

2024

**THE LEGISLATIVE ASSEMBLY FOR THE
AUSTRALIAN CAPITAL TERRITORY**

ELEVENTH ASSEMBLY

PROFESSIONAL STANDARDS COUNCILS ANNUAL REPORT 2023-24

**Presented by
Tara Cheyne MLA
Attorney-General
December 2024**

Annual Report

2023-2024

Protecting consumers
by improving professional
standards.



In this report

Professional Standards Councils overview	3
A timeline of our history	4
The origins of professional standards legislation	5
Letter of transmittal to Ministers	6
Snapshot of 2023-24	7
Chair's message	9
About the Professional Standards Councils	11
Council members	13
Our operational context	16
1. Reporting on the Professional Standards Councils' work and activities	20
Professional Standards Councils' strategic priorities and outlook	21
2. Reporting on professional standards schemes	25
CEO's report	25
Professional standards schemes overview	27
3. Structure and governance	49
4. Financial performance	59
5. State and territory professional standards councils	63
Legislated reporting	63
6. Glossary and indexes	76
Glossary and abbreviations	76
Index of Figures and Tables	78

About this report

Our annual report informs the public, parliament, Ministers and other stakeholders of who we are, what we do and what we have achieved. As required by professional standards legislation, we summarise our work and activities for the period of 12 months ending on 30 June 2024 (Section 1), the annual reporting of occupational associations on the operation of their professional standards schemes (Section 2) and our structure, governance and financial statements (Sections 3 and 4). The annual report also includes illustrations of our work and looks to the year ahead. 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 and present. We acknowledge their history here on these lands and their rich contribution to our society.

Professional Standards Councils overview

Our vision

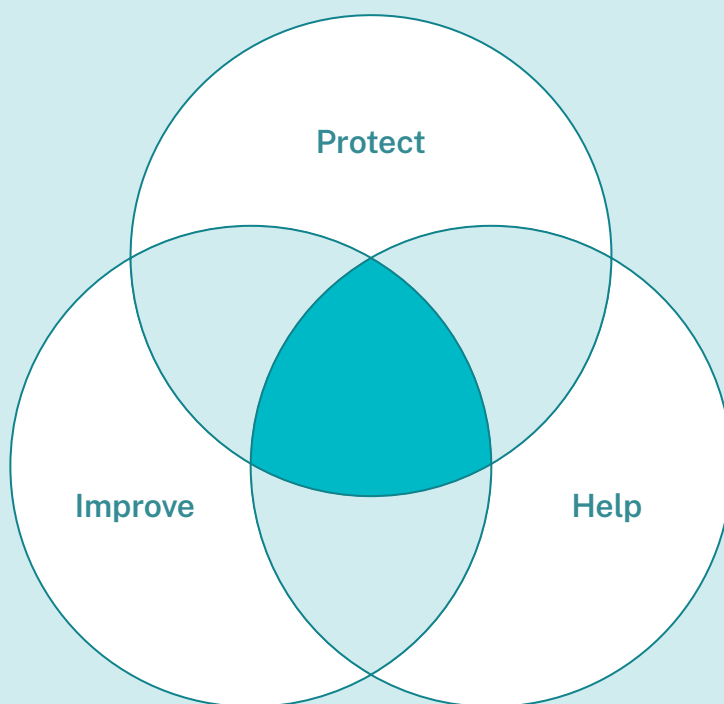
Professional and occupational associations lead the way in continuously improving the high standard of professional services to Australian consumers.

Our mission

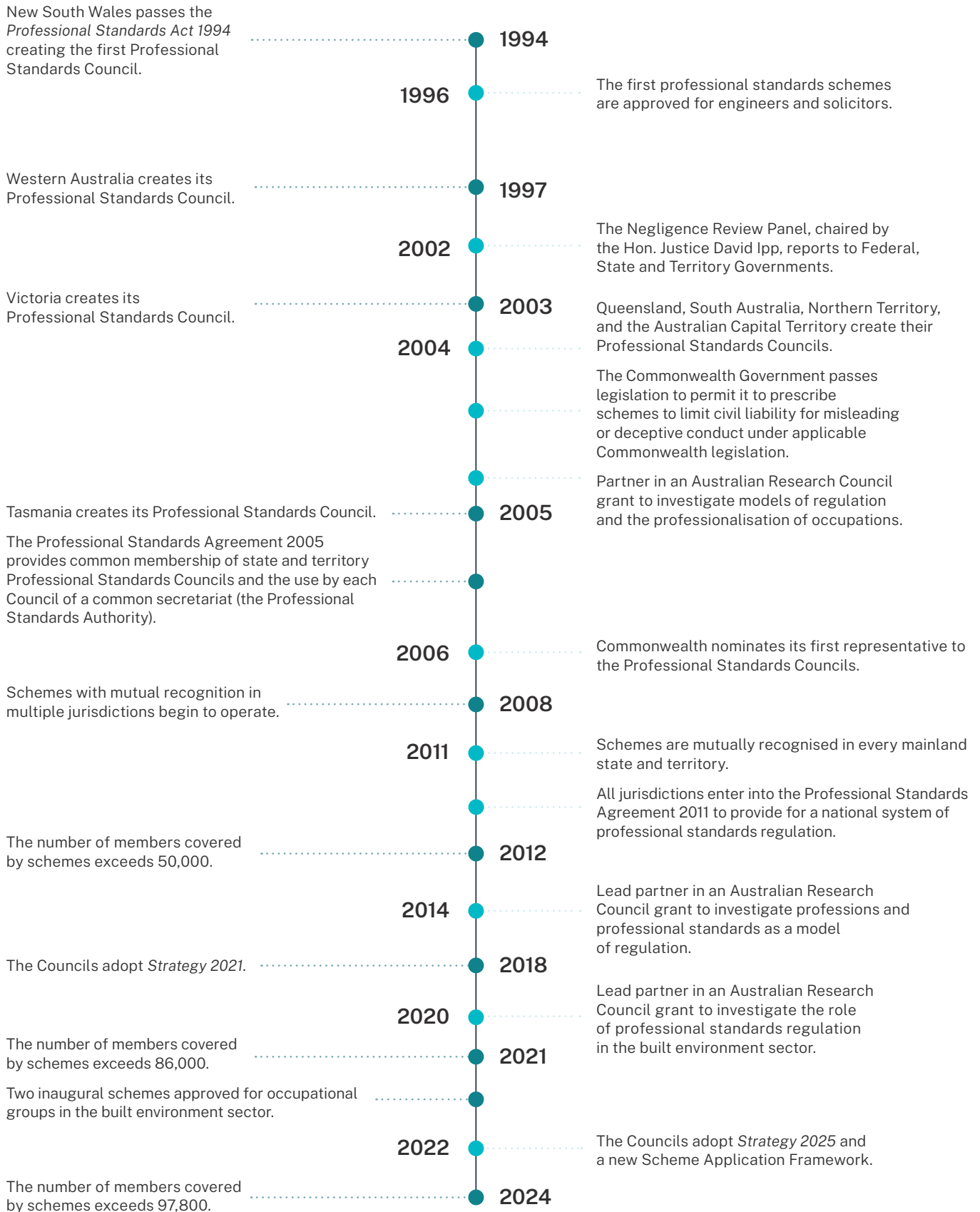
Regulating associations to facilitate and promote consumer protection through improvement in professional standards under professional standards schemes.

Our work

The Professional Standards Councils work with associations to help them improve their professional standards by implementing risk management strategies and regulatory systems. The Councils commission research, provide regulatory guidance and assistance and conduct forums. We aim to promote engagement and improvement in the areas of professional standards, consumer protection, professional indemnity insurance, codes of ethics and conduct and risk management.



A timeline of our history



The origins of professional standards legislation

Following the economic challenges of the 1980s and 1990s, professional indemnity insurers were retreating from the market. Consumers were at risk of receiving services from insured providers at higher and higher costs, or from 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 compensation for consumers if a claim was made.

Professional standards legislation establishes a meta-regulatory regime. The Councils regulate the occupational associations which 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 with approved professional standards schemes 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.

“In addition to the function of considering applications for schemes, the Professional Standards Council will have a general function to monitor and to report on the operation of this legislation and a charter to promote good ethical behaviour and to encourage and to assist in the development of professional standards.”

→ The Hon. John Hannaford AM, then NSW Attorney-General, when introducing the Professional Standards Bill, September 1994.

Letter of transmittal to Ministers

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. 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. Chanston Paech MLA

Attorney-General
Minister for Justice
Minister for Aboriginal
Affairs and Treaty
Minister for Local Government
Minister for Arts, Culture and Heritage
Northern Territory

The Hon. Yvette D'Ath MP

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

The Hon. Kyam Maher MLC

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

The Hon. Madeleine Ogilvie MP

Minister for Small Business and
Consumer Affairs
Minister for Corrections and
Rehabilitation
Minister for the Arts
Minister for Women and the Prevention
of Family Violence
Tasmania

The Hon. Jaclyn Symes MP

Attorney-General
Minister for Emergency Services
Victoria

The Hon. John Quigley MLA

Attorney-General
Minister for Electoral Affairs
Western Australia

Dear Ministers,

I am pleased to present to you, for tabling in your respective Parliaments, the 2023–24 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 2023 to 30 June 2024.

It has been prepared in accordance with the relevant professional standards legislation in each Australian state and territory. Jurisdictional statements of compliance are presented in Section 5 of this Annual Report, where required.

Yours sincerely,



John Vines OAM

Chair
Professional Standards Councils

Snapshot of 2023-24

Our year in numbers

18



schemes in force, 17 nationally

4



schemes publicly notified

2



schemes approved

3



schemes extended

2



fee determinations

97,800+

association members subject to schemes,
an increase of 2.8%

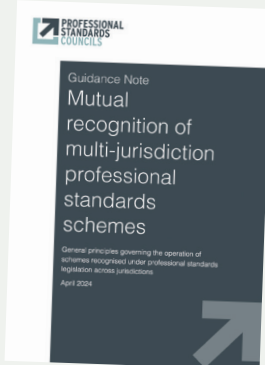
Our year in highlights

Published a Guidance Note on mutual recognition of multi-jurisdiction professional standards schemes

Responded to association requests for clarification of the operation of schemes across jurisdictions by publishing further information on the interaction of professional standards legislation between states and territories.

See page 25 →

Picture: Guidance Note: Mutual recognition of multi-jurisdiction professional standards schemes



Contributed to the Australian Research Councils Linkage Project to investigate rebuilding trust and confidence in the building and construction sector

Facilitated two industry events to raise awareness of the project and engage on findings and recommendations. Developed research outputs to assist with improving standards in the industry.

See page 46–47 →



Picture: Councils' Chair John Vines OAM at a Linkage Project industry event hosted by the Councils in June 2024

Received positive stakeholder feedback with a Net Promoter Score of 40

The Councils' Net Promoter Score for 2023–24 was 40. Scores above 20 are considered to be favourable.

See page 22 →

Delivered a successful Professional Standards Forum

Held a forum in October 2023 providing an opportunity for over 30 delegates from across the national system to hear from experts and peer associations on the topic of 'Managing compliance – tips, tools and techniques'.

See page 45 →



Picture: October 2023 Professional Standards Forum

Recognised in the Australasian Reporting Awards

The Councils' combined 2022–23 Annual Report received a Bronze Award in the General Reporting category and was a finalist in the Online Reporting category.

See page 52 →



Picture: Councils' Chair John Vines OAM and Authority Communication and Engagement Officer Catherine McCullough at the 2024 ARA Awards

Fully implemented the new association annual reporting format on risk management strategies

Successfully transitioned to the Annual Professional Standards Report Template and Guidance as the new reporting format, streamlining annual reporting requirements.

See page 35 →

Chair's message

I am pleased to introduce the 2023–24 Annual Report on behalf of my fellow members of the Professional Standards Councils.

The Councils have maintained their focus on the strategic objectives outlined in their *Strategy 2025* document, which set priorities for the reporting period 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.

Delivering on strategic initiatives

Progress and highlights on these objectives in the 2023–24 reporting period included the Councils:

- Approving two new schemes, with congratulations going to the Bar Association of Queensland and Law Society of Western Australia for their efforts and commitment to improving the professional standards of their members. Three schemes were extended for the permissible period of up to 12 months by Ministers.
- Providing additional guidance for associations and their members on the cross-jurisdictional operation of professional standards schemes and legislation. Although the Councils are unable to provide legal advice, this guidance sets out general principles regarding the effect of multi-jurisdictional schemes.
- Facilitating collaboration between the representatives of occupational associations within the national professional standards system by holding a forum on managing compliance with their obligations.
- Implementing the Annual Professional Standards Reporting framework in full, providing more focused and streamlined annual risk management reporting.
- Contributing to the Australian Research Councils Linkage Project to investigate rebuilding trust and confidence in the building and construction sector.

It was pleasing to note that stakeholder feedback over the year was positive. The Councils' combined 2022–23 Annual Report was also recognised at the Australasian Reporting Awards.

Thank you retiring members of the Councils

This year has been a time of farewells for the Councils. I would like to acknowledge the enormous contribution of Iain Summers (Northern Territory), who retired from the Councils in December 2023 after 18 years, most of this as Chair of the Finance, Audit and Risk Management Committees. I would similarly like to acknowledge the contribution of Andrew Lumsden (New South Wales), who left the Councils in March 2024 after serving as a member for six years, including six years as Deputy Chair; and Richard Shields (Commonwealth), who served on the Councils for three years, departing in August 2023.

Welcome to new members of the Councils

The Councils' membership has been renewed and refreshed through new appointments by Ministers. I am pleased to welcome Peter Martin (Commonwealth) who joined the Councils in September 2023, Ross Springolo (Northern Territory) who joined in January 2024 and Lisa King (New South Wales) who joined in April 2024. Each brings unique experiences and perspectives to their roles and I am delighted to welcome them to the Councils.

Looking ahead

For the year ahead, we will be focused on:

- considering applications for new schemes
- facilitating collaboration and knowledge sharing on professional standards regulation and consumer protection
- developing and disseminating research on the effect of risk management strategies and opportunities for advancing professional standards and regulatory capacity.

We are uniquely positioned to understand where good practice exists and are able to collaborate and share information across the professional standards community. We will use research engagements to provide resources and guidance.

Farewell to Chief Executive Officer

Finally, I would like to acknowledge the outstanding contribution of Roxane Marcelle-Shaw as Chief Executive Officer of the Councils over the past six years. Roxane has led the Authority with professionalism, expertise and regulatory acumen during her tenure. The Councils have greatly valued her expert advice, collaborative approach and commitment to improving professional standards regulation. Her success and achievements have been considerable and we wish her all the best for a well-earned retirement.

To ensure the work of the Authority continues seamlessly, the Director Professional Standards Regulation, Darren Holder, will be interim CEO. I am confident that his expertise and leadership will ensure a smooth transition. I look forward to the important work ahead.



John Vines OAM

Chair
Professional Standards Councils

About the Professional Standards Councils

There are eight statutory bodies — one in each Australian state and territory — established to administer professional standards legislation. They are referred to collectively as the Professional Standards Councils. The Councils administer the legislation as a national system for professional standards regulation to strengthen consumer protection.

Each Council has 11 members, with agreement from state and territory Ministers to appoint the same 11 members to each Council. This enables the Councils to meet as one body to facilitate uniform national decision-making. 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 administer the professional standards legislation in each state and territory.



Picture: (L-R) Councils' members Ross Springolo, Timothy Mellor, Catherine Wood AM, Lisa King, Elizabeth Shearer, Rachel Webber, Tiina-Liisa Sexton and Councils' Chair John Vines OAM.

Professional standards legislation

Professional standards legislation provides for the limitation of liability of members of occupational associations in certain circumstances and facilitates 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 their members, so that the quality of services is improved and claims are reduced in quantity and severity.

The objects of professional standards legislation are to:



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



Facilitate the improvement of occupational standards of professionals and others.



Protect the consumers of the services provided by 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.

Professional standards legislation as at 30 June 2024

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>

Council 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 was a member of the Councils from 2017 to 2024. He 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 March 2024.

Appointed to New South Wales Council: 1 April 2021 – 31 March 2024. Term concluded in reporting period.



LISA KING B.A.Sc-Blt.Env.(IntDes), B.Arch, M.Arch

Lisa King is the Executive Director of the New South Wales Chapter of the Australian Institute of Architecture, having previously held the position of Policy and Advocacy Manager, New South Wales.

With extensive experience in small, medium and large architectural practice, Lisa has utilised this practical working knowledge in recent years to engage with government and key industry stakeholders on behalf of the architectural profession as the New South Wales building industry reforms have come into effect.

Having previous research and teaching experience for the University of Sydney and the Henry Halloran Trust, Lisa advocates for policy outcomes that support consumer protection and equitable, sustainable built environments.

Appointed to New South Wales Council: 1 April 2024 – 31 March 2027.



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 & Gaming Authority.

Appointed to New South Wales Council: 1 April 2024 – 30 September 2024.



PETER MARTIN BA, DipEd, FIAA

Peter Martin brings actuarial expertise and experience to the Councils. Peter was the Australian Government Actuary from 2000–2017 and provided actuarial and related public policy advice to the Australian Government, all of its major departments and agencies and many minor ones.

Peter played a key role in development of the Commonwealth's public policy settings in areas including superannuation, medical indemnity insurance and disability support funding. He undertook several international assignments, including leading a project to modernise Papua New Guinea's insurance supervision regime. He also held statutory appointments, including Designated Actuary to the Future Fund and Reviewing Actuary to the National Disability Insurance Scheme. He is currently Fund Actuary to the Fiji National Provident Fund.

Commonwealth nominee: 19 September 2023 – 20 September 2026.



TIMOTHY MELLOR LLB

Tim Mellor is a lawyer with over 40 years' experience, specialising in litigation. As a partner at a leading law firm, he has developed an extensive practice with a focus on rural and environmental issues, and estate litigation. He also has a practice as an accredited mediator.

