

Queensland Independent
Remuneration Tribunal

Review of the entitlement to additional staff members of cross bench Members of the 58th Parliament

Determination 34/2025
26 February 2025



Determination 34/2025

Background and Reasons

Tribunal roles and responsibilities

The *Queensland Independent Remuneration Tribunal Act 2013* (the Act) provides for the Queensland Independent Remuneration Tribunal (the Tribunal) to:

- review and determine remuneration (annual and additional salaries, allowances and entitlements) in connection with members and former members of the Queensland Legislative Assembly (Remuneration Determination); and
- review and determine entitlements of cross bench members to additional staff members (Additional Staff Member Determination).

Additional staff member determinations

Under section 7 of the Act, the Tribunal has the function to review and make determinations about entitlements of cross bench members to additional staff members (additional staff member determination).

Under the Act, a cross bench member means a member of the Assembly who is neither a member of a political party recognised in the Assembly as being in government; nor a member of a political party recognised in the Assembly as being in opposition¹. Part 3, Subdivision 3 of the Act provides for matters relating to additional staff member determinations.

An additional staff member determination may provide for additional staff members for all cross bench members; one or more stated classes of cross bench members; stated cross bench members; or a combination of these². The determination may provide for the same entitlement or different entitlements for cross bench members or classes of cross bench members³.

An additional staff member determination may state one or more of the following:

- the role of the staff member
- the classification level, including, for example, the salary level for the staff member
- the location where the staff member is to perform their functions for the cross bench member⁴.

¹ Schedule 1 of the Act

² Section 31D(1) of the Act

³ Section 31D(2) of the Act

⁴ Section 31D(3) of the Act

In making an additional staff member determination, the Tribunal may have regard to:

- Parliamentary resources provided to cross bench members and other members of the Assembly
- the composition of the Assembly and how this affects cross bench members
- the workload and duties of the cross bench members for whom the Tribunal is considering making the determination
- whether the cross bench members are members of political parties
- relevant laws
- other matters the Tribunal considers appropriate⁵.

For the purpose of making an additional staff member determination, *composition of the Assembly* means the extent to which the Assembly is made up of members of a political party recognised in the Assembly as being in government; members of a political party recognised as being in opposition; and cross bench members⁶. *Parliamentary resources*, for a member of the Assembly, means services and support, including, for example, general staff members, provided to the member, in the parliamentary precinct or elsewhere, to help the member to carry out the member's duties⁷.

The Tribunal is required to consult with and consider the views of the Clerk of the Parliament (the Clerk)⁸.

An additional staff member determination is to be made within three months after the day the Assembly is next summoned, or if a person becomes, or ceases to be, a cross bench member during the term of the Assembly, the day the person becomes or ceases to be a cross bench member⁹. The Governor summoned the Assembly on 26 November 2024. Accordingly, the additional staff member determination must be made by 26 February 2025.

Review Process

In undertaking its review of the entitlement of cross bench members to additional staff members, the Tribunal considered:

- previous determinations regarding the staffing of cross bench members and historical considerations
- Parliamentary resources provided to cross bench members and other members of the Assembly
- the composition of the current Legislative Assembly
- the workload, duties, roles and responsibilities of a cross bench member, including as a member of a Parliamentary Committee
- submissions received from the Clerk and cross bench members, including in relation to job sharing between electoral and parliamentary staff
- provision of additional staff for cross bench members in other jurisdictions.

⁵ Section 31E(1) of the Act

⁶ Section 31E(2) of the Act

⁷ Section 31E(2) of the Act

⁸ Section 31F of the Act

⁹ Section 31G of the Act

Previous determinations – additional staffing for cross bench members

In February 2021, the Tribunal made Determination 23/2021 regarding additional staff member entitlement for cross bench members, which stated as follows.

1. The Tribunal determines that each member who was a cross bench member as at 24 November 2020 is entitled to a 0.5 full time equivalent (FTE) at the salary rate applicable within the Parliamentary Service equivalent to an Administration Officer level 7 (AO7) under the *State Government Entities Certified Agreement 2019 – Queensland Parliamentary Service Award – State 2015*.
2. Appointments to the positions should be made by way of an Employment Contract pursuant to section 27 of the *Parliamentary Service Act 1988* or via secondment arrangements if the person is appointed from an existing Queensland public sector position.
3. The position description for the AO7 ‘Parliamentary Policy Officer’ should be settled by the Clerk of the Parliament as the employing authority.
4. The Parliamentary Policy Officer will provide Parliamentary support to the cross bench member and must not:
 - a. support the cross bench member in their electorate or political party functions, or
 - b. be a ‘connected party’ to the cross bench member as defined in the Legislative Assembly of Queensland *Member’s Remuneration Handbook* (Remuneration Handbook).
5. Subject to (4) above, the cross bench member has discretion to decide the work arrangements, work location, hours and schedule for the 0.5 AO7 Parliamentary Policy Officer.

