



No. 1 of 2022

REPORT OF THE REMUNERATION TRIBUNAL
2022 REVIEW OF REMUNERATION FOR OFFICIAL VISITORS OF
CORRECTIONAL INSTITUTIONS

INTRODUCTION

1. Section 14 of the *Remuneration Act 1990* (“the Act”) provides that the Remuneration Tribunal (“the Tribunal”) has jurisdiction to determine the remuneration, or a specified part of the remuneration, payable in respect of certain offices, if such jurisdiction is conferred upon the Tribunal by any other Act or by the Governor by proclamation.
2. Section 20B of the *Correctional Services Act 1982* (“the CS Act”) confers jurisdiction upon the Tribunal to make determinations of remuneration, allowances and expenses for Official Visitors of correctional institutions (“Official Visitors”).

BACKGROUND

3. Following amendments to the CS Act in 2021, the Tribunal made its inaugural Determination of remuneration for Official Visitors in the later part of that year. The Tribunal determined full-day and half-day rates of pay for Official Visitors.
4. In 2022, the Tribunal received an application from the Department of Correctional Services (“DCS”) for a determination of *expenses* for Official Visitors, made pursuant to the CS Act. The Tribunal agreed to that request and has considered expenses for Official Visitors as part of this review.

PROCEDURAL HISTORY

5. Section 10(2) of the Act provides that prior to the making of a Determination, the Tribunal must allow an affected person, or persons of an affected class, a reasonable opportunity to make submissions orally or in writing to the Tribunal.
6. Section 10(4) of the Act provides that the Minister responsible for the Act may intervene, personally or by counsel or other representative, in proceedings before the Tribunal for the purpose of introducing evidence, or making submissions, on any question relevant to the public interest.

7. On 1 February 2022, the Tribunal wrote to Official Visitors, the Honourable Premier of South Australia (“the Premier”) as the Minister responsible for the Act, and the Minister for Police, Emergency Services and Correctional Services, notifying of the Tribunal’s intention to conduct a review of its previous Determination in relation to Official Visitors. The Tribunal invited written submissions with a closing date of 28 February 2022.
8. In addition, on 8 February 2022, a notification of the review was placed on the Tribunal’s public website.

SUBMISSIONS

9. The Tribunal received the following submissions.

Department for Correctional Services, on behalf of the Minister responsible for the CS Act.

- 9.1. DCS has sought a determination of expenses consistent with standard public sector employment provisions to apply to Official Visitors of Correctional Institutions.
- 9.2. DCS suggests using a combination of the following as reference points to determine reasonable allowances and expenses that Official Visitors may incur throughout the course of carrying out their duties:
 - Determination 3.2 of the Commissioner for Public Sector Employment Conditions – Remuneration – Allowances and Reimbursements
 - DCS Policy FM004 – Accounting for Taxi Vouchers
 - Department of the Premier and Cabinet (DPC) Circular 040 – Air Travel
- 9.3. According to research conducted by DCS, using public sector conditions as a basis for remuneration of allowances and expenses appears consistent with other states and territories for remuneration regarding the Official Visitors Scheme.
- 9.4. DCS will, where possible, facilitate and fund all travel arrangements prior to the date / time of travel to reduce the need for Official Visitors to claim reimbursement for flights, vehicle hire and accommodation.
- 9.5. Where arrangements are being made through the DCS Office for Correctional Services Review (OCSR) for travel to sites for a non-programmed visit, the OCSR will ensure that sites are not forewarned under any circumstance.
- 9.6. Additional resources such as stationary and other items deemed necessary in carrying out official visits will be provided by OCSR.

Joanne Battersby, Official Visitor

- 9.7. Official Visitors appointed under the CS Act should be reimbursed under the same terms and conditions as public sector employees under determinations issued from time to time by the Commissioner for Public Sector Employment.
- 9.8. Airline flights for Official Visitors should be booked and paid for directly by the Department for Correctional Services. If this is not possible Official Visitors should book and pay for the most cost effective flexible economy fare for their travel and be reimbursed for the entire cost upon production of a receipt.
- 9.9. Cabcharge vouchers should be issued to Official Visitors for travel in locations where it is not possible to use their own vehicles. If this is not possible, Official Visitors should book and pay for their own Uber or taxi travel and be reimbursed upon production of receipts.

