



Australian Government
Defence Force Remuneration Tribunal

DECISION

Defence Act 1903
s.58H—Functions and powers of Tribunal

AUSTRALIAN ARMY BAND CORPS - RESTRUCTURE (Matter 3 of 2018)

MS I. ASBURY, PRESIDENT

MR A. MORRIS, MEMBER

CANBERRA, 31 OCTOBER 2018

RADM J. GOLDRICK AO CSC RAN RTD, MEMBER

[1] This decision relates to a listing application¹ made by the Australian Defence Force (ADF) under s.58(H) of the *Defence Act 1903* (the Act) in relation to Matter 3 of 2018 – *Australian Army Band Corps - Restructure* in order to amend the Australian Army Band Corps ‘Musician’ and ‘Pipes and Drums’ employment categories.

[2] We considered this matter in hearing on 5 September 2018 having conducted an inspection at the Royal Military College (RMC) Band premises earlier on the same day. Lieutenant Colonel D. Hiscock OAM, Commanding Officer, Defence Force School of Music, appeared as a witness at the hearing.

Background

[3] The Australian Army Band Corps (AABC) consists of 11 Australian Army Bands and Regimental Unit Bands, as well as the Defence Force School of Music. The AABC has two primary roles: the maintenance of ADF morale, and promoting Army’s public image both in Australia and internationally. The Bands provide musical support to a range of activities on base and on exercises and deployment, as well as at community events, charities and in educational roles - while still fulfilling military and ceremonial responsibilities.

Submissions

[4] The ADF states that the size of the AABC has decreased over the years as the consequence of a number of reviews. The last review occurred in 2011 when the Chief of Army Advisory Committee reduced the AABC to 166 Permanent Force positions.

[5] The ADF submits that while the size of the AABC has continued to decrease, its commitments have not. It submits that the AABC has “*revised its training continuums, recruitment practices and personnel management to find more efficient means of delivering their capability*” however it has “*relied on the goodwill of band members and their inherent motivation to increase their musical skills*”² in order to meet those requirements.

[6] The ADF submits that the restructure is designed to support organisational and resourcing changes and proposes to create a single employment category that combines the Musician and the Pipes and Drums employment categories into one category of ‘Musician’ with five new sub-categories:

- a. Musician Single Instrument
- b. Musician Multi-Instrumentalist
- c. Musician Music Arranger
- d. Musician Audio Engineer and
- e. Musician Drum Major.³

[7] The Commonwealth supports the proposal and “*is satisfied that the restructure aligns with the current requirements of the members to be flexible and multi-skilled, increasing the work value to support a sustainable workforce for Army long-term.*”⁴

[8] The submission proposes the musician sub-categories be “*placed in the Graded Other Ranks Pay Structure so as to mirror the current placement of the Musician employment category in pay grades 3, 4 and 5.*”⁵ It also proposes that members who hold the rank of Sergeant and Warrant Officer and who have not met the proposed skill requirements for the new sub-category structure remain on pay grade 4 until they attain the required skill set for pay grade 5. Accordingly, the ADF intend that non-reductions provisions for eligible members be implemented for five years under s.58B of the Act.

[9] We note that the AABC is comprised of officers and other ranks and that the officer ranks were not addressed in the submission.

Consideration

[10] During the inspection at RMC we were extensively briefed in relation to all of the sub-categories outlined in the submission. We witnessed first-hand the enthusiasm and willingness of musicians to “*seek to learn another instrument or facet of the environment*” and their ability to “*turn their attention to broadening their skills and decide to learn to play another instrument or learn to arrange music.*”⁶

[11] We considered the evidence of Lieutenant Colonel Hiscock that the proposal “*can recognise increasing levels of competency and professionalism as a musician apart from leadership and rank*” and that it “*de-linked rank from skill grade.*”⁷ We accept that, by separating trade and rank proficiency, members will be able to progress in their areas of expertise and be rewarded regardless of the rank attained. We agree this makes a clear distinction between musical leadership and military leadership while establishing the ability to recognise both.

[12] We considered the evidence of Lieutenant Colonel Hiscock in his affidavit that multi-skilled musicians are now required “*in every band to continue to deliver the capability*” and that “*having multi-skilled musicians is how we meet our commitments day in and day out and provide the depth of redundancy.*”⁸ We agree that multi-skilled musicians allow for an increased ability to meet the commitments required of the AABC. This was clearly demonstrated during our inspection which show-cased the multi-skilled performers. We also heard a presentation from Corporal A. Clifford about the variety of skills exercised by arrangers.

[13] We agreed with the evidence that “*the proposed model rewards them with higher remuneration and better progression*” and will provide “*a commensurate lift in the secondary or third instrument skills which gives us increased capability.*”⁹

[14] We accept that while the Pipes and Drums category *per se* will be dis-established the capability will continue under the new structure.

Conclusion

[15] We agree that the proposal provides:

- a. a remunerative incentive for members to become multi-skilled,
- b. remunerative recognition of the increased work value that those who are already multi-skilled provide; and
- c. a more attractive package for potential recruits to the AABC.

[16] We agree that there be no pay differentiation between the pay grade placement for Permanent and Reserve Force members of the AABC.

[17] We agree that non-reduction provisions will be made under s.58B of the Act for five years and require the ADF to return to us at the conclusion of that period to advise on the outcomes of those provisions.

[18] Determination 10 of 2018 will give effect to our decision from 7 March 2019.

MS I. ASBURY, PRESIDENT
MR A. MORRIS, MEMBER
RADM J. GOLDRICK AO CSC RAN RTD, MEMBER

¹ DMR/OUT/2018/07 *Listing Application – Australian Army Band Corps Restructure* dated 26 February 2018.

² ADF Submission Australian Army Band Corps - Restructure Matter 3 of 2018 page 31 paragraph 7.1 (ADF1)

³ ADF1 page 2 paragraph 1.7

⁴ Commonwealth Submission Matter 3 of 2018 Australian Army Band Corps – Restructure dated 29 August 2018 (Exhibit 4).

⁵ ADF1 page 24 paragraph 5.27

⁶ Affidavit of Lieutenant Colonel D P Hiscock OAM dated 28 August 2018 (ADF3) page 7 paragraph 30.

⁷ ADF3 page 7 paragraph 28.

⁸ ADF3 page 9 paragraph 36.

⁹ ADF3 page 9 paragraph 37.