In March 2022, the Tribunal made Determination 26/2022 that increased the allocation for cross bench members from 0.5 FTE to 1.0 FTE, and retained the conditions detailed in Determination 23/2021.

Parliamentary resources – current staffing arrangements

Ministerial Offices and the Office of the Leader of the Opposition

In 2023–24, the budgeted total staff establishment for Ministerial Offices and the Office of the Leader of the Opposition as at 30 June 2024 was 287 FTE¹⁰. The total actual establishment for Ministerial Offices (excluding the Office of the Leader of the Opposition) at 30 June 2024 was 264¹¹. Based on this available public data, the Leader of the Opposition Office had a staff establishment of 23 as at 30 June 2024.

Cross bench members

All cross bench members are currently entitled to one FTE Parliamentary Policy Officer¹².

¹⁰ Service Delivery Statements, budget.qld.gov.au/files/Budget_2024-25_SDS_Department_of_the_Premier_and_Cabinet.pdf

¹¹ Latest proactive disclosure for 30 June and 30 September 2024: premiers.qld.gov.au/right-to-info/published-info/assets/ministerial-office-establishment-30-june-2024.pdf

¹² Determination 26/2022: remunerationtribunal.qld.gov.au/assets/2022-determination/determination-26-2022.pdf

Members of Parliament (members)

The Speaker decides electorate office accommodation and staffing for all members.

All members are provided with one Electorate Officer and two Assistant Electorate Officers to assist the member in maintaining the operation of an electorate office. For secondary official offices (the four largest electorates only), the member may engage one additional Electorate Officer.

The Remuneration Handbook also provides that in addition to electorate officers, *'members are provided with a range of support services delivered by the Parliamentary Service including Library, Chamber and Committee related services, Catering, Property and Security services plus a range of organisational services such as Information Technology, Human Resource and other administrative services.'*¹³

Composition of the 58th Parliament

The Government has 52 members. The Opposition has 36 members.

There are five cross bench members consisting of:

- three Katter's Australian Party (KAP) members
- one Queensland Greens member
- one independent.¹⁴

Workload and duties, roles and responsibilities of a cross bench member

The Tribunal considered the roles and responsibilities of members (excluding officer holders) and found the roles and responsibilities remained the same as when considered in the context of previous determinations, and include Parliamentary, electorate and political party roles and responsibilities¹⁵. The Tribunal's determination relates to additional staffing to support Parliamentary responsibilities only.

Submissions

The Tribunal received and considered submissions from the Clerk and all five cross bench members regarding the roles and responsibilities of cross bench members, including as a member of a Parliamentary Committee, current staffing arrangements, and whether the Parliamentary Policy Officer should be able to undertake electorate and other work for the cross bench member. In his submission to the Tribunal, the Clerk advised of changes to the electorate office resourcing model that have occurred since the additional staffing determination in 2021, increasing the classification levels for staff and providing an additional Assistant Electorate Officer for each electorate.

Jurisdictional comparison

The Tribunal considered additional staffing arrangements for cross bench members in other jurisdictions.

¹³ Section 2.5.1.3. Services: remunerationtribunal.qld.gov.au/assets/2021-determination/determination-23-2021.pdf

¹⁴ State General Election 2024 results: results.elections.qld.gov.au/SGE2024

¹⁵ Determination 1/2013 and 23/2021

Conclusion

The Tribunal concluded that the current additional staff entitlement and employment conditions remains appropriate for cross bench members to effectively undertake their parliamentary duties, including as a member of a Parliamentary Committee.

The Tribunal notes that all members are provided with electorate officers to support the member's electorate duties. The Tribunal concluded that the limitation preventing the Parliamentary Policy Officer (PPO) from supporting the cross bench member in their electorate office or at political party functions is appropriate and should be retained. The Tribunal maintains that job sharing between the PPO and electoral staff increases the risk that the distinction between electorate, political party and policy work becoming blurred.

The Tribunal concluded that members who were cross bench members at 26 November 2024 should continue to be allocated one FTE as a PPO to assist them with their parliamentary responsibilities. The PPO is to be employed under the same conditions as detailed in Determination 23/2021.

Determination 34/2025

Any inconsistencies between earlier Tribunal Determinations and Determination 34/2025 are resolved in favour of Determination 34/2025. Matters in earlier Determinations not addressed in this Determination are confirmed by the Tribunal and not amended.

Additional staff member entitlement for cross bench members

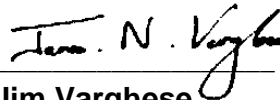
1. The Tribunal determines that each member of the Legislative Assembly who was a cross bench member as at 26 November 2024 is entitled to one full time equivalent for a Parliamentary Policy Officer position, to be employed under the same conditions as detailed in Determination 23/2021.

Date of Determination: 26 February 2025

Effective Date: 26 November 2024



Keitha Dunstan
Chairperson



Jim Varghese
Member



Patrick Weller
Member