



CORPORATE PLAN

Covering reporting periods 2020-21 to 2023-24

2020-21

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1 MESSAGE FROM THE GENERAL MANAGER

STATEMENT OF PREPARATION

As the accountable authority of the Fair Work Commission, I present the Fair Work Commission Corporate Plan 2020–24, which covers the 2020–21 to 2023–24 reporting periods, as required under paragraph 35(1)(b) of the *Public Governance, Performance and Accountability Act 2013*.

The Commission will report against this Corporate Plan and the 2020–21 Portfolio Budget Statements in the annual performance statements that will form part of the Commission's 2020–21 Annual Report.



Bernadette O'Neill
General Manager

31 August 2020

2 PURPOSE

Through its role as Australia's national workplace tribunal, the Fair Work Commission (Commission) supports simple, fair and flexible workplace relations for employees and employers.

The Commission's primary purpose is to exercise its functions and powers in accordance with the *Fair Work Act 2009* (Fair Work Act) including:

- dealing with unfair dismissal claims
- dealing with anti-bullying claims
- dealing with general protections and unlawful termination claims
- setting the national minimum wage and minimum wages in modern awards
- making, reviewing and varying modern awards
- assisting the bargaining process for enterprise agreements
- approving, varying and terminating enterprise agreements
- making orders to stop or suspend industrial action
- dealing with disputes brought to the Commission under the dispute resolution procedures of modern awards and enterprise agreements
- determining applications for right of entry permits
- promoting cooperative and productive workplace relations and preventing disputes.

The Commission and General Manager also have responsibilities in relation to the registration, amalgamation and cancellation of registered organisations and making and alteration of their rules under the *Fair Work (Registered Organisations) Act 2009*.

HOW THE ELEMENTS OF THE COMMISSION'S PLAN INTEGRATE



Role

Australia's national workplace relations tribunal



Capability

The capabilities required by the Commission today and into the future

Purpose

To exercise powers and functions in accordance with the Fair Work Act 2009



Operating Environment

The internal and external factors we need to consider to achieve our purpose

Core Activities

Dispute resolution, setting the minimum wage, making modern awards, facilitating collective bargaining and approving enterprise agreements



Enabling Activities

Information and analysis
Corporate Services



PORTFOLIO BUDGET STATEMENTS

The Commission is responsible for delivering a single planned outcome as set out in the Portfolio Budget Statements 2020–21:

Simple, fair and flexible workplace relations for employees and employers through the exercise of powers to set and vary minimum wages and modern awards, facilitate collective bargaining, approve agreements and deal with disputes.

The Commission delivers a single program of dispute resolution, minimum wage setting, orders and approval of agreements.

The Commission's major priorities for 2020–21 include:

- ensuring that the community understands the role of the Commission and recognises it as an independent and expert workplace relations tribunal
- ensuring that the Commission is accessible to all Australians, recognising the community's diverse needs and expectations
- ensuring that the Commission is efficient, accountable and transparent
- ensuring that the Commission is a highly skilled and agile organisation in which its people, processes, systems and technology are aligned to deliver high quality, efficient and effective services to the community.

3 OPERATING ENVIRONMENT

HISTORY

Australia's first national workplace relations tribunal, the Commonwealth Court of Conciliation and Arbitration, was established more than a century ago in 1904.

Since then, the tribunal has undergone many changes in jurisdiction, name, function and structure in line with substantial legislative, social and economic changes. The tribunal has endured by successfully adapting to changes in its legislative environment and through being an independent and expert dispute resolution service.

SETTING

In recent years the Commission has seen a significant shift in the composition of its work. The nature of the Commission's work has changed—from collective to individual dispute resolution. This shift towards individual dispute resolution arises from legislative change and other workplace changes.

The changing nature of the Commission's work has had implications for its stakeholders. Parties appearing before the Commission are no longer predominantly experienced workplace relations participants, such as unions, employers and employer organisations, who are familiar with the legislative landscape and the Commission's processes. The majority of parties are now self-represented, first time participants who are unfamiliar with the Commission's processes. The Commission is continuing to improve the information it provides about the legislation that it administers and its procedures in order to be more accessible to people with limited knowledge of workplace relations.

