

NSW Fair Trading Response to PSA Feedback from Members

About this document

This document consolidates feedback, comments, and opinions received from staff and the PSA into clear themes. Where possible, questions and issues have been grouped to reduce duplication and provide consistent responses. Links and references to existing materials including the RMP, FAQs, memorandums, and policy documents have been included throughout to help members easily locate the source information that underpins the responses.

Theme 1: Consultation Process & Transparency

Union Question / Comment	Response Approach / Template	Reference
<p>Combined Response</p> <p>Has the consultation process provided staff with enough time and opportunity to participate meaningfully?</p> <p>Referenced items from feedback:</p> <ul style="list-style-type: none"> <i>Has there been further consultation with staff, particularly in regional areas?</i> <i>Timeframe too limited (consultation only until 17 Sept).</i> <i>Meetings too short / Teams chat disabled.</i> 	<p>Consultation was conducted in line with General Conditions Award and the Department of Customer Service Consultation Framework and Guidelines (Guidelines). The Guidelines provide a standard two week periods for consultation. It commenced on 27 August 2025 and was originally scheduled to close on 12 September 2025. In response to employee requests and PSA feedback, the period was extended to 17 September 2025 to maximise engagement and allow sufficient time for participation.</p> <p>Multiple platforms were provided to support staff in understanding the proposed changes and submitting feedback. Employee feedback was collected primarily through a dedicated Microsoft Form, with 334 formal submissions received and considered. Consultation was further supported by targeted showcases, divisional briefings, and People & Culture (P&C) drop-in sessions. In addition, the Fair Trading ELT made themselves available for one-on-one discussions to ensure employees had opportunities to have their questions answered to enable them to provide more detailed feedback.</p> <p>All sessions were delivered virtually to provide equal access for regional and metro teams and staff, with key information sessions recorded and made available on the Change Hub for all employees.</p>	<p>FT Change Hub.</p>

Union Question / Comment	Response Approach / Template	Reference
FAQs not answering member questions.	The FAQs are a live document and have been updated regularly as new questions are raised. All updates were published on the Change Hub and communicated through the Deputy Secretary's updates to ensure staff have the latest information.	FT Change Hub .

Theme 2: Recruitment, Roles & Direct Appointment

Union Question / Comment	Response Approach / Template	Reference
Freeze on advertised positions – will non-exec roles be advertised?	External advertising for Clerk Grade roles was temporarily paused while in consultation for the draft RMP. During implementation, if any role is unable to be filled through the placement process at stages 1-3, it will then be advertised externally at stage 4.	FAQ 6.4
Have all PDs been finalised and available for consultation?	Role descriptions have been sourced from the DCS Role Description Library where appropriate, with new role descriptions published on the Change Hub as they are evaluated. As some roles use generic descriptions, the title may differ from that shown on the organisational chart. To assist staff, a spreadsheet on the Change Hub lists all proposed roles and links to the relevant descriptions. spreadsheet is now available on the Change Hub . In response to feedback from staff, changes will be made to role descriptions.	FAQ 4.4, 4.5, 4.6, 4.7, 4.12, 4.23, 9.1

Union Question / Comment	Response Approach / Template	Reference
Can members challenge direct appointments?	No. There is no right of review against assignment decisions in either RMP Stages 1, 2 or 3 consistent with Rule 24 of the <i>Government Sector Employment Rules 2014</i> . In respect to a Right of Review for Stage 4, Section 24 of the <i>Government Sector Employment Rules 2014</i> provides that a public service non-executive employee (the relevant employee) may request a review of a promotional decision in limited circumstances.	RMP 10.3
<p>Combined Question</p> <p>Will roles be advertised to all before using Talent Pools?</p>	Talent pools are only considered in Stage 3 of the RMP role filling process, after all eligible employees have been considered in Stages 1 and 2.	
Referenced items from feedback:	This approach aligns with the NSW Government’s public sector mobility and assignment guidelines under the <i>Government Sector Employment Act (GSE Act)</i> , and the <i>Workforce Mobility Placement Policy (M2023-06)</i> . These frameworks provide for internal assignments, mobility, and placement of employees within agencies, ensuring movement is governed by capability, fairness, and transparent policy.	RMP 10.1
<ul style="list-style-type: none"> • <i>Concern: Talent pools used instead of open process (not ‘usual circumstances’).</i> • <i>Grade 3/4 & 5/6 reductions, higher roles increased, filled by pools.</i> 	<p>At this stage:</p> <ul style="list-style-type: none"> • Any roles not filled in Stages 1 or 2 will first be made available to impacted and excess employees. The DCS Mobility team will coordinate these placements. • DCS employees in talent pools may then be considered for remaining roles. • At-grade, non-impacted employees may also be considered for subsequent assignments. 	FAQ 6.1

