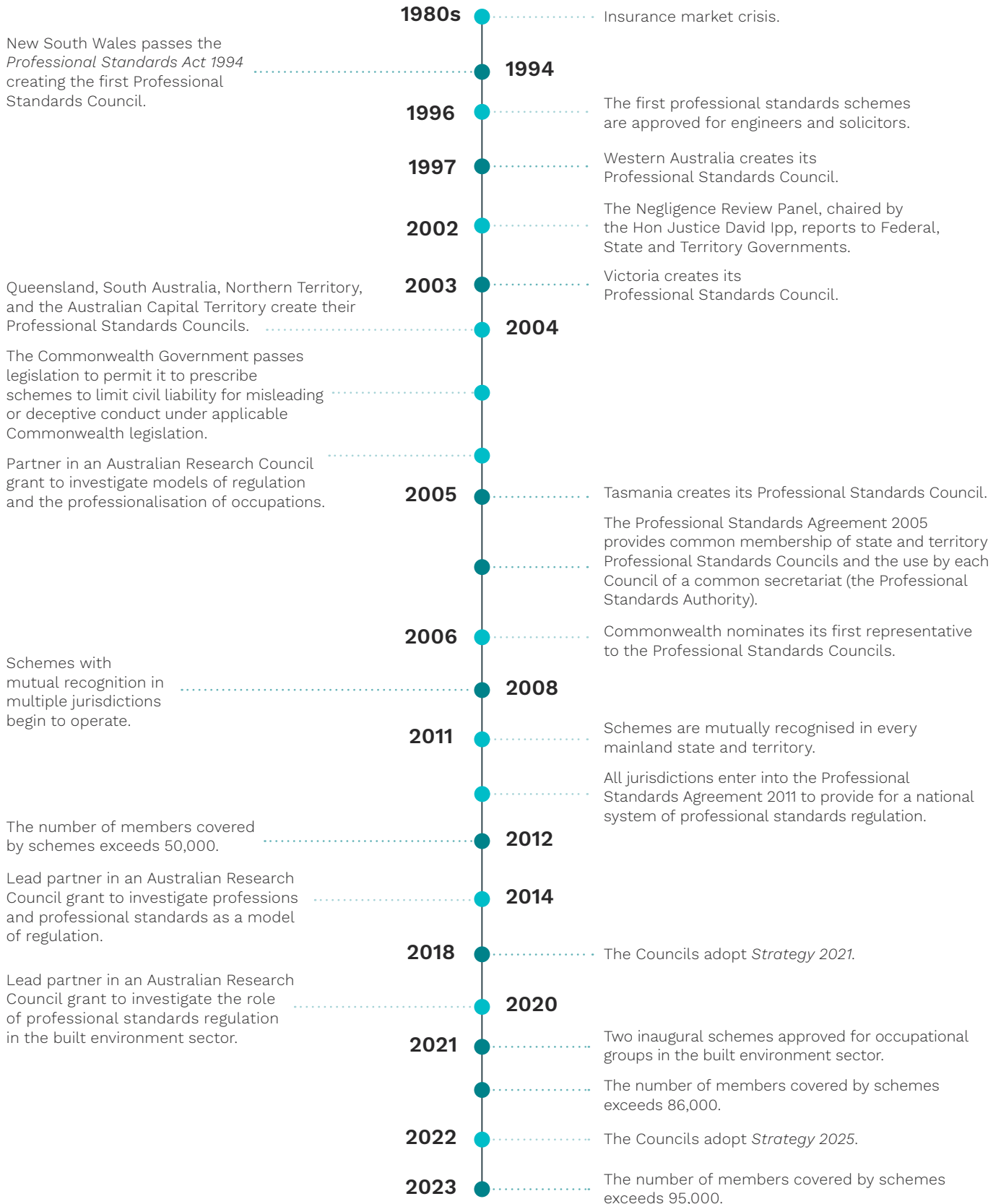
This annual report summarises the Professional Standards Councils' work and activities for the period of 12 months ending on 30 June 2023 and looks to the year ahead. The Councils' work and activities include the regulatory operations undertaken to fulfill their functions as specified in professional standards legislation. This and earlier annual reports are available in the 'News and publications' section of our website psc.gov.au.

Acknowledgement of country

The Professional Standards Councils acknowledge, respect and value Aboriginal peoples as the Traditional Custodians of the lands on which we work. We pay our respects to Elders past, present and future.



History of the Professional Standards Councils



Following the economic challenges of the 1980s and 1990s, professional indemnity insurers were retreating from the market and consumers were at risk of receiving services from insured providers at higher and higher costs, or uninsured providers with no protection for consumers at all.

Governments recognised a need for an efficient and cost-effective system to raise the occupational standards of professionals and others, and to provide for some guarantee of payment for consumers if a claim was made.

The professional standards legislation establishes a meta-regulatory regime. The Councils regulate the occupational associations that in turn regulate their members. As a meta-regulator, the Councils approve and supervise the professional standards schemes under which associations set professional standards and undertake occupational risk-management.

Following the passage of the *Professional Standards Act 1994* (NSW), the Professional Standards Council of New South Wales was formed, with Western Australia following in 1997.



The reach of professional standards legislation was extended following the collapse in 2001 of insurance giant, HIH Insurance Limited, resulting in widespread unavailability and unaffordability of professional indemnity insurance. This significant event, which affected people across Australia, highlighted the importance of maintaining liability practices to protect consumers.

Professional standards legislation was passed, and Councils were established in each remaining Australian state and territory.

Subsequently, the Commonwealth Government passed legislation that permitted the civil liability of occupational association members to be limited under the *Trade Practices Act 1974* (now the *Competition and Consumer Act 2010*), the *Corporations Act 2001*, and the *Australian Securities and Investments Commission Act 2001*.

This national system of ‘meta-regulation’ requires occupational associations to effectively regulate their members, address risks to consumers and continuously improve the professional standards of their members. In return, members’ liability is capped to promote the availability of funds for compensation and the availability, quality and affordability of insurance.

Letter to Ministers

The Hon Stephen Jones MP

Minister for Financial Services
Assistant Treasurer
Commonwealth of Australia

The Hon Anoulack Chanthivong MP

Minister for Better Regulation
and Fair Trading
Minister for Industry and Trade
Minister for Innovation, Science
and Technology
Minister for Building
Minister for Corrections
New South Wales

The Hon Yvette D'Ath MP

Attorney-General
Minister for Justice
Minister for the Prevention of Domestic
and Family Violence
Queensland

The Hon Elise Archer MP

Attorney-General
Minister for Justice
Minister for Corrections and Rehabilitation
Minister for the Arts
Minister for Workplace Safety
and Consumer Affairs
Tasmania

The Hon John Quigley MLA

Attorney General
Minister for Electoral Affairs
Western Australia

The Hon Shane Rattenbury MLA

Attorney-General
Minister for Consumer Affairs
Minister for Water, Energy
and Emissions Reduction
Minister for Gaming
Australian Capital Territory

The Hon Chanston Paech MLA

Attorney-General
Minister for Racing, Gaming and Licensing
Minister for Justice
Minister for Local Government
Minister for Arts, Culture and Heritage
Minister for Desert Knowledge Australia
Northern Territory

The Hon Kyam Maher MLC

Attorney-General
Minister for Aboriginal Affairs
Minister for Industrial Relations
and Public Sector
South Australia

The Hon Jaclyn Symes MP

Attorney-General
Minister for Emergency Services
Victoria

Dear Ministers,

I am pleased to present to you, for tabling in your respective Parliaments, the 2022/23 Annual Report of the Professional Standards Councils of the Australian Capital Territory, New South Wales, the Northern Territory, Queensland, South Australia, Tasmania, Victoria, and Western Australia.

The Annual Report is a consolidated volume on the Councils' work and activities over the past year and includes financial statements for the period 1 July 2022 to 30 June 2023.

It has been prepared in accordance with the relevant professional standards legislation in each Australian state and territory.

Yours sincerely,



John Vines OAM

Chair
Professional Standards Councils

Who we are and what we do

The Councils are state and territory statutory bodies established by professional standards legislation. The Councils administer the legislation as a national system for professional standards regulation to strengthen consumer protection.

The objects of professional standards legislation are to:



Enable the creation of schemes to limit the civil liability of professionals and others.



Protect the consumers of the services provided by professionals and others.



Facilitate the improvement of occupational standards of professionals and others.



Constitute each Professional Standards Council to supervise the preparation and application of schemes and to assist in the improvement of occupational standards and protection of consumers.

Our vision

Professional and occupational associations lead the way in continuously improving the high standard of professional services to Australian consumers.

Our mission

Regulating occupational associations to facilitate and promote consumer protection through improvement in professional standards under professional standards schemes.



Our highlights of the year

Professional standards schemes at a glance

18



schemes in force, 17 nationally

95,000+



association members subject to schemes, an increase of 2%

2



schemes approved for extension by the responsible Minister, each by a period of 12 months



Picture: (L-R) LSSA President Justin Stewart-Rattray, LSSA Scheme Manager Tarin Hillier and Councils' member Tim Mellor at a certificate presentation recognising Law Society of South Australia's renewed scheme

Roundtable on professional indemnity insurance

Facilitated a Roundtable on professional indemnity insurance on 16 August 2022 and a follow-up meeting with key stakeholders on 29 June 2023 to advance agreed actions.

See page 18



Picture: Councils' Chair John Vines OAM at the Professional Indemnity Insurance Roundtable in August 2022

New guidance on codes of ethics

Released a four-part Guidance Note on association codes of ethics in October 2022. The guidance provides a practical resource for associations in building or revising codes.

See page 54

Redesign of association annual reporting on risk management strategies

Released the new Annual Professional Standards Report Template and Guidance in November 2022. Designed with associations to streamline annual reporting requirements and align with the new Scheme Application Framework.

See page 39

Membership of Standards Australia

The Professional Standards Authority became a member of Standards Australia in March 2023.

See page 59



Professional Standards Forums

The Councils delivered two Forums, in October 2022 and March 2023, to over 100 delegates from all states and territories in Australia.

See page 55



Picture: October 2022 Professional Standards Forum on 'Innovation in complaints systems'

Net Promoter Score

The Councils' Net Promoter Score for 2022/23 was 48. Scores above 20 are considered to be favourable.

See page 17

01

Professional Standards Councils' work and activities



Chair's foreword

On behalf of my fellow members of the Professional Standards Councils, I am pleased to introduce this Annual Report outlining our work and achievements in 2022/23.

We have kept our focus on helping occupational associations to strengthen consumer protection and continuously improve professional standards. Last year we published *Strategy 2025*, which sets our priorities for this and following years under three goals:

- extending the professionalisation of occupations through professional standards schemes
- strengthening the value proposition of professional standards regulation
- continuing our active supervision of scheme compliance and performance.

In each area we have made good progress. Highlights have included:

- Four schemes coming into force on 1 July 2022, each with refreshed risk management strategies. The commencement of a new scheme is a significant achievement for the Queensland Law Society, Law Society of South Australia, South Australian Bar Association and Law Institute of Victoria. It is through their efforts and the important role they play in operating schemes that the public is better protected.
- Raised awareness of the benefits of schemes, with a successful Professional Indemnity Insurance Roundtable held in August 2022. The Roundtable fostered closer working relations between professional associations, the insurance sector and government regulators to promote closer working relations and maintain downward pressure on insurance costs. There was general agreement on current challenges and a genuine desire for ongoing engagement, with a number of constructive actions identified. A further consultation meeting in June 2023 maintained the momentum.

- Accessible and useable guidance delivered through a new guidance note on codes of ethics, tailored to the needs of associations and their regulatory capacity. This guidance will assist associations with the complexities in building new, or improving existing, codes of ethics. It is a practical, four-part resource with a particular focus on ensuring that any codes of ethics developed by associations are oriented towards improving professional standards and increasing consumer protections.
- Association collaboration through two successful Professional Standards Forums, encouraging innovation in complaints systems and use of reviews to ensure fit-for-purpose regulation.
- Continued commitment to engage and equip associations to meet compliance obligations and report more easily on risk management, by releasing a new Annual Professional Standards Report Template and Guidance. The new approach will minimise regulatory burden by reducing the duplication and volume of reporting requirements. Associations will be able to focus more on changes to regulatory standards, systems or strategies, and on their risk management highlights and regulatory achievements.

In performing our legislative functions, the Councils aim to respond to community expectations for high standards of practice and ethics in the provision of expert advice. We seek to identify and work with occupations and sectors which may have higher risks for consumers than others, such as the built environment. The Councils continued to focus on this sector throughout the year, working through our Australian Research Council Linkage Project with Griffith University to generate new knowledge on the role of professions in ensuring trust in residential building construction in Australia.

We engaged with regulators and officials on how schemes might assist their efforts to improve occupational standards, with a submission to the Government of Western Australia consultation on building engineer registration and participation in the NSW Property Commissioner's Project Elevate Roundtable.

The Councils closely monitored emerging issues in the accounting profession throughout the reporting year. We continued to encourage accounting associations to consider the risk management implications of publicly reported matters, such as those involving KPMG and PwC, and the need for changes to their professional conduct framework. Authority officers engaged with associations, with other regulators (such as the Tax Practitioners Board), standard setters (including the Accounting Professional and Ethical Standards Board) and others on these matters. We expect this monitoring and engagement to continue for some time as various review processes, parliamentary inquiries, regulatory investigations and other inquiries report their findings.

In the year ahead we aim to introduce an online portal for associations with approved schemes, consult with associations on proposed legislative amendments to improve outcomes in the national system, engage with associations on their compliance and complaints systems, and produce further research reports on the impact and benefits of professional standards schemes — with a focus on improving regulatory capacity and professional standards, and maintaining downward pressure on insurance costs.

This year we welcomed a return appointment to the Councils, with Ms Elizabeth Shearer commencing in May 2023. I extend my thanks to each of my colleagues on the Councils for their expert and collaborative approach to fulfilling our statutory functions. It is a pleasure to work with them in leading the national system of professional standards regulation.

I also extend my thanks to the executive team and staff of the Professional Standards Authority, led by the CEO Roxane Marcelle-Shaw. They are hardworking and enthusiastic in their ongoing support of the work of the Councils.

The Councils look forward to working closely with associations and all our stakeholders to improve professional standards and protect consumers of professional services across Australia.



John Vines OAM

Chair
Professional Standards Councils

The Professional Standards Councils

There are eight Councils — one in each Australian state and territory — to administer professional standards legislation. Each Council has 11 members, with agreement from state and territory Ministers to appoint the same 11 members to each Council. They are referred to collectively as the Professional Standards Councils. New South Wales and Victoria nominate two members each and designate the Chair and Deputy Chair roles, while all other states, territories and the Commonwealth nominate one member each. The Councils meet as one body to facilitate uniform national decision-making.

Role of the Councils

The Councils administer professional standards legislation in each state and territory by:

- enabling the creation of professional standards schemes that limit the civil liability of professionals and others
- supervising the operation of professional standards schemes by occupational associations
- encouraging, advising and assisting in the development of association regulation
- encouraging, advising and assisting occupational associations in the protection of consumers who use the services provided by professionals and others and in the improvement of occupational standards.



Professional standards legislation

Professional standards legislation provides for the limitation of liability of members of occupational associations in certain circumstances and to facilitate improvement in the standards of services provided by those members. It seeks to protect consumers by striking a balance between:

- placing a limit on the amount of civil liability to which a member of an association participating in a scheme may be exposed
- ensuring sufficient compensation is available to consumers for the vast majority of claims where liability results in an award of damages
- requiring associations operating schemes to continuously improve the standards of competence and conduct of its members, so that claims are reduced in quantity and severity.

Professional standards schemes

Unique to Australia, professional standards schemes limit the civil liability of association members who have professional indemnity insurance or business assets commensurate with the maximum liability amount specified in the scheme. Members must comply with their association's insurance standards, assessed and approved by the Councils.

Each scheme is a regulatory instrument and has a maximum duration of five years. The responsible Minister may choose to extend a scheme once for up to 12 months on application by the association.

No less than a year before a scheme expires, if the association seeks to provide continuous protection to the clients of its members, it must apply for an entirely new scheme. There is no automatic renewal available for a scheme. This requirement to apply for an entirely new scheme facilitates regular consideration of current issues and occupational risks. It also facilitates regular review of scheme construction, and the limitations of liability set in schemes by the Councils.

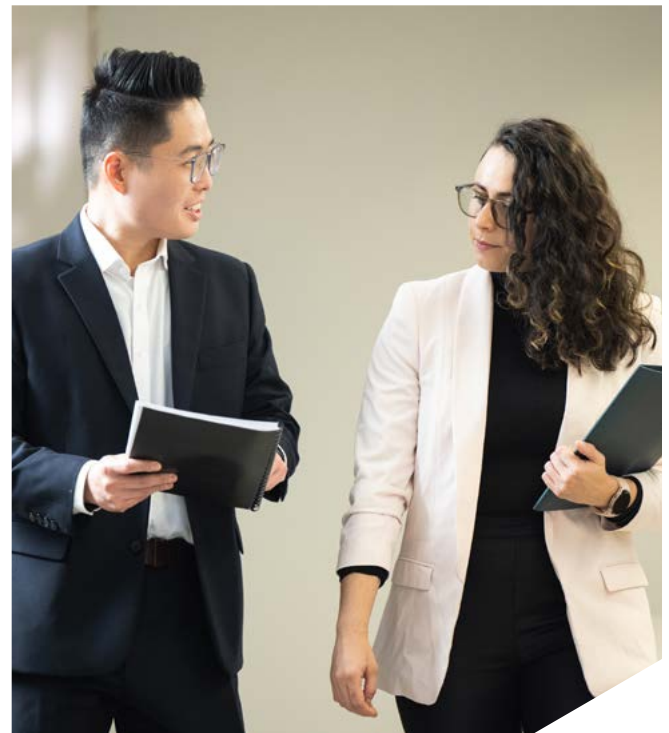
As members of occupational associations may work across multiple Australian states and territories, the professional standards legislation provides mutual recognition for approved schemes to operate nationally.

Professional Standards Authority

The Authority provides operational and regulatory services for the Councils, working with associations that have an approved scheme to help them:

- increase consumer protection, including by improving professional standards
- develop their systems to regulate professional conduct and competence
- comply with the legislative requirements to have an approved scheme.

The Authority works across governments to support the proper constitution and statutory operations of the Councils.



Professional Standards Councils' strategic priorities and outlook

As envisaged when the legislation was first introduced into state and territory parliaments, the Councils have a leadership role in the promotion of high standards of professionalism in the provision of expert advice services to Australian consumers.

In June 2022, the Councils approved *Strategy 2025*, setting out our priorities in leading the national system.

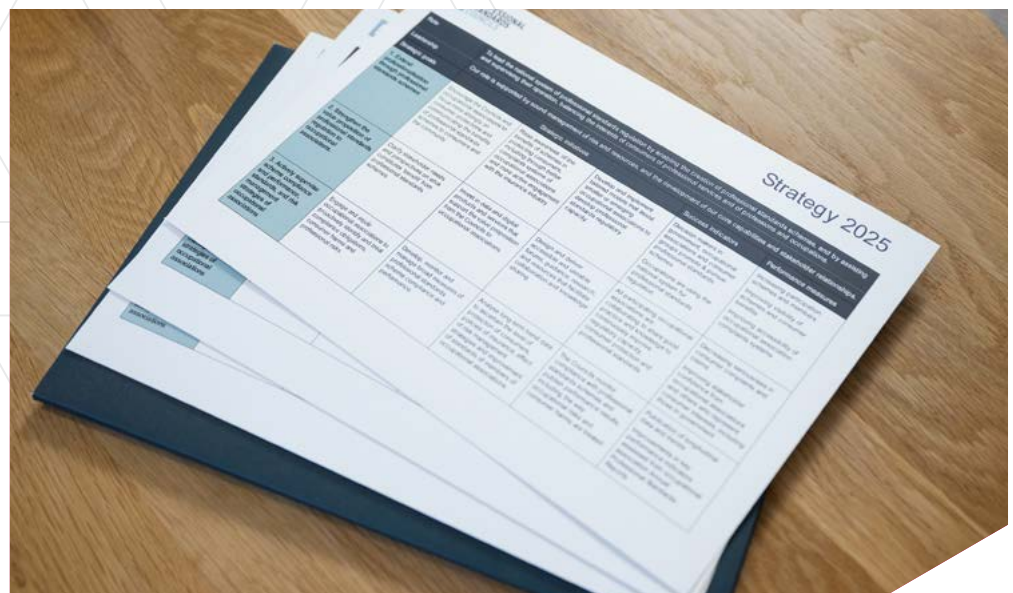
All responsible Ministers were briefed in the reporting period on the strategy and engaged on areas of focus for their jurisdiction.

The Councils' aim is that, by 2025, the benefits of professional standards schemes are more widely recognised. We will assist diverse professions and occupations — both established and emerging — to participate in the national system and deliver better outcomes for consumers across Australia.



Picture: Councils' Chair John Vines OAM launches *Strategy 2025* at the Professional Standards Forum in October 2022

Picture: *Strategy 2025* sets the course for the Professional Standards Councils' next three-year strategic horizon



Strategic priorities

We report on the performance measures and success indicators we set for ourselves in *Strategy 2025*. Our three strategic goals are detailed below, along with our key achievements and outcomes. Further details can be found throughout this report.



Strategic goal Extend professionalisation through professional standards schemes

Designed and delivered a workshop and tools to encourage and assist associations in preparing applications to remake a scheme using the new, streamlined Scheme Application Framework.

Consulted responsible Ministers on the potential for legislative amendments to be proposed to improve outcomes in the national system for professional standards regulation.

Delivered a hybrid Professional Standards Forum in October 2022 on *Innovation in Complaints Systems*, attended by 34 delegates and achieving a Net Promoter Score of 64.

Delivered an online Professional Standards Forum in March 2023 on *Fit-for-purpose Regulation: Lessons from Reviews*, attended by 66 delegates and achieving a Net Promoter Score of 42.

Published new recordings and resources from the Forums on the Councils' website, including a short-format highlights video promoting key messages, receiving an additional 211 views.

Published a new guidance note to assist associations with the complexities in building new or revising existing codes of ethics. The four-part guidance series is a practical resource with a particular focus on ensuring that codes of ethics are oriented towards improving professional standards and increasing consumer protections.