10. No other submissions were received by the Tribunal in respect of the review to which this Report relates.

ECONOMIC DATA AND INFORMATION

11. The *South Australian Public Sector Enterprise Agreement: Salaried 2021* provides general salary increases of 1.5% per annum for public sector administrative workers.
12. The Australian Bureau of Statistics Wage Price Index for Public Sector in South Australia has increased at an annualised rate of 1.4%¹.
13. The Australian Bureau of Statistics Consumer Price Index for Adelaide has increased at an annualised rate of 4.7%².
14. The monetary policy decision published by the Reserve Bank of Australia on 5 April 2022 states as follows:

“Inflation has increased sharply in many parts of the world. Ongoing supply-side problems, Russia’s invasion of Ukraine and strong demand as economies recover from the pandemic are all contributing to the upward pressure on prices...”

“Inflation has increased in Australia, but it remains lower than in many other countries; in underlying terms, inflation is 2.6 per cent and in headline terms it is 3.5 per cent. Higher prices for petrol and other commodities will result in a further lift in inflation over coming quarters, with an updated set of forecasts to be published in May. The main sources of uncertainty relate to the speed of resolution of the various supply-side issues, developments in global energy markets and the evolution of overall labour costs.”

“Wages growth has picked up, but, at the aggregate level, is only around the relatively low rates prevailing before the pandemic. There are, however, some areas where larger wage increases are occurring. Given the tightness of the labour market, a further pick-up in aggregate wages growth and broader measures of labour costs is in prospect. This pick-up is still expected to be only gradual, although there is uncertainty about the behaviour of labour costs at historically low levels of unemployment.”

CONSIDERATION AND CONCLUSION

General Increase

15. The Tribunal notes that the operative date for the most recent review of remuneration for Official Visitors was 19 January 2022, which is the date upon which the relevant section of the CS Act was brought into operation by Governor proclamation. In light of this, the Tribunal has taken the view that it would be more appropriate to defer any consideration of an increase to Official Visitor remuneration until the next review in 2023. That review would then enable appropriate wage movements to be more accurately assessed.

Allowances and Expenses incurred in the course of official duties

16. The two submissions put to the Tribunal for a determination of allowances and expenses incurred in the course of official duties for Official Visitors proposed that the Tribunal should align the amounts of allowances and expenses for Official Visitors with those applicable to public sector employees. The Tribunal accepts these submissions, with the exception of the rates of accommodation expense reimbursement.

¹ Australian Bureau of Statistics 2022, *Wage Price Index, Public Sector, South Australia, for the year ending December 2021*.

² Australian Bureau of Statistics 2022, *Consumer Price Index, All Groups, Adelaide, for the year ending March 2022*.

17. The Tribunal has decided to provide higher rates for accommodation expense reimbursement after conducting a survey of accommodation amounts in regional and metropolitan areas where correctional institutions are located. The Tribunal has taken into consideration that the work of Official Visitors would ordinarily be undertaken at correctional institution sites³ throughout South Australia and would therefore differ from other public sector employment cohorts in this respect.
18. Accordingly, the Tribunal has made the accompanying determination of allowances and expenses for Official Visitors, taking into account the material submitted by DCS and the amounts applicable with various public sector industrial instruments.
19. The Tribunal encourages DCS or Official Visitors to make a written submission at the next annual review, which will be conducted in 2023, to address any further issues which may arise in relation to the engagement of Official Visitors. Affected persons will also be notified of the review and an opportunity will be provided to make submissions to the Tribunal.

OPERATIVE DATE

20. The accompanying Determination shall come into operation on and from 1 June 2022



Matthew O'Callaghan
PRESIDENT



Deborah Black
MEMBER



Peter de Cure
MEMBER

Dated this 1st day of June 2022

³ See: *Prison locations* available at <https://www.corrections.sa.gov.au/prison/prison-locations>