Union Question / Comment	Response Approach / Template	Reference
	<ul style="list-style-type: none"> • Impacted and excess employees at a higher grade may choose to be considered for a lower-graded role under section 46(4) of the GSE Act, but only after employees at the substantive role level have been considered. • Eligible temporary employees who have been comparatively assessed and employed in the role for a continuous period of 12 months may also be assigned at grade. 	
<p>Combined Questions</p> <p>How are vacancies represented in the current vs proposed structure?</p> <p>Referenced items from feedback:</p> <ul style="list-style-type: none"> • <i>Vacancies counted differently in “current” vs “proposed” org chart. PSA request for list of vacancies not in RMP.</i> • <i>What happens with vacancies not shown in the RMP but still part of the current structure?</i> 	<p>The RMP awaiting Secretary sign off contains the following structure of counts for current and future state:</p> <p>In the current structure</p> <ul style="list-style-type: none"> • All ongoing roles include temporary assignments made against ongoing roles. • Vacant positions, contractors, and temporary roles are excluded. <p>In the proposed structure</p> <ul style="list-style-type: none"> • All ongoing roles are included. • Contractors are excluded. • Business-critical temporary roles (38 FTE) are shown separately and are not included in the current vs future FTE variance. 	<p>RMP</p> <p>:</p>
<p>Outdated March 2025 org chart used.</p>	<p>Current state establishments and organisational charts, updated regularly by each division, were used to map and validate the current state.</p>	<p>N/A</p>

Union Question / Comment	Response Approach / Template	Reference
Consolidated Questions		
How are decisions about role changes or deletions determined in the restructure?	Decisions regarding the removal, consolidation or movement of roles were made following a detailed analysis of the current operating model, with consideration of future business needs and functional alignment. The presence or absence of direct reports was only one factor; each role was assessed in the context of how the function will operate most effectively in the future model.	FAQ 4.4
<p>Referenced items from feedback:</p> <ul style="list-style-type: none"> • <i>“Role deleted for no direct reports while others remain.”</i> • <i>Governance, Assurance & Performance – rationale for deleting 9/10 role.</i> 	<p>Office arrangements, including work locations and commuting expectations, are managed outside of the RMP process under the NSW Government’s workplace presence and adjustment policies. In line with Circular C2024-03 (NSW Government Sector Workplace Presence) and the Public Service Commissioner’s Direction on Workplace Adjustments. Existing and new documented plans will continue to apply in line with current departmental processes to support employees, including those with disability.</p>	
Relocation of Reviewable Decisions Unit (Parramatta → Gosford). Can staff be forced to commute?		
Career progression limited, few acting-up opportunities	The new structure has been designed to provide clearer role accountabilities and strengthen capability pathways, consistent with the NSW Public Sector Capability Framework. While acting-up arrangements are temporary by nature, opportunities for development will continue to be available through expressions of interest, and capability-building initiatives as part of annual performance development plans. The focus is on creating sustainable pathways for progression rather than relying solely on short-term acting arrangements.	
Grade 3/4 complaints staff doing similar work as 5/6. Why not regrade instead of cutting 3/4s?	The capability and requirements of each grade are determined in line with the NSW Public Sector Capability Framework and the Public Service Commission’s Role Description Guidelines. The scope, level of responsibility, and decision-making expectations of roles differ between	N/A

Union Question / Comment	Response Approach / Template	Reference
	grades. The future structure has been designed to align roles with the capability requirements of each grade and to meet the operational needs of the organisation.	

Theme 3: Regional, Disability & Identified Roles

Union Question / Comment	Response Approach / Template	Reference
Combined Questions		
<p>How will regional staff be impacted by the restructure, and what assurances can be given that they will not be disadvantaged or excluded due to location?</p>	<p>Existing regional work arrangements will be maintained where possible in the future structure regardless of the roles you apply for.</p>	
<p>Referenced items from feedback:</p> <ul style="list-style-type: none"> • <i>Impact on regional ancillary staff (Broken Hill, Taree, etc.).</i> • <i>Locations missing from org charts, disadvantaging regional staff.</i> • <i>“Employer not transparent / motive to reduce regional staff.”</i> • <i>Concern: Building Commission removed regional inspectors; fear FT will do the same.</i> 	<p>This means that if you currently have an approved regional arrangement and you apply for a role as part of the RMP process, the business will take into consideration your current arrangement and if able to do so, honour your existing arrangement.</p> <p>This is subject to service delivery needs. This approach will hopefully ensure that employees who currently have regional arrangements have options available to them when applying for roles.</p>	FAQ 4.15
<p>Will regional staff be eligible for direct appointments?</p>	<p>Ongoing non-executive employees who have been assigned to an existing role under the <i>Government Sector Employment Act 2013</i> may be directly assigned to roles in the new structure where there is nil to minimal change to their role or the number of roles in the new structure. These employees will not need to submit an expression of interest (EOI). Employees who will be</p>	RMP 10.1 FAQ 6.1