Published two new articles in the Research Library to assist associations to improve standards — on legitimacy for codes of ethics and on regulating legal services by non-lawyers.

Became a member of Standards Australia in March 2023, enhancing our ability to contribute to the development of standards that support quality and consistency of professional services across Australia.

Developed scope for a three-year project on the accessibility and features of regulated association consumer complaints systems to inform strategies for continuous improvement.

Measures of success 2022/23



Strategic goal

Strengthen the value proposition of professional standards regulation to occupational associations

Held an Insurance Roundtable in August 2022, which focused on better utilising the benefits of professional standards schemes to improve the availability and affordability of professional indemnity insurance and consumer protections. Explored ways in which to improve the pricing of risk, and the availability and affordability of insurance.

Published and disseminated a report for stakeholders in September 2022, which outlined key themes and actions from the Insurance Roundtable. A number of constructive actions were identified for associations, insurers and government regulators which were well received. A follow-up consultation meeting in June 2023 maintained the momentum on taking actions arising out of the Roundtable.

In response to enquiries, developed and disseminated an 'information paper' on professional standards schemes and their relationship with New South Wales building reforms.

Developed guidance for associations on mutual recognition and related matters in response to feedback from associations, for consultation in the next reporting period.

Stakeholder engagements

We are recognised by our stakeholders as a source of expertise on professional standards regulation and consumer protection. Our engagements present opportunities to positively contribute to the community of professional standards regulators, promote an understanding of schemes and foster positive change.

	2022-23	2021-22	2020-21
Presentations and events	7	3	2
Stakeholders engaged	80	62	56

Website and socials

The Councils' website and social media channels continue to be valuable mediums for disseminating resources and information to encourage and assist stakeholders. Website and social media statistics for the reporting period include:

	2022-23	2021-22 ¹	2020-21
Website page views	79,478	56,101	86,789
Website sessions	26,632	46,597	44,600
Website users	25,642	19,335	34,400
New Twitter/X follower increase	13%	6%	17.5%
New LinkedIn follower increase	30%	51%	6.5%

¹ Website analytics were unavailable for a period of months in this reporting period, reducing the number reported.

Stakeholder satisfaction

- Each year we measure stakeholder satisfaction with our services through a survey.
- Nine stakeholder satisfaction surveys were conducted, analysed, and used to evaluate delivery.
- We generally receive a response rate of approximately 33%.

	2022-23	2021-22	2020-21
Professional Standards Forums			
Net Promoter Score	49	55	53
Overall engagement	92%	86%	79%
Relevance	83%	86%	76%
Professional Indemnity Insurance Roundtable			
Net Promoter Score	55	NA	NA
Productivity and relevance	76%	NA	NA

Net Promoter Score is a customer satisfaction measurement taken from asking customers how likely they are to recommend your product or service to others, expressed as a number from -100 to 100. The Net Promoter Score provides an overview of our stakeholders' experience. Bain & Company, the creator of the Net Promoter Score system, suggests that scores above 20 are considered favourable and above 50 is excellent.

Measures of success 2022/23



Strategic goal

Actively supervise scheme compliance and performance, standards, and risk management strategies of occupational associations

Consulted with associations on the design of a new Annual Professional Standards Report Template and Guidance. Consultations included surveys and a roundtable attended by 10 representatives of five associations.

Released the new Annual Professional Standards Report Template and Guidance for use in reporting on the 2022 year, alongside the current Professional Standards Improvement Program Guidelines and Template. Thirteen (or 70% of) associations elected to use the new reporting template during the transition period.

Engaged with 10 associations on compliance and risk issues.

Measures of success 2022/23

Case study

Scheme benefits and professional indemnity insurance

Consistent with the goals of the Professional Standards Councils' *Strategy 2025*, the Councils continued to promote the advantages of professional standards schemes — with particular emphasis on professional indemnity insurance in this reporting period — for practitioners, their clients and the insurance sector.

In March 2022, the Councils published a report titled *The benefits of professional standards schemes — limitation of liability and consumer protection measures* by Taylor Fry actuaries. To build on this work, the Councils facilitated a Roundtable on professional indemnity insurance on 16 August 2022. The Roundtable was convened to foster closer collaboration between professional associations, the insurance sector and government regulators.



Professional Indemnity Insurance Roundtable

More than 30 participants attended the Roundtable, representing 20 different organisations including occupational associations, insurers, underwriters, brokers, regulators and others. The focus was on better utilising the benefits of professional standards schemes to improve the availability and affordability of professional indemnity insurance and consumer protections.

Key thematic principles arising from the Roundtable included the following:

- risk management is central to maintaining affordable and adequate insurance protection for professionals. Engagement between insureds and insurers is key
- a sound evidence base of data is needed to understand how improvements in professional standards are reducing risk and insurance claims
- demonstrating strong regulation of professional standards by associations helps build confidence in the effectiveness of schemes.

Following from this, the Roundtable identified the need for ongoing engagement between representative participants to promote shared objectives. The Councils facilitated a follow-up Consultative Meeting for this purpose on 29 June 2023.



Picture: (L-R) Councils' CEO Roxane Marcelle-Shaw, Director of Dallas Booth Consulting Dallas Booth, CEO of Australian Property Institute Valuers Amelia Hodge, Councils' Chair John Vines, Principal of Taylor Fry Kevin Gomes, facilitator Estelle Pearson of Finity Consulting and Authority Director of Professional Standards Regulation Darren Holder

Consultative Meeting

The Consultative Meeting was chaired by John Vines OAM, the Chair of the Professional Standards Councils. Meeting participants provided updates, noting ongoing uncertainty regarding insurance cost drivers and the need to maintain joint efforts to address the pricing of risk.

Participants noted there is value in continuing to coordinate their efforts, and agreed to:

- meet again later in the year to further exchange ideas on pursuing joint objectives
- explore further opportunities to involve occupational associations
- identify further actions to address high contractual liability caps in government contracts.

A key message continues to be that to maximise the benefits of schemes, all players should be more active in communicating their efforts, experience and success in managing risk.

Engagement

We regard engagement with associations and our stakeholders as a key ingredient to the effectiveness of the national system for professional standards regulation. The Councils have a unique vantage point to work across professions and occupations to make connections, share lessons and promote good regulatory practice.

This year, we continued our focus on making the national regulatory system robust, easy to deal with and responsive to stakeholder needs.



Picture: Councils' CEO Roxane Marcelle-Shaw presents at the Australian Institute of Health and Safety's 'Advancing the WHS Profession Summit' in May 2023

Stakeholder Engagement Framework

We published a new Stakeholder Engagement Framework in July 2022. The Framework gives effect to the stakeholder enabler in *Strategy 2025* by communicating the Councils' approach to engagement that fosters commitment and co-operation. We have strengthened the focus on consumer protection, engagement with the general public and performance measurement. Additional stakeholders were identified to be included — the insurance sector, large employers and peer regulators.

Professional Standards Councils Code of Conduct

In October 2022, we approved a revised Code of Conduct to support the Councils' aim to be confirmed as a trusted and effective regulator with a clear approach to risk and performance. The review of the Code was informed by a scan of broadly comparable organisations with well understood models and a recognised degree of integrity. We focused on requirements that aligned with relevant jurisdictional statutory body conduct requirements and professional standards legislation. The revised Code makes transparent the values, principles and standards of public and professional conduct required of the members of the Councils, including in their interaction with each other and external stakeholders.

Self-assessment of regulatory approaches

The Queensland Auditor-General encouraged public-sector regulators to self-assess their regulatory approaches against better practices published in *Regulating animal welfare services* (Report 6: 2021–22). The Councils performed a self-assessment against these practices between May 2022 and March 2023. The insights from the self-assessment and guidance from the Queensland Audit Office have highlighted opportunities for improvement in the Council's regulatory practices. As a result, the Councils will develop a Compliance Framework (guidance to regulated associations in meeting scheme and statutory obligations) and Supervision Framework (articulating the Council's approach to supervision and statutory functions) to assist transparent and responsive communication in a modern and collaborative way.

Listening to stakeholders

A number of stakeholders addressed the Councils throughout the reporting period.

The Accounting Professional and Ethical Standards Board Chair, Ms Nancy Milne OAM and Chief Executive Officer, Mr Channa Wijesinghe presented to the Councils' September 2022 meeting. The presentation included an overview of the role and work of the Board and its current activities to bring awareness on the critical role ethics plays in maintaining the public trust, reputation and good standing of the profession.



Picture: Councils' Chair John Vines OAM with Accounting Professional and Ethical Standards Board Chair, Ms Nancy Milne OAM

Professor Valerie Braithwaite from the School of Regulation and Global Governance at the Australian National University presented to the Councils' December 2022 meeting on the topic of motivational posturing and responsive regulation.

The Councils engaged with the Griffith University's lead investigator on the joint Australian Research Council Linkage Project, Professor Charles Sampford, together with Dr Hugh Breakey and Dr Katja Cooper. The Councils received an update on research findings in *Constructing Building Integrity: Raising standards through professionalism* at the June 2023 meeting.



Picture: Councils' Chair John Vines OAM with Professor Charles Sampford, Project Lead for the ARC Linkage Project 'Constructing Building Integrity: Raising Standards through Professionalism'



Outlook

We have an important program of work for the year ahead.

We will continue our strong focus on refreshing our scheme application and reporting processes to deliver simple, clear ways for associations to demonstrate their regulatory capacity and risk management strategies. The new Annual Professional Standards Report Template and Guidance will be refined with feedback from the 2022 transitional reporting period and will be implemented for the 2023 reporting period. A post-implementation review of the Scheme Application Framework will be scoped for action in the following financial year.

We will look to learn lessons from the multiple inquiries into professional conduct matters involving accounting and consulting firms, in order to encourage and assist associations to respond to identified risks. It will be particularly important to feed this into our research on good practice for accessible complaints systems to share with associations. It will also be relevant to our work under the Australian Research Council Linkage Project in relation to employed professionals and multi-disciplinary working environments.

We will invest in research to demonstrate the effect and benefits of schemes in the development of regulatory capacity of associations and in the improvement of professional standards of members of associations. By using evaluative case studies of association experiences and achievements, we expect the research to deliver useful resources and to also facilitate collaboration and knowledge sharing amongst associations and stakeholders.

Alongside these strategic initiatives and priorities, we will continue delivering on all our statutory functions — to enable the creation of schemes, supervise their operation, oversee association compliance with risk management strategies, and assist in the improvement of occupational standards and the protection of consumers.

Councils' members

The Councils' members have diverse experience across a range of sectors and specialities, including law, health, financial services, accounting, standards development, risk management, compliance, engineering, auditing, public affairs and regulation.

Members are nominated by their jurisdictions for their qualifications, experience, and ability to contribute to the Councils' work. The Chair and Deputy Chair are nominated on an alternating basis by New South Wales and Victoria.

Members' current term of office, photo and short biography are provided below.



John Vines OAM Chair, MBA, BEc, Dip Civil Engineering, FIEAust, FAICD

John Vines has many years of experience in governance and has been a member of several government boards and inquiries. He is the Chair of Coassemble Pty Ltd and is a Director of Carroll and Richardson Pty Ltd and Premium Plantations Project Pty Ltd.

He is a Fellow of the Australian Institute of Company Directors and Engineers Australia. From 1984–2008, he was Chief Executive Officer of the Association of Professional Engineers, Scientists and Managers, Australia.

John was awarded the Order of Australia Medal (2001) and Centenary of Federation Medal (2003).

Appointed Chair: 1 January 2022–31 December 2024.

Appointed to Victorian Council: 1 January 2022–31 December 2024.



Andrew Lumsden Deputy Chair, BA, LLB, MAICD, SA Fin, FCI

Andrew Lumsden specialises in Mergers & Acquisitions, securities transactions, and corporate governance. Andrew has been recognised as a leading lawyer with expertise in foreign investment laws, real estate, infrastructure, energy and resources and media.

From 1998 to 2001, Andrew was the Chief of Staff for the Hon. Joe Hockey MP. He was a founding member of the Australian Reinsurance Pool Corporation from 2001–2010 and a member of the Takeovers Panel for 12 years.

Andrew is a Member of the Corporate Committee of the Law Council of Australia and Fellow and Member of the Subject Advisory Committee for the Governance Institute of Australia.

Appointed Deputy Chair: 23 October 2022–31 December 2024.

Appointed to New South Wales Council: 1 April 2021–31 March 2024.



Caroline Lamb BA (Econ), LLB, MBeth, GAICD

Caroline Lamb commenced her professional career as a solicitor at a major commercial law firm. Attracted to commerce, she joined a steel manufacturer as general counsel. An interest in organisational development and corporate operations led naturally towards general management, including several challenging executive positions in both the public and private sector.

Caroline established and operated a successful consulting business, becoming recognised for expertise in risk management and organisational change programs. Caroline is currently the Chair of the NSW Independent Liquor and Gaming Authority.

Appointed to New South Wales Council: 1 April 2021–31 March 2024.



Timothy Mellor LLB

Tim Mellor is a lawyer with over 40 years' experience specialising in litigation. He is a partner at a leading law firm, where he has developed an extensive practice with a focus on rural issues.

In 2018 he was the President of the Law Society of South Australia, having served for 15 years in various roles. He is also past state and national president of the National Environmental Law Association. In 2019 and 2021 he was awarded Best Lawyers Australia Lawyer of the Year for Planning and Environment in Adelaide. He is a serving officer in the Australian Army Legal Corps in which he holds the rank of Lieutenant Colonel.

Appointed to South Australian Council: 1 January 2021–31 December 2023.



Dr Pam Montgomery BA (Hons), PhD

Pam Montgomery has many years' experience in developing and improving professional standards in the health sector. She currently holds several Board positions with government, statutory and not-for-profit organisations. These include the Medical Board of Australia, the Victorian Department of Justice and Consumer Safety and local community groups. Pam also provides consultancy services in medical education and standards development.

Pam was Deputy Chief Executive Officer and Director of Fellowship & Standards at the Royal Australasian College of Surgeons. She trained initially as a forensic psychologist and worked in private and public clinical practice, and at Monash University.

Appointed to Victorian Council: 1 July 2020–30 June 2023.



Tiina-Liisa Sexton BCom, FCA, FAICD

Tiina-Liisa Sexton is a chartered accountant with a background in risk and financial management, governance, and ethics. She has worked in the private, public, academic, and not-for-profit sectors, and was the national Professional Standards Adviser in ethics and corporate governance at CPA Australia for 14 years until 2011.

Tiina-Liisa is a Community Member on the Paramedicine Board of Australia. She is a former director of St Giles Society, Housing Choices Australia, Aurora Energy Pty Ltd, Hobart Water and Connect Credit Union.

Appointed to Tasmanian Council: 23 August 2021–22 August 2024.



Elizabeth Shearer BA LLB (Hons), MLM, CF

Elizabeth Shearer is a Brisbane solicitor, and a principal of Shearer Doyle Law. She has a strong interest in consumer protection and access to justice. Elizabeth is a former President of the Queensland Law Society and chair of its Access to Justice / Pro Bono Committee.

She is an Executive Director of the Law Council of Australia and a member of its Access to Justice Committee. She is a director of the Australian Pro Bono Centre, a member of the advisory committee of the University of Queensland Pro Bono Centre, and a director of Lexon Insurance.

Appointed to Queensland Council: 4 May 2023–3 May 2026.



Richard Shields BA, MBA

Richard Shields has many years' experience in politics and public affairs, working in senior government, private sector and political party-related positions. Richard is the Head of Government Relations at Westpac, where he leads advocacy for the bank.

He has previously held several executive roles across a peak financial services association, an ASX-listed company and government, as well as working as an adviser to federal government ministers.

Commonwealth nominee: 10 August 2020–9 August 2023.



Iain Summers BCom, LLB (Hons), Grad Dip Mgt Psych, FCA, FCPA, FAICD

Iain Summers has been a member of the Councils since 2006 and chairs the Finance, Audit and Risk Management Committee. He is a chartered accountant and governance consultant.

Iain is a board member and Chair of the Audit Committee of Traditional Credit Union Limited. He chairs a number of finance, audit and risk committees for community services and public sector entities.

Appointed to Northern Territory Council: 1 January 2021–31 December 2023.



Rachel Webber BJuris, LLB

Rachel Webber's primary areas of expertise include corporate and commercial law, with an emphasis on ASX and Corporations Act compliance, financial services regulation, managed investments, and credit regulation.

Rachel is an executive member of the Business Law Section (BLS) of the Law Council of Australia. She also serves as a member of the BLS Corporations Committee and of the Commercial Law Committee of the Law Society of Western Australia.

Appointed to Western Australian Council: 17 January 2021–31 December 2024.



Catherine (Cate) Wood AM BA (SocSc), Fellow AIST

Cate Wood is Chair of the Centre for Worker's Capital Pty Ltd and has held many board positions in the profit to member superannuation sector, including as Chair of CareSuper and a director of the Industry Superannuation Property Trust. Cate has also served on the boards of the Australian Institute of Superannuation Trustees as President and Industry Super Australia.

She was Chair of Women in Super (WIS) and a member of the WIS founded Mother's Day Classic Foundation Board. Cate was a member of the Victorian Legal Services Board and Chair of the Finance and Investment Committee.

Appointed to Australian Capital Territory Council: 1 July 2021–30 June 2024.

02

Reporting on professional standards schemes



CEO's report

This Annual Report presents a summary of the reporting of associations on their operation of professional standards schemes and implementation of risk management strategies. It also reflects the work of the Authority on behalf of the Councils.

Over the course of the year, we worked with 13 associations on making scheme applications, three associations on scheme extensions, four associations on additional risk reporting, and supervised 18 associations in operating their schemes and complying with the professional standards legislation.

Associations continued to expand consumer protection, with the number of association members subject to a scheme increasing to over 95,000 professionals.

Associations also continued to develop their regulatory systems and the professional standards of their members, as detailed in the performance section of this report. For consecutive years, associations submitted their annual reports on time and this year began the transition to a new Annual Professional Standards Report Template and Guidance.

We presented to seven events and engaged with over 80 stakeholders on professional standards regulation. We delivered two Professional Standards Forums to share insights and innovations in complaints systems and the use of reviews to inform regulatory system improvements. The Forums were attended by over 100 participants from associations, government, regulators, consumer organisations, academia, the professional services sector and the insurance sector.

To encourage and assist associations in their continuous improvement initiatives, we worked directly with them and other stakeholders through workshops, engagements and reviews to contribute expertise on improving professional standards and consumer protection.

Through the year, we worked closely with policy officers in each state and territory and the Commonwealth to advance a proposal for important legislative amendments to support the achievement of the objects of the national system and to implement the inter-departmental services agreement. We briefed eight Ministers on *Strategy 2025* and the work of the Councils.

The Authority was pleased to be accepted as a member of Standards Australia, the country's leading independent, non-governmental, not-for-profit standards organisation. We look forward to contributing to the development of standards that support the quality and consistency of professional services across Australia.

It has been a full and demanding year. Our investment in our people continued, to ensure our staff are engaged and supported. Key areas of focus have been resourcing, flexible/hybrid working arrangements and opportunities for personal and career development.

I thank the management team and staff for their dedication and professionalism. In particular, our Executive Officer for the past five years, Kim Goodluck who will retire early in the next reporting period after a long and successful public service career. I also thank the Chair, Deputy Chair and members of the Councils for their guidance and confidence in us and our work. We look forward to the year ahead and to working with associations to keep delivering on the benefits of professional standards schemes.



Roxane Marcelle-Shaw
Chief Executive Officer

Professional standards regulation and reporting

By operating a professional standards scheme, occupational associations distinguish themselves by demanding high levels of professional standards and practices from their members. They implement regulatory arrangements to continuously improve professional standards and minimise risks of unethical or incompetent practice. This plays an important role in protecting consumers.

If there are failures in professional standards, a professional standards scheme ensures consumers have avenues available for complaint resolution, disciplinary action against members to prevent recurrence, and assurance that compensation is available for economic losses.

A central feature of the national regulatory system is the collection of comprehensive data on a profession-wide basis about emerging issues, claims and complaints, enabling risk management strategies to systemically improve professional practice and reduce the risk that consumers will suffer loss in the future.

The national system aims to sustain and embed improvements in professional standards so that members of occupational associations are held accountable for the continuous improvement and maintenance of standards that are higher than statutory regulation may require, and higher than associations that are not regulated by the Councils.

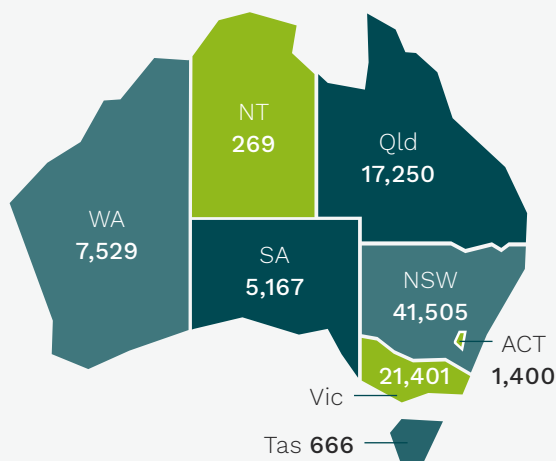
In return, the members who agree to professional regulation by their association benefit from continuously improving standards of conduct and competence, and the possibility of a limitation of civil liability.

In addition to reporting on their own performance, the Councils are required to incorporate into this report each association's annual report to the Councils relating to the association's implementation and monitoring of their detailed risk management strategies.

Professional standards schemes

As at 30 June 2023, there were 18 schemes in force. The number of association members subject to these schemes has increased over the year from 93,163 to 95,187.