In 2018, Tim 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. Since 2019, he has consistently been awarded 'Best Lawyers Australia' recognition for Planning and Environment, Native Title and Commercial Litigation in South Australia. Tim is an Officer in the Australian Army Legal Corps in which he holds the rank of Lieutenant Colonel.

Appointed to South Australian Council: 1 January 2024 – 31 December 2026.



DR PAM MONTGOMERY BA (Hons), PhD

Pam Montgomery has many years' experience in developing and promoting robust professional standards in the health sector. She has held several Board positions with government, statutory and not-for-profit organisations. She is currently a Member of the Medical Board of Australia, having been first appointed to that role in 2017. She also provides consultancy services in medical education and standards development.

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

Appointed to Victorian Council: 13 November 2023 – 12 November 2026.



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 was a Member of the Councils from 2020 to 2023. He has many years' experience in politics and public affairs, working in senior government, private sector and political party-related positions.

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. Term concluded in reporting period.



ROSS SPRINGOLO FCPA, FAICD, FGIA, FCS

Ross Springolo is an experienced governance professional with a depth of transferable skills in administration, compliance and financial management in organisations operating in a highly regulated environment. In a working career spanning 30 years across various sectors, he has held management positions in both regional Queensland and the Northern Territory.

Ross has provided secretariat services to boards and committees for small and large organisations in a range of industries. He is an experienced board director having served on boards of private, government and not-for-profit entities in the Northern Territory.

Appointed to Northern Territory Council: 1 January 2024 – 31 December 2026.



IAIN SUMMERS BCom, LLB (Hons), Grad Dip Mgt Psych, FCA, FCPA, FAICD

Iain Summers was a member of the Councils from 2006 to 2023 and chaired 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. Term concluded in reporting period.



RACHEL WEBBER BJuris, LLB

Rachel Webber's primary areas of expertise include corporate and commercial law, with an emphasis on 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 BLS Financial Services Committee.

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 (with a further term to take effect next reporting period).



Our operational context

The work of the Councils supports the vital role of professions and occupations in contributing to the overall wellbeing of Australia's economy and society.

The values of professionalism – integrity, competence and service in a client's interests – are at the core of professional standards schemes. Schemes offer limited liability for those who adopt appropriate insurance, risk management and professional obligations, providing an innovative way for associations to enhance consumer confidence in the professional advice of their members.



People are able to trust the advice they receive, when they know the person providing it has met professional requirements, and that a body such as an occupational or professional association is assuring that person's expertise.

Who we work with

The Councils work together with the Professional Standards Authority and state, territory and Commonwealth departments to deliver the national system for professional standards regulation. The Councils also have statutory functions of providing advice to ministers on the operation of the legislation and related matters.



NSW Department of Customer Service

The Professional Standards Authority

**The Authority is a business unit within the NSW Department of Customer Service.
The Authority provides operational and regulatory services, working with associations that have an approved scheme to help them:**

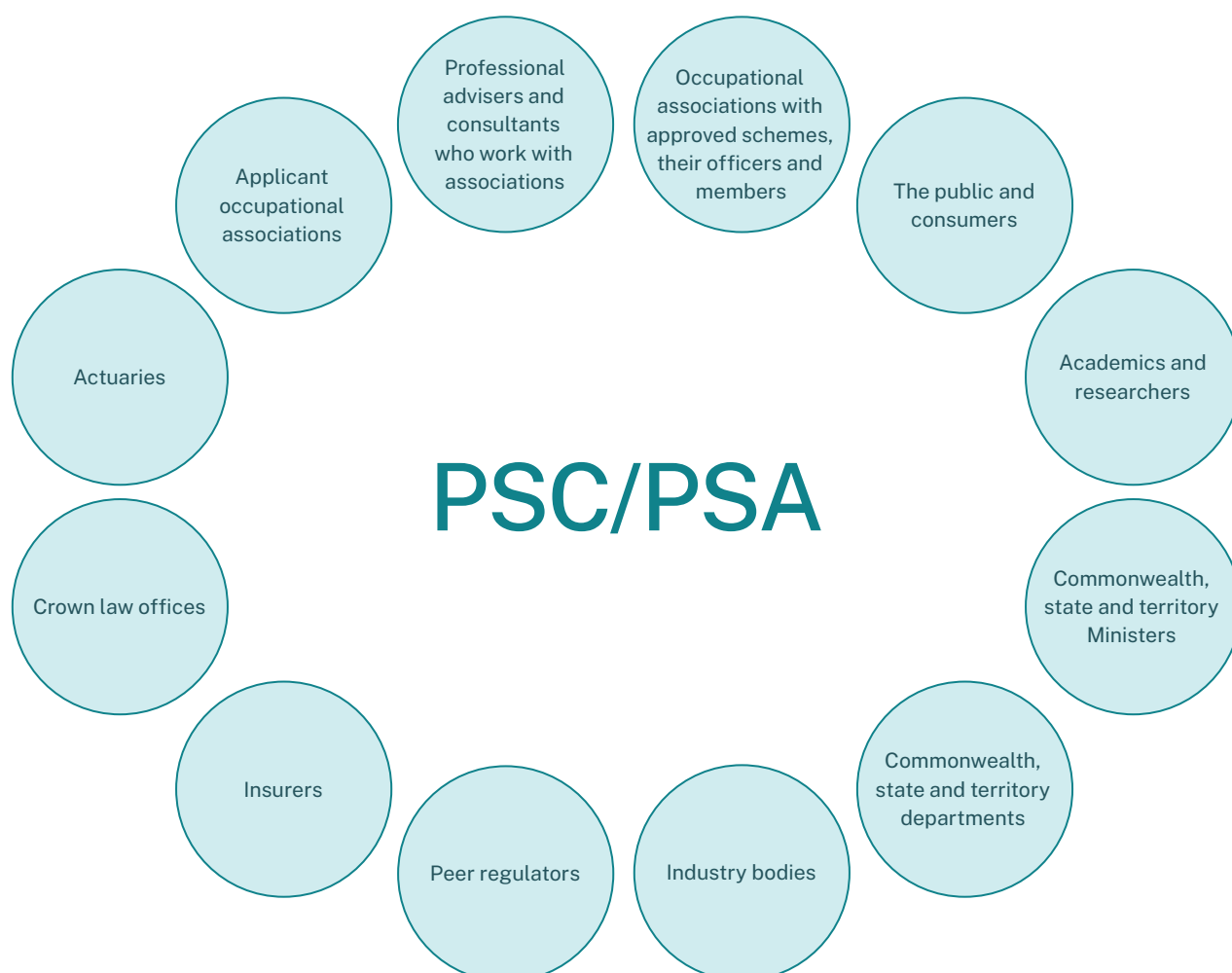
- increase consumer protection
- develop their systems to regulate and improve professional standards
- comply with the legislative requirements to have an approved scheme.

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

Our stakeholders

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.

The key stakeholders of the Councils are:



Professional standards schemes

Applying for and operating a professional standards scheme is entirely voluntary. It is appropriate for many professional and occupational associations because it addresses the needs and expectations of the community by combining:

- recognition of the value and influence of professional advice and services
- limitation of liability to allow service providers to get on with their job, without excessive focus on the spectre of liability and the kind of defensive practices to which that can give rise
- the promotion of advanced risk minimisation measures, the maintenance of standards and protection of consumers as a condition of limited liability.

Professional standards schemes limit the civil liability of association members who have professional indemnity insurance commensurate with the maximum liability amount specified in the scheme. Members must comply with their association's insurance standards as assessed and approved by the Councils.

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

This enables members of occupational associations to participate in schemes for services provided in multiple states or territories.

Mutual recognition means schemes operate consistently across Australia by enabling a scheme approved in one jurisdiction to operate in other jurisdictions without the need to apply for approval in each jurisdiction.



Associations with approved schemes as at 30 June 2024

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



SECTION 1

Reporting on Professional Standards Councils' work and activities

The Professional Standards Councils

The Councils have a leadership role in the promotion of high standards of professionalism in the provision of expert services to Australian consumers.

In June 2022, the Councils approved *Strategy 2025*, setting out their priorities as administrators of the national system.

We work closely with associations and our stakeholders to provide encouragement and assistance on a broad range of issues related to professions, professionalism and regulating providers of professional services.

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.

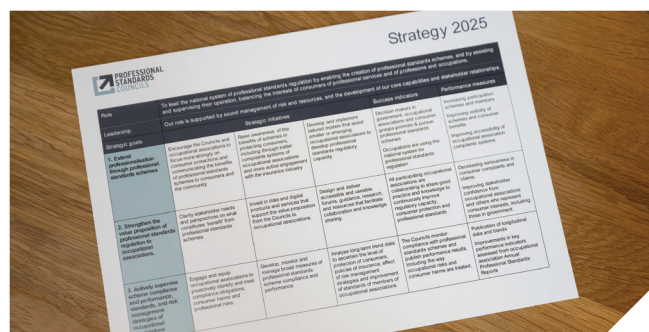
In this reporting period we continued our strong focus on refreshing our scheme application and reporting processes. We aim to deliver simpler, clearer ways for associations to demonstrate their regulatory capacity and risk management strategies to meet legislative requirements. The new Annual Professional Standards Report Template and Guidance was refined, drawing on feedback from the 2022 transitional reporting period, and has now been fully implemented for the 2023 reporting period.

Our input was sought by parliamentary committees conducting inquiries into professional conduct matters involving accounting and consulting firms. We assisted these committees by informing their consideration of possible regulatory improvements, including in relation to the role of professional standards schemes, occupational associations, ethical infrastructure and related matters.

We invested in research through our Australian Research Council Linkage Project. Led by Griffith University in partnership with the Councils, the *Constructing Building Integrity: Raising Standards through Professionalism* project has investigated whether strengthening, reforming or re-positioning professionals involved in apartment design, construction and management can contribute to better governance, higher standards and restored trust.

The research included:

- more than fifty interviews with individual industry professionals
- six focus group sessions with private sector professionals and regulators in Queensland, New South Wales and Western Australia
- practitioner sessions gathering industry and regulator feedback.



This is the third and final year of the project. The research findings have been prepared for publication next reporting period in the form of their report *The benefits of professional standards schemes* (31 March 2022) with supporting fact sheets and an academic monograph. We expect the research outputs will assist individual professionals, professional associations, policy makers and regulators to improve standards and rebuild trust and confidence in the building industry.

Alongside these strategic initiatives and priorities, we continued delivering our core statutory functions to:

- enable the creation of schemes
- supervise scheme operation
- oversee, encourage and assist associations in the implementation of risk management strategies, the improvement of occupational standards and the protection of consumers.

Our three strategic goals are detailed below, along with our key achievements and outcomes. Further details can be found throughout this report.

Extend professionalisation through professional standards schemes

Initiatives in the reporting period

- Commissioned Taylor Fry consulting actuaries to provide an update to their report on *The benefits of professional standards schemes* (31 March 2022), with reference to professional indemnity insurance data. The previous report included detailed case studies of three professional standards schemes. In June 2024, the Councils approved a supplementary report with more detailed comparisons to industry benchmarks. The analyses indicated:
 - ✓ schemes can have a positive impact on premium affordability
 - ✓ claims experience is in line or better than the wider market
 - ✓ associations benefit from having affiliated insurers, with further positive impacts on premium affordability and claims experience.
- Approved the scope for a three-year project on the accessibility and features of regulated association consumer complaints systems to inform strategies for continuous improvement.
- Approved a project of further research on the benefits of schemes, with a focus on improving professional standards and developing regulatory capacity. Conducted a procurement exercise to engage a research partner to develop case studies in partnership with associations.
- Engaged with government officials, standards setters, parliamentary inquiries and regulators on areas of common regulatory interest.

Indicators

Increasing participation:

97,853 scheme participants,

a 2.8% increase on last year (page 27–28)

Improving visibility of schemes and consumer benefits:

8 stakeholder engagements,

an increase on last year (page 22)

What's next

- Publication of a supplementary report by consulting actuaries Taylor Fry, updating and benchmarking the analysis in their original report, *The benefits of professional standards schemes* (31 March 2022).
- Engagement with the insurance industry to encourage and assist the recognition of schemes in the pricing of risk.
- Engagement with associations to participate in work with a research partner to develop case studies on improvements achieved in professional standards and regulatory capacity over the life of a scheme.

Strengthen the value proposition of professional standards regulation to occupational associations

Initiatives in the reporting period

- Reviewed and developed guidance on the operation of professional standards legislation across jurisdictions.
- Facilitated knowledge sharing through engagements and Professional Standards Forums.

“The Forum created a wonderful environment to discuss compliance as a whole, but also to engage with members of other associations who experience similar issues... This enabled great insight into common themes experienced within the compliance world, as well as providing ideas and suggestions for areas of improvement and growth.”

– Forum participant

Engagement

	2023-24	2022-23	2021-22
Presentations and events	8	7	3
Stakeholders engaged	63	80	62

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:

	2023-24 ¹	2022-23	2021-22 ¹
Website page views	56,626	79,478	56,101
Website sessions	33,026	26,632	46,597
Website users	22,333	25,642	19,335
New LinkedIn follower increase	9%	30%	51%

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

² 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.

Each year we measure stakeholder satisfaction with our services through a survey.

A stakeholder satisfaction survey for the October 2023 Forum was analysed, and used to evaluate delivery.

We generally receive a response rate of approximately 26%.

	2023-24	2022-23	2021-22
Professional Standards Forums			
Net Promoter Score²	40	49	55
Overall engagement	80%	92%	86%
Relevance	84%	83%	86%

What’s next

- Deliver a Professional Standards Forum to engage leaders and experts on the key challenges and opportunities for professional standards regulators over the horizon to 2030. We will draw out and report the insights in a way that will assist associations to prepare for the regulatory issues of the future.
- Mark 30 years since the commencement of professional standards legislation.
- Publish research findings and recommendations from the Australian Research Council Linkage Project: *Constructing Building Integrity: Raising Standards through Professionalism*.
- Engage with stakeholders on new knowledge about the functioning of individual professionals, professionals employed in multi-profession organisations, professionals’ interaction with their institutional environment, and ways to improve professional standards and the means for measuring change.
- Develop and publish a compliance framework.

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

Initiatives in the reporting period

- Published observations on trends and improvements in key performance indicators assessed from occupational association Annual Professional Standards Reports in our combined Annual Report.
- Implemented the Annual Professional Standards Report Template and Guidance as the new reporting format to be used by all associations for the first reporting year.
- Engaged with 15 associations on compliance and risk issues and reporting requirements.

Indicators

- An average reduction of 57% in the volume of material required for associations which used the new Annual Professional Standards Report Template for the first time compared to the former Professional Standards Improvement Program reporting format.
- Received positive feedback on the changes delivered in the new Annual Professional Standards Report Template:

"I value the [Councils'] comments and opinions on the actions of our professional association. Everyone has a different approach and sees things differently, and those points of difference can feed into the improvement processes."

"Overall the [new template] was much more succinct and was very helpful to us in the preparation of our scheme re[make] application."

"The APSR was easier and more focused."

- Received an 80% satisfaction rating from associations on the 2022 annual reporting process.
- 100% of annual reports provided on time by associations for the sixth consecutive year.

What's next

- Engage and equip occupational associations to proactively identify and treat professional risks and compliance obligations.
- Continue to look at new ways to reduce the regulatory and resource burden on associations operating professional standards schemes.

Leadership: our role is supported by sound management of risk and resources, and the development of our core capabilities and stakeholder relationships.

- Delivered an operationally balanced budget, with expenses constrained to revenue.
- While funds were approved for investment in strategic initiatives, timing issues associated with recruitment to vacant positions and procurement requirements delayed a number of planned activities in our research and resource development agenda. These will be advanced in the next reporting period.
- The Councils conducted a self-assessment workshop to identify current strengths and areas for improvement with a mapped matrix of capabilities. The Councils approved a skills matrix and development plan in December 2023. Its implementation aims to enhance individual and collective performance and effectiveness.
- The Councils farewelled three members: Andrew Lumsden (New South Wales), Iain Summers (Northern Territory) and Richard Shields (Commonwealth) — at the end of their terms of appointment and welcomed three new members: Lisa King (New South Wales), Ross Springolo (Northern Territory) and Peter Martin (Commonwealth) — appointed to the Councils.
- The Chair and CEO of the Councils engaged with a wide range of stakeholders in the reporting period, maintaining relationships and building awareness.

Future outlook

We have an important program of scheduled and proposed work for the year ahead, including:

- Progressing advice to responsible Ministers on how professional standards legislation could be improved nationally to:
 - promote consistency and efficiency across jurisdictions
 - expand the reach of professional standards schemes.
- Finalisation of the Australian Research Council Linkage Project on raising standards through professionalism in the building and construction industry. The findings and recommendations of the research will be published in an industry report and monograph to help inform development of professional standards regulation and the role of associations.
- Delivering a high volume of association applications for new and replacement schemes.
- Continuing to work with peer regulators and governments on proposed reforms in the accounting/consulting and built environment sectors.



SECTION 2

Reporting on professional standards schemes

CEO's report

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

Our work with associations

Over the course of the year, we worked with six associations on making scheme applications, three associations on scheme extensions, two associations on additional risk reporting, and supervised 18 associations in operating their schemes and complying with the professional standards legislation. The number of association members subject to a scheme increased to over 97,000 professionals.

Association annual reporting

All associations submitted their annual reports on time and this year all associations reported using the new Annual Professional Standards Report Template and Guidance. The annual report is an integral element of the professional standards regulatory system, outlining the work each association has undertaken to improve occupational standards and enhance consumer protection in the 2023 calendar year. The new template and guidance significantly improved the reporting process, reducing the burden and volume of reporting by approximately 50% and allowing associations to more strongly focus on their professional risk management strategies and regulatory systems.

Pleasingly, our assessment of annual reports identified several areas where associations have had made progress. However, our assessment also identified room for improvement, with several areas that will need to be addressed in the next reporting period. As recent events in the accounting, consulting and building sectors have highlighted, associations need to continuously review and improve their regulatory systems and professional standards to ensure they remain effective in identifying and responding to emerging professional risks. Fundamentally, we expect all associations to promote the objects of professional standards legislation and meet their statutory obligations for the benefit of their members, their professions and Australian consumers.