The COVID-19 pandemic has dramatically impacted all parts of Australian society, including the economy. Since March 2020, the Commission has experienced an increase in applications lodged, especially unfair dismissals. Above trend lodgements are likely to continue in 2020–21 and beyond as the economy recovers. The Commission aims to use all available resources to deal with the increased demand on our services.

COOPERATION

The Commission operates within the broader workplace relations framework and works collaboratively with other Commonwealth agencies that also have a role to play, such as the Fair Work Ombudsman and the Registered Organisations Commission.

Through a network of partner organisations, the Commission facilitates the Workplace Advice Service which provides free legal assistance for dismissal, general protections and workplace bullying matters. Further details and a [full list of partner organisations](#) is available on the Commission's website.

The Commission engages with several user groups to ensure that its services are aligned with the evolving needs of the Australian community.

4 KEY ACTIVITIES

As the national workplace relations tribunal, the Commission's key activity is to exercise its functions and powers in accordance with the Fair Work Act.

5 CAPABILITY

WORKFORCE CAPABILITY

A skilled and engaged workforce is a key enabler of the Commission's performance, directly affecting our ability to respond to a changing environment while continuing to deliver services to the highest standard. A key outcome in the reporting period will be to continue to develop our people through targeted capability development strategies.

CAPITAL INVESTMENT AND ICT CAPABILITY

The Commission's capital investment priorities are predominantly focused on information and communications technology (ICT) and property. The Commission regularly reviews its ICT and property footprint to ensure they continue to meet the needs of a modern tribunal. The Commission will continue to invest in technology to support virtual hearings, efficient case management and collaboration.

The Commission's focus in the next year is to continue to invest in our website and targeted delivery of information to ensure that users are provided with the information they want, at the time they need it, in plain language and in the most useful form.

6 RISK

RISK OVERSIGHT AND MANAGEMENT

The General Manager as the Accountable Authority is responsible for ensuring the Commission meets the requirements of the *Public Governance, Performance and Accountability Act 2013*. The Commission will ensure that high standards of governance, performance and accountability are met, that public resources are managed properly, and that meaningful information is provided to Parliament and the public, including through the Commission's annual report.

In line with the risk management framework introduced by the *Public Governance, Performance and Accountability Act 2013*, the Commission will continue to embed a contemporary risk management culture and practices across the organisation.

The Commission's Risk framework is consistent with the Commonwealth Risk Management Policy and includes our risk management policy and guidelines, accompanied by a range of resources including risk registers and treatment plans.

The Commission has an independent audit committee which provides an independent source of assurance and advice to the General Manager on the appropriateness of the Commission's financial and performance reporting, and risk management framework.

KEY RISKS

The most relevant risk to the Commission's day-to-day operations is maintaining its reputation as an independent and expert workplace relations tribunal that is accessible to all Australians. The Commission maintains its reputation by performing statutory functions and exercising associated powers according to its legislative mandate in a manner that is fair and just; quick, informal and avoids unnecessary technicalities; open and transparent; and promotes harmonious and cooperative workplace relations.

It is important that the Commission meets the needs of the Australian community who utilise its services. This is brought into great focus at times of major disruptions to the labour force, such as the COVID-19 pandemic.

Members of the tribunal are supported in performing their statutory functions by Commission staff. This makes the attraction, retention and promotion of quality staff a risk which is mitigated by building and maintaining workforce capability through staff training and personal development.

Another significant risk concern is ensuring that the information the Commission provides to tribunal users and to the Australian community is accurate, up to date and relevant to their needs. By continuing to improve the quality of the Commission's information, such as that provided on its website, the Commission helps tribunal users understand its processes and their likely outcomes so they can participate with confidence in matters before the Commission.

7 PERFORMANCE

The Commission will focus on delivering the following strategies to achieve intended results, which will be measured by the performance measures set out in this plan and Key Performance Indicators (KPIs) from the 2020–21 Portfolio Budget Statements (PBS).