Figure 1. Average number of persons by state and territory in professional standards schemes during the period 1 July 2022 to 30 June 2023





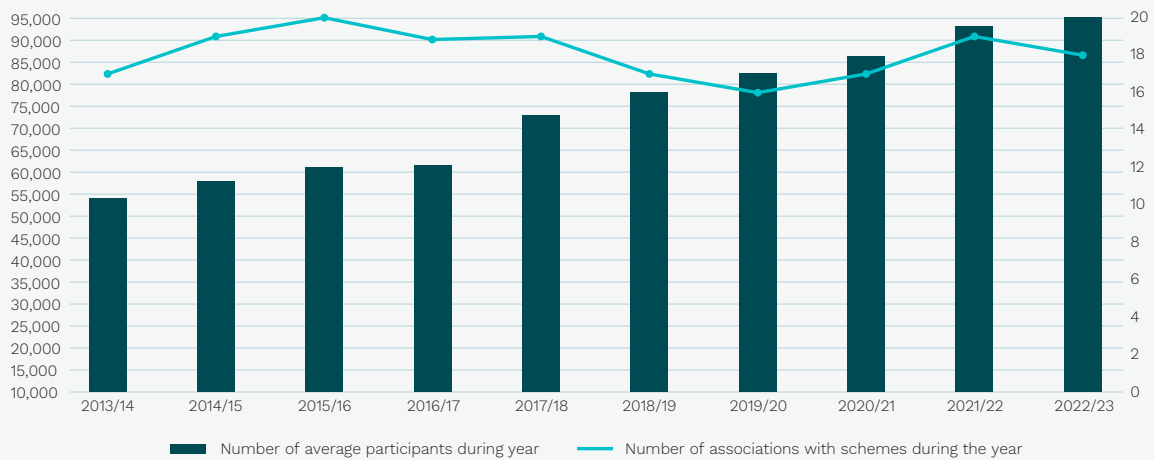
Regulated occupational associations as at 30 June 2023

- The Australian Computer Society Inc
- The Australian Institute of Building Surveyors Limited
- The Australian Property Institute Valuers Limited
- The Bar Association of Queensland
- Chartered Accountants Australia and New Zealand
- Association of Consulting Surveyors National Limited
- CPA Australia Limited
- The Institute of Public Accountants Ltd
- The Law Institute of Victoria Limited
- The New South Wales Bar Association
- The Queensland Law Society
- The South Australian Bar Association
- The Strata Community Association (NSW) Limited
- The Law Society of New South Wales
- The Law Society of South Australia
- The Law Society of Western Australia
- The Victorian Bar Inc
- The Western Australian Bar Association

Professional standards legislation as at 30 June 2023

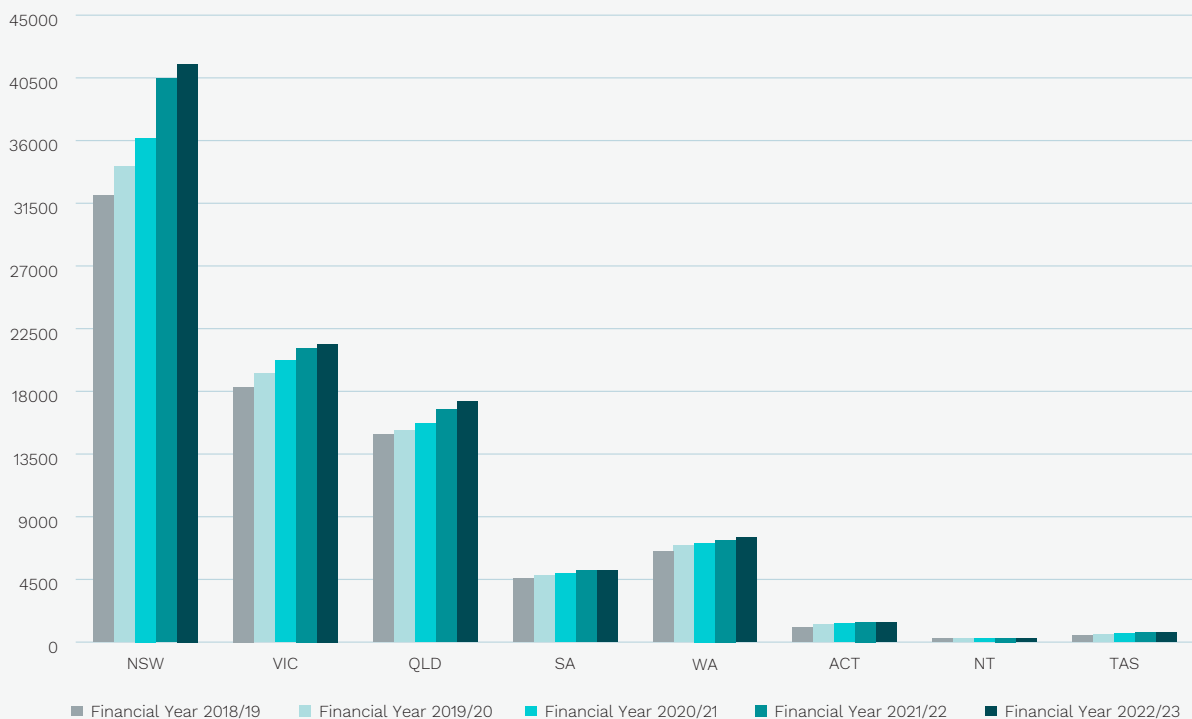
ACT	<i>Civil Law (Wrongs) Act 2002, Civil Law (Wrongs) Regulation 2003, Civil Law (Wrongs) Determination 2014</i>
NSW	<i>Professional Standards Act 1994, Professional Standards Regulation 2019</i>
NT	<i>Professional Standards Act 2004, Professional Standards Regulations 2007</i>
Qld	<i>Professional Standards Act 2004, Professional Standards Regulation 2017</i>
SA	<i>Professional Standards Act 2004, Professional Standards Regulations 2021</i>
Tas	<i>Professional Standards Act 2005</i>
Vic	<i>Professional Standards Act 2003, Professional Standards Regulations 2017</i>
WA	<i>Professional Standards Act 1997, Professional Standards Regulations 1998</i>
Cth	<i>Treasury Legislation Amendment (Professional Standards) Act 2004</i>

Figure 2. Number of members in associations operating a scheme over the past 10 years



The above graph includes prior financial years scheme participation adjustments, as provided by associations.

Figure 3. Number of persons by state and territory in professional standards schemes over the past five years (yearly average)



The above graph includes prior financial years scheme participation adjustments, as provided by associations.

Table 1. Professional standards schemes mutually recognised in each state and territory during the period 1 July 2022 to 30 June 2023

Australian Capital Territory					
Mutual Recognition	NSW	CPA, ACS, AIBS, NSW Bar, LSNSW, CA ANZ, ACSN			
	Vic	Vic Bar, LIV, IPA, APIV			
	Qld	BAQ, QLS			
	SA	SABA, LSSA			
	WA	WABA, LSWA			
New South Wales					
Association	Profession	Participants	Limitation Liability	Start date	End date
CA ANZ	Accountants	32,861	\$2m to \$75m	08/10/19 ¹	07/10/24
CPA	Accountants	7,452	\$2m to \$75m	23/12/19 ¹	22/12/24
ACSN	Surveyors	236	\$2m to \$10m	01/07/20	30/06/25
NSW Bar	Barristers	2,307	\$1.5m	01/07/20	30/06/25
ACS	IT	1,503	\$2m	01/01/19	31/12/24
LSNSW	Lawyers	18,292	\$1.5m to \$10m	22/11/18	21/11/24
AIBS	Surveyors	929	\$1m to \$2m	01/07/21	30/06/26
SCA	Strata Managers	2,195	\$750k	01/07/21	30/06/26
Mutual recognition	Vic	Vic Bar, LIV, IPA, APIV			
	Qld	BAQ, QLS			
	SA	SABA, LSSA			
	WA	WABA, LSWA			
Northern Territory					
Mutual Recognition	NSW	CPA, ACS, AIBS, NSW Bar, CA ANZ, LSNSW, ACSN			
	Vic	Vic Bar, LIV, IPA, APIV			
	Qld	BAQ, QLS			
	SA	SA BA, LSSA			
	WA	WABA, LSWA			

¹ These dates are subject to review.

Queensland					
Association	Profession	Participants	Limitation Liability	Start date	End date
BAQ	Barristers	1,034	\$1.5 to \$50m	01/07/19	30/06/24
QLS	Lawyers	7,290	\$1.5m to \$10m	01/07/22	30/06/27
Mutual recognition	NSW	CPA, ACS, AIBS, NSW Bar, CA ANZ, LSNSW, ACSN			
	VIC	Vic Bar, LIV, IPA, APIV			
	SA	SABA, LSSA			
	WA	WABA, LSWA			
South Australia					
Association	Profession	Participants	Limitation Liability	Start date	End date
SABA	Barristers	243	\$1.5m to \$50m	01/07/22	30/06/27
LSSA	Lawyers	1,760	\$1.5m to \$50m	01/07/22	30/06/27
Mutual recognition	NSW	CPA, ACS, AIBS, NSW Bar, CA ANZ, LSNSW, ACSN			
	VIC	Vic Bar, LIV, IPA, APIV			
	QLD	BAQ, QLS			
	WA	WABA, LSWA			
Tasmania					
Mutual recognition	NSW	CPA, ACS, AIBS, NSW Bar, CA ANZ, LSNSW, ACSN			
	VIC	Vic Bar, LIV, IPA, APIV			
	QLD	BAQ, QLS			
	SA	SABA, LSSA			
	WA	WABA, LSWA			
Victoria					
Association	Profession	Participants	Limitation Liability	Start date	End date
APIV	Valuers	4,180	\$1m to \$20m	01/09/21	31/08/26
Vic Bar	Barristers	1,499	\$2m	01/07/19	30/06/24
LIV	Lawyers	5,853	\$1.5m to \$10m	01/07/22	30/06/27
IPA	Accountants	4,901	\$2m	01/01/22	31/12/26
Mutual recognition	NSW	CPA, ACS, AIBS, NSW Bar, CA ANZ, LSNSW, ACSN			
	Qld	BAQ, QLS			
	SA	SABA, LSSA			
	WA	WABA, LSWA			

Western Australia					
Association	Profession	Participants	Limitation Liability	Start date	End date
WABA	Barristers	284	\$2m	01/07/20	30/06/25
LSWA	Lawyers	2,368	\$1.5m to \$10m	01/07/19	30/06/24
Mutual recognition	NSW	CPA, ACS, AIBS, NSW Bar, CA ANZ, LSNSW, ACSN			
	VIC	Vic Bar, LIV, IPA, APIV			
	QLD	BAQ, QLS			
	SA	SABA, LSSA			
Total		95,187			

Making, approving, amending, or revoking schemes

An occupational association makes an application for a scheme to be considered for approval by the Council in its home jurisdiction. The Councils consider scheme applications for approval under the respective professional standards legislation, which requires each state and territory Council to act co-operatively with one another in the exercise of their statutory functions.

If an application for a scheme is approved, the Council provides advice of that approval to the responsible Minister within each of the jurisdictions that the scheme is intended to apply. The responsible Minister may then authorise the approved scheme to be notified in the respective Government Gazette, to commence from the date stipulated within the instrument and notice. More detail on the steps required for a scheme application are as follows.

Expression of commitment

The Councils request an association seeking to apply for a scheme to provide a written letter of commitment from their governing body. Once a letter of commitment is received, the Authority allocates resources to encourage and assist the association in developing regulatory capacity and a scheme.

During the reporting period, one new letter of commitment was received by the Councils.





Scheme application

A successful application for a scheme will be founded on an appropriately drafted scheme instrument. The association must also demonstrate that it has in place (or soon will have in place) the professional standards and regulatory systems to operate the scheme consistent with professional standards legislation. These include:

- robust and transparent organisational governance
- clear arrangements, and resources, for the operation of a scheme
- clear consumer protection objectives
- detailed professional risk management strategies
- defined continuing professional development programs
- effective, timely and accessible consumer complaints resolution
- effective, timely and transparent member discipline systems
- ongoing monitoring of members' professional obligations
- ongoing monitoring of scheme compliance obligations.

During the reporting period, one scheme application was received from an occupational association in the area of law. The Authority provided assistance to this association and a further association with an application submitted in the previous reporting period. Assistance was in the form of requisitions and feedback on draft documents through to workshops and progress meetings as required.

Public notification

Before approving a scheme the Councils must invite comments and submissions from the general public and interested stakeholders about the proposed scheme, by publishing a notice in state and national newspapers. To maximise opportunities for feedback, the Councils also alert potentially interested parties by email and through online state and territory government public consultation websites, where possible.

A public consultation document prepared by the association is made available. The purpose of this document is to:

- highlight the nature and significance of the proposed professional standards scheme
- advise where a copy of the scheme can be obtained and viewed
- invite comment or submissions for a period of no less than 21 days.

The document allows the association to articulate, in its own words, the purpose and vision for its professional standards scheme and to frame its discussion in such a way as to resonate with those who work in their particular field as well as the general public.

During the reporting period, there were no public notifications of schemes.

Scheme approval

Once the Councils are satisfied that the applicant is an 'occupational association' for the purposes of the professional standards legislation, and therefore eligible to apply for a scheme, the Councils assess the components of the application against the requirements of the legislation — including but not limited to the following mandatory considerations:

- impact of limiting liability on consumers
- impact of limiting liability on association members
- nature and level of occupational liability claims made against members of the association
- risk management strategies of the association and how they will be implemented and monitored, including the association's codes of ethics and practice, quality management system, mediation services, membership requirements and continuing occupational education
- cost and availability of professional indemnity insurance
- association's professional indemnity insurance standards
- association's complaints and member discipline systems
- solvency and governance of the association
- comments and submissions received during the public notification process.

During the reporting period, there were no schemes approved by the Councils.



Scheme gazettal

If the Councils approve a scheme, the Minister responsible for professional standards legislation in the home jurisdiction is provided advice of the decision to approve. The responsible Minister is requested to authorise notification of the scheme according to the statutory requirements. A scheme approved by the Council cannot commence until it has been published in the relevant government gazette or otherwise notified with ministerial authority.

During the reporting period, there were no schemes gazetted. There were four schemes that were gazetted in the previous reporting period, which commenced on 1 July 2022.

Scheme recognition under Commonwealth laws

Members of an association who are subject to an approved scheme may have capped civil liability in relation to misleading or deceptive conduct under Commonwealth laws, in the same way that the scheme limits occupational liability under state or territory law. A scheme may be prescribed under Commonwealth regulations for the purposes of:

- the *Competition and Consumer Act 2010* (Cth), section 137 (for a contravention of section 18 of the Australian Consumer Law)
- the *Corporations Act 2001* (Cth), section 1044B (for a contravention of section 1041H)
- the *Australian Securities and Investments Commission Act 2001* (Cth), section 12GNA (for a contravention of section 12DA).

An association may request that its approved scheme be prescribed under regulations for one or more of these three Commonwealth laws. Where an association seeks to have its approved scheme prescribed, the Councils co-operate with the Commonwealth Treasury to facilitate this process. The following 17 schemes are prescribed in Commonwealth legislation:

Table 2. Schemes prescribed under Commonwealth regulations

Chartered Accountants Australia and New Zealand
Professional Standards Scheme

The Association of Consulting Surveyors National
Professional Standards Scheme

The Australian Computer Society
Professional Standards Scheme

The Australian Institute of Building Surveyors
Professional Standards Scheme

The Australian Property Institute Valuers Limited
Professional Standards Scheme

The Bar Association of Queensland
Professional Standards Scheme

The CPA Australia Ltd
Professional Standards (Accountants) Scheme

The Institute of Public Accountants
Professional Standards Scheme

The Law Institute of Victoria Limited
Professional Standards Scheme

The Law Society of New South Wales
Professional Standards Scheme

The Law Society of South Australia
Professional Standards Scheme

The Law Society of Western Australia
Professional Standards Scheme

The New South Wales Bar Association
Professional Standards Scheme

The Queensland Law Society
Professional Standards Scheme

The South Australian Bar Association
Professional Standards Scheme

The Victorian Bar
Professional Standards Scheme

The Western Australian Bar Association
Professional Standards Scheme



Scheme expiry and extensions of duration

The duration of a professional standards scheme approved by the Councils must not exceed five years. The Minister responsible for professional standards legislation in each jurisdiction may extend the expiry date of a scheme, on application by an association, once only and for up to 12 months.

During the reporting period, there were two requests for a Minister to extend the period for which a scheme is in force. The Minister approved the extensions for the schemes that are due to expire next reporting period, and these will be gazetted in the next reporting period.

No schemes expired in the reporting period.

Regulatory fees

Associations are required to pay an annual fee calculated on the basis of the number of persons covered by the scheme who are a member of the association at any time during the relevant annual fee period. The due date for payment of annual fees is specified by the professional standards regulations. In accordance with the regulations, interest is payable when the payment is received on or after 31 days past the due date.

In the 2022/23 financial year, the following fees were recognised:

- \$5,000 in application fees
- \$4,759,367 in annual fees
- \$217 in interest payable for late payment of fees.

Associations paid their annual fees within 30 days of the due date, except for five associations that paid their annual fees late.

Table 3. Interest on overdue annual fees

Association	State	Interest	Fees due	Days late	Annual fee due date
Certified Practising Accountants Australia	NSW	\$84	\$4,800	35	30 June 2022
Australian Institute of Building Surveyors	NSW	\$9	\$450	38	31 December 2022
South Australian Bar Association	SA	\$3	\$50	109	31 March 2022
Queensland Law Society	QLD	\$30	\$5,500	41	31 March 2023
Strata Community Association (NSW)	NSW	\$52	\$1,300	80	31 January 2022
Strata Community Association (NSW)	NSW	\$39	\$750	104	30 September 2022

Note 1: Interest is rounded to the nearest dollar.

Applications to the Councils for a fee waiver, remission, or determination that a fee and/or interest is not payable

An association may apply to the Councils, in writing, requesting a determination that a fee or interest is not payable. The Councils may determine that the whole or any part of a fee or interest payable under professional standards regulations is not payable, if it considers there are special reasons for doing so in a particular case⁶.

There was one application to waive interest payable determined in the reporting period.

The New South Wales Professional Standards Council considered a request to waive interest payable on historical underpayments of annual fees, which was supported by evidence including correspondence from the association's internal auditors confirming the underpayments. The Council considered special reasons existed to determine that 50 percent of the interest was not payable, providing a credit of \$8,907.

In considering the request, the Council noted the association identified, verified, and voluntarily reported the error and rectified the underpayment. The Council also noted changes to processes for scheme payments reported by the association to guard against future errors and requested further details of the improvements.

Regulated associations are responsible for ensuring compliance with annual fees payable to the Council through appropriate governance processes. If an underpayment is identified, the Councils require assurance about the systems in place for determining the number of members subject to a scheme.

⁶ Clause 8, Professional Standards Regulation 2019 (NSW) and jurisdictional equivalents.

Supervision of schemes

The Councils supervise professional standards schemes operated by associations for compliance with, and achievement of the objects of, professional standards legislation. The supervision function involves monitoring and assessing the performance of schemes, especially through oversight of the effectiveness of occupational associations' risk management strategies.

The goal is to ensure that schemes not only comply with statutory obligations but are also forward-looking and improvement-focused in the regulation of association members and protection of consumers of their services.

The Councils achieve this through a culture of challenge and collaboration, providing guidance to associations on their scheme obligations and on development of their regulatory capacity.

Association annual reporting requirement

Associations that operate a professional standards scheme are required to submit an annual report to the Councils. The report requires each association to specify:

- the actions taken to improve the professional standards of its members and consumer protection
- consumer-directed risk analysis and management
- resolution of complaints made by consumers of the services provided by members
- member discipline
- occupational liability claims
- the cost and availability of professional indemnity insurance.

This information is analysed and compared over time and across associations. This provides the Councils with insights into the operation of schemes and is an important part of the Councils' supervision approach.

The Councils are required to report on the activity of associations and professional standards schemes in the Councils' combined Annual Report, provided to the responsible Minister and Parliament of each state and territory. The public is thereby also advised of the performance of associations in improving professional standards and protecting consumers.



Reporting Guidelines and Template

In 2022, the Councils released the new Annual Professional Standards Report Template and Guidance to associations. This integrates and aligns reporting with the new Scheme Application Framework and streamlines annual reporting requirements.

It is designed to reduce duplication and minimise the volume of required information, focus on changes to systems, and highlight association achievements and areas for continuous improvement.

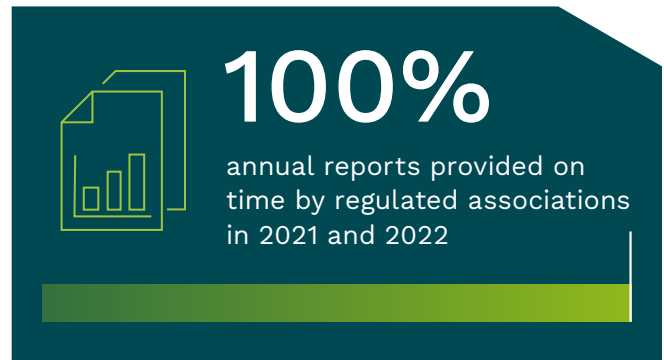
The new reporting Template and Guidance was developed in close consultation with associations. During the year, the Councils held a Roundtable attended by 10 representatives of five associations to communicate the feedback incorporated, and to provide an opportunity for further feedback.

Individual engagements were also held with associations during the year. These were to assist with addressing the refreshed reporting requirements and to provide guidance to support associations in developing regulatory capacity and continuous improvement.

As a transitional arrangement, associations were provided with the opportunity to submit either the new annual reporting Template or the former Professional Standards Improvement Program Guidelines and Template for this year's reporting. Thirteen associations submitted the new Annual Professional Standards Report and five submitted the former Professional Standards Improvement Program reporting format for the 2022 reporting year. Only the Annual Professional Standards Report will be accepted for the next reporting year.

Reporting timeliness

All regulated associations provided their annual reports on time. This is the fifth consecutive year of 100% submissions.



Regulatory assurance action

The Councils may take regulatory assurance actions concerning association risk management strategies and their implementation or concerning risks of non-compliance with professional standards legislation.

During the reporting period, the Councils took regulatory assurance action including:

- provision of feedback letters to associations on their 2021 Professional Standards Improvement Program results, identifying areas for continuous improvement
- targeted engagements with associations operating schemes to address identified risks and compliance and performance concerns (including in the accounting sector)
- requiring additional risk management reporting in relation to governance, and the risk profile of occupations in the built environment sector
- continued risk management reporting by accounting profession associations and analysis of responses to developments in financial advice services.

Association annual reporting on schemes

Each association's annual report is analysed to identify areas of achievement and areas for improvement, which are provided as feedback to the association. Information and data reported in the annual reports are also compared by the Councils over time across occupational associations and across sectors. This provides the Councils with insights into the operation of professional standards schemes and their efficacy.