Encouraging and assisting associations

We delivered a Professional Standards Forum to encourage and assist associations in developing effective systems for managing scheme and member compliance with professional standards legislation. We facilitated knowledge sharing and collaboration with presentations from the Governance Institute of Australia, the Law Society of NSW and the Law Society of SA.

To advise associations in their continuous improvement initiatives, we worked directly with them and other stakeholders through workshops and engagements to contribute expertise, including through guidance on the operation of mutual recognition provisions of professional standards legislation and on the payment of fees.

Improving our legislation

Through the year, we also worked closely with policy officers in each state and territory and the Commonwealth to advance a proposal for important legislative amendments. The proposed amendments aim to better support the achievement of the objects of professional standards legislation. We anticipate Ministers progressing these potential changes in the next reporting period.

Farewell with thanks

Finally, as I move to retirement from August 2024, this is my last report as CEO. I wish to express my sincere appreciation to all the members of the Councils, staff of the Authority, officers of the associations, officials across government agencies and professional standards leaders that I have worked alongside over the past six years. Your support and engagement have made my time at the Authority a personal and professional highlight of a long and rewarding public service career. I am most grateful to have collaborated with and learned from so many outstanding professionals in our united efforts to protect consumers and improve standards. With our Director Professional Standards Regulation, Darren Holder, as interim CEO, the Authority is on a firm footing to continue contributing to the success of this unique and valuable national system for professional standards regulation.



Roxane Marcelle-Shaw

Chief Executive Officer

Professional standards schemes overview

Each scheme is a regulatory instrument and has a maximum duration of five years. If an association wishes to maintain continuity between schemes (i.e. without a break in cover), it must apply for a new scheme prior to the date the scheme will expire. The legislation does not permit automatic renewal of a scheme. The 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 at 30 June 2024, there were 18 schemes in force, approved under state and territory professional standards legislation.

The number of association members subject to these schemes has increased over the year from 95,187 to 97,853.

Figure 1:
Average number of persons by state and territory in professional standards schemes

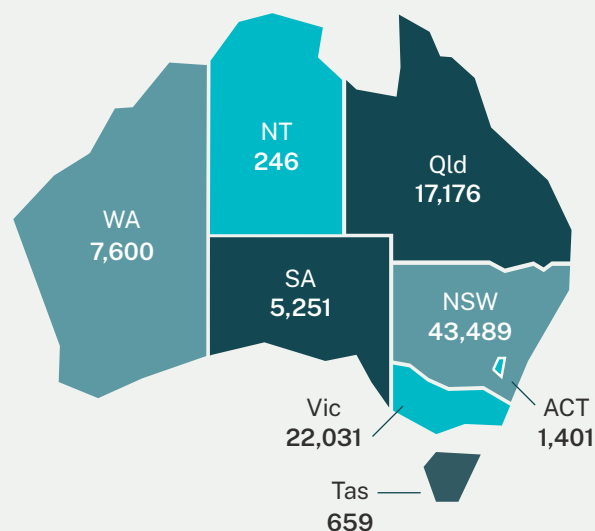
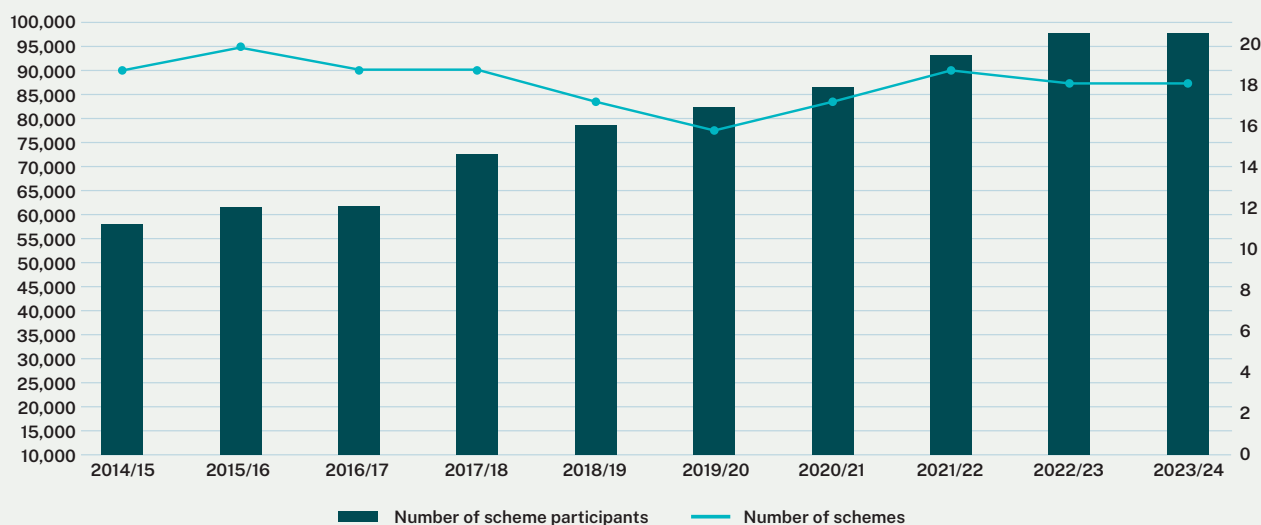


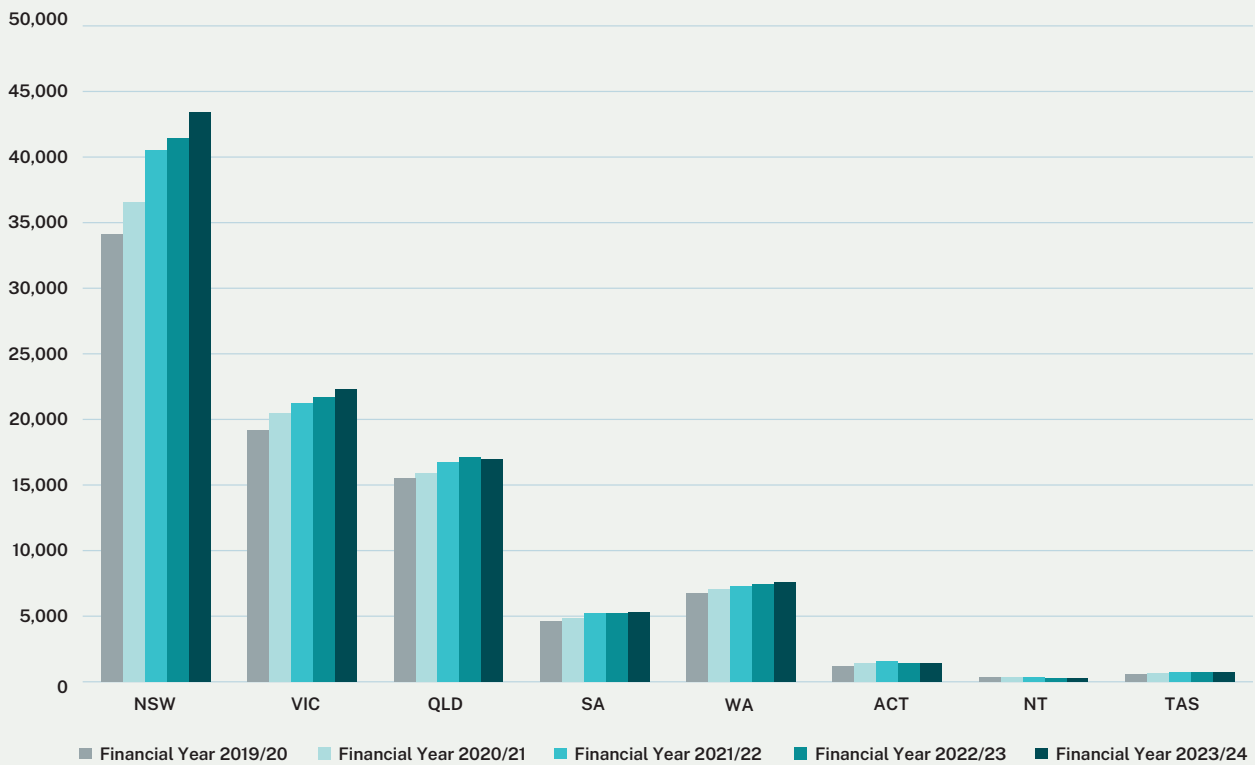
Figure 2:
Number of members in associations operating a scheme over the past 10 years



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 2023 to 30 June 2024

Australian Capital Territory					
Mutual recognition	NSW	ACSN, ACS, AIBS, CA ANZ, CPA, LSNSW, NSW Bar			
	Qld	BAQ, QLS			
	SA	LSSA, SABA			
	Vic	APIV, IPA, LIV, Vic Bar			
	WA	LSWA, WABA			
New South Wales					
Association	Profession	Participants	Limitation liability	Start date	End date
ACSN	Surveyors	244	\$2m to \$10m (HDC: no limit)	01/07/20	30/06/25
ACS	IT	1,611	\$2m (HDC: \$10m)	01/01/19	31/12/24
AIBS	Building Surveyors	911	\$1m to \$2m (HDC: \$10m)	01/07/21	30/06/26
CA ANZ	Accountants	32,893	\$2m to \$75m (HDC: \$75m)	13/07/19	12/07/25
CPA	Accountants	7,503	\$2m to \$75m (HDC: \$75m)	21/08/19	20/08/25
LSNSW	Lawyers	20,022	\$1.5m to \$10m (HDC: no limit)	22/11/18	21/11/22
NSW Bar	Barristers	2,310	\$1.5m	01/07/20	30/06/25
SCA	Strata Managers	2,218	\$750k (HDC: no limit)	01/07/21	30/06/26
Mutual recognition	Qld	BAQ, QLS			
	SA	LSSA, SABA			
	Vic	APIV, IPA, LIV, Vic Bar			
	WA	LSWA, WABA			
Northern Territory					
Mutual recognition	NSW	ACSN, ACS, AIBS, CA ANZ, CPA, LSNSW, NSW Bar			
	Qld	BAQ, QLS			
	SA	LSSA, SABA			
	Vic	APIV, IPA, LIV, Vic Bar			
	WA	LSWA, WABA			
Queensland					
Association	Profession	Participants	Limitation Liability	Start date	End date
BAQ	Barristers	1,074	\$1.5m (HDC: \$50m)	01/07/19	30/06/24
QLS	Lawyers	7,189	\$1.5m to \$10m (HDC: no limit)	01/07/22	30/06/27
Mutual recognition	NSW	ACSN, ACS, AIBS, CA ANZ, CPA, LSNSW, NSW Bar			
	SA	LSSA, SABA			
	Vic	APIV, IPA, LIV, Vic Bar			
	WA	LSWA, WABA			

South Australia					
Association	Profession	Participants	Limitation liability	Start date	End date
LSSA	Lawyers	1,821	\$1.5m to \$10m (HDC: \$50m)	01/07/22	30/06/27
SABA	Barristers	253	\$1.5m (HDC: \$50m)	01/07/22	30/06/27
Mutual recognition	NSW	ACSN, ACS, AIBS, CA ANZ, CPA, LSNSW, NSW Bar			
	Qld	BAQ, QLS			
	Vic	APIV, IPA, LIV, Vic Bar			
	WA	LSWA, WABA			
Tasmania					
Mutual recognition	NSW	ACSN, ACS, AIBS, CA ANZ, CPA, LSNSW, NSW Bar			
	Qld	BAQ, QLS			
	SA	LSSA, SABA			
	Vic	APIV, IPA, LIV, Vic Bar			
	WA	LSWA, WABA			
Victoria					
Association	Profession	Participants	Limitation liability	Start date	End date
APIV	Property Valuers	4,252	\$1m to \$10m (HDC: \$20m)	01/09/21	31/08/26
IPA	Accountants	4,960	\$2m to \$10m (HDC: \$75m)	01/01/22	31/12/26
LIV	Lawyers	6,345	\$1.5m to \$10m (HDC: no limit)	01/07/22	30/06/27
Vic Bar	Barristers	1,559	\$2m (HDC: no limit)	01/07/19	30/06/25
Mutual recognition	NSW	ACSN, ACS, AIBS, CA ANZ, CPA, LSNSW, NSW Bar			
	Qld	BAQ, QLS			
	SA	LSSA, SABA			
	WA	LSWA, WABA			
Western Australia					
Association	Profession	Participants	Limitation liability	Start date	End date
LSWA	Lawyers	2,394	\$1.5m to \$10m (HDC: no limit)	01/07/19	30/06/24
WABA	Barristers	294	\$2m	01/07/20	30/06/25
Mutual recognition	NSW	ACSN, ACS, AIBS, CA ANZ, CPA, LSNSW, NSW Bar			
	Qld	BAQ, QLS			
	SA	LSSA, SABA			
	Vic	APIV, IPA, LIV, Vic Bar			
Total	97,853				

Making, approving, amending or revoking schemes

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

If an application for a scheme is approved, the approving Council submits the approved scheme to the responsible Minister in each of the jurisdictions in which the scheme is intended to apply. The responsible Minister may then authorise the approved scheme to be notified in the relevant Government gazette, to commence from the date stipulated within the instrument and notice. More detail on the steps required for a scheme application is set out below.

Scheme application

A successful application for a scheme will be founded on an appropriately drafted scheme instrument. This is the formal document which is approved by the relevant Council to give legal effect to the scheme. The association must demonstrate that it has in place (or soon will have in place) the applicable professional standards, regulatory systems and means 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, four scheme applications were received from occupational associations in the areas of law and information technology, with a further two applications carried over from previous reporting periods. Authority engagement and assistance included requisitions, feedback on draft documents, meetings, workshops and guidance.

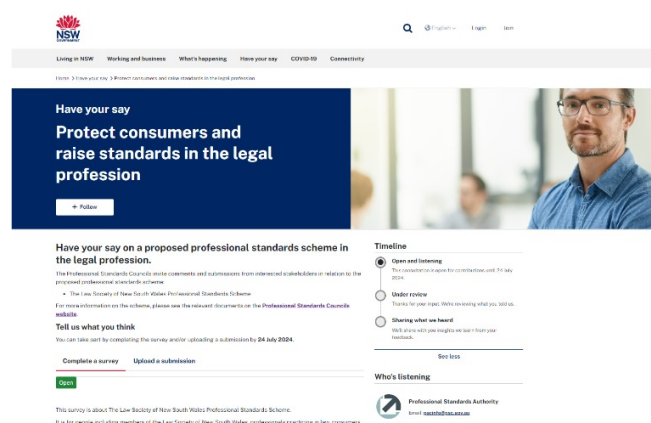
Public notification

Before approving a scheme, the Councils must publicly invite comments and submissions on the proposed scheme by publishing notices in state and national newspapers. Any interested stakeholder or members of the public may submit comments. The Councils also alert potentially interested stakeholders by email and through online state and territory government public consultation websites, where possible.

A public notification document is prepared by the association (based on the Councils' template) 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 comments and submissions to be provided in a period of not less than 21 days.

The document allows the association to articulate the purpose and vision for its professional standards scheme. It is framed to resonate with those who work in the particular field as well as the general public.



Picture: A public notification for the Law Society of New South Wales proposed professional standards scheme was featured on the NSW Government 'Have your say' website for public consultation

During the reporting period, four schemes were publicly notified, each in relation to a replacement for a scheme due to expire.

Scheme approval

Once the Councils are satisfied that the applicant is an ‘occupational association’ for the purposes of 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. This includes (but is 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 two schemes approved (see Table 2).

Table 2
Schemes approved 2023–24

State	Qld	WA
Association	Bar Association of QLD	Law Society of Western Australia
Council decision	2 February 2024	2 February 2024
Commencement	1 July 2024	1 July 2024



Scheme gazettal

When a Council approves a scheme, it advises the Minister responsible for professional standards legislation in the home jurisdiction. The responsible Minister is requested to authorise notification of the scheme according to the applicable statutory requirements. A scheme approved by a Council cannot commence until it has been published in the relevant Government Gazette or otherwise notified with Ministerial authority. This must take place in each jurisdiction in which it is intended for a scheme to apply.

During the reporting period, there were two schemes gazetted.

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*)
- *Corporations Act 2001* (Cth), section 1044B (for a contravention of section 1041H)
- *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 cooperate with the Commonwealth Treasury to facilitate this process.

The following 17 schemes are prescribed under Commonwealth legislation:

Table 3

Schemes prescribed under Commonwealth regulations

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
Chartered Accountants Australia and New Zealand Professional Standards Scheme
The CPA Australia Ltd Professional Standards (Accountants) Scheme
The Institute of Public Accountants Professional Standards Scheme
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
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 cannot 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 for no more than 12 months.

During the reporting period, there were three requests for a Minister to extend the period for which a scheme was in force. The Minister approved the extensions for the schemes which are now due to expire in the next reporting period.

Two schemes expired at the end of the reporting period (with replacement schemes coming into effect).

Regulatory fees

Associations are required to pay an annual fee calculated on the basis of the number of members of the association who are participants in the scheme at any time during the relevant 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 30 days past due date.

In the 2023–24 financial year, the following fees were received:

- \$20,000 in application fees
- \$4,937,370 in annual fees
- \$6,617 in interest payable for late payment of fees.

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

Table 4

Interest on overdue annual fees

Association	State	Interest	Fees due	Days late	Annual fee due date
Law Institute of Victoria	VIC	\$109	\$5,200	42	30 June 2023
Queensland Law Society	Qld	\$83	\$5,050	33	30 June 2023
Association of Consulting Surveyors National	NSW	\$15	\$400	75	30 September 2023
Law Society NSW	NSW	\$6,410	\$61,550	Multiple periods	Multiple dates

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 case.

There were no statutory determinations for fee or interest waivers in the reporting period. However, the New South Wales Professional Standards Council considered two requests for a credit for future fees payable due to:

- a duplication of an annual fee payment
- an overpayment of annual fees.

