From: [redacted], Matthew
To: [redacted], Michelle
Subject: FW: Psycho-Social Safety [SEC=OFFICIAL]
Date: Friday, 8 August 2025 1:44:00 PM
Attachments: image004.jpg
image005.png
image006.png
image007.png

Hi Michelle,

Serco have come back and based on the below it appears they have a robust polices in place and reasonable ongoing management on this front.

For further details please see Tamara's response below. If you have any additional questions, please let me know.

Thanks

Matt [redacted] *(He/Him)*
a/g Assistant Director – Planning and Performance
National Contact Centre and Complaints Division
Service Delivery Group
National Disability Insurance Agency
E matthew.[redacted]@ndis.gov.au **T** **Connect with me on teams** **P** +[redacted]
I work Mon-Fri

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From: [redacted], Tamara <Tamara[redacted]@ndis.gov.au>
Sent: Friday, 8 August 2025 11:20 AM
To: [redacted] Matthew <Matthew[redacted]@ndis.gov.au>
Subject: RE: Psycho-Social Safety [SEC=OFFICIAL]

Hi Matt,

I connected with our WHS Advisor to ensure you had an overview on what we do, as

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always, the management of psychosocial hazards considers a whole of business response and looks at a number of risk mitigators:

1. What polices does Serco have in place to support Psycho-Social Safety?
    a. Psychosocial Risk Manager Procedure – outlines how risks are identified, assessed, and managed.
    b. Supportive Leadership and Well-Designed Work – ensuring clear roles, reasonable workloads, and supportive management practices.
    c. Prevention Plans – developed for identified hazards such as bullying, harassment, high job demands, or exposure to traumatic events.
    d. Training and Awareness – equipping leaders and employees with the skills to recognise and respond to psychosocial hazards.
2. What does Serco do to assess the risk around Psycho-Social Safety for their people?
    a. Regular Psychosocial Risk Assessments, reviewed by HSE leads.
    b. Workforce consultation at all stages of risk identification, evaluation, and control planning.
    c. Multiple Hazard Identification methods including employee feedback, surveys, incident data, absence trends, and workplace observations.
    d. Risk Mitigation and Control Plans to reduce or eliminate hazards.
    e. Ongoing monitoring and review to ensure controls remain effective and are updated when work or organisational circumstances change.

We will also be conducting another review of our processes once the Victorian changes are released.

Kind Regards,

Tamara s47F - personal privacy
Quality, Learning & Development Manager
National Contact Centre and Complaints Division
Service Delivery Group
National Disability Insurance Agency
E tamara s47F - personal privacy @ndis.gov.au **M** s47F - personal privacy

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From: [redacted] Matthew <Matthew[redacted]@ndis.gov.au>
Sent: Friday, 1 August 2025 8:52 AM
To: [redacted] Tamara <Tamara.[redacted]@ndis.gov.au>
Subject: Psycho-Social Safety [SEC=OFFICIAL]

Hi Tamara,

Thankyou for the chat last week around Serco's Psycho-Social safety training that Serco has.

I have a couple of follow up questions if you could please indulge me, it would be fantastic.

1. What polices does Serco have in place to support Psycho-Social Safety?
2. What does Serco do to assess the risk around Psycho-Social Safety for their people?

As I mentioned in our chat, we are looking to survey our people and depending on the results we will be looking refresher training to ensure staff are supported. At this time, our people and culture team have indicated we will only be looking at our internal staff. However, it maybe a timely opportunity for your leadership team to consider something similar for your people to support them in psycho-social space. Please know this is not a direction for any direct action just a heads up of what we are doing with our people.

If you have any questions, please feel free to reach out.

Thanks in advance.

Matt[redacted] *(He/Him)*
a/g Assistant Director – Planning and Performance
National Contact Centre and Complaints Division
Service Delivery Group
National Disability Insurance Agency
E matthew.[redacted]@ndis.gov.au **T** **Connect with me on teams** **P** +[redacted]
I work Mon-Fri

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From: [redacted] Anthony
To: [redacted] Kellie
Cc: [redacted] Michelle; Nightingale, Martin
Subject: Re: ATO Contact Centre - Same Job Same Pay Case [SEC=OFFICIAL]
Date: Thursday, 18 December 2025 3:08:04 PM
Attachments: image.png
Outlook-t1ncwie3.png
Outlook-NDIS Deliv.png
Outlook-LGBTIQA+ r.png
image002.png
image003.png
image004.png
image005.png
Outlook-prysssdo.dat
s42 - legal professional privilege [redacted]

Hi Kellie,

Thanks for your email - please find preliminary advice (email) and supplementary advice attached from December 2023 and February 2024.