Accounting

Achievements observed across the accounting associations included:

- each association reviewed and updated risk management plans including existing risks, risk ratings, and the strategies to manage risks to ensure they are current and applicable
- two associations analysed complaints and professional indemnity insurance claims data and identified risk management strategies to mitigate the identified risks
- one association launched a new program to assess compliance with professional and ethical requirements and embedded root cause analysis into compliance assessments to understand drivers of non-compliance.

Since 2019, the Councils have been working with accounting associations that operate professional standards schemes to better understand and respond to the present and emerging risks facing clients of their members who provide financial services.

In 2022, the accounting associations continued to provide additional reporting to the Councils on financial services risk management.

The Councils commend the following achievements and good practice risk responses by the accounting associations identified from the 2022 additional risk reporting:

- updating members about self-managed super funds through newsletters, continuing professional development sessions, events, training programs and website resources
- regularly reviewing compliance with self-managed super funds advice and auditing requirements
- implementing rectification and enforcement processes where non-compliance with requirements was detected
- reviewing compliance with APES 230 *Financial Planning Services* through member audits
- continuing to support members through education, information resources, and feedback from regular reviews
- liaising with government, regulators and other financial services industry bodies to identify and address issues and emerging risks.

Solicitors

Achievements observed across the solicitor sector included:

- each association conducted monitoring activities to ensure compliance with limited liability disclosure requirements
- one association reviewed its risk management and compliance framework, which included a review of existing risks, ratings and strategies and identifying areas for further risk management action, and development of a process for ongoing review of priority risks
- one association contributed to a review of the conduct rules by consulting with members and providing feedback and recommendations on the changes.

Barristers

Achievements observed across several bar associations included:

- the conduct of monitoring activities including audits of member compliance with limited liability disclosure and continuing professional development requirements
- the implementation of risk management initiatives including guidelines, resources, training and continuing professional development sessions to respond to risks of sexual harassment and ethical issues
- one association implementing a mentoring program to connect junior and senior professionals to support skills development.





Case study

Targeting education and CPD programs — addressing risks identified from complaints, claims and compliance monitoring data

Continuing professional development (CPD) and education programs are most effective when targeted at identified areas of need. Complaints and claims data can help to identify areas of need by pinpointing professional and consumer risks associated with the quality of members' services. Some associations have demonstrated how effective data analysis can be in identifying risks to inform the development of targeted CPD programs.

The Western Australian Bar Association

The Western Australian Bar Association reported that it identified an increase in complaints related to professional courtesy in the legal profession. It developed two CPD seminars to address this:

- *Professional Courtesy: what the data tells us about the issue.* The session included an interactive panel discussion focusing on practical examples that give rise to complaints in this area.
- *Mediation — How to achieve an effective result when dealing with an impossible opponent.* Discussions centred on behavioural issues in mediations that could be an impediment to achieving a successful resolution.

The Western Australian Bar Association also worked with the Legal Practice Board of Western Australia, Legal Services and Complaints Committee to obtain enhanced (de-identified) complaints data and insights, which will be used to analyse trends and emerging risks to inform a review of its risk management strategies and CPD offerings in 2023.

The Bar Association of Queensland

The Bar Association of Queensland reported that it developed a 'Competency Framework' to provide guidance on content for its CPD program. The need for the Framework was identified through CPD audit data, which showed an increase in association members misidentifying the correct mandatory strand for CPD activity. The Framework was approved in November 2022 and is expected to provide consistency and clarity on which activities can be claimed as CPD, as well as content selection and categorisation of CPD activities.

The Bar Association of Queensland also identified the following most common causes of:

- **Claims** — 'incompetence, negligence, or failure to prepare properly'; and 'advice — wrong, negligent, omission or unethical'.
- **Complaints** — 'ethical issues such as misleading or dishonest conduct in court, unethical conduct, conflict of interest, misleading or dishonest conduct generally, not following instructions or acting without instructions'.

This informed delivery of a broad range of targeted CPD presentations to address these issues:

- **Claims causes** — assisting members to maintain and improve their knowledge and skills, learn about best practices, techniques, and tools, and minimise the risks identified.
- **Complaints causes** — assisting members to identify, address and avoid ethical dilemmas in their practice.

Other associations which reported utilising data analysis to inform CPD programs included the Law Institute of Victoria and Australian Property Institute Valuers (see Case Study on page 47).

Built environment and other professions

Achievements observed across the built environment/ other sector included:

- identified new and emerging risks and controls to manage these risks
- one association conducted comprehensive analysis of professional indemnity insurance claims data including claims trends to identify emerging issues, and risk management strategies to address these
- one association conducted education initiatives including an event to inform consumers about issues and developments in the sector and a webinar to educate members about the operation of the professional standards scheme.



Trends and focus areas

The data and information provided in the annual reporting from each association have been aggregated and analysed to identify any trends or focus areas. As associations only have access to their own information, this cross-association and cross-profession analysis of data and information provides a macro approach uniquely available to the Councils. This analysis enables the Councils to share insights from the national professional standards system and potential responses with the associations and the professional standards community to inform continuous improvements and the adoption of good practices.

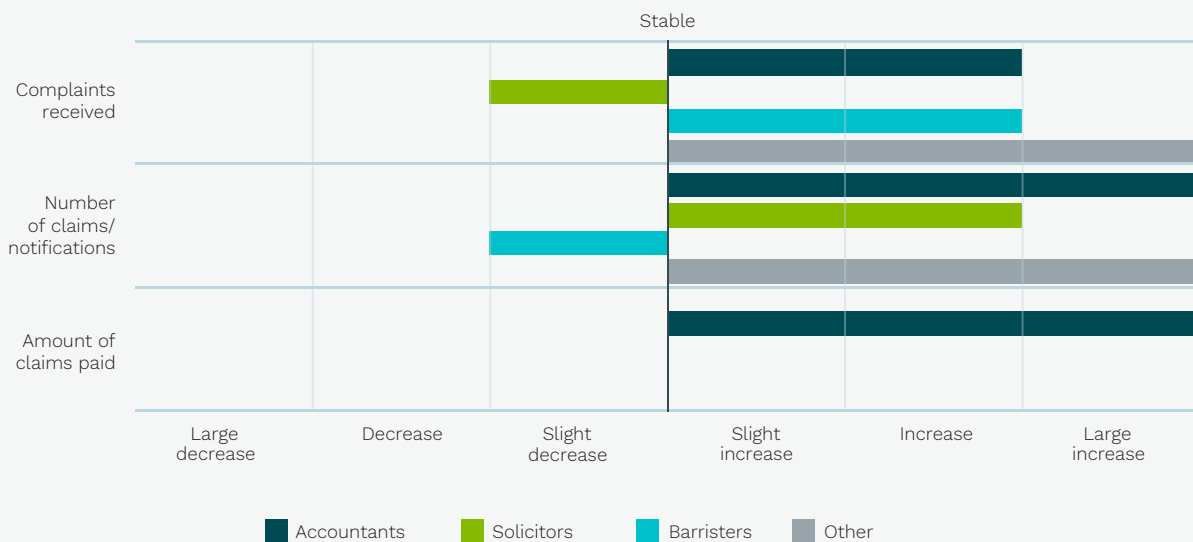
With associations using either the new Annual Professional Standards Report or former Professional Standards Improvement Program formats this year, some data reported is not directly comparable year-on-year. The Councils note that due to the small sample size, a slight change in figures reported year-on-year can have a greater impact on the overall trends for the sector.

The information and data presented within the graph on the following page identifies the trends in complaints and claims between 2021 and 2022.

Complaints and claims

The number of complaints increased in the accounting, barrister and built environment/other sectors and slightly decreased in the solicitor sector. At the same time, the number of notifications and claims increased in the accounting, solicitor and built environment/other sectors, and slightly decreased in the barrister sector. The Councils note two schemes in the built environment sector operated for the first full reporting year.

Figure 4. Industry sector comparison in complaints/claims 2021 to 2022



Key

Slight increase / decrease: less than 5% Increase / decrease: between 5 - 20% Large increase / decrease: over 20%

The data is aggregated for overall sector trends and reflects the overall total for the sector as a percentage change compared to 2021. There is a mix of trends (both increases and decreases) reported by individual associations — it is therefore not reflective of the year-on-year data reported for every individual association within the sector. In addition, not all associations are able to provide claims/notifications and settlements data consistently each year. This impacts the overall sector trend comparison for 2021 to 2022 due to the small sample size.

Note: These indicators are sourced from a comparison of current 2022 Annual Professional Standards Report/Professional Standards Improvement Program data against the 2021 Professional Standards Improvement Program data for each scheme association (where available).

Explanation of terms

Complaints received — Number of consumer complaints made against members which are dealt by, or disclosed to, regulated associations in the reporting year, including complaints made against members received by relevant regulators of the occupation.

Number of claims/notifications — Number of professional indemnity insurance claims and notifications made against members collated by regulated associations in the reporting year from available data sources.

Amount of claims paid — Number of reported settlements paid for professional indemnity insurance claims against association members.

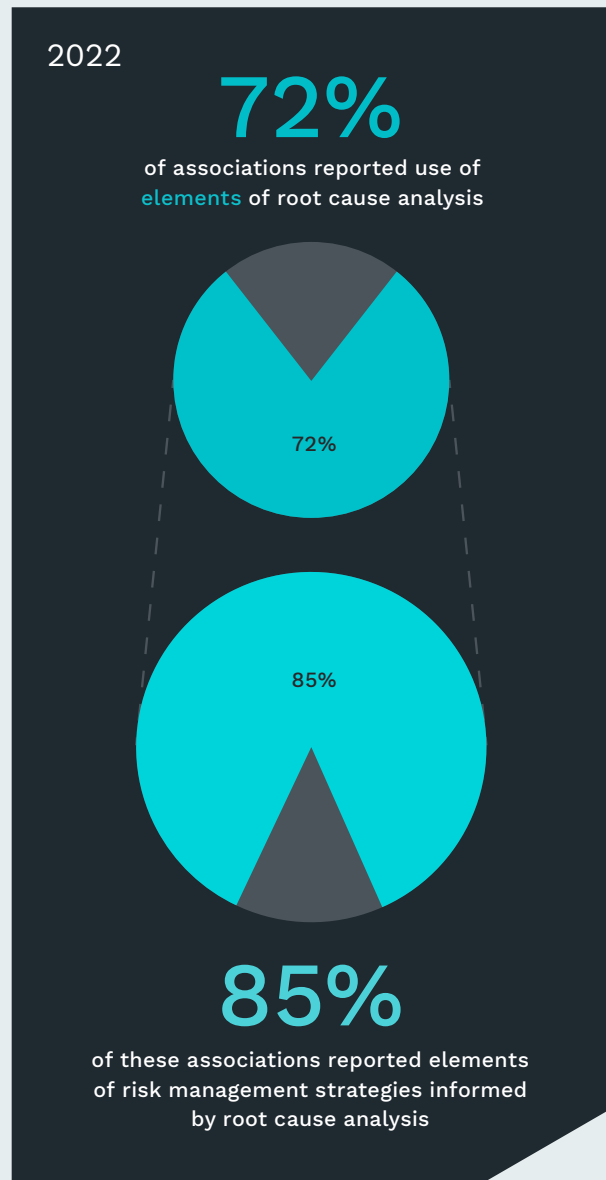
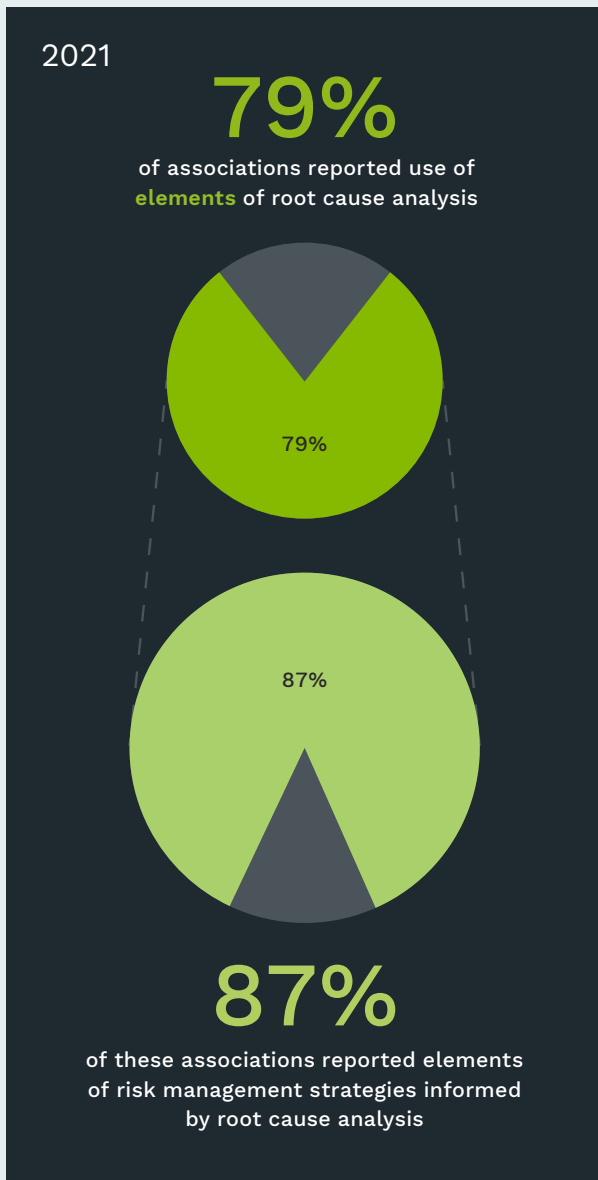
Using aggregated data from the information reported by associations in 2022 annual reports, the data suggests an overall increase in total complaints in three sectors (of differing degrees)⁷.

With any increase in complaints and claims, it is important that associations analyse the available data to identify underlying causes and develop strategies to mitigate areas of professional risk as they emerge. As identified in the last reporting period, associations' analysis of complaints and claims data is developing to include root cause analysis techniques.

However, while some associations are moving beyond a categorisation of complaints and maturing their approach to data analytics, complaints and the insights they can generate are not yet consistently used by associations to inform risk management strategies.

78%

Associations that reported use of **complaints** and/or **claims data** in risk management strategies.



⁷ The Councils note not all associations within the sector reported an increase.
⁸ Based on 19 associations in 2021 and 18 associations in 2022.



Case study

Australian Property Institute Valuers Ltd

Using root cause analysis to analyse complaints data, manage professional and consumer risks and improve complaints management processes

The Australian Property Institute Valuers (APIV) have reported continued use of root cause analysis as a tool to analyse risks to inform risk management responses.

Utilising aggregated complaints data and feedback from consumers and members about complaints management processes, APIV used root cause analysis methodology to analyse three identified issues:

- increased complaints regarding members' communication with clients
- excessive time being taken to resolve complaints
- inadequate communication regarding the progress of complaints.

Applying the "5 whys" causative analysis technique, APIV identified how the issues arose, linkages between contributing factors and root causes for each of the issues. This provided APIV with a comprehensive understanding of the issues, which informed the development of risk management strategies in response.

In particular, the Councils note APIV identified countermeasures, including continuing professional development (CPD) and tailored communications to members. The Councils note that using data analysis to inform the development of CPD can be a highly effective risk mitigation measure (see Case Study 2).

Root cause analysis and the "5 whys" technique is a powerful and effective risk management tool to detect underlying causes of issues. For APIV, the root cause analysis methodology has provided an effective process to address professional standards and consumer protection risks and inform improvements to complaints management processes.

Complaints systems

Associations need effective systems to address complaints and mitigate the risk of harm to consumers. Assessing the effectiveness of complaints systems and processes is an area where the Councils have provided additional guidance to support continuous improvement, including through the Professional Standards Forums in this and previous reporting periods.

Four associations reported on changes to policies/processes/procedures.

In *Strategy 2025*, the Councils invited views from associations and stakeholders on the priorities for professional standards regulation. This highlighted the need to raise awareness of protecting consumers through better complaints systems, and the importance of clear pathways for complaints and dispute resolution in consumer protection.

To advance this strategic priority, the Councils have developed a scope for a project to understand the accessibility and features of regulated association consumer complaint systems. This will inform practical guidance and tools to assist associations to drive continuous improvement in complaints systems and identify and manage professional and consumer risks.

The Councils will commence this project during 2023 and engage associations in the next reporting period.

Professional indemnity insurance

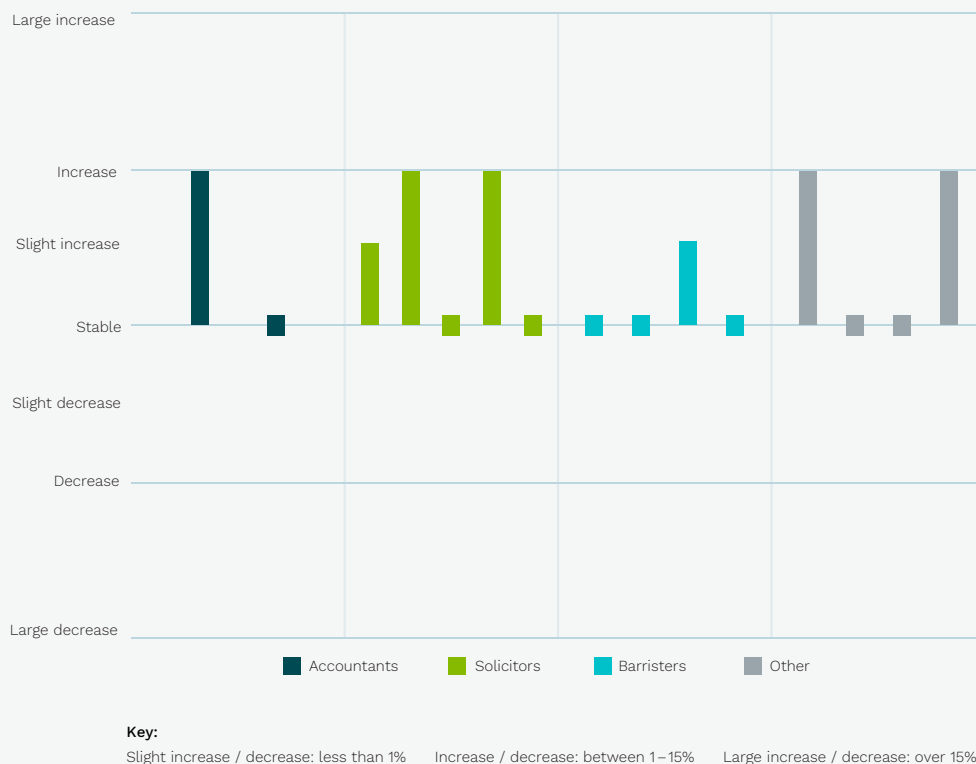
Association reporting requirements encourage sourcing of expert insurance data and information by associations. Associations which reported on the insurance market identified the following experiences:

- more difficulty in obtaining higher insurance limits for certain areas of work
- increases in prices due to risks such as cyber security
- higher premia in relation to 'higher risk' work
- limited insurer appetite to cover certain risks.

The Councils monitor industry data and reports, which currently indicate challenges in the insurance market. The Councils continue to engage with associations, the insurance sector and government regulators in relation to professional indemnity insurance. The Councils' focus is to facilitate and advocate for better utilisation of the benefits of professional standards schemes to improve the availability and affordability of professional indemnity insurance.

Figure 5. Professional indemnity insurance costs (average premiums) comparison 2021 – 2022

This graph provides a general overview of the changes in the professional indemnity insurance market for scheme participants. These indicators are sourced from a comparison of the 2022 Annual Professional Standards Report and Professional Standards Improvement Program data against the 2021 Professional Standards Improvement Program data for each scheme association (where available).



Note: **This graph does not provide a comparison of individual associations.** It does however provide a general overview of the changes in the professional indemnity insurance market for scheme participants. These indicators are sourced from a comparison of current 2022 Annual Professional Standards Report/Professional Standards Improvement Program data against the 2021 Professional Standards Improvement Program data for each scheme association (where available).

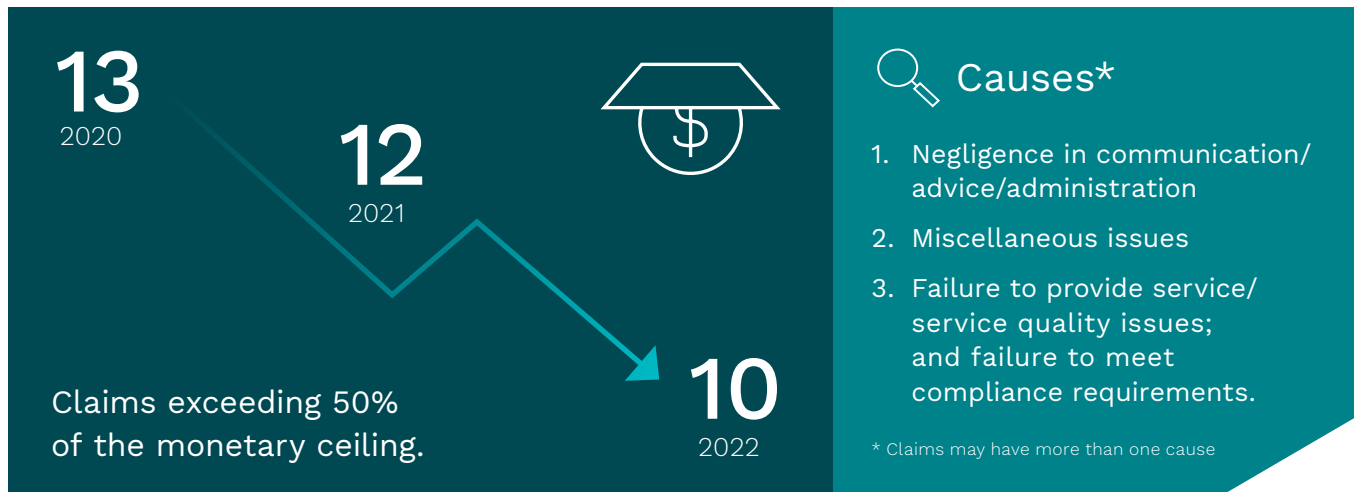
Each placement on the graph represents an association that reported comparable information on the average cost of professional indemnity insurance for the 2021 and 2022 annual reporting periods. Whether the average cost of premia in 2022 increased, decreased, or remained stable in comparison to 2021 can be compared across sectors.