Both requests included information confirming the duplication of payments and overpayment and supporting reasons.

The Council determined to provide a credit of \$328,585 and \$42,450 respectively.

Associations operating professional standards schemes are responsible for ensuring compliance with annual fees payable to the Councils through appropriate governance processes. If an overpayment is identified, the Councils require assurance about the systems in place for determining the number of members subject to a scheme. The Councils have guidance available to associations to ensure appropriate systems and processes are in place to mitigate the risk of miscalculating annual fee payments.

Implementation and monitoring of association risk management strategies

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 aim is to ensure more than minimal compliance with statutory obligations. Associations should be forward-looking and focused on continuous improvement in the regulation of association members, including professional standards and the 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 operating professional standards schemes 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 protections for consumers
- 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.

The relevance of these matters can vary across occupations. To the extent possible across diverse industries, this information is analysed and compared over time and across associations. This provides the Councils with insights on the operation of schemes and is an important part of the Councils' supervision approach.

The Councils are required to incorporate association annual reporting into the Councils' combined Annual Report.

Reporting template and guidelines

In 2023, the Councils released the refreshed Annual Professional Standards Report Template and Guidance to associations. Launched in 2022, this integrates and aligns reporting with the Scheme Application Framework and streamlines annual reporting requirements.

All associations were required to use the new Annual Professional Standards Report Template and Guidance for the first time for this year's reporting (and onwards). This followed a transitional period during which associations were able to use either the new report format or the former Professional Standards Improvement Program for last year's reporting.

The reporting Template and Guidance were refreshed in 2023 to provide associations with the opportunity to report additional information. Additional guidance was provided on the reporting process and elements, including risk management tools, complaints and claims data and analysis, compliance monitoring and higher discretionary caps.

The refresh responded to feedback provided by associations through the annual satisfaction survey and individual engagements during the year. These engagements assisted with addressing the new reporting requirements and provided guidance to support associations in developing regulatory capacity and continuous improvement.

One of the primary purposes of the new reporting Template and Guidance was to streamline the reporting requirements. This was demonstrated in 2023 by the reduced volume of information required. For the five associations that used the Annual Professional Standards Report Template and Guidance for the first time for this year's reporting, there was an average reduction of 57% in the volume of material required under the former Professional Standards Improvement Program reporting format. This is an encouraging result. The Councils have been focused on streamlining reporting and other obligations to minimise regulatory burden.

Reporting timeliness

Seventeen regulated associations provided their annual reports on time (with one association's report provided by an agreed extension due date). This is the sixth consecutive year of 100% on-time submissions.

Regulatory assurance action

The Councils may take regulatory assurance actions concerning association risk management strategies or 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 2022 Annual Professional Standards Report or Professional Standards Improvement Program results, identifying areas for continuous improvement
- targeted engagements with associations operating schemes to address identified risks, as well as compliance and performance concerns
- requirement of additional risk management reporting in relation to governance and the risk profile of occupations in the built environment sector.

These actions further the Councils' strategic goal to actively supervise compliance and performance, standards and risk management strategies of occupational associations by:

- engaging and equipping associations to identify and treat compliance obligations, consumer harms and professional risks
- developing, monitoring and managing broad measures of professional standards scheme compliance and performance.

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. To the extent possible, information and data reported in the annual reports is also compared by the Councils over time across occupational associations and 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:

- reviews and updates to risk management plans, including review of existing risks and controls and/or new or emerging risks and risk management strategies
- two associations delivered initiatives to provide education, training or resources related to ethics requirements
- two associations made changes to complaints systems to improve monitoring or processes to improve management of complaints and disciplinary action
- one association updated information and resources to inform members of scheme obligations.

Solicitors

Achievements observed across the solicitor sector included:

- three associations updated information and resources to assist with improving understanding of the scheme
- four associations provided training, support or guidance regarding harassment, sexual harassment, discrimination and bullying
- four associations conducted monitoring activities for compliance with professional indemnity insurance requirements
- one association reviewed and updated its Risk and Compliance Framework and updated relevant registers, which included updates to existing risks, ratings, requirements and controls.

Barristers

Achievements observed across several bar associations included:

- continued to deliver initiatives related to addressing risks of sexual harassment, discrimination and bullying including review of policies, training, continuing professional development and other guidance
- conducted monitoring activities of members' compliance with limited liability disclosure and continuing professional development requirements, including compliance declarations, reviews of documents/records and audits
- one association reviewed its risk register to ensure current controls remain adequate to address existing risks and incorporated additional controls to manage identified risks
- one association conducted a comprehensive review of the scheme Compliance Plan, including governance, compliance obligations and controls, risk identification, performance evaluation and measures for improvement.

Built environment and other professions

Achievements observed across the built environment/other sector included:

- three associations considered code of ethics requirements, which included two associations revising or updating their codes of ethics and one association commencing a review process for identifying opportunities for improvement
- two associations updated risk management plans, which included updates to controls to address existing risks or incorporating emerging risks and risk management strategies
- conducted initiatives to communicate or raise awareness of the professional standards scheme or scheme obligations with members
- engaged with members or other stakeholders to promote the scheme and/or undertook initiatives to increase participation.

Trends and focus areas

The data and information provided in the annual reporting from each association has 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. Although there are limitations on comparability, 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.

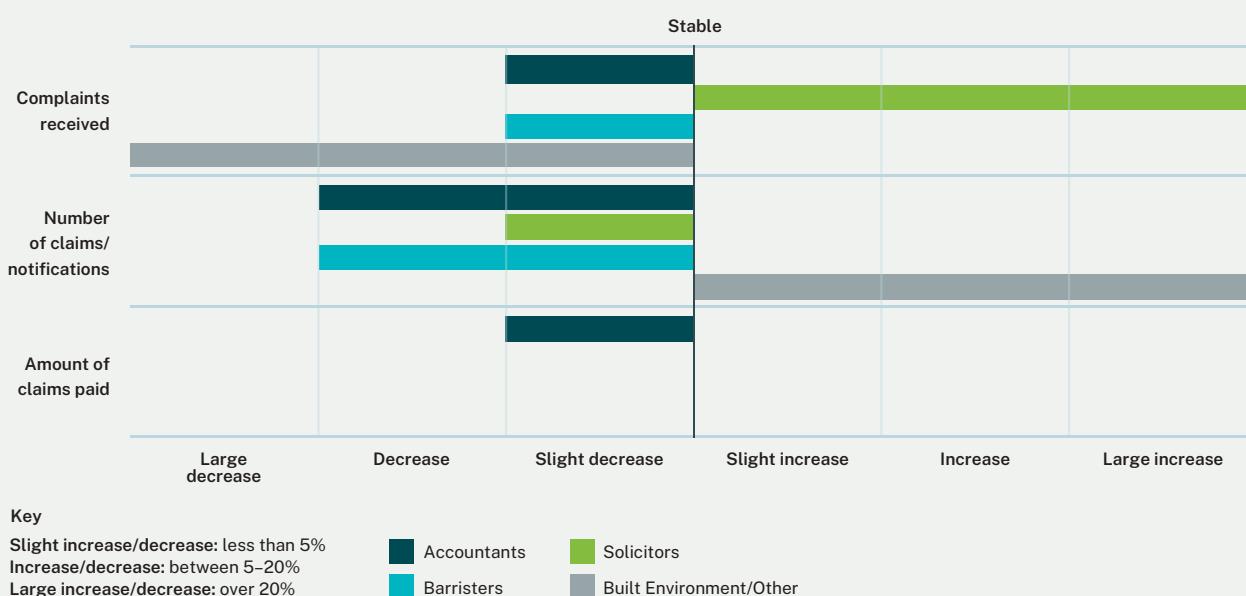
With some associations using the new Annual Professional Standards Report format for the first time this year, some data reported is not directly comparable year-on-year and over time. One of the limitations on useful comparability is that, due to the small sample size, a slight change in figures reported year-on-year can have a disproportionate impact on the overall trends for the sector.

The information and data presented within the below graph identifies the trends in complaints and claims between 2022 and 2023.

Complaints and claims

The number of complaints decreased in the accounting, barrister and built environment/other sectors and increased in the solicitor sector. At the same time, the number of notifications and claims increased in the built environment/other sector, and decreased in the accounting, solicitor and barrister sectors.

Figure 4:
Industry sector comparison in complaints/claims 2022 to 2023



The data is aggregated for overall sector trends and reflects the overall total for the sector as a percentage change compared to 2022. 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 complaints, claims/notifications and settlements data consistently each year. This impacts the overall sector trend comparison for 2022 to 2023 due to the small sample size.

Note: These indicators are sourced from a comparison of current 2023 Annual Professional Standards Report data against the 2022 Annual Professional Standards Report/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.

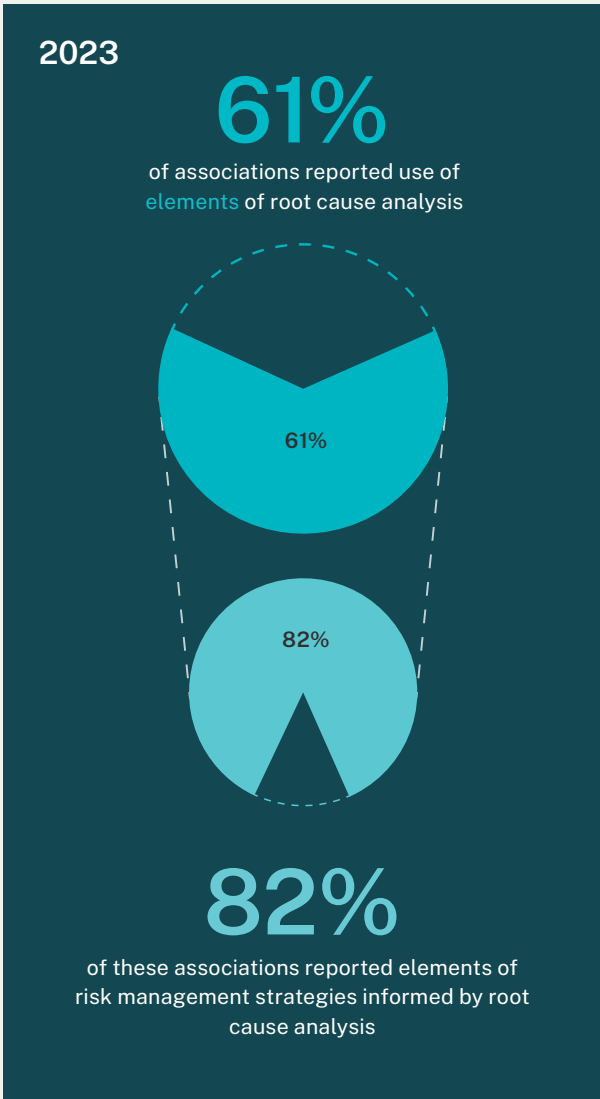
Aggregated data from the information reported by associations in 2023 Annual Professional Standards Reports suggests an overall increase in total complaints in one sector and an overall decrease in the other three sectors (of differing degrees)*.

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 previous 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.

83%

Associations that reported use of **complaints and/or claims data** in risk management strategies (to differing degrees)



Note: Due to the small number, the percentage changes are not statistically significant.

*The Councils note not all associations within the sector reported an increase or decrease.

Complaints systems

In *Strategy 2025*, the Councils 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. This was based on views from associations and stakeholders on the priorities for professional standards regulation.

To advance this strategic priority, the Councils commenced a project to understand the accessibility and features of association consumer complaint systems, how these systems operate and the applicable best practice principles in complaint management. This will inform tools to assist with assessing associations' complaints systems (within the contexts in which they operate) and practical guidance that is most useful to associations to support continuous improvement.

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:

- available cover and premia impacted by market capacity
- higher premia for higher risk and higher value work
- more difficulty in obtaining affordable insurance for higher limits in some industries
- availability and pricing can depend on the area of work or services delivered
- ongoing developments in scope of coverage and pricing for cyber security, which can vary based on insurer and market capacity
- insurer appetite and premia setting based on risk profile, risk management practices and claims history, size and nature of claims.

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 2022–23



Note: This graph does not provide a comparison between individual associations. It provides a general overview of the changes in the professional indemnity insurance market and experience for scheme participants of associations that have provided comparable information on the change in the average professional indemnity costs in this reporting year. This is presented for each sector, however each individual association's experience within the sector varies. These indicators are sourced from a comparison of current 2023 Annual Professional Standards Report data against the 2022 Annual Professional Standards Report and 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 2022 and 2023 annual reporting periods. Whether the average cost of premia in 2023 increased, decreased or remained stable in comparison to 2022 can be compared across sectors.

The average cost of professional indemnity insurance increased for members of seven of the 16 associations that provided comparable data in 2022 and 2023.

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, which are dependent on the size of a practice or limit of professional indemnity insurance
- using member surveys to identify any changes to members’ premium costs.

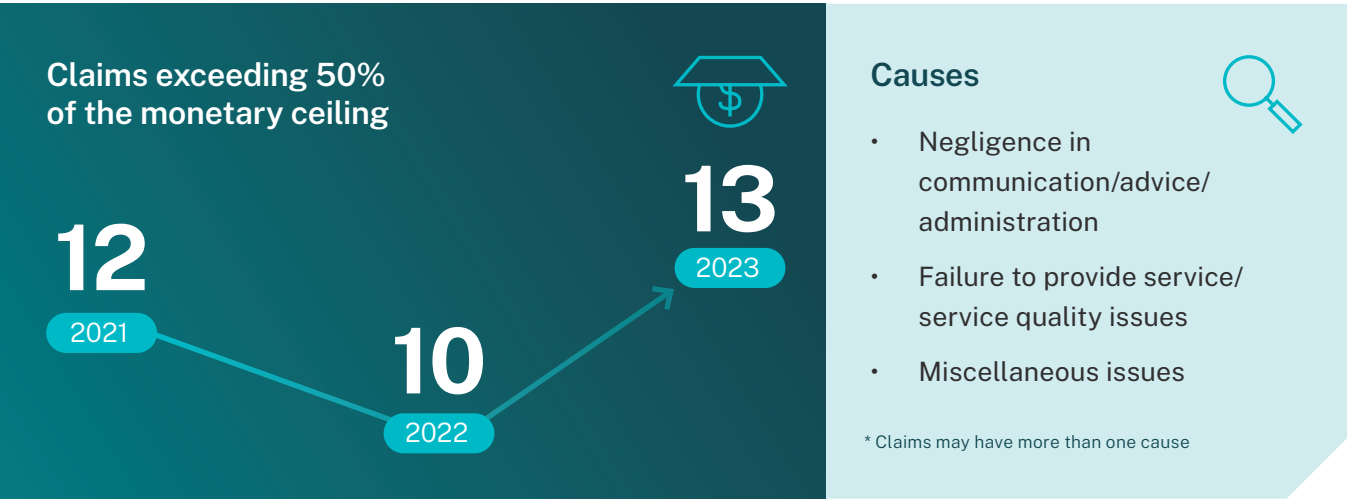


Figure 7:

Claims exceeding 50% of the monetary ceiling trend comparison: 2022 to 2023

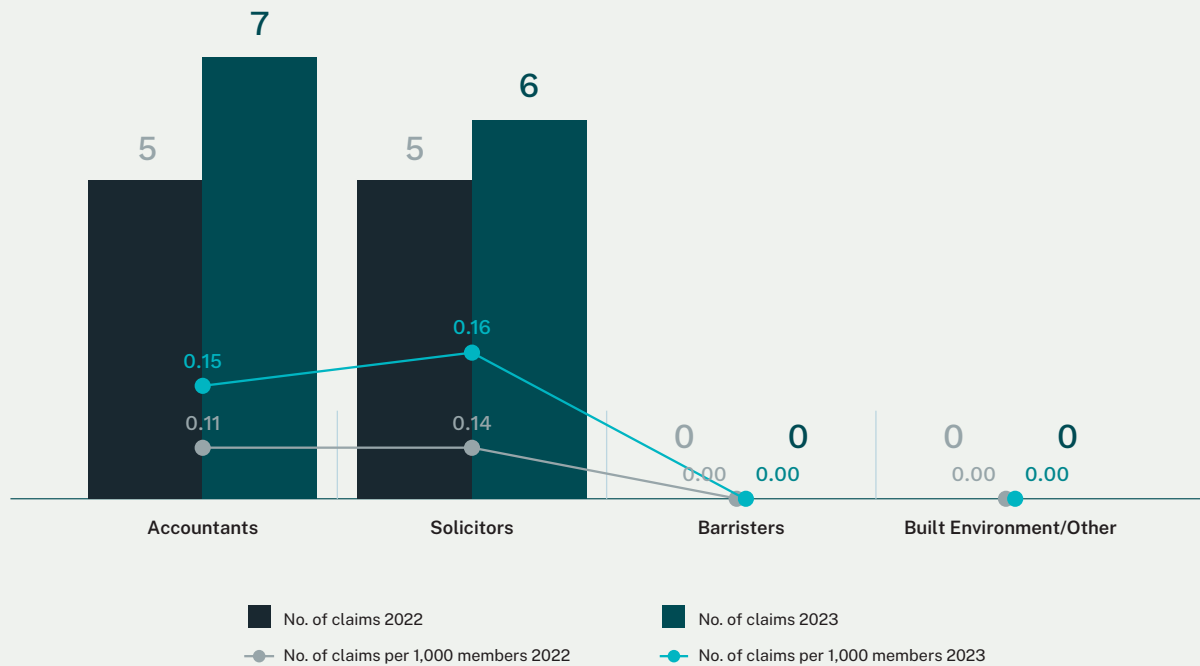


Figure 8:

Claims exceeding 50% of the monetary ceiling per 1,000 members comparison trend: 2020 to 2023

The four-year comparison is based on the number of claims across the accountant, solicitor, barrister and built environment/other sectors (between 2020–2023). This provides the trend in claims across all sectors with previous reporting years. We note there were no claims exceeding 50% of the monetary ceiling reported for the built environment/other sector in 2021, 2022 or 2023 or the barrister sector in 2022 or 2023.

