



Australian Government
Defence Force Remuneration Tribunal

DECISION

Defence Act 1903

s.58H—Determination of the salaries and relevant allowances to be paid to members

DENTAL OFFICER SPECIALIST CAREER STRUCTURE

(Matter No. 20 of 2012)

THE HON. A. HARRISON, PRESIDENT

THE HON. A. BEVIS, MEMBER

CANBERRA, 24 OCTOBER 2013

BRIGADIER W. ROLFE, AO (Ret'd), MEMBER

[1] This decision concerns an application from the Australian Defence Force (ADF) seeking amendment to the Dental Officers Specialist Officer Career Structure (DOSOCS). The ADF proposed to progress the matter on papers and a conference was held on 25 September 2013 with the ADF and the Commonwealth. Mr R Kenzie AM QC attended for the ADF and Mr J O'Reilly attended for the Commonwealth.

Background

[2] The DFRT approved the introduction of the Dental Officers Specialist Officers Career Structure in Matter No 7 of 2003 *Dental Officers' Specialist Career and Salary Structure* and it has not been substantially reviewed since this time. In August 2011 the ADF established a 'working group' to review the 2003 structure. The review determined that the career and salary structure remains relevantⁱ and the most effective structure by which to manage dental officers.

[3] The dental officer career structure is presently based on competency levels of CL1 – CL 4 (with a rank overlay) and is reflective of qualifications and management strata. The career progression of dental officers consists of both competency and military-specific training. The completion of mandatory competency based training is the trigger for advancement in competency level and the completion of military training the trigger for promotional consideration in respect to rankⁱⁱ.

[4] In 2003 the Tribunal determined that dental officers who transferred to DOSOCS were required to be appointed for a fixed period; the broad policy being to provide the ADF with the option to discharge specialist officers who failed to meet competency requirements. The application of this has imposed limitations on the ability of the Services to manage dental officers to meet ADF requirements and there has been inconsistent application of the tenure provisions across, and within, the Servicesⁱⁱⁱ.

Submissions

[5] The ADF submission proposed:

- a) to amend the term ‘competency level’ to ‘dental level’ to avoid ambiguity with other categories and apply consistency in naming conventions across other specialisations;
- b) renaming senior management appointments at the 05 level to Dental Level 3 (Management) – abbreviated to DL3 (M) – identifying those posted to managerial positions at the 05/06 level;
- c) changes to the descriptors across all dental levels to provide a more accurate and succinct description of requirements at each level^{iv};
- d) that fixed periods of appointment be removed for dental officers;
- e) that the *Non Specialist Dental Officers’ Salary Structure* be disestablished; and,
- f) that the time limit for dental officers to be posted out of specialisation in order to meet a capability gap be extended from three years to six; however this proposal was subsequently withdrawn during the conference.

[6] The Commonwealth submission supported the administrative changes sought within the ADF submission with the exception of retaining Matter 7 of 2003 *Dental Officers Specialist Career and Salary Structure* as the relevant datum point. The Commonwealth disagreed that no ‘substantial review’ had been held of DOSOCS^v and considered the ‘working group’ to be a review of that type.

Remuneration

[7] Dental officers are remunerated on dental competency rather than on rank; the exceptions being dental officers posted to senior management appointments where the

minimum rank is 05 level. The 03 level is the primary rank at which dental officers provide services to the ADF^{vi}.

[8] An initial requirement of DOSOCS was that dental officers who had joined the ADF after 22 May 2003 were required to accept a fixed period appointment in return for receiving remuneration under the salary structure. Those serving prior to that date could accept a fixed period appointment or continue to be remunerated under the '*Non Specialist Dental Officers' Salary Structure*'^{vii}. As at June 2013 no dental officers were being remunerated under the latter structure, nor had been since 2008.

Consideration

[9] We considered the proposed changes to titles and descriptors and agreed amendments would provide a more accurate and succinct description of what constitutes the minimum rank, skills, qualification period and training requirements at each level. The renaming from 'competency level' to 'dental level' is consistent with current changes to naming conventions across other specialist officer career structures.

[10] We considered that the *Non Specialist Dental Officers' Salary Structure* existed before the current specialist structure and since 2003 has been closed to new entrants, remaining available only to those who did not wish to transfer to the specialist structure. We considered the evidence before us that no officers are presently remunerated under this structure, nor have been in the previous five years, and therefore are satisfied it is obsolete.

[11] We agree the fixed period appointment has been restrictive for career management and been applied inconsistently across the Services.

[12] The conference addressed the Commonwealth concerns over the datum point for review. It was considered that the working group was not a fundamental review and was never intended as such; that the ADF still regarded the 2003 structure relevant for career structure was also considered.

[13] We noted the ADF intent to remove the requirement for DL2 officers to be posted to a DL3 position prior to being granted competency advancement with future competency advancement determined and managed by the Services. We further note that the Commonwealth had no comment on this proposal.

Conclusion

[14] Having considered the ADF and Commonwealth submissions we have concluded that:

- a) the title and descriptors of the Competency Levels (CL) should be amended to Dental Levels (DL) with those in management positions referred to by a notation of management (M) where applicable;
- b) on the evidence before us we are satisfied that the '*Non Specialist Dental Officers' Salary Structure*' is obsolete and can be disestablished; and

- c) removal of the fixed term appointment requirement provides Defence with a mechanism to appoint dental officers under either fixed or open tenure periods thereby providing flexibility to manage Service requirements.

[15] In accordance with Defence Force Remuneration Tribunal Determination 17 of 2013 the operative date of effect for these changes is 01 November 2013.

THE HON. A. HARRISON, PRESIDENT

THE HON. A. BEVIS, MEMBER

BRIGADIER W. ROLFE, AO (Ret'd), MEMBER

ⁱ ADF Submission, Matter 20 of 2012, page 4, paragraph 4.

ⁱⁱ ADF submission, Matter 20 of 2012, page 9, paragraph 18.

ⁱⁱⁱ ADF Submission, Matter 20 of 2012, page 13, paragraph 31.

^{iv} ADF Submission. Matter 20 of 2012, page 11, paragraph 27.

^v Commonwealth Submission, Matter 20 of 2012, page 1 paragraph 6.

^{vi} ADF Submission, Matter 20 of 2012, page 6, paragraph 15.

^{vii} ADF submission, Matter 20 of 2012, page 11, paragraph 28.