The average cost of professional indemnity insurance increased for members of seven of the 15 associations that provided comparable data in 2021 and 2022. However, the percentage by which costs have increased or decreased cannot be accurately compared across associations due to differences in the way associations obtain data.

This includes:

- comparing the average cost of insurance as a proportion of gross fees/income
- comparing the average premium costs
- using member surveys to identify any changes to members' premium costs.

Claims exceeding 50% of the monetary ceiling



Annual reporting includes data on claims and notifications that exceed 50% of the monetary ceilings specified in an association's scheme.

A small number of claims exceeding 50% of an association's monetary ceiling occurred in the accounting and solicitor sectors. There were 10 claims in 2022 compared to 12 in 2021 and 13 in 2020.

Figure 6. 2022: Number of claims exceeding 50% of the monetary ceiling per 1,000 members

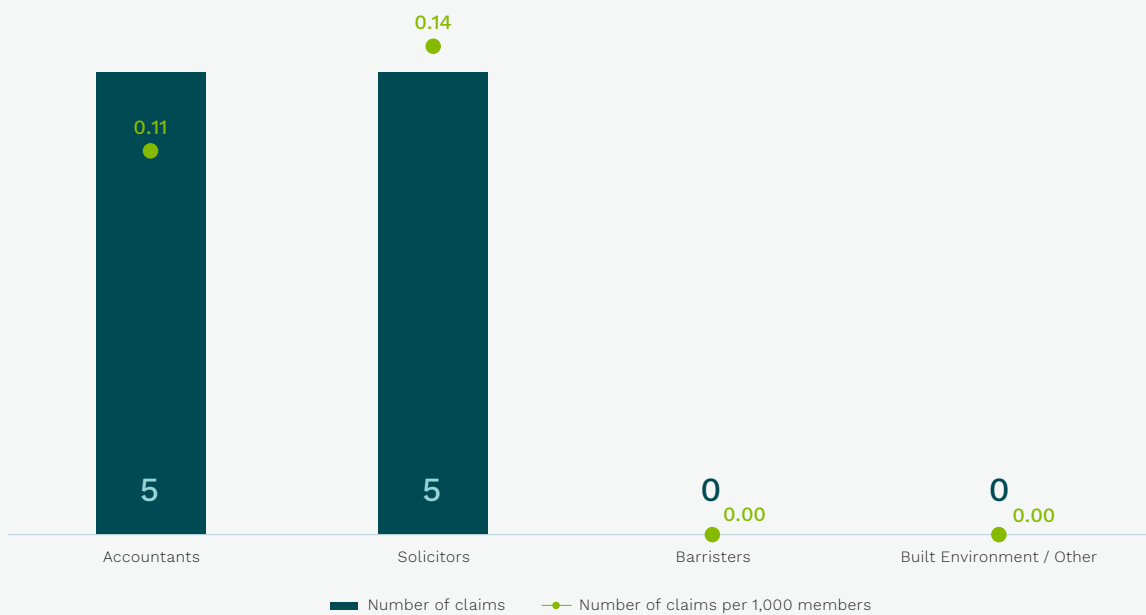


Figure 7. Claims exceeding 50% of the monetary ceiling trend comparison: 2021 to 2022

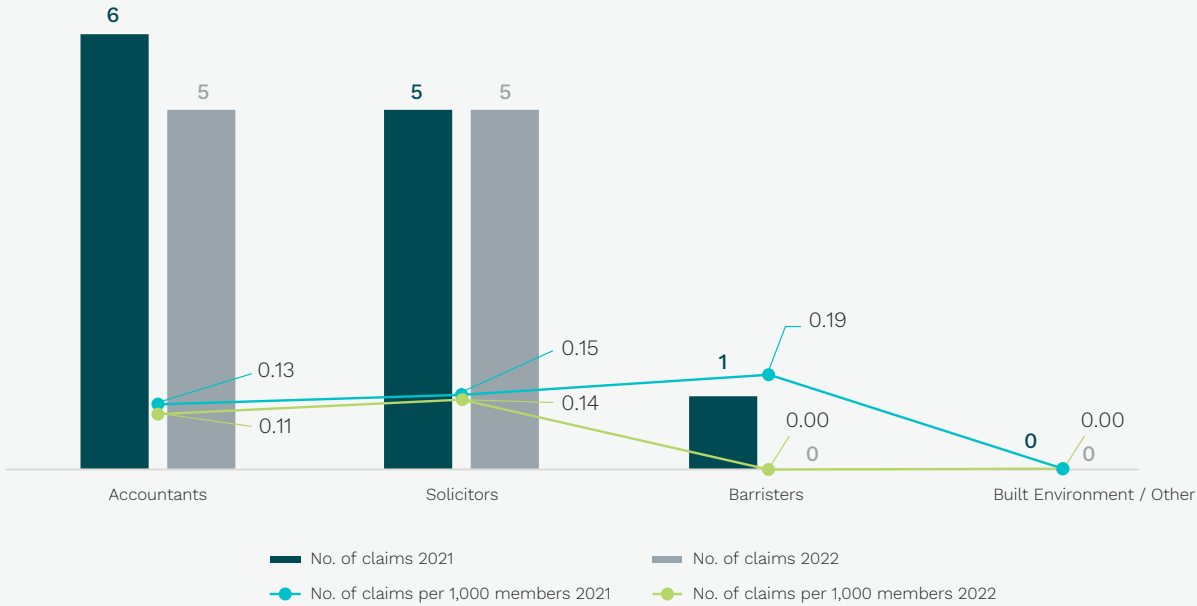


Figure 8. Claims exceeding 50% of the monetary ceiling per 1,000 members comparison trend: 2019 to 2022

The four-year comparison is based on the number of claims across the accounting, solicitor, and barrister sectors (between 2019 to 2022) to ensure consistency and accuracy in data analysis with previous reporting years. It includes the built environment/other sector between 2020 to 2022. Claims in the built environment sector could not be deidentified and included in the trend analysis in 2019 as there were a very small number of associations during that period. We note there were no claims exceeding 50% of the monetary ceiling reported for the built environment sector in 2021 or 2022.

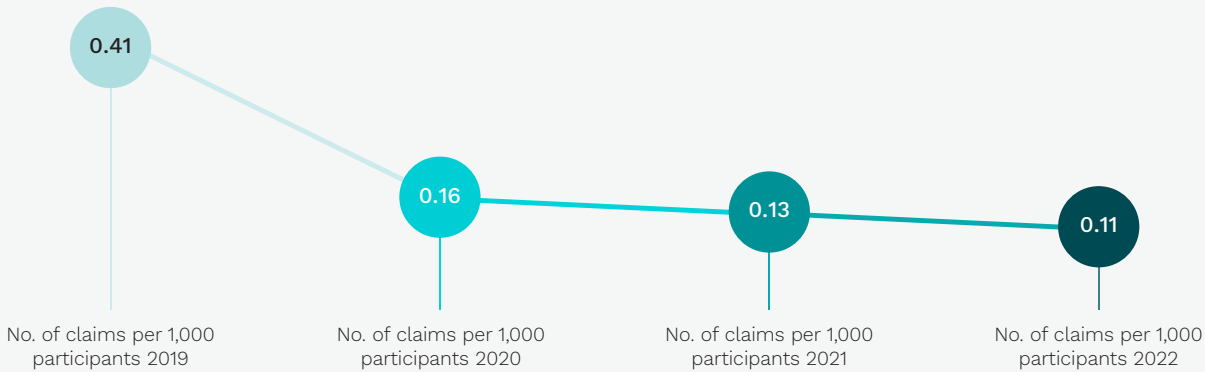
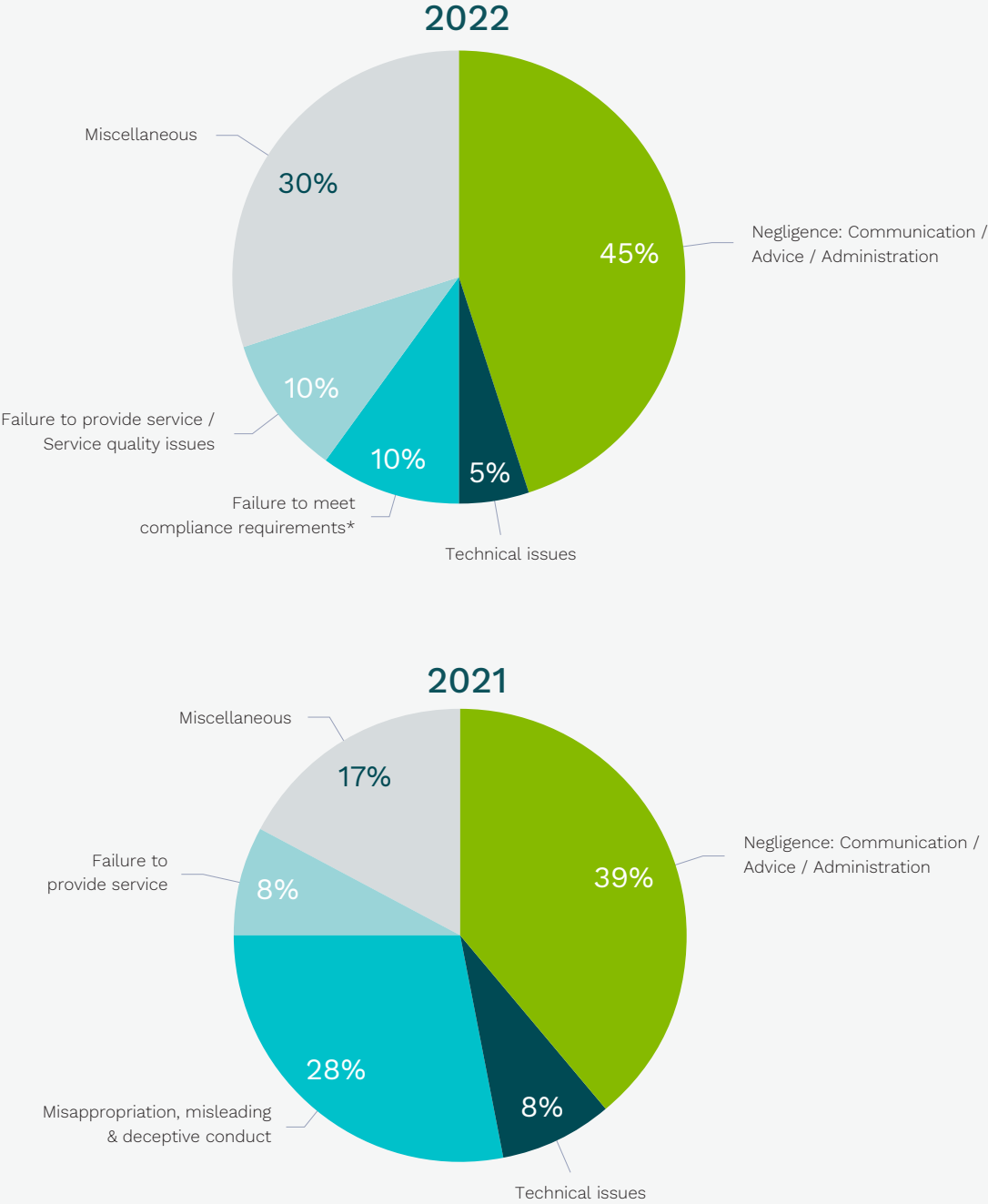


Figure 9. Causes for claims exceeding 50% of the monetary ceiling

The following graphs categorise the causes of claims reported by associations for the 10 claims reported in 2022 and the 12 claims reported in 2021.

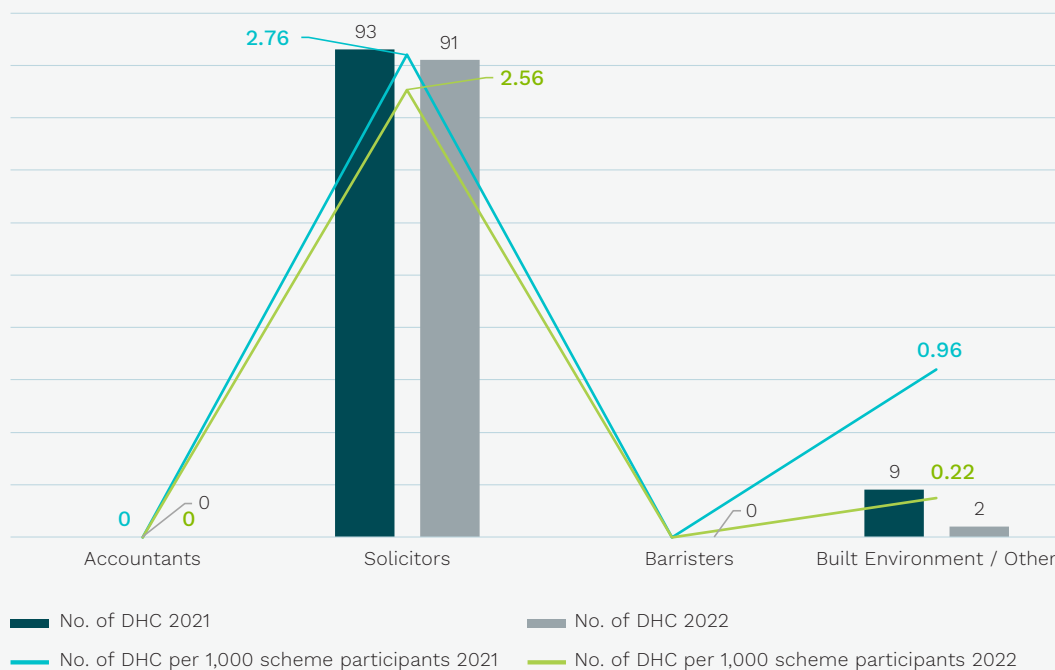


*This is the first year of reporting on the category 'Failure to meet compliance requirements' under the new reporting format.

Discretionary higher caps

A scheme may confer a discretionary authority on an association, on application by a person to whom the scheme applies, to specify a higher maximum amount of liability than would otherwise apply under the scheme either in all cases or in any specified case or class of case.

Figure 10. Discretionary higher caps trend comparison 2021 – 2022



Issues in the accounting and consulting sector

The Councils closely followed developments in accounting and consulting firms during the reporting period. In particular, the Councils were concerned by the ongoing issues arising from the improper sharing of training test answers at KPMG Australia and the disclosure and misuse of confidential Commonwealth Treasury tax reform information by partners at PwC Australia.

Arising from the KPMG matter, Chartered Accountants Australia & New Zealand (CA ANZ) announced a Professional Conduct Framework Review, and an independent review of its recommendations. In March 2023, CA ANZ presented to a meeting of the Councils on its review. In June 2023, CA ANZ released the *Professional Conduct Framework Review Final Report*, an *Independent Review* of the recommendations, and the *Review Committee's Response to the Independent Review*.

Outcomes from the review address the Councils concerns about the conduct, and the ethical and risk management issues arising from it, raised with each of the three accounting associations in 2022. We will monitor the implementation of the recommendations of the Review in the coming reporting period.

In the PwC matter, the Councils noted the highly unethical conduct of individuals reported in the media and subsequently outlined in the findings of the Tax Practitioners Board and Senate *Inquiry into management and assurance integrity by consulting services*. At the time of writing, inquiries by the Tax Practitioners Board, Senate committees and Australian Federal Police are continuing. The Councils expect the findings and outcomes of these processes to inform the risk management strategies of associations going forward, and will continue to engage with them to help ensure this is the case.

The Councils will continue to monitor and engage on issues in the accounting and consulting sector in the next reporting period.

Codes of ethics

Codes provide the basis for public accountability and transparency and set the standards of conduct and competency which a consumer can expect from every association member. An association's members may be subject to one or more occupational codes of ethics and codes of practice. In all cases, the Councils' interest is in codes being clearly communicated and publicly available.

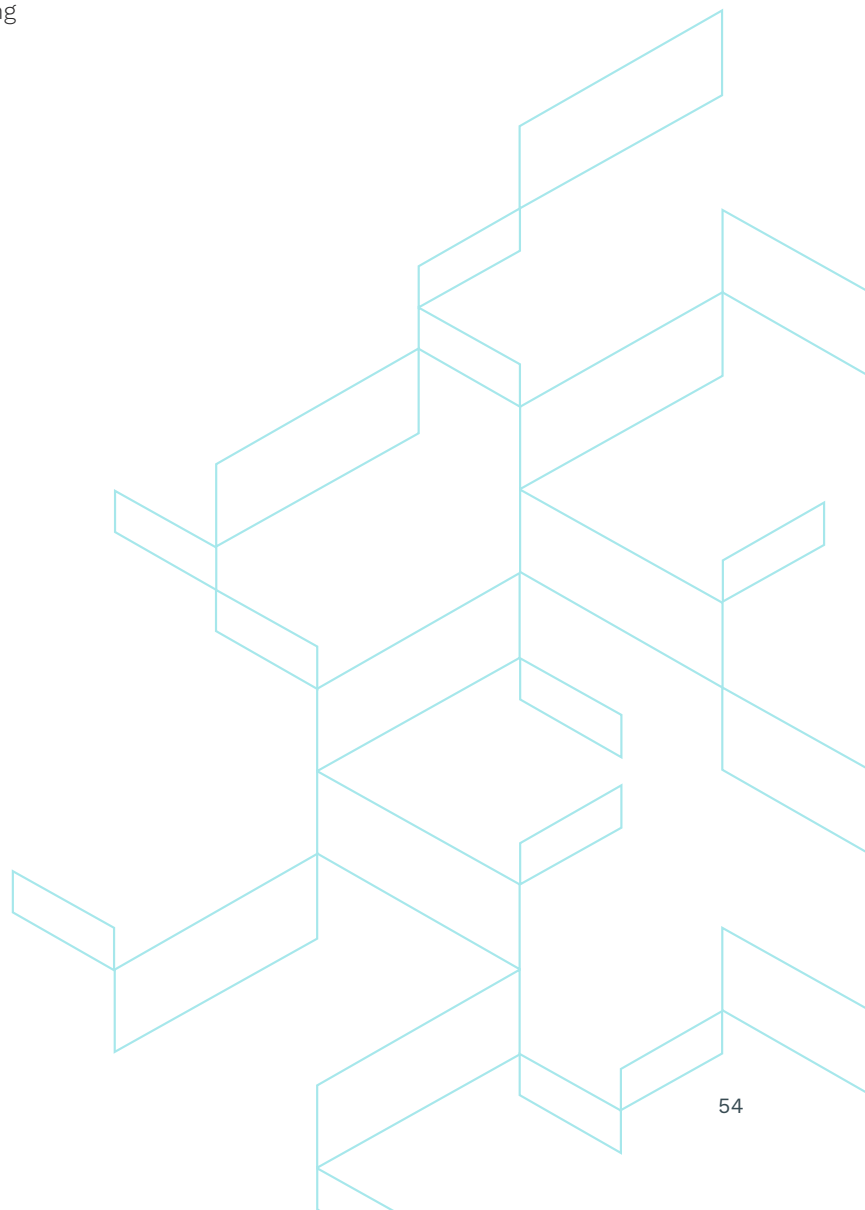
During the reporting year, many associations reported events, member education, communication, and guidance initiatives to support member understanding of, and compliance with, ethics requirements.

In addition to ethics education, it is important that codes, whether developed by the association or externally, and/or their implementation are periodically reviewed to ensure they are responsive to contemporary ethical problems and solutions. Analysis of association reporting indicates there is a need for some associations to improve the development of codes and/or strategies for implementation.

In October 2022, the Councils released a four-part Guidance Note on association codes of ethics to assist associations in developing, implementing, and revising their codes.

The Guidance Note provides suggested steps for associations to navigate the complexities of building new codes or revising existing codes. They are a practical resource for associations, with a particular focus on ensuring that codes of ethics developed by associations or statutory regulators are oriented towards improving professional standards and increasing consumer protections.

To further assist associations, the Councils updated the Research Library to include an article by a Senior Research Fellow at Griffith University's Institute for Ethics, Governance & Law on legitimacy for codes of ethics: *Harnessing Multidimensional Legitimacy for Codes of Ethics: A Staged Approach*. The article provides guidance on a multidisciplinary framework for utilising legitimacy when developing codes of ethics to maximise impact and efficacy. It explores how ten sources of legitimacy can secure, or fail to secure, legitimacy during development of codes of ethics.



Improving occupational standards and consumer protection

The Councils have statutory functions to assist, advise and encourage associations to improve their occupational standards.⁹ They can also facilitate the sharing of knowledge and experience across the professions within the national system, and beyond.

Workshops and guidance

The Authority conducted workshops with five associations during the reporting year. Two workshops were held with associations with existing schemes approaching their expiry dates. These workshops assisted the associations to prepare an application for a replacement scheme, with a focus on delivering the streamlined process and minimised duplication intended by the new Scheme Application Framework process.

The Authority conducted a risk management analysis workshop with one association which was considering the introduction of a new certification. The workshop assisted the association to consider whether any amendment to its scheme or professional risk management strategies was required.

The Authority also held workshops with two associations to assist them to determine if they are ready to apply for and operate a professional standards scheme. These focused on utilising the modular approach facilitated by the Scheme Application Framework, allowing for focus on capability components individually.

Professional Standards Forums

The Councils delivered two Professional Standards Forums in the reporting period, continuing engagement with associations and delivering encouragement and assistance for the development of associations' regulatory capacity. Forums were held in online and hybrid formats, providing access to a broad range of participants, with a combined total of over 100 delegates and 16 associations represented from all states and territories in Australia.

The October 2022 Forum was delivered on the topic of 'Innovation in complaints systems'. A panel of speakers led a discussion on building accessible and effective complaint handling systems to deliver better consumer protection and promote active professional risk management.

The Councils' Chair, John Vines OAM, launched the Professional Standards Councils new three-year strategic plan, *Strategy 2025*. The Forum also featured an interactive workshop led by Nicole Cullen from the Society of Consumer Affairs Professionals, exploring practical tools and approaches associations can use to build innovative complaints systems.