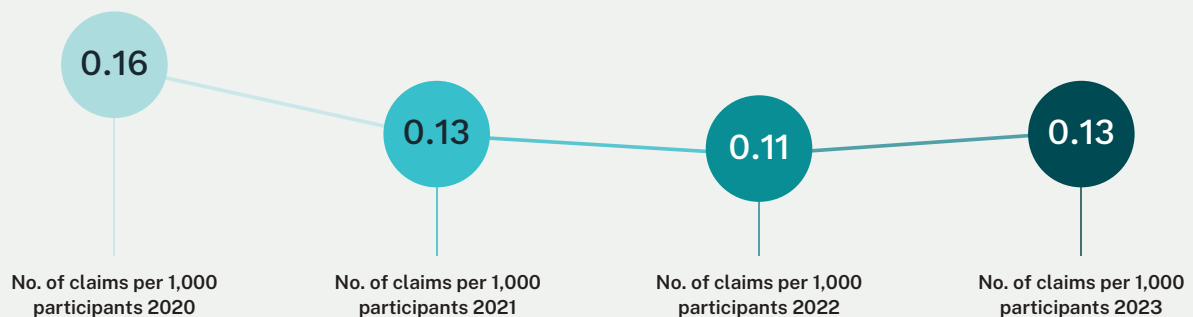
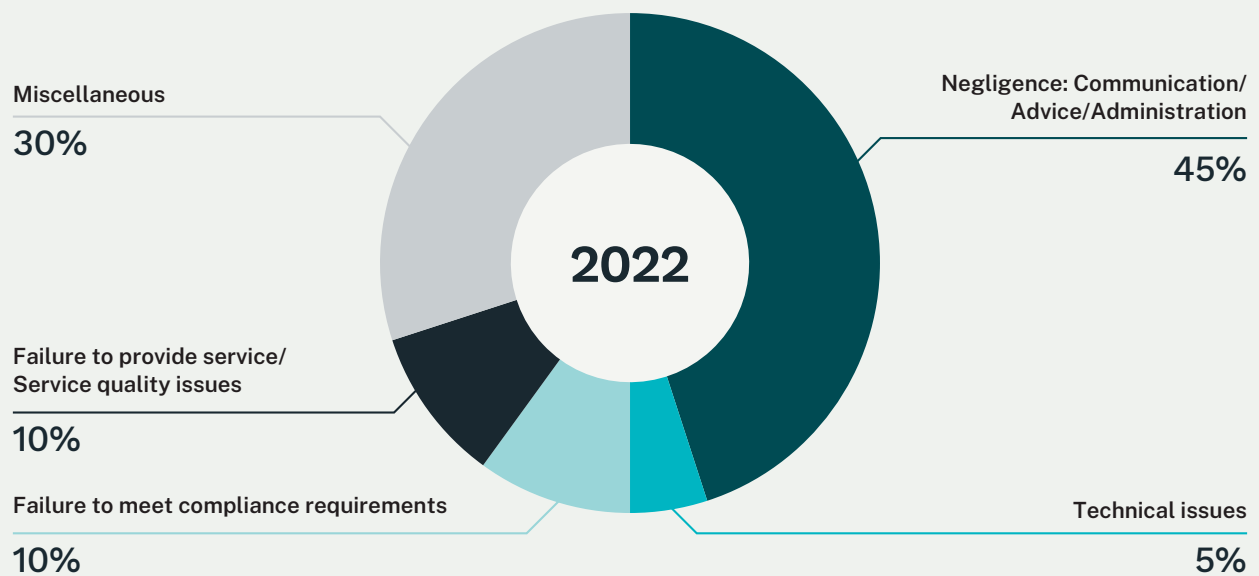
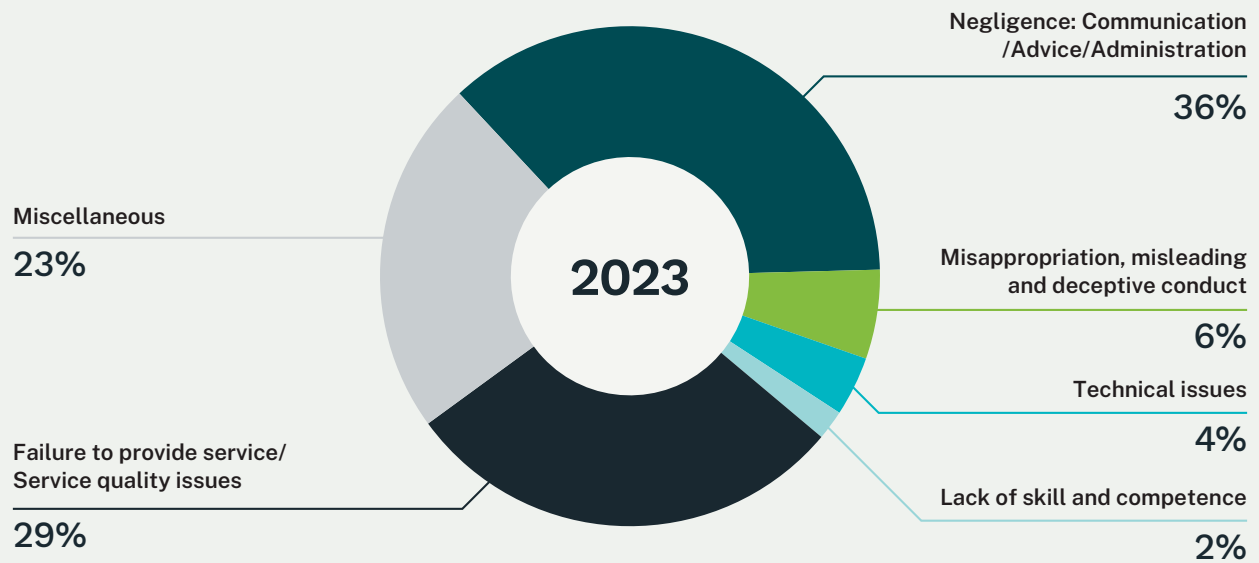


Figure 9:

Causes for claims exceeding 50% of the monetary ceiling

The following graphs categorise the causes of claims reported by associations for the 13 claims reported in 2023 and 10 claims reported in 2022.

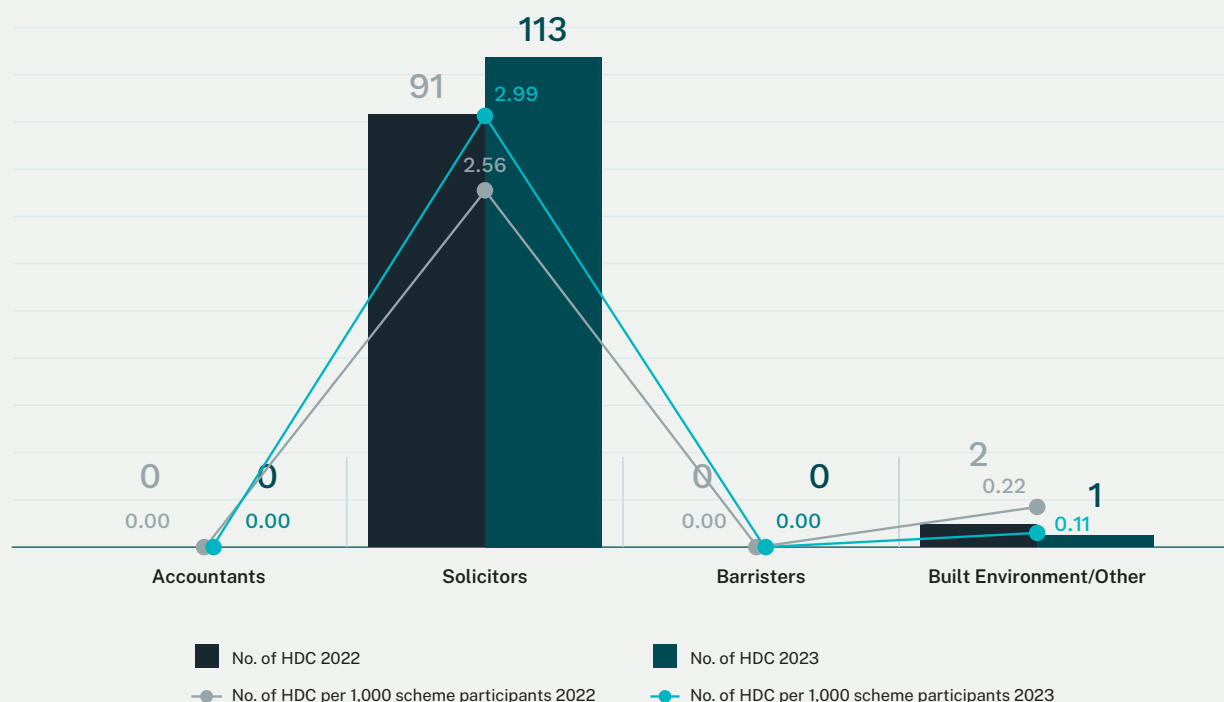


Higher discretionary caps

A scheme may confer a discretionary authority on an association, on application by a scheme participant, 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:

Higher discretionary caps trend comparison 2022 to 2023



Issues in the accounting and consulting sector

The Councils continued to closely follow developments in accounting and consulting firms during the reporting period. In particular, the Councils continued to monitor developments arising from the improper sharing of professional training test answers at KPMG Australia and the misuse of confidential Commonwealth Treasury tax reform information by partners at PwC Australia.

Arising from the KPMG matter, 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*. The Councils continued to monitor the implementation of recommendations of the review, including changes to by-Laws to implement recommendations. These included recommendations related to disciplinary processes, resources, training and other measures to support members on ethics and ethical conduct.

In February 2024, CA ANZ released *Going Further – A roadmap to enhanced trust and accountability*, which sets out 14 actions and recommendations intended to assist CA ANZ and its stakeholders, government and regulators to reinforce and enhance trust and accountability in the profession.

The Councils will continue to monitor the implementation of the recommendations of the review and roadmap, noting that CA ANZ will apply for a new scheme in the coming reporting period.

The Councils continued to monitor and engage with ongoing inquiries related to accounting and consulting firms. These inquiries arose from the PwC matter but covered a broad range of issues, including unethical conduct, governance, regulation, partnership structures and government procurement practices.

The Councils assisted two of the inquiries through the provision of evidence and submissions on matters of interest to the Committees, appearing at:

- Senate Finance and Public Administration References Committee – *Inquiry into management and assurance of integrity by consulting services provided for the Australian Government*
- Commonwealth Parliamentary Joint Committee on Corporations and Financial Services – *Inquiry into ethics and professional accountability: structural challenges in the audit, assurance and consultancy industry.*

In addition, the Councils have had regard to the NSW Legislative Council Public Accountability and Works Committee *Inquiry into NSW Government's use and management of consulting services* on related matters.

The Public Accountability Committee tabled its report to the NSW Parliament in May 2024, with the NSW Government response due in August 2024. The Senate Finance and Public Administration References Committee tabled its report in June 2024.

The Councils consider the findings and outcomes of these processes to be relevant to informing the ongoing improvement of association risk management strategies. The Councils will continue to:

- engage with other regulators, including the Tax Practitioners Board, on matters of mutual interest
- monitor government responses to the matters considered by the inquiries, including by the Commonwealth Treasury.

The Councils note that many of the matters raised by the inquiries will be relevant to accounting scheme remake applications in 2025. The Councils encourage submissions from stakeholders and interested members of the public as part of the statutory consultation processes.



Improving occupational standards and consumer protection

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

Workshops and information sessions

The Authority conducted workshops and information sessions with eight associations during the reporting year. Six workshops were held with associations that have 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.

The Authority held two further workshops with 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

Professional Standards Forums play an important role in achieving the Councils' objectives through regular and effective communication with stakeholders.

A Forum held in October 2023 provided an opportunity for over 30 delegates from across the national system to hear from experts and peer associations on the topic of *'Managing compliance – tips, tools and techniques'*.

The Forum commenced with an overview session facilitated by the Governance Institute of Australia on strengthening compliance management systems, based on the Australian Standard and legislative obligations.

This was complemented by two practical workshops on managing scheme compliance with professional standards legislation and managing member compliance with professional standards obligations. Representatives from the Law Society of South Australia and the Law Society of New South Wales presented case studies on their associations' approach to maintaining compliance frameworks and monitoring compliance plans.

Feedback from the event showed participants valued the opportunity to collaborate and hear from peer associations on best practice. For example:

"This was an excellent event to see what other organisations are implementing to ensure legislative and membership compliance."

"It was a great way to network with other associations and hear their thoughts – the workshops were very useful and interactive."

"I thoroughly enjoyed the group discussions during the workshops, and I feel that extending those times would be beneficial to further collaboration."

These discussions provided valuable insights and tools for strengthening compliance management and will help inform the Professional Standards Councils' new guidance on compliance, to be released next reporting period.



Picture: L-R John Vines OAM (PSC Chair), Caroline Lamb (PSC Member), Cate Wood AM (PSC Member), Brian Nolan (LSSA Manager Professional Standards Scheme and Risk) and Jessica Jameson (LSNSW Director Licensing and Registry)



Picture: Professional Standards Forum workshop on managing member compliance with professional standards obligations

Reporting on the benefits of schemes – professional indemnity

Consistent with the goals of *Strategy 2025*, the Councils continued to progress work to demonstrate and raise awareness of the benefits of professional standards schemes in meeting the objects of professional standards legislation, including in improving occupational standards and protection of consumers.

Last reporting period, the Councils published a report by Taylor Fry consulting actuaries, *The benefits of professional standards schemes – limitation of liability and consumer protection measures* (31 March 2022), which focused on the effects of schemes on professional indemnity insurance, claims and consumer complaints. This reporting period, the Councils engaged Taylor Fry to provide a supplementary report on scheme benefits.

Supplementary report

This additional report provided further context on the findings of the first report. It benchmarked the claims and complaints experience of members of schemes that participated in case studies for the first report, relative to specified criteria.

The supplementary report made the following key findings:

- professional standards schemes have a positive impact on premium affordability, with a strong inverse correlation between the level of coverage of professional standards schemes and the level of premium increases
- the claims experience for schemes is in line with or better than the wider professional indemnity insurance market
- there is evidence of schemes benefiting from having affiliated insurers, with further positive impacts on premium affordability and claims experience.

The Councils published the supplementary report in the subsequent reporting period.

Reporting on the benefits of schemes – regulatory capacity and risk management

In 2024, the Councils developed a scope for further research to utilise qualitative measures to assess the effects of schemes on regulatory capacity and risk management. This will be based on the experiences and viewpoints of associations with professional standards schemes.

The Councils engaged an external research partner, Griffith University, to assist with a first phase of data collection and development of case studies.

The Councils will engage with associations on this work in the next reporting period.

Australian Research Councils Linkage Project

In previous reporting years, the Councils reported on the progress of a three-year Linkage Project: *Constructing Building Integrity: Raising Standards through Professionalism* investigating rebuilding trust and confidence in the building and construction sector in Australia.

As a lead partner organisation in the project, the Councils continued to engage with the Project Steering Group and contributed to development of research outputs during the reporting period.

Project Steering Group

The Project Steering Group, including representatives from the Councils and the Authority, met quarterly to collaborate on project progress and research findings, contribute to the research outputs and engage with industry representatives.

This included a two-day workshop which provided an opportunity for:

- discussing key developments, challenges and opportunities for the construction industry
- sharing and collaborating on insights from research, field work and industry perspectives related to values, ethics, professional standards and regulation
- engaging with industry representatives to raise awareness of the project, obtain feedback and insights on issues affecting the industry, recommendations to improve quality in the construction industry and the type of resources that will be most beneficial
- discussing publications and outputs from the project, including translating the research into practical tools.

Research outputs: monograph

The Councils contributed to a monograph compiled by Griffith University as the main academic output of the project. The Councils' contribution focused on self and meta-regulatory models. The Councils will report on progress of the publication in the next reporting period.

Research outputs: industry report

In August 2023 and June 2024, the Councils hosted industry events to raise awareness of the research project and engage on the findings and recommendations of the research.

Participants attended these events representing associations, professions and government regulators. The focus was on sharing information on an industry report being compiled by academic partners with findings and recommendations for reform/action to enhance standards.

The industry report will be finalised for publication in the next reporting year. The Councils will engage with stakeholders on the final industry report findings and recommendations.



Picture: Draft industry report for the Constructing Building Integrity: Raising Standards Through Professionalism ARC Linkage Project



Picture: Project Steering Group Chair Mr Peter Gow speaking at the June 2024 industry event



Picture: (L-R) Dr Hugh Breakey (Griffith University), Councils' Chair John Vines OAM, Prof Hazel Easthope (UNSW), Elizabeth Bazen (Curtin University), Prof Sacha Reid (Griffith University), Dr Katja Cooper (Griffith University), Dr Sancia West (Authority Senior Research Officer), Prof Charles Sampford (Project Lead, Griffith University) and Peter Gow (Project Chair) at the June 2024 industry event

Working with other regulators and standards setters

Memorandum of understanding with Tax Practitioners Board

The Authority has continued its ongoing engagement and information sharing with the Tax Practitioners Board under the joint memorandum of understanding.

The Authority and the Tax Practitioners Board engaged regularly on matters of mutual interest, including on current regulatory priorities, inquiries and regulatory developments related to the accounting and consulting sector.

Participating in the Tax Practitioner Governance and Standards Forum

The Councils continued to contribute to the Tax Practitioner Governance and Standards Forum as an ex-officio member. Three forums were held during the reporting year. The Councils contributed to discussions on emerging issues and priorities, enhancing co-regulation of the tax profession, regulatory developments and responses to accounting and consulting sector regulatory issues.

Standards Australia

In March 2023, the 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 has supported greater connection between the Councils' work with occupational associations and the standards required for the operation of approved professional standards schemes.