ACTIVITY ONE:

Powers and functions are exercised in accordance with the *Fair Work Act 2009*

DELIVERY STRATEGIES

In exercising powers and functions, the Commission will improve the services that it provides to the community by:

- engaging with the community in order to better understand user needs and to tailor services appropriately
- developing the Commission’s organisational capability to deliver services of the highest standard

INTENDED RESULT

The community understands the role of the Commission and recognises it as an independent and expert workplace relations tribunal.

Performance measures	Target	Data Source	2020-21	2021-22	2022-23	2023-24	PBS
Survey parties in individual matters following a staff conference or conciliation	At least 80 per cent	Survey forms					No
Survey respondents in individual matters following a staff conference or conciliation are satisfied that their conference conciliator was even handed	At least 80 per cent	Survey forms					No
Report on the activities that involved consultation with users about improving service delivery		Internal report					No

DELIVERY STRATEGIES

The Commission will improve its provision of information and service delivery by:

- assessing the accessibility of the Commission’s services and information
- where appropriate, adopting new technology to improve the Commission’s services
- adopting appropriate design and user experience principles in delivering services

INTENDED RESULT

The Commission is accessible to all Australians, recognising the community’s diverse needs and expectations.

Performance measures	Target	Data Source	2020-21	2021-22	2022-23	2023-24	PBS
Survey respondents in individual matters following a staff conference or conciliation found information, including on the Commission’s website, was easy to understand	At least 80 per cent	Survey forms					No
Survey respondents in individual matters following a staff conference or conciliation are satisfied with the relevance of information provided by the Commission	At least 80 per cent	Survey forms					No
Survey respondents in individual matters following a staff conference or conciliation are satisfied with information provided by the Commission about its processes	At least 75 per cent	Survey forms					No
Monitor and report on the use of technology that has been implemented in order to improve access to, or delivery of, Commission services		Internal report					No

DELIVERY STRATEGIES

The Commission will continue to benchmark its performance and develop reporting capability in order to demonstrate timeliness in service delivery and to ensure transparency and accountability.

INTENDED RESULT

The Commission is efficient, accountable and transparent.

Performance measures	Target	Data Source	2020-21	2021-22	2022-23	2023-24	PBS
Improve or maintain the median time elapsed from lodging applications to finalising conciliations in unfair dismissal applications	34 days	CMS+					Yes
Annual wage review to be completed to enable an operative date of 1 July	30 June	Published decision					Yes
Improve or maintain the median agreement approval time for agreements approved without undertakings	32 days	CMS+					Yes

ACTIVITY TWO:

Organisational capability is enhanced

DELIVERY STRATEGIES

Underpinning the Commission's delivery of Activity One, the Commission will continue to develop its organisational capability by:

- continuing to improve the capabilities and skills of its workforce as the key enabler of performance including capabilities in digital service delivery
- reviewing and strengthening governance structures and processes
- demonstrating the cultural pillars of innovation, collaboration and service excellence
- embedding contemporary risk management practices in operational activities.

INTENDED RESULT

The Commission is a highly skilled and agile organisation in which its people, processes, systems and technology are aligned to deliver high quality, efficient and effective services to the community.

Performance measures	Target	Data Source	2020-21	2021-22	2022-23	2023-24	PBS
Maintain or improve the number of professional development plans that specify individual and/or organisational professional development goals	100 per cent	Internal Reporting					No
Staff are offered an opportunity to experience work outside their usual role, participate in a cross organisational project or be involved in a service improvement project	At least 30 per cent	Internal Reporting					No

CONTACT THE FAIR WORK COMMISSION

Online
fwc.gov.au


Phone
1300 799 675
9am to 5pm Monday to Friday



If you need an interpreter, call TIS National on **131 450**



If you are deaf, or have a hearing or speech impairment, contact the Commission through the National Relay Service. For more information visit relayservice.gov.au

 To view the Commission's YouTube channel visit youtube.com/user/FairWorkAu