A second Forum was held in March 2023 on the topic of 'Fit-for-purpose regulation: lessons from reviews'. A panel of regulatory experts presented case studies and lessons learned from review processes across several professional services sectors.

Feedback received from attendees was positive, with respondents across both Forums rating speakers 9/10 for their knowledge and engaging presentations.

⁹ For example *Professional Standards Act 1994 (NSW)* s 43.

Comments from participants included:

“It was a great Forum and you could tell the speakers had a solid knowledge base and it transferred into their engaging delivery.”



“These Forums are beneficial as a meeting of minds from other professional associations, which I found to be very informative and helpful in finding out how other organisations deal with complaints.”

“It was an interesting discussion on the regulation of various professions and the roles that both industry and government regulators can play.”

“Excellent. Good diversity of speakers across different professional disciplines. We can all learn from different and diverse professions in their approach.”



“The Forum was insightful and professional membership organisations would benefit from regular attendance to develop and improve professional standards.”



Picture: Panel member Professor Ron Paterson presents at the March 2023 Forum

Picture: (L-R) Councils' CEO Roxane Marcelle Shaw, panel members Andreas Heger (NSW Bar Association), Professor Marie Bismark (University of Melbourne), workshop facilitator Nicole Cullen (Society of Consumer Affairs Professionals) and Councils' Chair John Vines OAM at the October 2022 Forum

Forum recordings, presentations and additional resources are available on a dedicated page on the Councils' website: www.psc.gov.au/forums, making the learnings accessible to a wider audience across the professional standards community. During the reporting period, the page was accessed over 440 times and the recordings of the Forums were watched by over 200 additional viewers.

Professional Indemnity Insurance Roundtable Summary Report

The Councils facilitated a Roundtable on professional indemnity insurance in August 2022 to foster closer collaboration between professional associations, the insurance sector and government regulators. The focus was on better utilising the benefits of professional standards schemes to improve the availability and affordability of professional indemnity insurance and consumer protections. Attendees explored ways to improve the pricing of risk, the availability and affordability of insurance and risk management strategies.

In September 2022, the Councils published and disseminated a Roundtable Summary Report outlining key themes and constructive actions for associations, insurers, and government regulators for ongoing engagement on professional indemnity insurance.

Notable points of broad agreement arising from the discussions include:

- the need for better collaboration between associations and brokers, insurers, and underwriters
- the importance of data sharing
- an understanding that associations need to be active in risk management and proactive in communicating with underwriters.

The Councils convened a follow-up consultation meeting with key stakeholders in June 2023 to maintain momentum in advancing agreed actions. The Councils will report on further developments and work completed in the next reporting period.



Australian Research Councils Linkage Project

In previous reporting years, the Councils reported on the execution of a three-year Linkage Project: *Constructing Building Integrity: Raising Standards through Professionalism*.

The Councils are a lead partner organisation in the project investigating the role of professions in **rebuilding trust and confidence in the built environment** in Australia.

The Project Steering Group, including representatives from the Councils and the Authority, met quarterly to discuss progress of the project, share research findings and perspectives, and collaborate on the approach to achieving the project objectives and outputs. This included a two-day workshop which provided an opportunity for:

- chief investigators to present their findings and observations from desk research and their own expertise
- comparison of issues and developments between examined professions
- considering expert advice on how to integrate evidence-based research into the research project
- identifying and discussing potential publications and outputs for the project
- how the next phase of the project will be conducted.

The Councils will report on the research articles and outputs developed in the next reporting period.



Working with other regulators and standards setters

Memorandum of understanding with Tax Practitioners Board

The Authority continued its ongoing engagement and information sharing with the Tax Practitioners Board under the joint memorandum of understanding. Regular meetings were held on matters of mutual interest, including emerging issues in the accounting and consulting sector (see page 53).

Participating in the Tax Practitioners Governance and Standards Forum

The Councils continued to contribute to the Tax Practitioner Governance and Standards Forum as an ex-officio member. Two Forums were held during the reporting year. The Councils contributed insights on the national professional standards system and regulatory issues relating to tax professionals. The Councils also shared resources including the *Professional Indemnity Insurance Roundtable Summary Report* (see page 57) and insights on the effect of professional standards schemes on the availability and affordability of professional indemnity insurance.

Engaging with Standards Australia

In March 2023, the Professional Standards Authority was appointed as a member of Standards Australia, representing the Councils. As a member, the Authority will contribute to the development of standards that support the quality and consistency of professional services across Australia. This will support greater connection between the Councils' work with occupational associations and the standards that support the operation of approved professional standards schemes.

The Authority attended its first Members Meeting where updates on Standards Australia initiatives were provided including engagements, research, and standards development.

Meeting with the Accounting Professional & Ethical Standards Board

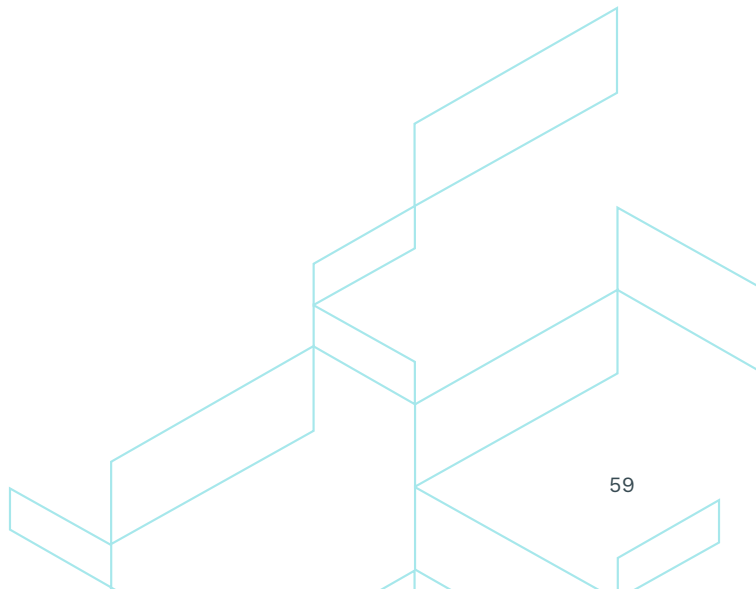
The Councils and the Accounting Professional & Ethical Standards Board have a shared interest in the code of ethics and professional standards that are applicable to, and mandatory for, members of Chartered Accountants Australia and New Zealand, CPA Australia, and the Institute of Public Accountants. The Councils and the Board attended each other's meetings in September 2022 and May 2023 to foster collaboration and cooperation between both organisations. These meetings were an opportunity to share insights and discuss matters of mutual interest, including emerging issues in the accounting and consulting sector.

Engaging with built environment regulators

The Councils continued to engage with regulators in the built environment sector. During the reporting period, the Authority met with officers of the Better Regulation Division of the NSW Department of Customer Service on building reforms to provide expertise on the operation of professional standards legislation and the role of associations with approved professional standards schemes.

The Councils made a submission on draft policies intended to support the registration of professional engineers in Western Australia. The Councils noted the importance of associations in delivering nationally consistent registration pathways, continuous professional development, and codes of conduct for professionals. The Councils also noted the importance of ensuring professional engineers hold appropriate levels of insurance, and the limitations of self-assessment of insurance coverage.

Submissions by the Councils are made publicly available on the Councils' website.



Sharing expertise

The Councils share insights, expertise and knowledge on development of regulation, risk management and professional standards to protect consumers.

AIHS Conference and Summit

The Australian Institute of Health & Safety convened a WHS Professionalisation Summit and an AIHS National Conference in May 2023. The Authority was invited to present at both events and share insights from professional standards regulation to assist the association, its members and stakeholders consider professionalisation for the work health and safety workforce.

NSW Property Services Commissioner's Project Elevate

The Authority attended a roundtable convened by the NSW Office of the Property Services Commissioner: *Project Elevate — Raising standards to support and attract great talent to the property services sector*. The roundtable was attended by representatives from industry, government, and training organisations to collaborate and share knowledge. This informed actions to restore trust and empower the highest professional standards through fit-for-purpose education and licensing in the NSW property services sector.

The Authority shared knowledge on risk management techniques and continuing professional development as a risk management and consumer protection tool to assist with improving standards in the property services industry.

Australian Association for Professional & Applied Ethics Conference

The Authority presented at the Australian Association for Professional & Applied Ethics Conference on *Developing Codes of Ethics: A Guide for Professions*. The conference aimed to promote awareness of applied ethics and foster relationships between practitioners and academics. The Authority shared the work of the Councils in developing new Codes of Ethics guidance for associations (see page 54).

New additions to the Research Library

In addition to the research article on legitimacy for codes of ethics (see page 54), the Councils included a research article by Felicity Bell and Justine Rogers at the Law and Justice Unit of the University of New South Wales on regulating legal services by non-lawyers titled *'Fit and proper' coders? How might legal service delivery by non-lawyers be regulated?*

The paper explores the interaction between lawyers and non-lawyers delivering legal services using emerging legal technology (including artificial intelligence) and bringing these new non-lawyer legal services into the regulatory fold. This includes considering:

- the emergence of non-lawyer legal services
- the regulatory regime for lawyers, what regulators do and how (regulatory goals)
- risks and opportunities associated with non-lawyer legal services provided directly to the public (in particular, the risks to consumers of these services)
- redress mechanisms available for clients of legal services compared to non-lawyer services
- regulatory approaches, including continuation of the current regulatory approach or new approaches (passive or active) to regulate these services.

03

Structure and governance



Structure and governance

Three intergovernmental agreements are in place to provide the operating environment for the national system of professional standards regulation.

Professional Standards Agreement 2011

- an agreement between the Ministers in all states, territories and the Commonwealth for co-operation to facilitate the application of schemes across state and territory boundaries and to promote high standards of professional and business practice and protection of consumers across Australia; and
- for co-operation in the selection and appointment of members to the Councils and in the administrative support of the Councils.

The Professional Standards Agreement is operationalised by the following two agreements:

Professional Standards Councils and Departments Procurement of Services Agreement

- an agreement between state and territory departments and the Councils to ensure that the Councils have the services they require to carry out their functions.

Professional Standards Inter-Departmental Service Agreement

- an agreement between state and territory departments that services to the Councils will be provided by the New South Wales Department of Customer Service.

Departmental arrangements

The intergovernmental agreements are administered by Professional Standards Officers in the relevant Department for each jurisdiction.

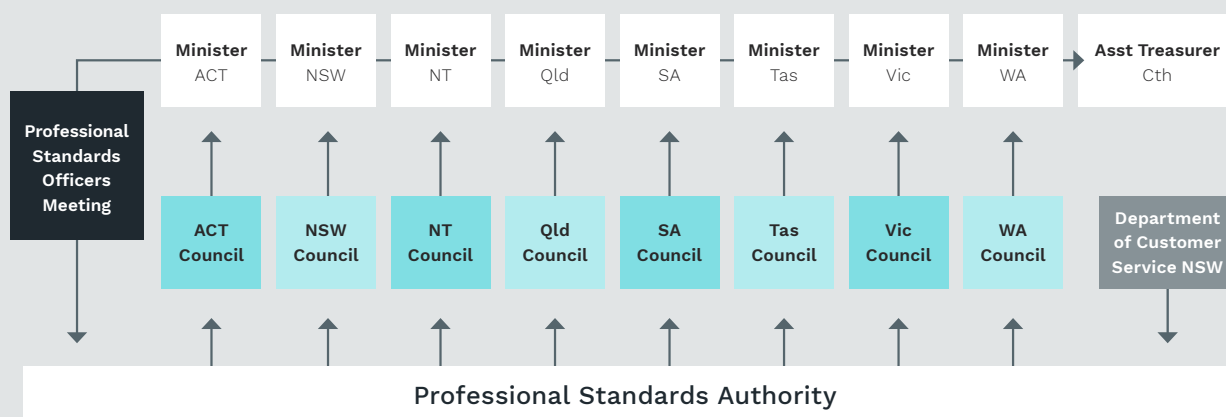
To assist this role, the Authority convenes a quarterly Professional Standards Officers Meeting which provides a forum for liaison and co-operation across the jurisdictions.

The Professional Standards Officers Meeting discusses issues that require consideration and co-ordination at a national level and oversight of the implementation of the intergovernmental agreements.

This year the Authority worked with policy officers to introduce a new Professional Standards Officer Meeting induction manual and a new recruitment package to support consistent jurisdictional processes for the nomination and appointment of members to each of the Councils.

Figure 11. Provides a diagram of the national structure

How we work together



Councils’ remuneration

In accordance with the Professional Standards Agreement, New South Wales sets the rates of the remuneration payable to the members of the Councils, in accordance with the appropriate guidelines for the remuneration of government boards.

Table 4 shows total remuneration for each member for 2022/23.

Table 4. Councils’ members’ remuneration and meeting attendance

Name	Role	Jurisdiction	Total remuneration [^]	Meetings eligible to attend	Meetings attended
John Vines OAM	Chair	Vic	\$55,278.50	5	5
Andrew Lumsden	Deputy Chair	NSW	\$22,111.35	5	5
Iain Summers	Member	NT	\$22,111.35	5	5
Catherine (Cate) Wood AM	Member	ACT	\$22,111.35	5	5
Dr Pam Montgomery	Member	Vic	\$22,111.35	5	4
Tim Mellor	Member	SA	\$22,111.35	5	5
Elizabeth Shearer	Member	Qld	\$3,560.09	1	0
Richard Shields	Member	Cth	\$22,111.35	5	4
Caroline Lamb	Member	NSW	\$22,111.35	5	4
Tiina-Liisa Sexton	Member	Tas	\$22,111.35	5	4
Rachel Webber	Member	WA	\$22,111.35	5	5

[^] Includes 10.5% Super Guarantee Contribution.

Finance, Audit and Risk Management Committees

The Councils can delegate work to a committee. Each Council has established a committee to form the combined Finance, Audit and Risk Management Committees to oversee financial management, risk management, budget management, the annual reporting process and content, and associations' risk management and compliance reporting.

Finance, Audit and Risk Management Committees members

- Iain Summers — Chair
- Tiina-Liisa Sexton — Deputy Chair
- Andrew Lumsden
- Catherine (Cate) Wood AM

There were nine committee meetings held during the 2022/23 reporting year. Four were scheduled committee meetings and five were circulating resolutions or out-of-session meetings.

Work of the Committees

The Committee, supported by the finance officers of the Authority:

- reviewed and endorsed the content for the Councils' 2021/22 Annual Report
- endorsed the Financial Statements for the year ending 30 June 2022
- endorsed the jurisdictional FY2021/22 audit reports received
- endorsed the new Annual Professional Standards Report Template and Guidance and 2022 Professional Standards Improvement Program Guidelines and Template
- advised the Councils on FY2023/24 budget
- advised the Councils on a range of regulated fee and reporting matters
- monitored and advised the Councils on the management of risk
- reviewed and advised the Councils on the Risk Appetite Statement

- provided oversight for the Authority's engagement with jurisdictions to review the Councils' revenue and costs sharing model to reflect the full implementation of mutual recognition
- conducted, and reported to the Councils on, a self-assessment against better practices as published by the Queensland Audit Office in the *Regulating animal welfare services* (Report 6: 2021–22).

Financial reporting recognition

Each year the Auditor General for Western Australia rates entities on their financial reporting and financial controls and recognises the top 20 large and top 20 small best practice entities. In Report 12: 2022-23 published in December 2022, the Professional Standards Council of Western Australia was recognised as a small entity top achiever for 2021-22. Assessment criteria included good quality financial statements and KPIs, supported by reliable working papers.

Table 5. The Committees' members' meeting attendance

Member	Scheduled meetings attended	Out-of-session meetings attended	Total
Iain Summers	4	5	9
Tiina-Liisa Sexton	3	4	7
Catherine (Cate) Wood AM	4	5	9
Andrew Lumsden	3	5	8



Professional Standards Authority

The Authority is a business unit within the Better Regulation Division of the New South Wales Department of Customer Service, established to ensure that the Councils have the services they require to carry out their functions.

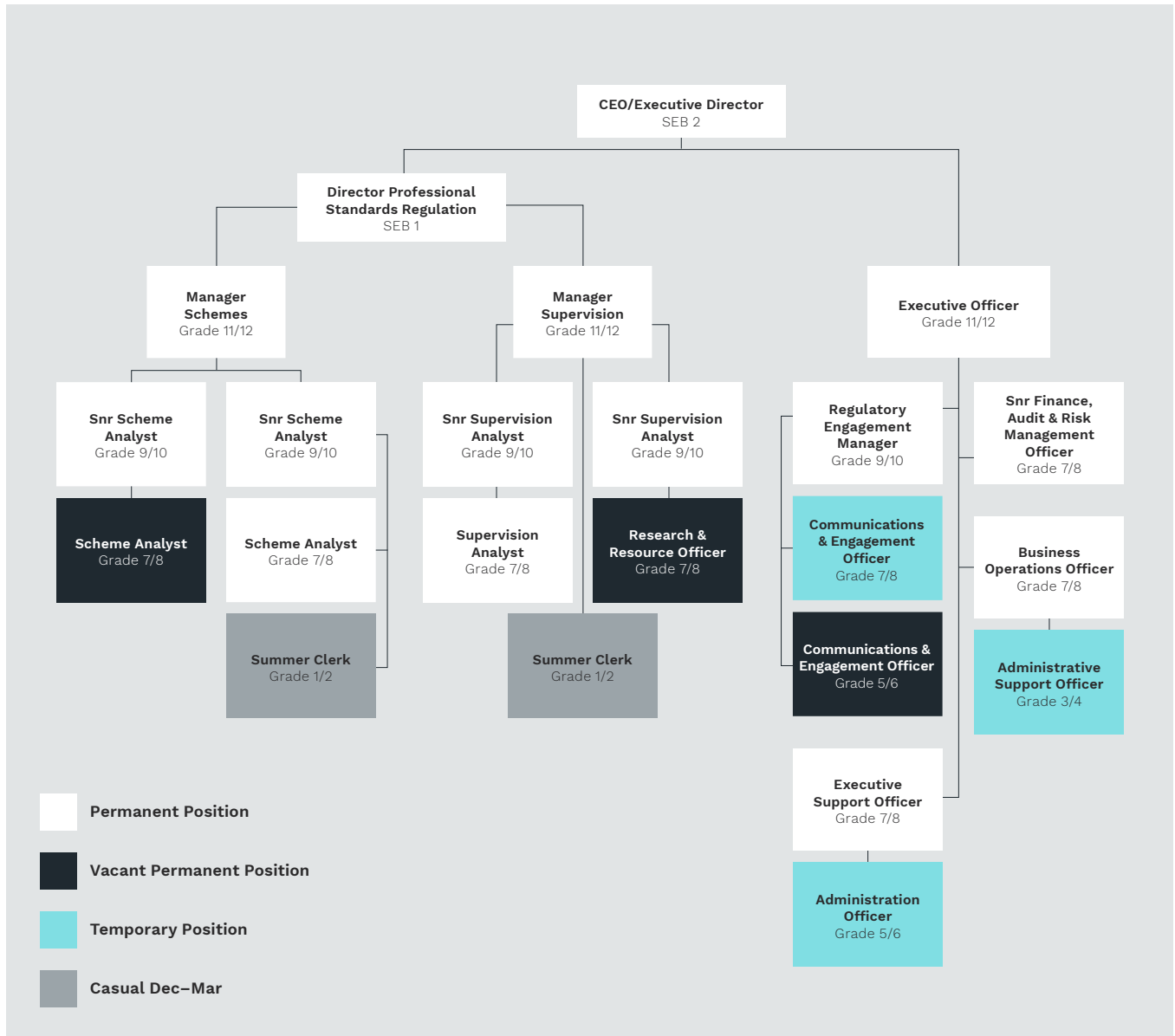
The Authority supports the Councils in leading the national system of professional standards regulation by:

- providing information to stakeholders about professional standards schemes
- providing information to encourage and assist associations to apply for schemes
- providing expert advice and administrative support to the Councils to approve, review or revoke schemes
- developing regulatory guidance to assist associations to operate schemes
- supervising scheme administration and monitoring scheme compliance, including reporting and analysis
- working with occupational associations to encourage and assist the development of regulatory capacity, improve their professional standards and risk management, comply with their legislative obligations, and protect consumers of professional services
- when issues arise, liaising with associations and other stakeholders regarding remediation
- conducting and promoting research and education in professional standards, consumer protection and professional standards regulation
- providing secretariat support.

These operational and regulatory services are provided in accordance with the intergovernmental agreements.

Organisational Structure

The budget approved by the Councils sets the capacity for staffing and operational costs within the Authority.



- Permanent Position
- Vacant Permanent Position
- Temporary Position
- Casual Dec-Mar

Table 6. Authority staff profile as at 30 June 2023

Position/grade	No. of positions	Male	Female
Senior Executive Band 2	1		1
Senior Executive Band 1	1	1	
Clerk Grade 11/12	3	1	2
Clerk Grade 9/10	6	2	4
Clerk Grade 7/8	5	1	4
Clerk Grade 5/6	1		1
Clerk Grade 3/4	1		1
Total	18	5	13

Senior Executive

At 30 June 2023, the Authority had two positions classified as Senior Executive in the New South Wales Public Service. The two positions are included in the NSW Department of Customer Service workforce statistics. The average remuneration level of senior executives in each band at the end of the financial year is detailed in Table 7.

Table 7. Senior executive remuneration in the New South Wales Department of Customer Service

	2022 range	2022 average	2021 range	2021 average	2020 range	2020 average
Band 1	\$197,400 – \$281,550	\$239,475	\$192,600 – \$274,700	\$234,844	\$192,600 – \$274,700	\$234,844
Band 2	\$281,551 – \$354,200	\$317,876	\$274,701 – \$345,550	\$312,326	\$274,701 – \$345,550	\$312,326



Chief Executive Officer

Roxane Marcelle-Shaw
BSocSc, JD, GDLP, GAICD

The CEO assists the Councils to administer professional standards legislation and is responsible for the delivery of the operational and regulatory services of the Authority.

Roxane has held a variety of executive roles and statutory appointments over 30 years as a regulator in the Australian Capital Territory, Commonwealth and New South Wales public sectors. Roxane is currently a member of the Occupational Therapy Board of Australia and Chair of the New South Wales Chapter of the Australia and New Zealand School of Government National Regulators Community of Practice.