The Authority attended member meetings throughout the reporting period where updates on Standards Australia initiatives were discussed, including engagements, research and standards development. The Authority shared insights into professional standards and presented on a panel for a discussion on the role of standards into the future.

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 Fair Trading and Regulatory Services Division of the NSW Department of Customer Service on building reforms, providing expertise on the operation of professional standards legislation and co-regulatory models.

Authority officers also engaged with the NSW Strata and Property Services Commissioner on issues arising in the strata management sector. At the time of writing, matters relating to disclosure of related party agreements and ethical obligations remain ongoing. The Councils expect these matters to be a focus for the ongoing development of risk management strategies for relevant associations.



Picture: Councils' CEO Roxane Marcelle-Shaw participated in a panel on the 'Role of standards into the future' at the Standards Australia Mid-Year Members Forum in May 2024

SECTION 3

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

This is an agreement between the Ministers in all states, territories and the Commonwealth for cooperation 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.

The agreement also provides for cooperation in the selection and appointment of members to the Councils and in the administrative support of the Councils. The agreement is operationalised by the following two agreements.

Professional Standards Councils and Departments Procurement of Services Agreement

This is 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

This is an agreement between state and territory departments for services to the Councils to be provided by the NSW Department of Customer Service, which hosts the Authority.

Departmental arrangements

The intergovernmental agreements are administered by professional standards officers in the relevant department for each jurisdiction. To facilitate coordination, the Authority convenes a Professional Standards Officers Meeting which provides for liaison and cooperation across jurisdictions.

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

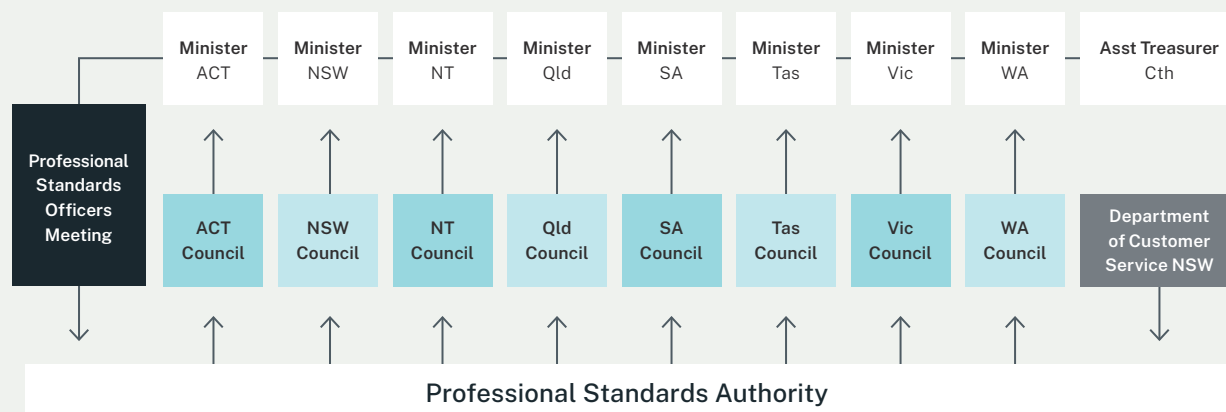
During the reporting period the Authority worked with policy officers to:

- prepare and endorse a new retained earnings statement of principles, which provides guidance to the parties to the Inter-Departmental Service Agreement on the Councils' budget approach to building and accessing retained earnings in excess of a contingency reserve
- develop advice for Ministers on proposed amendments to the professional standards legislation of each state and territory
- support responsible Ministers in the nomination and appointment of members to the Councils.

Figure 11:

Provides a diagram of the national structure

How we work together



Councils' remuneration

In accordance with the Professional Standards Agreement, NSW 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 5 shows total remuneration for each member for 2023–24.

Table 5:

Remuneration and meeting attendance of council members

Name	Role	Jurisdiction	Total remuneration [^]	Meetings eligible to attend	Meetings attended
John Vines OAM	Chair	Vic	\$58,776.00	6	6
Andrew Lumsden	Deputy Chair	NSW	\$18,501.88	5	5
Lisa King	Member	NSW	\$5,117.57	1	1
Iain Summers	Member	NT	\$12,203.42	3	3
Ross Springolo	Member	NT	\$11,126.62	3	3
Catherine Wood AM	Member	ACT	\$23,330.06	6	6
Dr Pamela Montgomery	Member	Vic	\$14,805.60	4	4
Timothy Mellor	Member	SA	\$23,330.06	6	6
Elizabeth Shearer	Member	Qld	\$23,330.06	6	5
Richard Shields	Member	Cth	\$3,050.85	0	0
Peter Martin	Member	Cth	\$16,924.63	4	3
Caroline Lamb	Member	NSW	\$23,330.06	6	5
Tiina-Liisa Sexton	Member	Tas	\$23,330.06	6	6
Rachel Webber	Member	WA	\$23,330.06	6	6

[^] Includes 11% Super Guarantee Contribution.

The term of the Commonwealth's nominee, Mr Shields, ended on 9 August 2023, with Mr Martin's term of appointment commencing on 19 September 2023.

The term of one of Victoria's nominees, Dr Montgomery, ended on 30 June 2023, before she was reappointed for a three-year term commencing on 13 November 2023.

The term of one of New South Wales' nominees, Mr Lumsden, ended on 30 March 2024, with Ms King being appointed for a three-year term commencing 1 April 2024.

The term of the Northern Territory's nominee, Mr Summers, ended on 31 December 2023, with Mr Springolo's term of appointment commencing 1 January 2024.

Councils' finance, audit and risk management

The Councils can delegate work to a committee.

Finance, Audit and Risk Management Committees

Each Council has established a committee to form the combined Finance, Audit and Risk Management Committees (FARMCs) to oversee financial management, risk management, budget management, the annual reporting process and content and associations' risk management and compliance reporting.

Members and meetings of the Committees

- Mr Iain Summers (NT) Chair (retired from the FARMCs at the end of his term of appointment on 31 December 2023)
- Ms Tiina-Liisa Sexton (Tas) Chair
- Ms Catherine Wood AM (ACT)
- Mr Andrew Lumsden (NSW) (retired from the FARMCs at the end of his term of appointment on 31 March 2024)
- Mr Ross Springolo (NT) (commenced in role as a FARMCs member 16 April 2024)
- Mr Peter Martin (Cth) (commenced in role as a FARMCs member 16 April 2024)

There were seven committee meetings held during the 2023–24 reporting year. Four were scheduled committee meetings and three were circulating resolutions or out-of-session meetings.

Work of the Committees

The Committees, supported by officers of the Authority:

- reviewed and endorsed the content for the Councils' 2022–23 Annual Report
- endorsed the Financial Statements for the year ending 30 June 2023
- endorsed the jurisdictional FY2022–23 audit reports received
- endorsed the Annual Professional Standards Report Template and Guidance for reporting period 2022
- advised the Councils on the preparation and approvals of a budget for FY2023–24
- advised the Councils on a range of regulated fee and reporting matters
- monitored and advised the Councils on management of risk
- reviewed and advised the Councils on the Risk Appetite Statement
- reported to the Councils on progress in implementing self-assessment against better practices as published by the Queensland Audit Office in the *Regulating animal welfare services* (Report 6: 2021–22).

Western Australia Key Performance Indicator (KPI) exemption

The Professional Standards Council of Western Australia was previously required to report on key performance indicators as outlined in the *Financial Management Act 2006* (WA).

As part of the reporting process, a Statement of Certification was required to attest that the performance indicators are based on proper records, are relevant and appropriate for assisting users in assessing the Council's performance and fairly represent the performance of the Council for the financial year. Due to the multi-jurisdictional structure of the Councils, it was decided that these state-specific performance indicators do not appropriately align with the outcomes to be achieved by the Councils and the existing comprehensive national performance reporting system.

To address this, the Authority worked with Western Australian officials to request an exemption from the requirements. On 4 January 2024, the Treasurer of Western Australia provided a direction under section 61(1) (b) of the *Financial Management Act 2006* (WA) advising that the Professional Standards Council of Western Australia is not required to report key performance indicators in the 2023–24 annual report or for any subsequent financial year.

Western Australia non-compliance

In December 2023, the Authority received correspondence from the Western Australian Under Treasurer regarding enhancing disclosures in accountability documents. This brought attention to a report titled Report 89: *Consideration of the 2021–22 Annual Reports*, tabled by the Western Australia Parliament's Standing Committee on Estimates and Financial Operations in June 2023.

The Committee found that a sample of annual reports from the 2021–22 reporting period diverged from the requirements listed in Treasurer's instruction 902 Statements of Compliance, which states that accountable authorities are required to include a 'Statement of Compliance' addressed to the responsible Minister in its annual report.

To meet the requirements of this instruction, the Statement of Compliance must be signed by two members of the Councils following a resolution adopting the annual report and providing for transmission of the annual report to the Minister. The statement should advise that the annual report has been prepared in accordance with the *Financial Management Act 2006* (WA) and where applicable, acknowledge any special reporting requirements imposed by other written laws.

Given the correspondence was received in late 2023, we note that a Statement of Compliance was not included in the Council's annual report for the subsequent 2022–23 reporting period.

The Statement of Compliance for Western Australia has been completed for the 2023–24 reporting period and is available on page 73. This will continue to be provided in subsequent financial years.

Queensland Auditor General recommendations on better practices

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.

This reporting period, the Councils made their third report to the Auditor-General on the status of action following the self-assessment, which found a moderate-to-high level of maturity in regulatory practices with identified opportunities for improvement in compliance practices. These areas of action have been incorporated into the Councils' risk management framework. Updates will be provided in future reporting as these actions are progressed.

Annual reporting recognition

The Councils were recognised in the 2024 Australasian Annual Reporting Awards (ARA) for their combined 2022–23 Annual Report. The Councils received a Bronze Award in the General Reporting category and were selected as one of three finalists in the Online Reporting category for a combined 2022–23 Annual Report Microsite.

The General Award provides a measure of the standard of reporting against the best-practice ARA Criteria, while the Online Reporting Award recognises quality of presentation, accessibility and communication design using electronic mediums. This result recognises the Councils' continued efforts towards quality reporting, accountability and presentation of clear information to Parliaments and the community.

This achievement was supported by the efforts of scheme associations and jurisdictional policy officers, who contributed to the development of the report through submission of their annual statutory reporting.



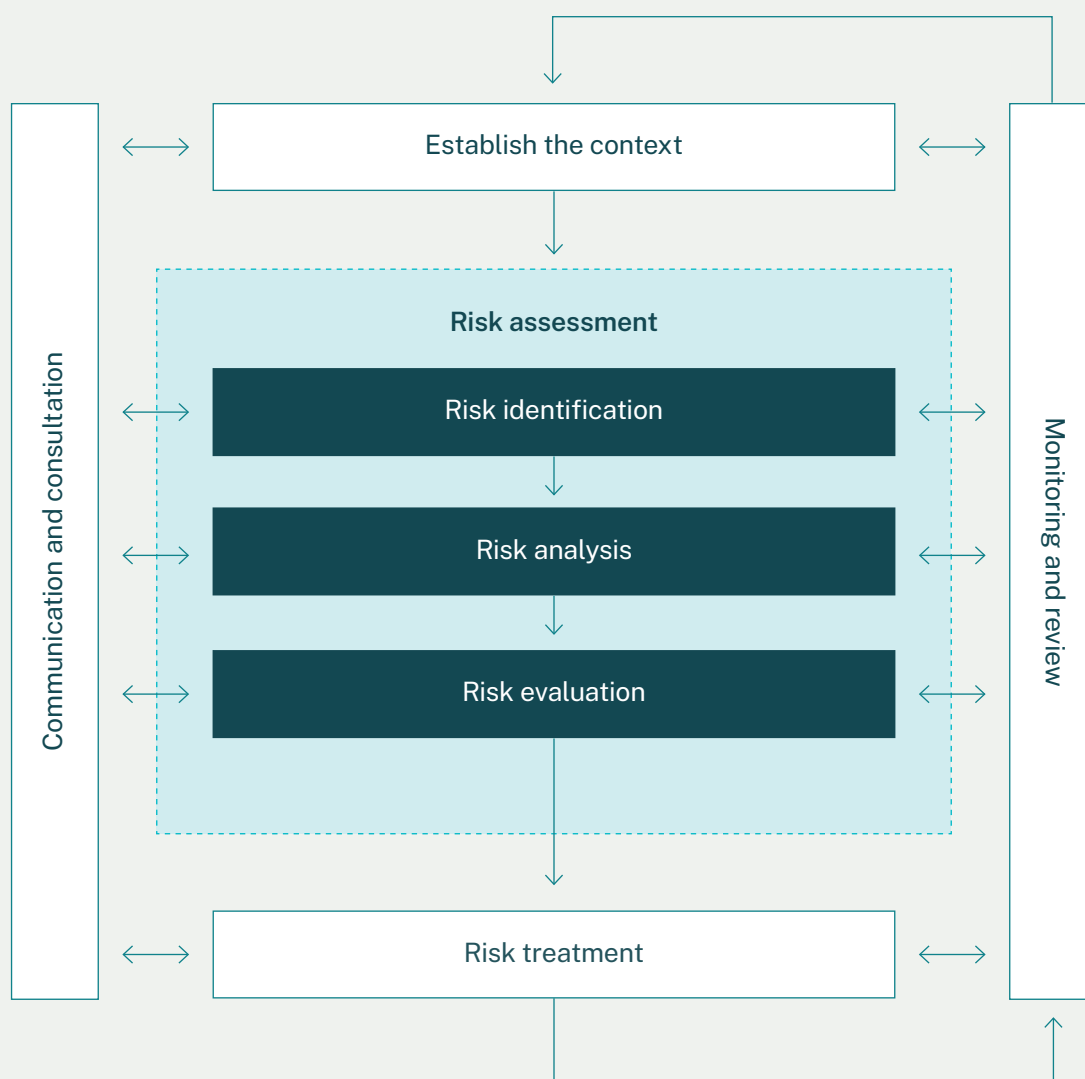
Risk management

The Councils are committed to managing risk proactively and aim to foster a positive risk culture that considers both threats and opportunities. This is a key objective of *Strategy 2025*, which identifies the Councils aim to be confirmed as a trusted and effective regulator with a clear approach to risk and performance.

Risk management principles are incorporated into the development and implementation of the Councils' strategy, all statutory decision-making processes and delivery of Professional Standards Authority operations. The Councils' management of risk is built into an annual risk management plan to assist the Councils in systematically monitoring and managing risk across five domains: statutory, strategic, financial, operational and reputation. These risks have been identified in accordance with the International Standard on Risk Management: ISO 31000:2009 Risk management – Principles and guidelines.

The Finance, Audit and Risk Management Committees advise the Councils on adopting risk management plans and report on risk management performance. The Councils' Risk Management Plan 2024–25 was reviewed by the FARMCs in May 2024 and adopted by the Councils in June 2024.

Risk management process



Financial management

The FARMCs meet at least three times per year and review and consider the income and expenses for the Councils to provide assurance the Councils are meeting obligations and agreements.

Internal and external audit

The Professional Standards Councils of Queensland, Western Australia, South Australia and Victoria (only) are required to produce external audited annual financial statements. The South Australian Council's financial statements are subject to optional tabling in Parliament. The tabling of financial statements for these jurisdictions occurs after the release of the Councils' combined annual report. Once tabled they will be published as separate financial addendums on the Professional Standards Councils website.

Annually, the responsible staff that conduct the audit functions of these Councils communicate with the jurisdictions and their Council regarding planned audits, audit fees and matters relating to governance and tabling. The audit topics are: the Scheme Application Framework implementation, the Annual Professional Standards Report process and the Councils' risk management processes for compliance.



Professional Standards Authority

The Authority is a business unit within the Fair Trading and Regulatory Services Division of the NSW 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
- liaising with associations and other stakeholders regarding remediation to address relevant issues
- 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.