Please reach out if you have any questions. Can you please include Martin Nightingale & Michelle [redacted] on any advice sent to COO re Serco contract?

Thanks,

Anthony [redacted]
Divisional Support Officer
National Contact Centre & Complaints Division
Service Delivery Group
National Disability Insurance Agency
P: s47F - personal privacy [redacted]
E: Anthony [redacted] @ndis.gov.au

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From: [redacted] Kellie <Kellie [redacted] @ndis.gov.au>
Sent: Thursday, December 18, 2025 13:00
To: [redacted] Anthony <Anthony [redacted] @ndis.gov.au>
Subject: FW: ATO Contact Centre - Same Job Same Pay Case [SEC=OFFICIAL]

Hi Anthony,

A few weeks ago I spoke with Matthew [redacted] regarding the impact of the Same Job Same Pay legislation on the NCC/Serco contract. He was unaware at the time that advice had been sought by the Agency. I have received the below as I have a brief with the COO for the impacts of the legislation on Agency labour hire contracts. COO has requested information on the potential impacts on the Serco contract, would you

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be able to share the initial advice received 22 December 2023?

Happy to have a chat if needed.

Kind regards,

Kellie [redacted]
Branch Manager a/g
Procurement Branch
National Disability Insurance Agency
T [redacted] **M** [redacted] **E** kellie[redacted]@ndis.gov.au

Hours: I work 9am till 3pm daily.

Making Flexibility Work - if you receive an email from me outside of normal business hours, I'm sending it at a time that suits me. I'm not expecting you to read or reply outside of your normal business hours.

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From: Barrett, Elita <Elita.Barrett@ndis.gov.au>
Sent: Tuesday, 9 December 2025 1:59 PM
To: [redacted] Kellie <Kellie.[redacted]@ndis.gov.au>
Subject: FW: ATO Contact Centre - Same Job Same Pay Case [SEC=OFFICIAL]

Kellie,

For awareness and advice please, noting we are waiting on advice re Serco contract – anything further / other to include in a response to Kristy?

Elita

From: Dam, Kristy <Kristy.Dam@ndis.gov.au>
Sent: Tuesday, 9 December 2025 12:35 PM
To: [redacted], Terri <Terri.[redacted]@ndis.gov.au>; [redacted], Mark <Mark.[redacted]@ndis.gov.au>; [redacted] Kath <Kath[redacted]@ndis.gov.au>; Barrett, Elita <Elita.Barrett@ndis.gov.au>

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Subject: FW: ATO Contact Centre - Same Job Same Pay Case [SEC=OFFICIAL]

Hi Team, one for us to be aware of if we get any enquiries from staff or CPSU, noting our Serco arrangement is a little bit different to ATO's and SA's.

Elita, do we have any other labour hire arrangements that we should have a look at to ensure we are meeting our obligations under the Same Job, Same Pay legislation?

Cheers,

Kristy Dam
Branch Manager, Workplace Conditions & SES Services
People, Culture & Wellbeing Division
National Disability Insurance Agency
M s47F - personal privacy **E** kristy.dam@ndis.gov.au

Please note that in PC&W Division we are moving towards promoting healthy work practices by avoiding booking meetings between 12pm – 1pm when most staff are on their lunch breaks. We kindly ask you to consider this when booking meetings with staff within PC&W including Executives in our Division.

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From: Nightingale, Martin <Martin.Nightingale@ndis.gov.au>
Sent: 09 December 2025 09:31
To: Doyle, Allison <Allison.Doyle@ndis.gov.au>; Dam, Kristy <Kristy.Dam@ndis.gov.au>
Subject: Re: ATO Contact Centre - Same Job Same Pay Case [SEC=OFFICIAL]

That's very much the key, and for you knowledge

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We order work through the arrangement in "workload seconds" we never directly request a number of staff, the number of staff their management structure and support is entirely up to Serco

- Their work is entirely conducted on their own premise or work from home arrangements.
- Their work is entirely conducted on their own equipment, which they use to access NDIA systems through a secure virtual desktop
- They work on defined segments within our skill segmentation model, and although we share queue overflows to ensure good participant service , it is on a best efforts basis. The segments that they service are administrative and informational and do not require decision making
- All NDIA NCC staff are scheme delegates and make delegate decisions as part of their roles which Serco cannot.

