

Our management and structure

Tribunal member appointments

Appointment of the President

The President must be a Supreme Court judge who is recommended for appointment by the Attorney-General after consultation with the Chief Justice. The President holds office for the period of at least three years but not more than five years.

Appointment of the Deputy President

The Deputy President must be a District Court judge recommended for appointment by the Minister after consultation with the Chief Judge. The Deputy President holds office for the period of at least three years but not more than five years.

Appointment of senior members and members

As at 30 June 2011 QCAT had four appointed senior members and ten ordinary members with two of these members working part-time. Members must be recommended for appointment by the Minister after advertisement of the vacancy and consultation with the President.

A person is eligible for appointment as a senior member only if the person:

- is an Australian lawyer of at least eight years standing, or
- has in the Minister's opinion extensive knowledge, expertise or experience relating to a class of matter for which functions may be exercised by the tribunal.

A person is eligible for appointment as an ordinary member only if the person:

- is an Australian lawyer of at least six years standing, or
- has in the Minister's opinion special knowledge, expertise or experience relating to a class of matter for which functions may be exercised by the tribunal.

In recommending persons for appointment as members, the Minister must have regard to the following:

- the need for balanced gender representation in the membership of the tribunal
- inclusion of Aboriginal people and Torres Strait Islander members
- the need for the membership of the tribunal to reflect the social and cultural diversity of the general community
- the range of knowledge, expertise and experience of members of the tribunal.

A senior member or ordinary member holds office for the period of at least three years but not more than five years. A person appointed as a senior member or ordinary member may be reappointed whether or not the vacancy in the member's office has been advertised. A senior member or ordinary member may be appointed on a full-time, part-time or on sessional basis.

Sessional members

As at the 30 June 2011 QCAT had 139 appointed sessional members. Five of these sessional members are appointed concurrently as part-time adjudicators.

Adjudicators

As at 30 June 2011, QCAT has eight appointed adjudicators (five of whom are appointed on a part-time basis). An adjudicator must be appointed by the Governor in Council on recommendation from the Minister after advertisement of the vacancy and consultation with the President.

When selecting a person for recommendation for appointment as an adjudicator, the Minister must advertise for applications from appropriately qualified persons to be considered for selection.

A person is eligible for appointment as an adjudicator only if the person is an Australian lawyer of at least 5 years standing. An adjudicator holds office for the period of at least three years but not more than five years. A person appointed as an adjudicator may be reappointed whether or not the vacancy in the adjudicator's office has been advertised.

Member appointments – see Appendix 1.

Boards and committees

Management committee

The Management committee was created under the direction of the QCAT President and consisted of the President (chairperson), Deputy President, Executive Director, one senior member, two ordinary members, Principal Registrar and the Manager – Business Services.

The committee met on a monthly basis to review financial statements, activity reports, member analysis reports and evaluate key initiatives.

Board of Management

From February 2011, the Board of Management replaced the Management committee.

The Board of Management consists of the President (chairperson), Deputy President, Executive Director, four senior members, the Principal Registrar and the Manager – Business Services.

The establishment of the Board reflects a shift from an operational to a strategic focus. The management committee focussed on operations, while the Board addresses strategic direction, performance, resources, compliance, risk and accountability issues.

Rules committee

The Rules committee is established under the Act. The members of the Committee are the President, the Deputy President, a full time ordinary member, a full time member who is not an Australian lawyer, an adjudicator, the Principal Registrar and the Senior Legal Officer. The Committee's functions are to develop and review the rules under the Act, approve forms for use under the Act, and any other functions conferred on the Committee.

During the period, the Rules committee met on three occasions: 3 August 2010, 7 October 2010 and 20 April 2011.

The Committee has requested various amendments to the rules, including amendments to provide for conciliators for neighbourhood dispute matters. The Committee has also approved forms for use by the tribunal, and approved changes to existing forms. The Committee has also considered the tribunal's existing registry practices and recommended changes when necessary.

Alternative Dispute Resolution committee

The Alternative Dispute Resolution (ADR) committee consists of the President, the Deputy President, two senior members, one member, the Principal Registrar and the Alternative Dispute Resolution Manager.

Its work focuses on:

- meeting the statutory demand in s4(b) of the Act that the tribunal encourage early and economical resolution of disputes including if appropriate through ADR processes
- training members in ADR and developing their skills and knowledge on its best use in QCAT's diverse jurisdictions
- the more effective use of ADR throughout QCAT for example, by increasing the early resolution of matters and avoiding the need for final adjudication through the use of compulsory conferences
- developing internal training and accreditation programmes for members.

Education, Training and Resources committee

The Education, Training and Resources committee was established by the President to focus on:

- meeting the statutory demand under s172(2)(c)(ii) of the Act that members and adjudicators are adequately and appropriately trained to enable the tribunal to perform its functions effectively and efficiently
- raising member and adjudicator proceedings skills and practices
- maintaining an awareness of legislative developments
- encouraging a cohesive and collaborative membership.

The Committee coordinates an annual conference (held in March) and half-day per month is set aside for legislative and procedural training, which can be accessed via telephone link for regional members and adjudicators.

In 2011-12 the Committee will:

- implement an induction and professional development program to introduce new members to the breadth of tribunal jurisdictions, legal and process issues
- trial a mediation training program for members in conjunction with the Victorian Civil and Administrative Tribunal and the State Administrative Tribunal (WA)
- implement a member mentoring program in conjunction with the annual appraisal process
- actively pursue training initiatives including delivering a guest speaking program for members.

Innovation committee

The Innovative committee is comprised of the Executive Director, QCAT management team (division registrars and senior registry staff) and staff members from each division of the registry.

The Committee meets quarterly and identifies and evaluates suggestions and opportunities for improvements to service delivery or registry processes.

Committee members facilitate the submission of staff proposals relating to new initiatives, refining or redefining existing practices or redistributing resources.

Local consultative committee

The Local consultative committee (LCC) consists of QCAT management and QCAT union member representatives. The committee meets quarterly to facilitate meaningful consultation on issues including organisational change, workload management, training, work life balance, sustainability and workforce management policies.

The QCAT LCC first met in September 2010. The LCC works in conjunction with the Department of Justice and Attorney-General consultative committee (DJAGCC) and was the first LCC to be established by a division of JAG.