Authority's organisational structure

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

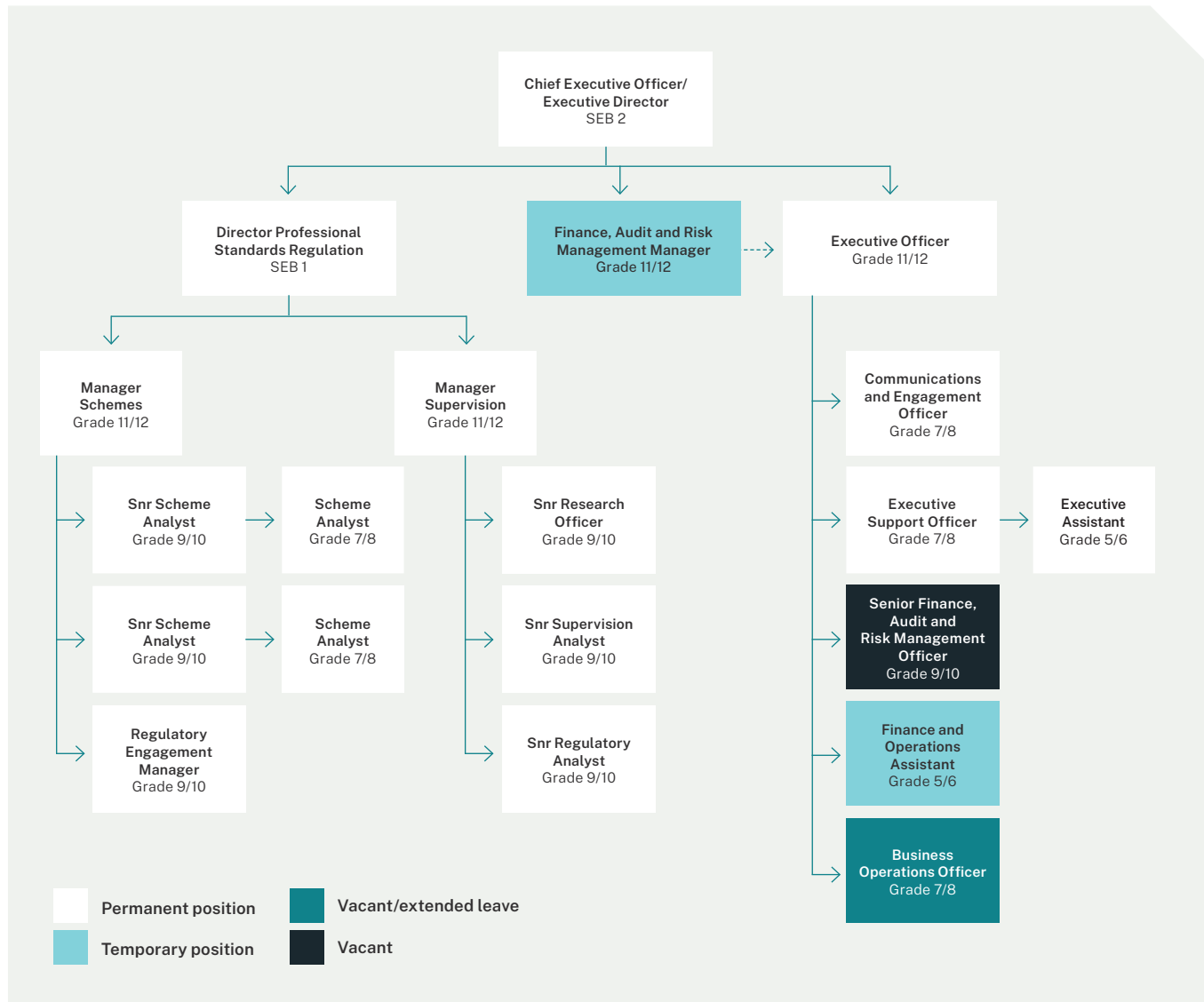


Table 6:
Authority staff profile as at 30 June 2024

Position/grade	No. of positions
Senior Executive Band 2	1 (female)
Senior Executive Band 1	1 (male)
Clerk Grade 11/12	4
Clerk Grade 9/10	6
Clerk Grade 7/8	5
Clerk Grade 5/6	2
Total	19

Authority’s senior executive

At 30 June 2024, the Authority had two positions classified as Senior Executive in the NSW Public Service. The two positions are included in the NSW Department of Customer Service workforce statistics. The Department’s 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 NSW Department of Customer Service

	2023–24 range	2023–24 average	2022–23 range	2022–23 average
Band 1	\$201,350–\$287,200	\$244,275	\$201,350–\$287,200	\$244,275
Band 2	\$287,201–\$361,300	\$324,250	\$287,201–\$361,300	\$324,250



Chief Executive Officer
Roxane Marcelle-Shaw
BSocSc, JD, GDLP

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 in a 35-year career as a public servant and regulator in the Australian Capital Territory, Commonwealth and New South Wales public sectors. Roxane is currently Chair of the New South Wales Chapter of the Australia and New Zealand School of Government National Regulators Community of Practice and was a member of the Occupational Therapy Board of Australia for a period of 10 years.

Authority’s workforce management

Responsibility for the Authority’s workforce management sits within the remit of the NSW Department of Customer Service. Due to the small size of the Authority’s workforce and privacy requirements, data related to the Authority’s workforce management is not included in this report. This data is incorporated in the NSW Department of Customer Service Annual Report 2023–24. Key areas of focus for the reporting period 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

Last year’s report highlighted our ongoing challenge with high vacancy rates, with an associated strain on resources and loss of capability. This year we continued to experience these challenges and attempted to strengthen our recruitment efforts. With the wellbeing of our staff in mind, we actively monitored and adjusted, when needed, our expected timeframes of our deliverables, work tasks and projects.

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 building on their broad regulatory

knowledge and skills, enhancing professional standards expertise and supporting public sector professionalism. Staff participated in a range of learning and development opportunities including:

- NSW Department of Customer Service leadership programs
- NSW Department of Customer Service mandatory training modules
- NSW Legislative Assembly Public Sector Seminar
- ANZSOG Professional Regulators program
- Writing in Plain English
- Communicating with Influence
- Working with Emotional Quotient
- Focus your Time, Energy and Emotion.

Performance and remuneration

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

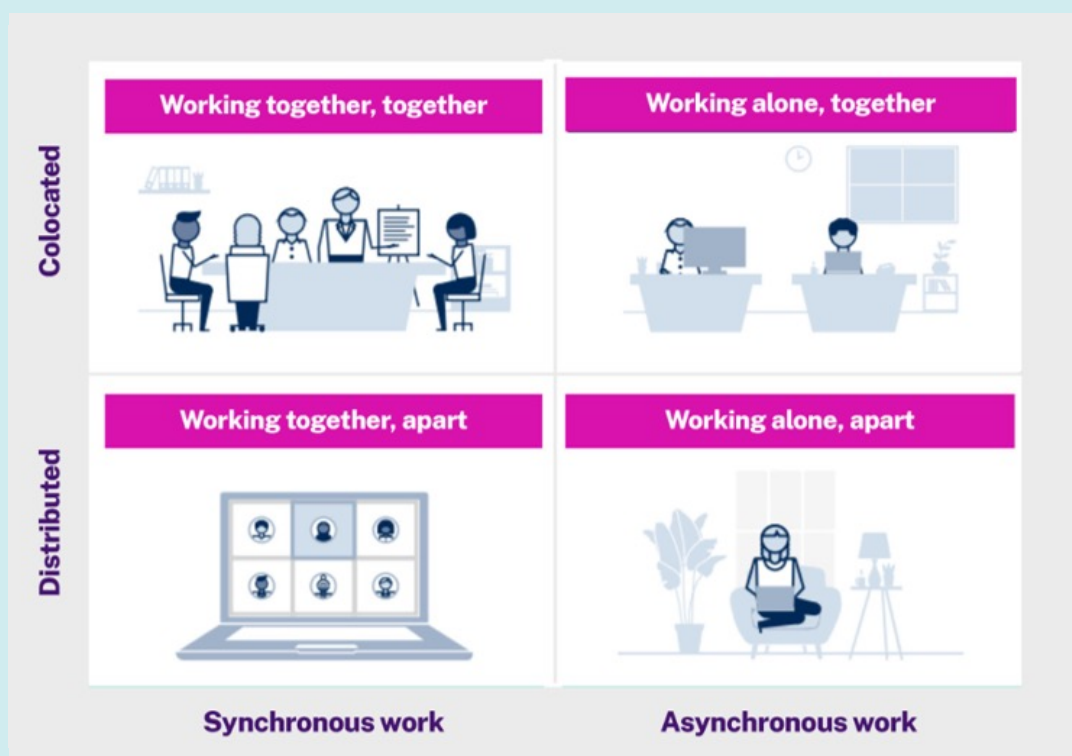
Work health and safety

The Authority's staff are governed by Work Health and Safety practices of the NSW Department of Customer Service. We continued to provide access to an employee assistance program through our provider TELUS Health. A free annual flu vaccination program in the lead-up to winter was made available to all staff. The Authority delivered online wellbeing sessions to support staff with tools and techniques for building resilience and maintaining physical and psychological health.

The Department of Customer Service online Wellbeing Hub continues to be available to all staff to access information and resources for self-care, domestic violence support, employee assistance programs, belonging and psychological support, as well as a comprehensive help and support directory.

Hybrid working arrangements

In August 2023, staff participated in the NSW Public Service Commission's People Matter Employee Survey (PMES). The PMES results identified areas for improvement in relation to better hybrid working arrangements for staff. Recognising that there is no one-size-fits-all approach, the Authority continued to promote hybrid working arrangements and continued to support staff working from home and as well as from the office.



Picture:
The Authority follows the NSW Department of Customer Service approach for hybrid working arrangements

Values, inclusion and diversity

As employees of the NSW 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 NSW 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.

Striving towards an inclusive environment that respects and values the differences built on behaviours and systems, the Authority actively contributes towards creating a more inclusive workplace by examining what we can do at a personal, interpersonal and organisational level.

The Authority continued to partner 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. Wanting to continue to provide staff the opportunity to make a difference, we partnered with Wayside Chapel and Wesley Mission and provided much needed food donations.

Workers' compensation

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

Fraud and corruption

Fraud and corrupt conduct is recognised as having the potential to cause significant financial and non-financial harm. The impacts include reputational damage to the Department and employees, impairment of our ability to deliver services or outcomes to the public and the undermining of our internal corporate culture.

The control plan currently in place aims to build an environment that actively discourages fraudulent and corrupt activities within the Department by:

- creating a Department that acts with honesty and integrity
- driving a workplace culture underpinned by its ethics
- driving systems, processes and a culture that prevent fraud and corruption occurring
- detecting, investigating and taking appropriate action when fraud and corruption incidents are found to have occurred, using a transparent framework for reporting and investigating fraud and corruption should it occur
- a mindset of continuous improvement in which we continually learn how to be better at fraud and corruption control and implement that learning in our everyday work.

All fraud and corruption activities are lead by the NSW Department of Customer Service.

Business continuity

The aim of business continuity is to provide expertise, incident and crisis management capabilities across the Department by empowering staff to take appropriate action to protect their divisions. This is done by developing policy, providing guidance, delivering training and creating tools and other resources.

The Department also facilitates continuous improvement through the sharing of the knowledge and experience of business continuity and incident management practitioners.

All business continuity activities are led by the NSW Department of Customer Service.

Cybersecurity

The NSW Department of Customer Service manages all security systems development, testing, analysis and implementation of all the divisions within its remit. Regular testing for system vulnerability assessment and management are conducted by the Cybersecurity team and they respond to any security threats and attacks. Regular cybersecurity mandatory modules are released to staff across the Department to ensure all staff know what to be aware of regarding cyber treats. The Councils' website is subject to annual backup and restoration, as well as intrusion and penetration testing. Results for testing conducted during the reporting period were favourable, with no moderate- or high-risk vulnerabilities identified.

SECTION 4

Financial performance

Financial statements

The Councils' financial results for 2023–24 are presented here. Financial statements have been audited in four jurisdictions and our financial management is subject to assurance by the Audit Office of New South Wales through an agreed upon procedure.

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 2024²

Income	Combined	NSW	QLD	SA	VIC	WA	ACT	NT	TAS
Scheme annual fees ³	4,937,370	3,437,702	411,800	103,700	849,768	134,400	-	-	-
Scheme application fees ⁴	20,000	15,000	-	-	-	5,000	-	-	-
Interest on overdue annual fee (from associations) ⁵	7,723	7,531	83	-	109	-	-	-	-
Sub total association fees	4,965,094	3,460,233	411,883	103,700	849,877	139,400	-	-	-
NSW Council's lease expense ⁶	30,806	30,806	0	0	0	-	-	-	-
Co-occupancy income ⁷	91,242	91,242	0	0	0	-	-	-	-
Interest on funds ⁸	232,954	161,097	33,645	0	38,213	-	-	-	-
Bank fees and charges	(757)	0	(757)	0	0	-	-	-	-
Total income	5,319,338	3,743,377	444,771	103,700	888,090	139,400	-	-	-
Individual Councils' % of total income ⁹	100.00%	70.37%	8.36%	1.95%	16.70%	2.62%	0%	0%	0%
Expenses									
Employment costs (inc. external non-ongoing) ¹⁰	2,934,193	2,064,792	245,299	57,217	490,010	76,876	-	-	-
Other operating ¹¹	1,690,934	1,189,911	141,362	32,973	282,386	44,302	-	-	-
Strategy implementation ¹²	129,166	90,894	10,798	2,519	21,571	3,384	-	-	-
Total expenses	4,754,293	3,345,596	397,459	92,709	793,967	124,562	-	-	-
Expenses attributable to the relevant Councils (GST exclusive):	4,754,293	3,345,596	397,459	92,709	793,967	124,562	-	-	-
Invoiced to 31 December 2023	2,303,249	1,705,109	166,788	38,521	341,389	51,442	-	-	-
To be invoiced for quarters ended 31 March 2024 and 30 June 2024	2,451,045	1,640,487	230,671	54,187	452,578	73,121	-	-	-

Note 1: This unaudited statement is derived from the information provided by the NSW 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, including consultancy spend, including preparation for CRM implementation, supplementary benefits report on professional indemnity insurance and design of a strategic foresight process.

Table 9:

Detailed expenditure 2023–24

Detailed expenses ¹³	Combined	NSW	QLD	SA	VIC	WA	ACT	NT	TAS
Employment expenses									
Employees	2,728,893	1,920,322	228,135	53,213	455,725	71,497	-	-	-
External non-ongoing	205,300	144,470	17,163	4,003	34,285	5,379	-	-	-
Total employment expenses	2,934,193	2,064,792	245,299	57,217	490,010	76,876	-	-	-
Other operating expenses									
Councils' remuneration ¹⁴	280,487	197,379	23,449	5,469	46,841	7,349	-	-	-
Councils' insurance	22,992	16,179	1,922	448	3,840	602	-	-	-
Councils' development and inductions	5,703	4,013	477	111	952	149	-	-	-
Councils' travel	66,888	47,069	5,592	1,304	11,170	1,752	-	-	-
Councils' meeting expenses	3,471	2,442	290	68	580	91	-	-	-
Occupancy ¹⁵	694,552	488,757	58,065	13,544	115,990	18,197	-	-	-
Annual reporting (audit and design) ¹⁶	110,560	77,801	9,243	2,156	18,464	2,897	-	-	-
Staff training	35,324	24,857	2,953	689	5,899	925	-	-	-
Information technology and communications ¹⁷	193,691	136,300	16,193	3,777	32,346	5,075	-	-	-
DCS Shared Services ¹⁸	44,000	30,963	3,678	858	7,348	1,153	-	-	-
Administration ¹⁹	23,460	16,509	1,961	457	3,918	615	-	-	-
Website hosting ²⁰	13,064	9,193	1,092	255	2,182	342	-	-	-
Travel – PSA	23,481	16,523	1,963	458	3,921	615	-	-	-
Actuarial ²¹	66,595	46,863	5,567	1,299	11,121	1,745	-	-	-
CSO legal	16,627	11,700	1,390	324	2,777	436	-	-	-
Contract services	21,890	15,404	1,830	427	3,656	574	-	-	-
Public notification/gazettal	16,503	11,613	1,380	322	2,756	432	-	-	-
Capital usage charges ²²	12,893	9,073	1,078	251	2,153	338	-	-	-
Stakeholder engagement	38,754	27,271	3,240	756	6,472	1,015	-	-	-
Total other operating expenses	1,690,934	1,189,911	141,362	32,973	282,386	44,302	-	-	-
Strategy implementation									
Strategic initiatives ²³	16,461	11,584	1,376	321	2,749	431	-	-	-
Allocated employment related expenses ²⁴	112,705	79,310	9,422	2,198	18,822	2,953	-	-	-
Total strategic implementation	129,166	90,894	10,798	2,519	21,571	3,384	-	-	-
Total expenses	4,754,293	3,345,596	397,459	92,709	793,967	124,562	-	-	-
% expenditure recharged/rechargeable ²⁵	100.00%	70.37%	8.36%	1.95%	16.70%	2.62%	0%	0%	0%

Table 9:

Detailed expenditure 2023–24 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 (11%), Payroll Tax (5.45%). Councils' members Workers Compensation on-costs are included in "Employment expenses". Noting that the applicable Superannuation Guarantee Levy increased to 11% from the first fortnightly pay period ending in July 2023.

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 FY22/23 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: Represents the annual depreciation/amortisation charges determined by NSW Department of Customer Service to recoup prior years capital expenditure.

Note 23: Expenses relating to Councils endorsed strategic implementation, including consultancy spend, which includes preparation for CRM implementation, supplementary benefits report on professional indemnity insurance and design of a strategic foresight process.

Note 24: Represents internal staffing costs for complaints project scoping.

Note 25: 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.

SECTION 5

State and territory Professional Standards Councils

Legislated reporting

The Councils are state and territory statutory bodies established by professional standards legislation, operating cooperatively to facilitate a national system of professional standards regulation. This section provides additional information to meet the annual reporting requirements of each jurisdiction.

Australian Capital Territory

Constitution of the Council

Members of the Professional Standards Council of the Australian Capital Territory were entitled to attend six scheduled meetings for the year. Please refer to Table 5 on page 50 for a summary of meeting attendance.

Major legislative changes

No major changes were made to professional standards legislation during 2023–24.

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 51.

Public interest disclosure

There were no public interest disclosures for the 2023–24 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 2024.

Organisation and function

Please refer to page 55 for the Authority'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 reports
- scheme application framework
- scheme 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 and 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 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 55 for the organisational structure of the Authority which 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 NSW Department of Customer Service.

Territory records

Sound record keeping practices underpin good governance. In accordance with the requirements of the *Territory Records Act 2002* (ACT), the Council's record keeping 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 Summary of Income and Expenses on page 60 for the Professional Standards Council of the Australian Capital Territory's revenue and expenses for 2023–24.

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 61).

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

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

- Taylor Fry Proprietary Limited for advice on a scheme application, \$27,475 (GST exclusive).

For further details of consultancy spend, refer to Note 21 of the detailed expenditure in Table 9 on page 62.

New South Wales

Constitution of the Council

Members of the Professional Standards Council of New South Wales were entitled to attend six scheduled meetings for the year. Please refer to Table 5 on page 50 for a summary of meeting attendance.

Legal changes

There were no legal changes affecting the Professional Standards Council of New South Wales or the *Professional Standards Act 1994* (NSW).

Credit cards

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

Public interest disclosure

There were no public interest disclosures for the 2023–24 reporting period.

Government Information (Public Access) Act 2009 (NSW)

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

The Council is declared to be part of the Department for the purposes of the GIPA Act. Applications made under the GIPA Act relating to the Council are centrally coordinated within the Department. The Department's Annual Report 2023–24 contains statistical information about access applications.

Consumer response

Before any professional standards scheme can be considered for approval by the Councils, a formal public notification process (described in section 8 of the NSW 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 2024 reporting year, the following schemes were publicly notified:

- the Australian Computer Society Professional Standards Scheme
- the Bar Association of Queensland Professional Standards Scheme
- the Law Society of New South Wales Professional Standards Scheme
- the Law Society of Western Australia Professional Standards Scheme.