Workforce management

Key areas of focus for us have been resourcing, flexible working arrangements and opportunities for personal and career development. Our strategies are designed to enable the Authority to attract and retain high quality employees.

Turnover

As reported last year, in a tight labour market we continue to experience high vacancy rates with an associated strain on resources and loss of capability and productivity. This year, we increased recruitment, actively went to market earlier and more often, and tried to recruit above our notional employee establishment to counter attrition challenges. We also adjusted timeframes for deliverables, actively managed scheduling of work and prioritised staff wellbeing.

Professional development

We have continued our efforts to build a motivated, skilled, professional and inclusive workforce. Our learning and development calendar is designed with our staff to invest in growing their knowledge and skill sets to excel in their current roles and to support their career goals.

Professional development activities over the reporting period have focused on staff developing broad regulatory knowledge and skills, building professional standards expertise and supporting public sector professionalism. Staff participated in a range of learning and development opportunities including:

- ANZSOG Professional Regulators program
- Associations Forum National Conference
- Association Leaders Symposium 2022
- Be Challenged — Team building online sessions
- Department of Customer Service leadership programs
- GIPA Act training
- Privacy Act training
- IAP2 Essentials of Engagement
- Project management fundamentals
- Unpacking data governance best practice with these data experts
- Introduction to actuarial advice — Taylor Fry
- Plain English training
- In-house Learning circles.

Performance and remuneration

All staff undertake regular performance reviews and are remunerated in accordance with the conditions of New South Wales public sector employees.

Work health and safety

The Authority's staff are governed by Work Health and Safety practices of the New South Wales Department of Customer Service. The Authority continued to follow the COVID-19 public health orders and advice from the New South Wales Department of Customer Service. We continued to provide an employee assistance program through our provider Benestar. A free annual flu vaccination program in the lead-up to winter was available to all staff. The Authority delivered online wellbeing sessions monthly to support staff with tools and techniques for building resilience and maintaining physical and psychological health. The Department of Customer Service online Wellbeing Hub was promoted to all staff to access information and resources for self-care.

Hybrid working arrangements

In August 2022, staff participated in the New South Wales Department of Customer Service 2022 People Matter Employee Survey (PMES). The PMES results identified areas for improvement in relation to better hybrid working arrangements for staff.

In December 2022, the Authority in collaboration with staff developed an action plan that assisted in defining the Authority's hybrid ways of working. This brought about better engagement with staff and clarity on our new ways of working, including:

- continued support for working from home as well as from the office
- online and in-person events that supported connection across the Authority.

Our new ways of working are based on four modes:

- Working together, together
- Working together, apart
- Working apart, together
- Working apart alone.

Values, inclusion and diversity

As employees of the New South Wales public sector, all staff are committed to upholding its core values of integrity, trust, service, and accountability. In doing so, all staff are guided by the Code of Ethics and Conduct for New South Wales Government Sector Employees.

The Authority participated in the Department of Customer Service's Care and Belonging Strategy, a multi-faceted approach to diversity and inclusion.

This year, for the third time, the Authority participated in the national Australian Network on Disability internship program, Stepping Into. The program introduces skilled and talented university students with a disability into organisations like the Authority.

As a staff initiative, the Authority partnered with OzHarvest to help 'Nourish our Country'. To support OzHarvest, a food drive was conducted where food donations from staff were collected and provided to OzHarvest.

OzHarvest was also invited to present to staff at the Authority's yearly Planning Day, which gave staff an overview of who OzHarvest is, their mission, and their impact in nourishing the Country.

Partnering with OzHarvest gave staff a practical expression of our values and provided the opportunity to make a difference, build culture, and grow personally and professionally in the process.

Workers' compensation

Details of workers' compensation claims are included in the New South Wales Department of Customer Service Annual Work Health and Safety and Injury Management report.

04

Financial performance



Financial performance of the Professional Standards Councils

The activities and operations of the Councils and the Authority are funded from fees paid under the professional standards legislation. The Councils use their best endeavours to keep operational and strategic budgets to the amount reasonably necessary to cover the cost of providing services across the national system. The Councils do not draw on any of the eight jurisdictional Departmental budgets.

The budget for carrying out regulatory and support services is prepared annually by the Authority and approved by the Councils. The Authority provides the support to manage the budgets and accounts including processing payments, preparing invoices, producing monthly accounts and assisting with financial accounting systems.

Table 8. Summary of Income and Expenses¹ for year ended 30 June 2023²

Income	Combined	NSW	QLD	SA	VIC	WA	ACT	NT	TAS
Scheme annual fees ³	4,759,366	3,288,776	416,200	100,150	821,640	132,600	-	-	-
Scheme application fees ⁴	5,000	-	5,000	-	-	-	-	-	-
Interest on overdue annual fee (from associations) ⁵	(8,693)	(8,724)	28	3	-	-	-	-	-
Sub total association fees	4,755,673	3,280,052	421,228	100,153	821,640	132,600	-	-	-
NSW Council's lease expense ⁶	3,793	3,793	-	-	-	-	-	-	-
Co-occupancy income ⁷	88,584	88,584	-	-	-	-	-	-	-
Interest on funds ⁸	128,194	88,985	21,763	-	17,446	-	-	-	-
Bank fees and charges	(964)	-	(871)	-	(93)	-	-	-	-
Total income	4,975,280	3,461,414	442,120	100,153	838,993	132,600	-	-	-
Individual Councils % of total income ⁹	100.00%	69.57%	8.89%	2.01%	16.86%	2.67%	0%	0%	0%
Expenses									
Employment costs (inc. external non on-going) ¹⁰	2,753,234	1,915,487	244,661	55,423	464,284	73,379	-	-	-
Other operating ¹¹	1,611,174	1,120,930	143,174	32,433	271,696	42,941	-	-	-
Strategy implementation ¹²	415,879	289,336	36,957	8,372	70,131	11,083	-	-	-
Total expenses	4,780,287	3,325,753	424,792	96,228	806,111	127,403	-	-	-
Expenses Attributable to the relevant Councils (GST exclusive):	4,780,287	3,325,753	424,792	96,228	806,111	127,403	-	-	-
Invoiced to 31 March 2023	3,294,231	2,305,878	297,753	67,041	567,424	87,182	-	-	-
To be invoiced for quarter ended 30 June 2023	1,486,056	1,019,917	135,683	31,236	256,392	42,828	-	-	-

Table 8. Summary of Income and Expenses for year ended 30 June 2023 Notes

- Note 1: This unaudited statement is derived from the information provided by the New South Wales Department of Customer Service (NSW DCS) and records kept by the Authority. NSW DCS provided financial reporting services to the Councils. All revenue and expenditure figures are prepared based on an accruals basis of accounting and are exclusive of Goods and Services Tax. The annual financial statements for South Australia, Queensland, Western Australia and Victoria are required under their respective legislation and audited financial statements are provided separately to the relevant jurisdictional departments, for tabling in their respective parliaments.
- Note 2: Amounts shown as revenue, expenses and accrued charges are calculated to the nearest cent, however are shown subject to rounding to the nearest dollar in a manner to preserve the value of totals.
- Note 3: Scheme annual fee revenue is recognised over the scheme year; some scheme annual periods are not aligned to a fiscal year resulting in a deferred (contract liability) component. This deferred component is recognised during the subsequent fiscal year.
- Note 4: Scheme application fees are recognised on a cash received basis.
- Note 5: Interest from associations due to overdue annual fees is recognised on an accrual basis. The value is shown net of any remissions, waivers or determinations by Council that the fee is not payable, in part or whole.
- Note 6: AASB 16 accounting entries pertaining to the New South Wales Professional Standards Council as premises lessee, up to 30 April 2025.
- Note 7: Income received, net of GST from the (NSW) Greyhound Welfare Integrity Commission for co-occupancy of Level 2, 111 Elizabeth Street, Sydney.
- Note 8: Interest from financial institutions is recognised on an accruals basis, and is shown gross of bank charges and fees.
- Note 9: Percentage of income of each Council, compared to total income, shown to two decimal places, noting that expenses are calculated using unlimited decimal places.
- Note 10: Employment expenses are for the Authority and include non ongoing staff. Expenses are determined on an accruals basis and contains all relevant on-costs and also includes workers compensation charges for Councils members.
- Note 11: Being general operating expenses calculated on an accrual basis, including occupancy, actuarial, consultancy and/or legal advice, general maintenance and information technology and communications support costs. Also, direct depreciation costs (for tangible and intangible assets, that were obtained by NSW DCS to solely support Authority's business activities). Expenditure described as "capital usage charges", rather than "depreciation or amortisation". Councils do not own any tangible/intangible assets.
- Note 12: Expenses relating to Councils endorsed strategic implementation, which includes contribution to Griffith University for research of "Constructing Building Integrity: Raising standards through professionalism" pursuant to the Australian Research Council. Salesforce and CRM implementation, website accessibility review, a benefits report on improving Professionals Standards, a plain English update of the Annual Professional Standards Report and a review of the cost/revenue sharing methodology.

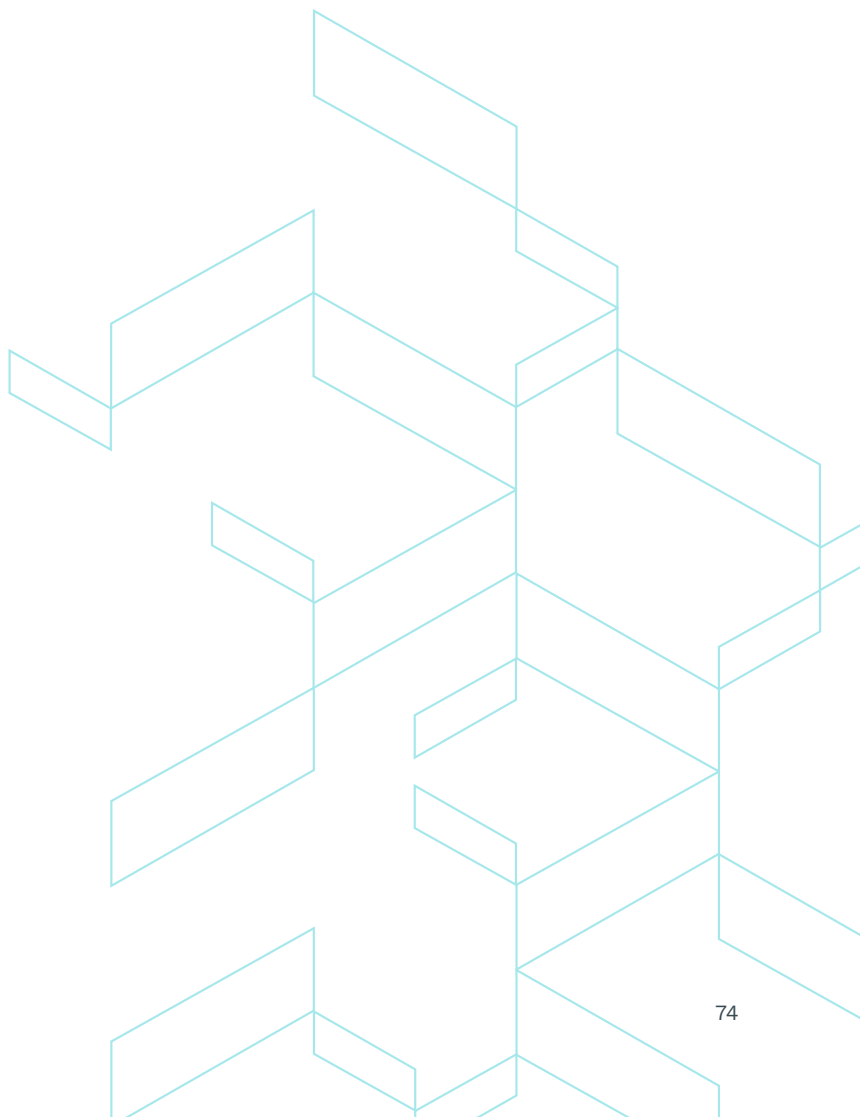


Table 9. Detailed expenditure 2022/23

Detailed expenses ¹³	Combined	NSW	QLD	SA	VIC	WA	ACT	NT	TAS
Employment expenses									
Employees	2,652,514	1,845,414	235,711	53,395	447,299	70,695	-	-	-
External non on-going	100,720	70,073	8,950	2,028	16,985	2,684	-	-	-
Total employment expenses	2,753,234	1,915,487	244,661	55,423	464,284	73,379	-	-	-
Other operating expenses									
Councils' remuneration ¹⁴	271,894	189,164	24,161	5,473	45,850	7,246	-	-	-
Councils' insurance	21,078	14,665	1,873	424	3,554	562	-	-	-
Councils' development and inductions	2,840	1,976	252	57	479	76	-	-	-
Councils' and Authority travel	80,045	55,689	7,113	1,611	13,499	2,133	-	-	-
Councils' meeting expenses	2,147	1,494	191	43	362	57	-	-	-
Occupancy ¹⁵	660,587	459,583	58,702	13,299	111,397	17,606	-	-	-
Annual reporting (audit and design) ¹⁶	74,660	51,942	6,635	1,503	12,590	1,990	-	-	-
Staff training	49,426	34,387	4,392	995	8,335	1,317	-	-	-
Information Technology and Communications ¹⁷	181,483	126,262	16,127	3,653	30,604	4,837	-	-	-
DCS Shared Services ¹⁸	48,000	33,396	4,265	966	8,094	1,279	-	-	-
Administration ¹⁹	43,919	30,555	3,903	884	7,406	1,171	-	-	-
Website presence ²⁰	41,958	29,191	3,729	845	7,075	1,118	-	-	-
Actuarial ²¹	20,385	14,183	1,811	410	3,438	543	-	-	-
Contract services	41,245	28,696	3,665	830	6,955	1,099	-	-	-
NSW Crown Solicitors' Office advice ²²	12,514	8,706	1,112	252	2,110	334	-	-	-
Capital usage charges ²³	12,893	8,969	1,146	260	2,174	344	-	-	-
Stakeholder engagement	46,100	32,072	4,097	928	7,774	1,229	-	-	-
Total other operating expenses	1,611,174	1,120,930	143,174	32,433	271,696	42,941	-	-	-
Strategy implementation									
Contract services ²⁴	229,816	159,889	20,422	4,627	38,754	6,124	-	-	-
Consultancy ²⁵	49,745	34,608	4,421	1,001	8,389	1,326	-	-	-
Research contribution ²⁶	80,000	55,658	7,109	1,610	13,491	2,132	-	-	-
Allocated employment related expenses ²⁷	56,318	39,181	5,005	1,134	9,497	1,501	-	-	-
Total Strategic implementation	415,879	289,336	36,957	8,372	70,131	11,083	-	-	-
Total expenses	4,780,287	3,325,753	424,792	96,228	806,111	127,403	-	-	-
% expenditure recharged / rechargeable ²⁸	100.00%	69.57%	8.89%	2.01%	16.86%	2.67%	0%	0%	0%

Table 9. Detailed expenditure 2022/23 Notes

- Note 13: Individual costs are subject to rounding to the nearest dollar in a manner to ensure the integrity of totals.
- Note 14: Allowances paid to Council Members were at rates determined by the NSW Minister for Innovation and Better Regulation, in accordance with Clause 4, Schedule 2 of the *Professional Standards Act 1994* (NSW). These allowances are the same for all members with the exception of the Chair. This category also includes the Superannuation Guarantee Levy (10.5%), Payroll Tax (5.45%), Councils' members Workers Compensation on-costs are included in "Employment expenses". Noting that the applicable Superannuation Guarantee Levy increased to 10.5% from the first fortnightly pay period ending in July 2022.
- Note 15: Includes payments for occupancy of premises (Level 2, 111 Elizabeth Street Sydney), security, lease make good provision discount unwind and electricity costs.
- Note 16: Includes costs associated with audit/reviews of all relevant jurisdictions, adjustments to the cost of the publication of the combined FY21/22 Annual Report.
- Note 17: Includes laptop and other minor hardware upgrades, telephony services and support, software licences and security assessments.
- Note 18: Includes HR support and costs of payroll processing and the processing of payments and financial accounting support.
- Note 19: Includes costs associated with property maintenance, postage, couriers, recruitment and office stationery.
- Note 20: Includes security reviews, maintenance and minor enhancements to the Councils' website (www.psc.gov.au)
- Note 21: All actuarial engagements are consultancy, given their nature these are reported separately. Expenses consists of one engagement for advice pertaining to scheme application.
- Note 22: Includes the cost for providing advice pertaining to general administrative matters (two). No expenditure related to litigable matters.
- Note 23: Represents the annual depreciation/amortisation charges determined by NSW Department of Customer Service to recoup prior years capital expenditure.
- Note 24: Represents the implementation of Salesforce — Customer Relationship Management software, Councils website accessibility review, a benefits reporting on improving Professional Standards and plain English update of the Annual Professional Standards Report.
- Note 25: Represents payment for a single consulting engagement to provide advice regarding the allocation of Councils' revenue and expenses methodology.
- Note 26: Represents payable to Griffith University for research of "*Constructing Building Integrity: Raising standards through professionalism*" pursuant to the Australian Research Council.
- Note 27: Represents internal staffing costs for complaints project scoping.
- Note 28: The recharge amount to each state and territory's Council is based on that Council's share of the total revenue generated by all Professional Standards Councils. The percentage allocation reported for each state and territory is shown only to two decimal places.



05

State and territory professional standards councils



Legislated reporting

Australian Capital Territory

Constitution of the Council

Members of the Professional Standards Council of the Australian Capital Territory were entitled to attend five scheduled meetings for the year. Please refer to Table 4 on page 63 for a summary of meeting attendance.

Major legislative changes

No major changes were made to Professional Standards Legislation during 2022-23.

Fraud

There were no instances of fraud during the reporting period.

Risk management

The risk management and internal audit practices of the Council are described on page 64.

Public interest disclosure

There were no public interest disclosures for the 2022/23 reporting period.

Freedom of information

Under the *Freedom of Information Act 2016* (ACT) the Council must report on freedom of information requests received and handled during the reporting year. Section 96 of the Act requires the Council to report on the particulars of the operations of the agency, including numbers of and the types of access applications received by the agency. The statements are correct as at 30 June 2023.

Organisation and function

Please refer to page 66 for the Council's organisational structure and function.

Category of documents

The Council holds several categories of documents that are available on the Professional Standards Councils' website, including:

- Annual report
- Scheme application form and guidelines
- Regulatory guidance
- Policy papers
- Scheme instruments.

Documents informing the making of decisions or recommendations

The Council makes its decisions to approve professional standards schemes by considering relevant legislative criteria. To do this the Council considers a number of documents, including an association's application, as well as advice and recommendations provided by the Authority and independent actuarial advice. Associations must provide a large amount of information to the Council when they apply for the scheme.

This includes insurance data about the highest claims, types of claims and the level of claims. Associations must also include their risk management strategies, education and other qualification requirements, and code of ethics and conduct.

Authority staff profile

Please refer to page 66 for the organisational structure of the Authority that provides services and support to the Professional Standards Council of the Australian Capital Territory.

Work health and safety (WHS)

There were no work-related injuries, illnesses or prosecutions during the reporting period under the *Work Health and Safety Act 2011*. Authority staff are governed by Work Health and Safety practices of the New South Wales Department of Customer Service.

Territory records

Sound recordkeeping practices underpin good governance. In accordance with the requirements of the *Territory Records Act 2002* (ACT), the Council's recordkeeping system ensures documents can be accurately captured, stored, and retrieved.

Financial performance

The Authority is responsible for collecting revenue and operating within budget. Please refer to the Consolidated Financial Performance statement on page 71 for the Professional Standards Council of the Australian Capital Territory's revenue and expenses for 2022/23.

Reporting on procurement and contracting activities

The Council's share of the combined annual spend on consultancy was \$0 GST exclusive (see detailed expenditure on Table 9, page 73).

Per the Inter-Departmental Service Agreement, all expenditure is processed by the New South Wales Department of Customer Service and allocated to the eight national Professional Standards Councils.

Two contracts were awarded to consultants during the financial year, with one contract above \$25,000:

List of contracts over \$25,000:

- Deloitte Touche Tohmatsu advice regarding the Interdepartmental Service Agreement revenue and cost sharing model, \$49,875.

For further details of consultancy spend, refer to Note 21 of the detailed expenditure in Table 9 on page 74.



New South Wales

Constitution of the Council

Members of the Professional Standards Council of New South Wales were entitled to attend five scheduled meetings for the year. Please refer to Table 4 on page 63 for a summary of meeting attendance.

Legal changes

The Administration Arrangements (Minns Ministry – Administration of Acts) Order 2023 allocates the administration of the *Professional Standards Act 1994* (NSW) to the Minister for Better Regulation and Fair Trading.

Credit cards

The operation of staff provided credit cards complies with the directions of New South Wales Treasury (TPP 21--02).

Public interest disclosure

There were no public interest disclosures for the 2022/23 reporting period.

Government Information (Public Access) Act 2009 (NSW)

The *Government Information (Public Access) Act 2009* (NSW) (GIPA Act) requires all New South Wales Government agencies (including New South Wales Department of Customer Service business units) to respond to requests for information, unless there is an overriding public interest against disclosing the information.

The New South Wales Department of Customer Service received nil requests under the GIPA Act in relation to the Professional Standards Council of New South Wales during the reporting period.

Consumer response

Before any professional standards scheme can be considered for approval by the Councils, a formal process of consultation called Public Notification (described in section 8 of the New South Wales legislation and similar in all other statutes) is undertaken, whereby any person can make a submission to the Councils with their views on the proposed scheme during the minimum 28-day period.

During the 2023 reporting year, no schemes were publicly notified.

In addition to these regular, statutory consultation processes, any member of the community is entitled to provide feedback, make submissions or complaints about the operation of a professional standards scheme.

Work health and safety

There were no work-related injuries, illnesses or prosecutions during the reporting period under the *Work Health and Safety Act 2011*. Authority staff are governed by Work Health and Safety policies of the New South Wales Department of Customer Service.

Funds granted to non-government community organisations

During 2022/23 no grants were awarded.

Consultants

The Council's share of the combined annual spend on consultancy was \$48,879.88 GST exclusive.

Per the Inter-Departmental Service Agreement, all expenditure is processed by the New South Wales Department of Customer Service and allocated to the eight national Professional Standards Councils.