Union Question / Comment	Response Approach / Template	Reference
Impact on staff with disabilities and office attendance.	<p>directly assigned will be advised by their managers and may be issued with direct assignment letters following the announcement of the approved structure.</p> <p>All existing and new workplace adjustments that support employees with disability will continue to apply throughout the placement process. This includes any documented adjustment plans, which will remain in place to ensure equity and accessibility. Any additional adjustments required during or after the placement process will be considered in line with the NSW Public Sector Disability Inclusion and Workplace Adjustment policies.</p>	NSW Public Sector Disability Inclusion and Workplace Adjustment policies.
Aboriginal Identified roles not marked in structure.	The future structure will maintain all existing Aboriginal Targeted and Identified roles, in line with the NSW Public Service Commission's and DCS Aboriginal Employment Strategy 2020-2025, reaffirming the NSW Government's commitment to supporting Aboriginal employment and leadership opportunities.	FAQ 4.24 – has different wording/ review

Theme 4: Specific Teams & Functional Changes

Union Question / Comment	Response Approach / Template	Reference
Project Officers '(Consumer + Property) – where do they sit?	<p>Program delivery roles have been embedded within relevant specialist branches (Property and Strata, Rental, Consumer Affairs) to initiate cross disciplinary teams to support high priority/high risk work and emerging regulatory priorities. A central team will remain in the proposed Strategy, Policy and Delivery branch to support delivery of whole of Fair-Trading priorities.</p> <p>In the proposed structure:</p> <ul style="list-style-type: none"> Property & Strata – Project and Program Management sits under the Director, Regulatory Operations and Delivery 	FAQ 2.3

Union Question / Comment	Response Approach / Template	Reference
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- Consumer Affairs – Project and Program Management sits under the Director, Compliance and Enforcement
- Rental – Project and Program Management sits under the Director, Rental and Financial Services

Combined Questions

With the Automotive Unit being disbanded and inspector roles removed, how will Fair Trading manage automotive regulatory functions?

Regulatory Operations & Delivery Complaints will have a dedicated Consumer complaints handling team to oversee both consumer and automotive related complaints with improved self-service for consumers, and potential for the automation of complaints, processes and improved workflows with the planned replacement of the CAS legacy system and broader digital uplift activities.

FAQ 2.3

Referenced items from feedback:

- *Automotive Unit disbanded – what happens to functions?*
- *Automotive inspectors removed – harms consumers / reputational risk.*

Investigations & Inspectors - investigators and inspectors will support proactive compliance and agility, and enhanced oversight for emerging issues. Investigator and Inspector role descriptions have been re-evaluated and updated to ensure that Fair Trading compliance and enforcement functions align with regulatory and strategic priorities. General Investigator and general Inspector roles will apply across these roles in the structure.

What will happen to the Fair Trading Assessments (FTAS) team, and which roles are confirmed in the new structure?

In the new structure, the Assessment function is not a stand-alone team. Instead, it has been embedded across the Rental, Property and Strata, and Consumer branches. This means assessment responsibilities will be carried out within the business areas that manage those services, rather than through a separate FT Assessments team.

Roles that previously sat in FTAS have been mapped into the relevant new branches, and their core assessment responsibilities remain. The change is about integrating assessment into the end-to-end process, improving efficiency and reducing duplication, rather than removing the function.

N/A

Union Question / Comment	Response Approach / Template	Reference
How can Consumer Branch develop “deep specialist knowledge” when it covers such a wide remit (ACL, Automotive, Retail Trading, Entertainment, Debt Collectors, etc.) compared with Rental/Property?	The Consumer Advisory Branch has been designed to bring together a broad range of functions that are all underpinned by the Australian Consumer Law (ACL) and core consumer protection principles. Specialist capability (such as automotive, retail, and debt collection) will remain, supported by existing expertise. In addition, knowledge-sharing, practice development, and the support of a central Practice and Capability function will strengthen specialist skills and ensure consistent, high-quality outcomes for consumers.	N/A