From: Doyle, Allison <Allison.Doyle@ndis.gov.au>
Sent: Tuesday, December 09, 2025 9:19 AM
To: Nightingale, Martin <Martin.Nightingale@ndis.gov.au>; Dam, Kristy <Kristy.Dam@ndis.gov.au>
Subject: Re: ATO Contact Centre - Same Job Same Pay Case [SEC=OFFICIAL]

Thanks Martin,

I think it is important we continue to describe and operate the arrangement as the provision of a service, rather than a supply of labour.

Kristy, could the team look into this one carefully so we are on the front foot?

Kind regards,

Ally Doyle (she/her)
Chief People and Wellbeing Officer
People, Culture and Wellbeing Division
National Disability Insurance Agency
M s47F - personal privacy | **E** allison.doyle@ndis.gov.au
My EA is Tayla s47F - personal privacy | **E** tayla.s47F - personal privacy@ndis.gov.au

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From: Nightingale, Martin <Martin.Nightingale@ndis.gov.au>
Sent: Tuesday, December 09, 2025 9:05 AM
To: Doyle, Allison <Allison.Doyle@ndis.gov.au>; Dam, Kristy <Kristy.Dam@ndis.gov.au>
Subject: Fw: ATO Contact Centre - Same Job Same Pay Case [SEC=OFFICIAL]

Hi Ally,

You may be aware of this case and it will directly relate to our contract with Serco as we procure through the same panel agreement .

Note I researched this when the legislation was passed predicting a possible impact. I think our case is clearer than the ATO given task separation and other factors. There is a risk here however and the size of the ensuing ASL problem would be very large.

From: McNAUGHTON, SCOTT <SCOTT.MCNAUGHTON@ndis.gov.au>
Sent: Tuesday, December 09, 2025 8:51 AM
To: Nightingale, Martin <Martin.Nightingale@ndis.gov.au>
Subject: Re: ATO Contact Centre - Same Job Same Pay Case [SEC=OFFICIAL]

Thanks Marty

definitely an issue we need to stay across. Assume P&C are monitoring this as well

keep me posted if you hear anything else

thanks

Scott McNaughton
Deputy CEO
Service Delivery
National Disability Insurance Agency
M s47F - personal privacy
Scott.mcnaughton@ndis.gov.au

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From: Nightingale, Martin <Martin.Nightingale@ndis.gov.au>
Sent: Monday, 8 December 2025 4:17 PM
To: McNAUGHTON, SCOTT <SCOTT.MCNAUGHTON@ndis.gov.au>
Subject: Fw: ATO Contact Centre - Same Job Same Pay Case [SEC=OFFICIAL]

This is the info that I sent Andrew. Just for keeping in back pocket. I think if they are successful against the ATO then they may try against others. In my opinion the ATO had the weakest but still a very defensible position.

From: Nightingale, Martin <Martin.Nightingale@ndis.gov.au>
Sent: Monday, December 01, 2025 3:12 PM
To: Maitland, Andrew <Andrew.Maitland@ndis.gov.au>
Cc: s47F - personal privacy Zahra <zahra.s47F - personal priva@ndis.gov.au>; s47F - personal priva Emma <emma.s47F - personal p@ndis.gov.au>; s47F - personal privacy Chelsea <Chelsea.s47F - personal privacy@ndis.gov.au>
Subject: ATO Contact Centre - Same Job Same Pay Case

Hi Andrew,

This came to my attention this morning that you should be aware of heading into Estimates,

Worker at Australian Taxation Office call centre takes court action demanding 'same job, same pay' | Industrial relations | The Guardian

A case has been raised to Fair Work testing the same job, same pay legislation against call centre outsourcing in the ATO. Serco is part of this case as they are a supplier to the ATO contract. Also to note, the ATO contract is the same as ours from the same panel arrangement.

When this legislation ascended we did some research and tested our situation with the Australian Government Solicitor, which I have attached.

Whilst ultimately anyone has the right to test our arrangements through court,

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At the time my guess was that given its new legislation without precedent someone would raise a case as a test , but that it was more likely to be the ATO given they provide all the IT equipment and have at a time shared premises. If this case is won by the plaintiff thenit could have implications for us.

I will keep you updated, but through this my come up as a surprise topic at Estimates this week.

Martin Nightingale
a/g General Manager
National Contact Centre and Complaints Division
Service Delivery Group
National Disability Insurance Agency
Mobile: s47F - personal privacy
Email: martin.nightingale@ndis.gov.au

Executive Assistant Kim s47F - personal privacy | kim s47F - personal privacy @ndis.gov.au | s47F - personal privacy

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