Two contracts were awarded to consultants during the financial year, with no contracts above \$50,000 GST exclusive.

For further details of consultancy spend, refer to Note 21 of the detailed expenditure in Table 9 on page 74.

Overseas travel

There was no overseas travel undertaken.

Land disposal

The Professional Standards Council of New South Wales and the Authority do not own properties, nor did they acquire or dispose of properties during the reporting period.

Risk management

The risk management and internal audit practices of the Council are described on page 64.

Privacy obligations

The Councils and the Authority have continued to comply with the requirements of the *Privacy and Personal Information Protection Act 1998* (NSW).

Multicultural policies and services programs

The Authority's multicultural policies and service programs are guided by the New South Wales Department of Customer Service's Diversity and Inclusion strategy, Aboriginal Workforce Strategy and Disability Inclusion Action Plan, and the *Government Sector Employment Act 2013*, which prioritises diversity in the workforce.

Financial performance

The Professional Standards Council of New South Wales is not required to compile financial statements. The Authority is responsible for collecting revenue and operating within budget.

Please refer to the Consolidated Financial Performance statement on page 71 for the Professional Standards Council of New South Wales's revenue and expenses for 2022/23.

Social programs

No social programs were provided by the Professional Standards Council of New South Wales during the reporting period.

Economic or other factors

The factors that have affected the achievement of the operational objectives of the Professional Standards Council of New South Wales during the reporting period are set out on page 10-25.

Workforce diversity

The New South Wales Department of Customer Service's Diversity and Inclusion strategy is an overarching strategy that will:

- underpin the growth of a customer focused culture
- support the development of key capabilities such as inclusive leadership, innovation and employee engagement
- reach targets relating to Aboriginality, gender and people with disability; as laid out in the Premier's Priorities, the *Government Employment Sector Act 2013*, and by the Public Service Commission.

Disability inclusion action plans

The Professional Standards Council of New South Wales and the Authority are committed to creating an inclusive and supportive working environment for people with a disability including those who require an adjustment.

Annual Report

The Councils' Annual Report is produced using internal resources. It only prints the required number of Annual Reports and makes the report available on the Councils' website.

The cost to produce the combined Councils' 2022/23 Annual Report was \$14,590.00. Costs of \$1,460 were recognised in the 2022/23 year. The New South Wales Council was responsible for funding 69.57% of the 2022/23 year expenses. The balance will be recognised in the 2023/24 year.

Northern Territory

Constitution of the Council

Members of the Professional Standards Council of the Northern Territory were entitled to attend five scheduled meetings for the year. Please refer to page 63 for a summary of meeting attendance.

Administered legislation

The Professional Standards Council of the Northern Territory assists the Minister in administering the *Professional Standards Act 2004* (NT).

Major legislative changes

No major changes were made to Professional Standards Legislation during 2022/23.

Public interest disclosure

There were no public interest disclosures for the 2022/23 reporting period.

Staff development

The Council is committed to developing its employees. Our strategies are designed to build a highly-skilled, professional and fair workforce with the ability to adapt to changing business technology and the environment.

Organisational structure

For information regarding Council members and their profiles, please refer to pages 23–25.

Authority staff profile

Please refer to page 66 for the organisational structure of the Authority which provides services and support to the Professional Standards Council of the Northern Territory.

Work health and safety

There were no work-related injuries, illnesses or prosecutions during the reporting period under the *Work Health and Safety (National Uniform Legislation) Act*. Authority staff are governed by Work Health and Safety practices of the New South Wales Department of Customer Service.

Information Act 2002 (NT)

The Council received no requests for information under the *Information Act 2002* (NT) during the reporting period. The Authority may collect and handle personal information on the Council's behalf. Any inquiries about access to information, or access or correction of personal information should be directed to the Authority.

Recordkeeping

Sound recordkeeping practices underpin good governance. In accordance with the requirements of the *Information Act 2002* (NT), the Council's recordkeeping system ensures documents can be accurately captured, stored and retrieved.

Financial performance

The Professional Standards Council of the Northern Territory is not required to compile financial statements. The Authority is responsible for collecting revenue and operating within budget. During the reporting period, the Authority undertook these tasks.

Please refer to the Consolidated Financial Performance statement on page 71 for the Professional Standards Council of the Northern Territory's revenue and expenses for 2022/23.

Public sector employment and management

The Professional Standards Council of the Northern Territory did not have any compliance issues arising from the Public Sector Standards and Northern Territory Code of Ethics during the reporting period.

Ministerial directives

No Ministerial directives were received during the reporting period.

Queensland

Constitution of the Council

Members of the Professional Standards Council of Queensland were entitled to attend five scheduled meetings for the year. Please refer to page 63 for a summary of meeting attendance.

Major legislative changes

No major changes were made to the Professional Standards Legislation during 2022/23.

Risk management

The risk management and internal audit practices of the Council are described on page 64.

Right to information reporting

The *Right to Information Act 2009* (Qld) grants the public the right to access information that the government possesses or controls, unless it is contrary to the public interest to do so. Information about the Council's role and operations — as well as annual reports, policy and discussion papers, application forms and guidelines for professional standards schemes — are available online at psc.gov.au.

Consultation notices for new professional standards schemes are also published on the website and in major newspapers. Once a scheme becomes operational, the scheme document is also made publicly available on the website.

The Professional Standards Council of Queensland received no requests under the *Right to Information Act 2009* (Qld) during the reporting period.

Protection of personal information

Section 40 of the *Information Privacy Act 2009* (Qld) advises that a person has a right to access documents that contain their personal information. No access applications were received under the *Information Privacy Act 2009* (Qld) during the reporting period.

Public interest disclosure

The Professional Standards Council of Queensland did not receive any disclosures covered under the *Public Interest Disclosure Act 2010* (Qld) during the reporting period.

Consultants

The Council's share of the combined annual spend on consultancy was \$6,246.11 GST exclusive.

Per the Inter-Departmental Service Agreement, all expenditure is processed by the New South Wales Department of Customer Service and allocated to the eight national Professional Standards Councils.

Two contracts were awarded to consultants during the financial year.

For further details of consultancy spend, refer to Note 21 of the detailed expenditure in Table 9 on page 74.

Overseas travel

There was no overseas travel undertaken.

Public sector ethics

Members of the Professional Standards Council of Queensland are required to comply with the Code of Conduct of the Professional Standards Councils pursuant to the *Public Sector Ethics Act 1994* (QLD).

The Council did not have any compliance issues arising from the Code of Conduct of the Professional Standards Councils during the reporting period.

Recordkeeping

Sound recordkeeping practices underpin good governance. In accordance with the requirements of the *Public Records Act 2002* (Qld), the Council's recordkeeping system ensures documents can be accurately captured, stored and retrieved.

Waste management

The Authority is governed by the New South Wales Department of Customer Service's Government Resource Efficiency Policy. The Council and the Authority comply with this policy to limit the impact of their operations on the environment.

For example, promotional material such as the annual report is produced on FSC-certified paper and is made carbon neutral. The Council only prints the required number of annual reports and makes the report available on the Councils' website.

Financial performance

The audited financial statements of the Professional Standards Council of Queensland are attached as an addendum to this report. Please refer to the Consolidated Financial Performance Statement on page 71 for the Professional Standards Council of Queensland's revenue and expenses for 2022/23.

Ministerial directives

No ministerial directives were received during the reporting period.

South Australia

Constitution of the Council

Members of the Professional Standards Council of South Australia were entitled to attend five scheduled meetings for the year. Please refer to page 63 for a summary of meeting attendance.

Major legislative changes

No major changes were made to Professional Standards Legislation during 2022/23.

Fraud

There were no instances of fraud during the reporting period.

Freedom of information reporting

The Council is required to publish a statement about the particulars, functions and powers of that agency, as well as certain categories of documents held by each agency and the arrangements for public participation in formulating policy and operations. The statement is correct as of 30 June 2023.

Organisation and functions

Please refer to page 66 for the Council's organisational structure and function.

Administered legislation

The Professional Standards Council of South Australia assists the Minister in administering the *Professional Standards Act 2004* (SA).

Document categories

The Council holds several categories of documents, including those which are available on request and without charge. These can be found on the Professional Standards Councils' website.

Specifically, these include:

- annual reports
- scheme application form and guidelines
- regulatory guidance
- policy papers
- scheme instruments.

Arrangements can be made to inspect documents available under the *Freedom of Information Act 1991* (SA) by contacting the Authority between 9am and 5pm from Monday to Friday (except public holidays). The Council did not receive any applications to access documents (initial requests) during the reporting year. The Council did not receive any applications to internally review its decisions.

Recordkeeping

Sound recordkeeping practices underpin good governance. In accordance with the requirements of the *State Records Act 1997* (SA), the Council's recordkeeping system ensures documents can be accurately captured, stored and retrieved. This includes a computerised records management system and databases that record certain details of applications, submissions and correspondence.

Consultants

The Council's share of the combined annual spend on consultancy was \$1,412.23 GST exclusive.

Per the Inter-Departmental Service Agreement, all expenditure is processed by the New South Wales Department of Customer Service and allocated to the eight national Professional Standards Councils.

Two contracts were awarded to consultants during the financial year, with both contracts above \$10,000.

List of contracts over \$10,000:

- Deloitte Touche Tohmatsu advice regarding the Interdepartmental Service Agreement revenue and cost-sharing model, \$48,875
- Taylor Fry Pty Ltd Actuarial review of a scheme application, \$20,385.

For further details of consultancy spend, refer to Note 21 of the detailed expenditure in Table 9 on page 74.

Public interest disclosure

The Council is required to disclose the number of occasions where it or a responsible officer of the Council has received public interest information under the *Public Interest Disclosure Act 2018*, which replaced the *Whistleblowers Protection Act 1993* (SA) on 1 July 2019. There were no such instances of disclosures during the reporting period.

Work health and safety

Authority staff are bound by the *Work Health and Safety Act 2011* under the New South Wales Department of Customer Service. There were no work-related injuries, illnesses or prosecutions during the reporting period.

Financial performance

The audited financial statements of the Professional Standards Council of South Australia are attached as an addendum to this report. Please refer to the Consolidated Financial Performance statement on page 71 for the Professional Standards Council of South Australia's revenue and expenses for 2022/23.

Relationship to other agencies within the Minister's area of responsibility

The Attorney-General's Department provides legal, policy, administrative and other support to the Professional Standards Council of South Australia.

Tasmania

Constitution of the Council

Members of the Professional Standards Council of Tasmania were entitled to attend five scheduled meetings for the year.

A summary of meeting attendance is shown on page 63.

Major legislative changes

No major changes were made to Professional Standards Legislation during 2022/23.

Financial performance

The Professional Standards Council of Tasmania is not required to compile financial statements.

The Authority is responsible for collecting revenue and operating within budget. Please refer to the Consolidated Financial Performance statement on page 71 for the Professional Standards Council of Tasmania's revenue and expenses for 2022/23.

Victoria

Constitution of the Council

Members of the Professional Standards Council of Victoria were entitled to attend five scheduled meetings for the year. Please refer to page 63 for a summary of meeting attendance.

Major legislative changes

No major changes were made to Professional Standards Legislation during 2022/23.

Ministerial directives

No Ministerial directives were received during the reporting period.

National Competition Policy

The Professional Standards Council of Victoria, to the extent applicable, complies with the requirements of the National Competition Policy.

Reporting of office-based environmental impacts

The Minister for Finance issued financial reporting directives that require all entities defined as a 'department' under section 3 of the *Financial Management Act 1994* (Vic) to report on office-based environmental impacts.

The Council does not maintain a separate secretariat or office facilities and thus does not have any operations within the scope of Financial Reporting Direction 24. Secretariat services to all jurisdictions' Professional Standards Councils are provided by the New South Wales Department of Customer Service.

For example, promotional material such as the annual report is produced on FSC-certified paper and is made carbon neutral. The Council only prints the required number of annual reports and makes the report available on the Councils' website.

Victorian Industry Participation Policy

The Professional Standards Council of Victoria is not required to report under the *Victorian Industry Participation Policy Act 2003*, as it did not enter into or complete any contracts worth more than \$3 million in metropolitan Melbourne or \$1 million in regional Victoria.

Freedom of information reporting

The *Freedom of Information Act 1982* (Vic) gives members of the public the right to apply for access to information held by Ministers, state and territory government departments, local councils, public hospitals, most semi-government agencies and statutory authorities. The Professional Standards Council of Victoria received no requests under the *Freedom of Information Act 1982* (Vic) during the reporting period.

Compliance with the *Building Act 1993 (Vic)*

The Professional Standards Council of Victoria is not required to report under the *Building Act 1993 (Vic)* as it does not own or lease property or any government building.

Protected disclosures

The *Public Interest Disclosures Act 2012 (Vic)* encourages and facilitates disclosures of improper conduct by public officers and public bodies. It repealed the *Whistleblower Protection Act 2001 (Vic)*. In 2019/20, the Professional Standards Council of Victoria received no disclosures covered by either the *Whistleblower Protection Act 2001 (Vic)* or the *Protected Disclosure Act 2012 (Vic)*.

Authority staff profile

Please refer to page 66 for the organisational structure of the Authority which provides services and support to the Professional Standards Council of Victoria.

Work health and safety (WHS)

Authority staff are bound by the *Work Health and Safety Act 2011* under the New South Wales Department of Customer Service. There were no work-related injuries, illnesses or prosecutions during the reporting period.

Financial performance

The audited financial statements of the Professional Standards Council of Victoria are attached as an addendum to this report. Please refer to the Consolidated Financial Performance statement on page 71 for the Professional Standards Council of Victoria's revenue and expenses for 2022/23.

Consultants

The Council share of the combined annual spend on consultancy was \$11,845.84 GST exclusive.

Per the Inter-Departmental Service Agreement, all expenditure is processed by the New South Wales Department of Customer Service and allocated to the eight national Professional Standards Councils.

Two contracts were awarded to consultants during the financial year, with both contracts above \$10,000:

List of contracts over \$10,000:

- Deloitte Touche Tohmatsu advice regarding the Interdepartmental Service Agreement revenue and cost sharing model, \$49,875
- Taylor Fry Pty Ltd Actuarial review of a scheme application, \$20,385.

For further details of consultancy spend, refer to Note 21 of the detailed expenditure in Table 9 on page 74.



Western Australia

Enabling legislation

The Professional Standards Council of Western Australia was established under section 8 of the *Professional Standards Act 1997* (WA). The Council is listed as a statutory authority in schedule 1 of the *Financial Management Act 2006* (WA) and is subject to the provisions of the *Public Sector Management Act 1994* (WA).

Responsible Minister

The responsible Minister is The Hon. John Quigley MLA Attorney-General.

Organisational structure

For information regarding Council members and their profiles, please refer to pages 23–25.

Mission

Please refer to page 7 for the Council's mission statement.

Authority staff profile

Please refer to page 66 for the organisational structure of the Authority which provides services and support to the Professional Standards Council of Western Australia.

Administered legislation

The Professional Standards Council of Western Australia assists the Minister in administering the *Professional Standards Act 1997* (WA). No major changes were made to Professional Standards Legislation during 2022/23.

Shared responsibilities with other agencies

Please refer to the section on Intergovernmental Agreements and the Authority on page 62.

Financial performance

The audited financial statements of the Professional Standards Council of Western Australia are attached as an addendum to this report.

Please refer to page 71 for the Professional Standards Council of Western Australia's revenue and expenses for 2022/23.

Code of Ethics

The Professional Standards Council of Western Australia did not have any compliance issues arising from the Public Sector standards and Western Australia Code of Ethics during the reporting period.

For 2022/23, no breach claims were lodged in relation to either the Public Sector standards or the Western Australia Public Sector Code of Ethics.

Ministerial directives

No Ministerial directives were received during the financial year.

Capital works

The Council has no capital works projects.

Pricing policies

Under the *Professional Standards Act 1997* (WA) and the *Professional Standards Regulations 1998* (WA), associations that apply for or operate a professional standards scheme are required to pay an application fee and annual fees for each person to whom their scheme applies and who is a member of the association at any time during the annual fee period. These fees are prescribed in the legislation and are available on the Council's website.

Government building training policy

The Council did not issue any building or construction contracts during 2022/23.

Staff development

The Council is committed to supporting the development of employees. The Authority builds a highly skilled, professional and fair workforce with the ability to adapt to changing business technology and the environment.

Significant issues impacting the agency

The significant issues affecting the operational objectives of the Council during 2022/23 are set out on pages 10-25.

Workers' compensation

No workers' compensation claims were recorded during 2022/23.

Public Sector Commission's policy framework for substantive equality

While the Council is not required to report on the progress achieved in implementing the Public Sector Commission and Commissioner for Equal Opportunity's Policy Framework for substantive equality, the Council is aware of the purpose and aims of the Policy Framework.

Contracts with senior officers

At the date of reporting, no senior officers; or firms of which senior officers are members; or entities in which senior officers have substantive interests; have any interest in existing or proposed contracts with the Professional Standards Council of Western Australia, other than normal contracts of service.

Credit cards — unauthorised use

There were no instances of credit or purchasing cards being used for a personal purpose.

Constitution of the Council

Members of the Professional Standards Council of Western Australia were entitled to attend five scheduled meetings for the year. Please refer to page 63 for a summary of meeting attendance.

Board and committee remuneration

Please refer to page 63 for a summary of the remuneration for each board and committee member. The Council is committed to creating an inclusive and supportive working environment.

Expenditure on advertising, market research, polling and direct mail

In accordance with section 175ZE of the *Electoral Act 1907 (WA)*, the Council incurred the following expenditure in advertising, market research, polling, direct mail and media advertising. Total Councils' expenditure for 2022/23 was Nil*. Expenditure was incurred in the following areas:

Table 10. Expenditure on advertising, market research, polling and direct mail

Expenditure	Total	Organisation	Amount
Advertising agencies	NIL	NIL	NIL
Market research organisations	NIL	NIL	NIL
Polling organisations	NIL	NIL	NIL
Direct mail organisations	NIL	NIL	NIL
Media advertising organisations	NIL	NIL	NIL
Total	\$\$		

*The expenditure shown is the Western Australia Professional Standards Council's share (2.67%) of the consolidated pool of annual expenses shared by all eight Councils, which is based on each individual Council's 2022/23 revenue compared to total 2022/23 revenue.

Disability access and inclusion plan outcomes

The Council is committed to creating an inclusive and supportive working environment for people with a disability, including those who require adjustment. The Council's office has wheelchair and lift access and convenient parking close by. Council's publications are designed to be print-accessible for people with disabilities and can be supplied in alternative formats on request.

Recordkeeping

Sound recordkeeping practices underpin good governance. The Council has a system in place to ensure documents can be accurately captured, stored and retrieved, in accordance with the recordkeeping policy and procedures used by the Department of the Attorney-General and pursuant to the *State Records Act 2000* (WA).

Table 11. Report of annual performance against targets¹

Measure	Actual Results				Results against target
	2019/20	2020/21	2021/22	2022/23	Target
Number of fatalities	0	0	0	0	0
Lost time injury and/or disease incidence rate	0	0	0	0	0 or 10% reduction
Lost time injury and/or severity rate	0	0	3.5%	0	0 or 10% reduction
Percentage of injured workers returned to work:					
(i) within 13 weeks	N/A	N/A	50%		100%
(ii) within 26 weeks	N/A	N/A	N/A		Greater than or equal to 80%
Percentage of managers trained in occupational safety, health and injury management responsibilities				100%	Greater than or equal to 80%

Notes

¹ Data includes the Council members and their national regulatory authority



Occupational safety, health and injury management

The Council is committed to providing and maintaining a safe and healthy work environment and acknowledges its responsibilities under the *Occupational Safety and Health Act 1984* (WA) and the *Workers' Compensation and Injury Management Act 1981* (WA).

Glossary and indexes



Glossary and Abbreviations

Jurisdictions

ACT	Australian Capital Territory	SA	South Australia
Cth	Commonwealth of Australia	Tas	Tasmania
NSW	New South Wales	Vic	Victoria
NT	Northern Territory	WA	Western Australia
Qld	Queensland		

Glossary

Association	The terms 'association', 'professional association' and 'occupational association' are used interchangeably within this document.
APSR	Annual Professional Standards Report
ARC	Australian Research Council, Commonwealth of Australia.
Authority	Professional Standards Authority which provides support services to the Professional Standards Councils and is located within the NSW Department of Customer Service.
DCS	The NSW Department of Customer Service (formed on 1 July 2019) that the Authority is part of.
DotAG	Department of the Attorney-General
FARMCs	Finance, Audit and Risk Management Committees
GIPA	Government Information (Public Access) Act 2009 (NSW)
GPAG	Governance and Policy Advisory Group
Occupational association	The terms 'occupational association', 'professional association' and 'association' are used interchangeably within this document.
PSC	Professional Standards Councils ('The Councils')
PSIP	Professional Standards Improvement Program
Professional association	The terms 'professional association', 'occupational association', and 'association' are used interchangeably within this document.
Schemes	Professional standards schemes approved and gazetted under professional standards legislation.
The Councils	The combined Professional Standards Councils of the Australian Capital Territory, New South Wales, the Northern Territory, Queensland, South Australia, Tasmania, Victoria, and Western Australia.

Associations with professional standards schemes

ACS	Australian Computer Society
AIBS	Australian Institute of Building Surveyors
APIV	Australian Property Institute Valuers
BAQ	Bar Association of Queensland
CA ANZ	Chartered Accountants Australia and New Zealand
CPA	CPA Australia
CSN	Consulting Surveyors National
IPA	Institute of Public Accountants
LIV	Law Institute of Victoria
LSNSW	The Law Society of New South Wales
LSSA	The Law Society of South Australia
LSWA	The Law Society of Western Australia
NSW Bar	New South Wales Bar Association
QLS	Queensland Law Society
SABA	South Australian Bar Association
SCA NSW	Strata Community Association (NSW)
Vic Bar	Victorian Bar Association
WABA	Western Australian Bar Association

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Professional Standards Councils Professional Standards Authority

Business hours

Monday to Friday

9am to 5pm

Level 2, St James Centre

111 Elizabeth St Sydney NSW 2000

GPO Box 4021 Sydney NSW 2001

1300 555 772 (toll-free) or 02 8315 0800

pscinfo@psc.gov.au | psc.gov.au



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