Theme 5: Resourcing, Workload & Grading

Union Question / Comment	Response Approach / Template	Reference
<p>Combined Questions</p> <p>Why is Licensing still under-resourced and under-graded compared with other areas, and how will it manage additional functions?</p> <p>Referenced items from feedback:</p> <ul style="list-style-type: none"> <i>Licensing resourcing.</i> <i>Additional Licensing functions (exemptions, subpoenas, SOPs, etc.).</i> <i>Licensing undervalued, ridiculous allocations.”</i> <i>Why is Licensing still under-resourced and under-graded compared with other areas?</i> 	<p>Licensing remains a core function of Fair Trading and has been carefully considered in the future operating model. Operational data on licensing volumes and trends over the past five years was analysed to inform the proposed structure, ensuring resources align with both current demand and projected service needs.</p> <p>To address immediate pressures, additional temporary resources have been added to Licensing teams to assist in managing current workloads and reducing backlogs while process improvements and system changes are embedded. This phased approach is designed to provide short-term relief while also strengthening long-term capability and efficiency.</p> <p>While comparisons are sometimes drawn with the allocation of roles in other areas, it is important to note that role gradings and FTE allocations are determined consistent with the NSW Public Sector Capability Framework and role evaluation guidelines.</p>	N/A

Union Question / Comment	Response Approach / Template	Reference
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- *Why does the Rental Commission have extra 5/6 staff for low-volume “change of circumstances” while Licensing handles much higher volumes without extra support?*
- *How will Licensing manage additional functions (exemptions, subpoenas, NCAT, Ministerial, SOPs, AMR, etc.) with no new resourcing?*
- *Different gradings for similar tasks (Rental vs Licensing).*

Combined Questions

How will Fair Trading meet quality expectations and prevent fraud or corruption with only one QA role in the new structure?

Referenced items from feedback:

- *Only one QA role across organisation.*
- *How will Fair Trading meet quality expectations and prevent fraud/corruption with so little QA capacity?*

Quality assurance has not been reduced to a single role. While the proposed structure includes a dedicated QA position in the Strata and Property Branch, quality responsibilities are embedded across all branches as part of day-to-day operations. This approach ensures that accountability for quality, integrity, and fraud prevention sits with every function, rather than being centralised in one small team.

The dedicated QA role in the Strata and Property Branch will provide specialist oversight, frameworks and tools for the specific issues in operational delivery of these sectors, while practice development centres and governance functions in the Strategy, Policy & Delivery Branch will support consistency across Fair Trading. This model was informed by the discovery phase, which identified the need to build quality into processes end-to-end rather than relying on a separate function.

N/A

Union Question / Comment	Response Approach / Template	Reference
<p>“Data not used / allocations elitist / Consumer set up to fail.” What data was used to determine the allocation of staff across branches?</p>	<p>Staff allocations were informed by operational data and workload trends over the past five years, including volumes, complexity, and risk profiles across each regulatory area. This analysis was combined with insights from the Discovery phase, benchmarking against other regulators, and consultation feedback.</p> <p>The aim was to ensure that resourcing is aligned to both current demand and future priorities, not to privilege one branch over another. Allocations will continue to be monitored and adjusted as functions embed, and new demand patterns emerge.</p>	N/A

Theme 6: Leadership & Governance

Union Question / Comment	Response Approach / Template	Reference
Combined Questions		
<p>What is the purpose of the Deputy Secretary role under the new structure, given Commissioners and Executive Directors hold end-to-end accountability? Wouldn't it be better to delete the role and reinvest in frontline positions?</p>	<p>The Deputy Secretary provides strategic leadership, oversight, and coordination across Fair Trading, and is accountable for decisions relating to the administration and implementation of legislation and regulatory frameworks.</p> <p>While Commissioners and Executive Directors manage end-to-end accountability for their areas, the Deputy Secretary ensures alignment across all branches, consistency in decision-making, and whole-of-agency accountability to the Secretary, the Minister, and Parliament.</p>	N/A
<p>Referenced items from feedback:</p> <ul style="list-style-type: none"> • <i>Deputy Secretary role – “post-box” / “light-on responsibilities.”</i> • <i>“No need for DS role – savings could create other roles.”</i> • <i>What is the purpose of the Deputy Secretary role under the new structure if</i> 	<p>This role is integral because it provides a single point of senior accountability for Fair Trading that is required under legislation, with powers required to emanate from the Commission for Fair Trading, ensures that decisions are made within the framework of government policy and legislation and represents the organisation at the most senior levels of government. Without it, there would be gaps in accountability, reduced coordination across branches, and weaker assurance that Fair Trading’s legislative responsibilities are being met.</p>	

Union Question / Comment	Response Approach / Template	Refence
<p><i>commissioners/EDs hold end-to-end accountability?</i></p> <ul style="list-style-type: none">• <i>Would it be better to delete the Deputy Secretary and reinvest savings into frontline roles?</i>		