In addition to these regular, statutory consultation processes, any member of the community is entitled to provide feedback or make submissions 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* (NSW). Authority staff are governed by Work Health and Safety policies of the NSW Department of Customer Service.

Funds granted to non-government community organisations

During 2023–24 no grants were awarded.

Consultants

The Council's share of the combined annual spend on consultancy was \$37,475 (GST exclusive).

In accordance with the Inter-Departmental Service Agreement, all expenditure is processed by the NSW Department of Customer Service and allocated to the eight national Professional Standards Councils.

Five 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 62.

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 51.

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 NSW Department of Customer Service's Diversity and Inclusion strategy, Aboriginal Workforce Strategy and Disability Inclusion Action Plan and the *Government Sector Employment Act 2013* (NSW), 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 Summary of Income and Expenses on page 60 for the Professional Standards Council of New South Wales' revenue and expenses for 2023–24.

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 pages 20–24.

Workforce diversity

The NSW Department of Customer Service's Diversity and Inclusion strategy is an over-arching 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* (NSW) 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 disability, including those who require an adjustment.

Annual Report

The Councils' combined Annual Report is produced using internal resources and a contracted designer. 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' 2023–24 Annual Report and the individual financial addendums was \$77,801. These costs were recognised in the 2023–24 period. The New South Wales Council was responsible for funding 70.37% of these expenses.

Northern Territory

Constitution of the Council

Members of the Professional Standards Council of the Northern Territory were entitled to attend six scheduled meetings for the year. Please refer to Table 5 on page 50 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 2023–24.

Public interest disclosure

There were no public interest disclosures for the 2023–24 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 13–15.

Authority staff profile

Please refer to page 55 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 2011* (NT). Authority staff are governed by Work Health and Safety practices of the NSW 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.

Record keeping

Sound record keeping practices underpin good governance. In accordance with the requirements of the *Information Act 2002* (NT), the Council's record keeping 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 Summary of Income and Expenses on page 60 for the Professional Standards Council of the Northern Territory's revenue and expenses for 2023–24.

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

Letter of compliance

The Honourable Yvette D'Ath MP
Attorney-General
Minister for Justice
Minister for the Prevention of Domestic and Family Violence

1 William Street
Brisbane Qld 4000

Dear Attorney-General,

I am pleased to submit for presentation to the Parliament the Annual Report 2023–2024 and financial statements for the Professional Standards Council of Queensland.

I certify that this Annual Report complies with:

- the prescribed requirements of the *Financial Accountability Act 2009* and the *Financial and Performance Management Standard 2019*
- the detailed requirements set out in the Annual Report requirements for Queensland Government agencies to the extent possible
- a checklist outlining the state Annual Report requirements (page 68–69 of this Annual Report).

Yours sincerely



John Vines OAM
Chair, Professional Standards Council of Queensland

Constitution of the Council

Members of the Professional Standards Council of Queensland were entitled to attend six scheduled meetings for the year. Please refer to Table 5 on page 50 for a summary of meeting attendance.

Organisational structure

For information regarding Council members and their profiles, please refer to pages 13–15.

Authority staff profile

Please refer to page 55 for the organisational structure of the Authority which provides services and support to the Professional Standards Council of Queensland.

Major legislative changes

No major changes were made to the professional standards legislation during 2023–24.

Risk management

The risk management and internal audit practices of the Council are described on page 51

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.

Human rights

The Council did not receive any human rights complaints under the *Human Rights Act 2019* (Qld) during the reporting period.

Consultants

The Council's share of the combined annual spend on consultancy was \$4,452 (GST exclusive).

In accordance with the Inter-Departmental Service Agreement, all expenditure is processed by the NSW Department of Customer Service and allocated to the eight national Professional Standards Councils.

Five 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 62.

Overseas travel

There was no overseas travel undertaken.

Public sector employment and management

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.

Record keeping

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

Waste management

The Authority is governed by the NSW 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 provided as a separate document. Please refer to the Summary of Income and Expenses on page 60 for the Professional Standards Council of Queensland's revenue and expenses for 2023–24.

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 six scheduled meetings for the year. Please refer to Table 5 on page 50 for a summary of meeting attendance.

Major legislative changes

No major changes were made to professional standards legislation during 2023–24.

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 at 30 June 2024.

Organisation and functions

Please refer to page 55 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 framework
- 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.

Record keeping

Sound record keeping practices underpin good governance. In accordance with the requirements of the *State Records Act 1997* (SA), the Council's record keeping 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 \$1,038 (GST exclusive). In accordance with the Inter-Departmental Service Agreement, all expenditure is processed by the NSW Department of Customer Service and allocated to the eight national Professional Standards Councils.

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

- Finity Pty Limited for an actuarial opinion on a scheme application, \$22,000 (GST exclusive)
- Finity Pty Limited for an actuarial opinion on a scheme application, \$24,000 (GST exclusive)
- Taylor Fry Pty Ltd for actuarial advice on a scheme application, \$27,475 (GST exclusive)
- Taylor Fry Pty Ltd for actuarial advice on a scheme application, \$23,000 (GST exclusive)
- Emergent Futures Pty Ltd for strategic foresight advice, \$21,956 (GST exclusive)

For further details of consultancy spend, refer to Note 21 of the detailed expenditure in Table 9 on page 62.

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* (SA), 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* (NSW) under the NSW Department of Customer Service. There were no work-related injuries, illnesses or prosecutions during the reporting period.

Financial performance

A summary of audit outcomes from the audited financial statements of the Professional Standards Council of South Australia is supplied separately. This is provided in the ensuing Auditor-General's 'Update to the annual report for the year ended 30 June 2024', tabled at a later date. Please refer to the Summary of Income and Expenses on page 60 for the Professional Standards Council of South Australia's revenue and expenses for 2023–24.

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 six scheduled meetings for the year. A summary of meeting attendance is shown on Table 5 on page 50.

Major legislative changes

No major changes were made to professional standards legislation during 2023–24.

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 Summary of Income and Expenses on page 60 for the Professional Standards Council of Tasmania's revenue and expenses for 2023–24.

Victoria

Constitution of the Council

Members of the Professional Standards Council of Victoria were entitled to attend six scheduled meetings for the year. Please refer to Table 5 on page 50 for a summary of meeting attendance.

Major legislative changes

No major changes were made to professional standards legislation during 2023–24.

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 NSW 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* (Vic), 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 2023–24, 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 55 for the organisational structure of the Authority which provides services and support to the Professional Standards Council of Victoria.

Work health and safety

Authority staff are bound by the *Work Health and Safety Act 2011* (NSW) under the NSW 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 Summary of Income and Expenses on page 60 for the Professional Standards Council of Victoria's revenue and expenses for 2023–24.

Consultants

The Council's share of the combined annual spend on consultancy was \$8,893 (GST exclusive).

In accordance with the Inter-Departmental Service Agreement, all expenditure is processed by the NSW Department of Customer Service and allocated to the eight national Professional Standards Councils.

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

- Finity Pty Limited for an actuarial opinion on a scheme application, \$22,000 (GST exclusive)
- Finity Pty Limited for an actuarial opinion on a scheme application, \$24,000 (GST exclusive)
- Taylor Fry Pty Ltd for actuarial advice on a scheme application, \$27,475 (GST exclusive)
- Taylor Fry Pty Ltd for actuarial advice on a scheme application, \$23,000 (GST exclusive)
- Emergent Futures Pty Ltd for strategic foresight advice, \$21,956 (GST exclusive).

For further details of consultancy spend, refer to Note 21 of the detailed expenditure in Table 9 on page 62.

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 to 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.

Statement of compliance

For year ended 30 June 2024

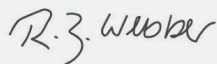
HON. JOHN QUIGLEY MLA
ATTORNEY-GENERAL

In accordance with section 63 of the *Financial Management Act 2006*, we hereby submit for your information and presentation to Parliament, the Annual Report of the Professional Standards Council of Western Australia for the financial year ended 30 June 2024.

The Annual Report has been prepared in accordance with the provisions of the *Financial Management Act 2006*.



John Vines OAM
Chair



Rachel Webber
Member

Organisational structure

For information regarding Council members and their profiles, please refer to pages 13–15.

Mission

Please refer to page 3 for the Council's mission statement.

Authority staff profile

Please refer to page 55 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 2023–24.

Shared responsibilities with other agencies

Please refer to the section on Intergovernmental Agreements and the Authority on page 49.

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 60 for the Professional Standards Council of Western Australia's revenue and expenses for 2023–24.

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 2023–24, 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 professional standards 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 2023–24.

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 2023–24 are set out on pages 20–24.

Workers' compensation

No workers' compensation claims were recorded during 2023–24.

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 six scheduled meetings for the year. Please refer to Table 5 on page 50 for a summary of meeting attendance.

Board and committee remuneration

Please refer to page 50 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 Council expenditure for 2023–24 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	NIL		

*The expenditure shown is the Western Australia Professional Standards Council's share (2.62%) of the consolidated pool of annual expenses shared by all eight Councils, which is based on each individual Council's 2023–24 revenue compared to total 2023–24 revenue.

Disability access and inclusion plan outcomes

The Council is committed to creating an inclusive and supportive working environment for people with 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.

Record keeping

Sound record keeping 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 record keeping 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	2023–24	Target
Number of fatalities	0	0	0	0	0	0
Lost time injury and/or disease incidence rate	0	0	0	0	0	0 or 10% reduction
Lost time injury and/or severity rate	0	0	0	0	0	0 or 10% reduction
Percentage of injured workers returned to work:						100%
(i) within 13 weeks	N/A	N/A	N/A	N/A	N/A	Greater than or equal to 80%
(ii) within 26 weeks	N/A	N/A	N/A	N/A	N/A	
Percentage of managers trained in occupational safety, health and injury management responsibilities				100%	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). During the 2023–24 reporting period, no workers' compensation claims were lodged, nor was any time lost from work as a result of illness or injury as shown in Table 11.

SECTION 6

Glossary and indexes

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
ARA	Australasian Reporting Awards
ARC	Australian Research Council, Commonwealth of Australia
Authority	Professional Standards Authority that 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.
FARMCs	Finance, Audit and Risk Management Committees
GIPA	<i>Government Information (Public Access) Act 2009</i> (NSW)
HDC	Higher discretionary caps
Occupational association	The terms 'occupational association', 'professional association' and 'association' are used interchangeably within this document.
PSC	Professional Standards Councils ('The Councils')
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

ACSN	Association of Consulting Surveyors National
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
IPA	Institute of Public Accountants
LIV	Law Institute of Victoria
LSNSW	Law Society of New South Wales
LSSA	Law Society of South Australia
LSWA	Law Society of Western Australia
NSW Bar	New South Wales Bar Association
QLS	Queensland Law Society
SABA	South Australian Bar Association
SCA	Strata Community Association (NSW)
VIC Bar	Victorian Bar
WABA	Western Australian Bar Association

Index of Figures and Tables

Figures

Page no.	Title
27	Figure 1: Average number of persons by state and territory in professional standards schemes
27	Figure 2: Number of members in associations operating a scheme over the past 10 years
28	Figure 3: Number of persons by state and territory in professional standards schemes over the past five years (yearly average)
37	Figure 4: Industry sector comparison in complaints/claims 2022 to 2023
39	Figure 5: Professional indemnity insurance costs (average premiums) comparison 2022–23
40	Figure 6: 2023: Number of claims exceeding 50% of the monetary ceiling per 1,000 members
41	Figure 7: Claims exceeding 50% of the monetary ceiling trend comparison: 2022 to 2023
41	Figure 8: Claims exceeding 50% of the monetary ceiling per 1,000 members comparison trend: 2020 to 2023
42	Figure 9: Causes for claims exceeding 50% of the monetary ceiling
43	Figure 10: Higher discretionary caps trend comparison 2022 to 2023
50	Figure 11: Provides a diagram of the national structure

Tables

Page no.	Title
29–30	Table 1: Professional standards schemes mutually recognised in each state and territory during the period 1 July 2023 to 30 June 2024
32	Table 2: Schemes approved 2023–24
33	Table 3: Schemes prescribed under Commonwealth regulations
34	Table 4: Interest on overdue annual fees
50	Table 5: Remuneration and meeting attendance of council members
55	Table 6: Authority staff profile as at 30 June 2024
56	Table 7: Senior Executive remuneration in the NSW Department of Customer Service
60	Table 8: Summary of Income and Expenses for year ended 30 June 2024
61	Table 9: Detailed expenditure 2023–24
75	Table 10: Expenditure on advertising, market research, polling and direct mail
75	Table 11: Report of annual performance against targets

Photographs

Page no.	Title
8	Guidance Note: Mutual recognition of multi-jurisdiction professional standards schemes
8	Councils' Chair John Vines OAM at a Linkage Project industry event hosted by the Councils in June 2024
8	Councils' Chair John Vines OAM and Authority Communication and Engagement Officer Catherine McCullough at the 2024 ARA Awards
8	October 2023 Professional Standards Forum
10	The Professional Standards Councils' Chair, Mr John Vines OAM
11	Councils' members Ross Springolo, Timothy Mellor, Catherine Wood AM, Lisa King, Elizabeth Shearer, Rachel Webber, Tiina-Liisa Sexton and Councils' Chair John Vines OAM
13	The Professional Standards Councils' Chair, Mr John Vines OAM
13	The Professional Standards Councils' Deputy Chair, Mr Andrew Lumsden
13	New South Wales Professional Standards Councils member, Ms Lisa King
13	New South Wales Professional Standards Councils member, Ms Caroline Lamb
14	Commonwealth Professional Standards Councils member, Mr Peter Martin
14	South Australia Professional Standards Councils member, Mr Timothy Mellor
14	Victoria Professional Standards Councils member, Dr Pam Montgomery
14	Tasmania Professional Standards Councils member, Ms Tiina-Liisa Sexton
14	Queensland Professional Standards Councils member, Ms Elizabeth Shearer
14	Commonwealth Professional Standards Councils member, Mr Richard Shields
15	Northern Territory Professional Standards Councils member, Mr Ross Springolo
15	Northern Territory Professional Standards Councils member, Mr Iain Summers
15	Western Australia Professional Standards Councils member, Ms Rachel Webber
15	Australian Capital Territory Professional Standards Councils member, Ms Catherine (Cate) Wood AM
15	The Professional Standards Councils June 2024 meeting
20	The Professional Standards Councils' Strategy 2025
24	(L-R) Professional Standards Authority Director Professional Standards Regulation Mr Darren Holder, Western Australia Professional Standards Councils member Ms Rachel Webber and Tasmanian Professional Standards Councils member Ms Tiina-Liisa Sexton
26	The Professional Standards Councils' CEO, Ms Roxane Marcelle-Shaw
28	(L-R) South Australian Professional Standards Councils member Mr Tim Mellor and Tasmanian Professional Standards Councils member Ms Tiina-Liisa Sexton at the October 2023 Professional Standards Forum
31	A public notification for the Law Society of New South Wales proposed professional standards scheme was featured on the NSW Government 'Have your say' website for public consultation
32	Queensland Professional Standards Councils member Ms Elizabeth Shearer, and Professional Standards Authority staff member Ms Simone Moore
44	The Professional Standards Councils' Chair, Mr John Vines OAM

Photographs (cont.)

Page no.	Title
45	John Vines OAM (PSC Chair), Caroline Lamb (PSC Member), Cate Wood AM (PSC Member), Brian Nolan (LSSA Manager Professional Standards Scheme and Risk) and Jessica Jameson (LSNSW Director Licensing and Registry)
45	Professional Standards Forum workshop on managing member compliance with professional standards obligations
47	Draft industry report for the Constructing Building Integrity: Raising Standards Through Professionalism ARC Linkage Project
47	Project Steering Group Chair Mr Peter Gow speaking at the June 2024 industry event
47	Dr Hugh Breakey (Griffith University), Councils' Chair John Vines OAM, Prof Hazel Easthope (UNSW), Elizabeth Bazen (Curtin University), Prof Sacha Reid (Griffith University), Dr Katja Cooper (Griffith University), Dr Sancia West (Authority Senior Research Officer), Prof Charles Sampford (Project Lead, Griffith University) and Peter Gow (Project Chair) at the June 2024 industry event
48	Councils' CEO Roxane Marcelle-Shaw participated in a panel on the 'Role of standards into the future' at the Standards Australia Mid-Year Members Forum in May 2024
52	Professional Standards Councils' combined 2022-23 Annual Report
52	The Professional Standards Councils' Bronze 2023 Australasian Reporting Award certificate
54	Queensland Professional Standards Councils member Ms Elizabeth Shearer
56	The Professional Standards Councils' CEO, Ms Roxane Marcelle-Shaw
57	The Authority follows the NSW Department of Customer Service approach for hybrid working arrangements
59	Australian Capital Territory Professional Standards Councils member, Ms Catherine (Cate) Wood AM

Professional Standards Councils

Professional Standards Authority

pscinfo@psc.gov.au

psc.gov.au



© 2024 Professional Standards Councils of the Australian Capital Territory, New South Wales, the Northern Territory, Queensland, South Australia, Tasmania, Victoria and Western Australia.

You may copy, distribute, display, download and otherwise freely deal with this work for any purpose, provided that you attribute the Councils. You must obtain permission from the Councils if you wish to: (a) charge others for access to the work (other than at cost); (b) include the work in advertising or a product for sale; or (c) modify the work.

This document has been prepared by the Councils for general information purposes. While every care has been taken in relation to its accuracy, no warranty is given or implied. Recipients should obtain their own independent advice before making any decisions that rely on this information.

This document is available online in PDF.

Published in September 2024 by the Professional Standards Councils.

Acknowledgement

This annual report would not have been possible without the effort and support of many people in the Authority and the contracted supplier listed below. Their dedication and flexibility is greatly appreciated.

Concept, design and typesetting

Messy Collective

psc.gov.au