**Review of the *Members of Parliament (Staff) Act 1984* (Cth)**

**Terms of Reference**

**Context**

*Set the Standard: Report on the Independent Review into Commonwealth Workplaces’* (the Jenkins Report) recommended the Australian Government undertake a comprehensive review of the *Members of Parliament (Staff) Act 1984* (Cth) (MOP(S) Act) employment framework to reduce complexity, increase clarity and ensure consistency with modern employment frameworks.

**Objectives of the Review**

The Review should:

* Identify legislative, policy or other changes or initiatives necessary to ensure the employment arrangements of parliamentarians and their staff are fit for purpose to:
	+ support a professional, high-performing, safe and respectful workplace for all parliamentarians and their staff, and
	+ prevent bullying, harassment, sexual harassment and sexual assault and address its impacts according to best practice.

**Scope**

The review should consider the following:

* The recruitment of MOP(S) Act staff, including transparency of arrangements, the use of merit-based recruitment, and pre-engagement checks.
* Procedural fairness for the terms, conditions, and termination of employees and employers under the MOP(S) Act.
* The responsibilities, expectations, and accountability of MOP(S) Act employees.
* Appropriate public reporting and accountability of the administration of the MOP(S) Act.

The review will not consider the terms and conditions of employment that are legislated other than under the MOP(S) Act. For example, the National Employment Standards, the *Fair Work Act 2009.* However, the review will have regard to these in conducting its work.

**Governance, timing and process**

The review will be undertaken by the Department of the Prime Minister and Cabinet. The Department will provide a final written report to the Prime Minister by 30 September 2022. The report of the review will be made public after government consideration.

**Methodology**

The review will draw on a range of sources, including the Jenkins Report, the *Review of the Parliamentary Workplace: Responding to Serious Incidents*, and legislation, policies and arrangements of other relevant jurisdictions, including international equivalents.

The review will consult with current and former parliamentarians and MOP(S) Act employees, and relevant departments and agencies.