

July 7, 2020

Attention: A/g General Manager
Adjudication
Australian Competition & Consumer Commission
Level 2 | 23 Marcus Clarke Street Canberra 2601

Thank you for providing the opportunity to respond to the ACCC's public assessment of the RCSA exclusive dealing notification for the Queensland Government Jobs Finder Program.

APSCO Australia is a recognised body, representing the professional recruitment agency market. We have over 200 Member companies, across temporary, contract and permanent employment in IT, medical and healthcare, engineering, finance and general white collar sectors.

As an industry Association it is important that APSCO continues to nurture relationships with Government and is able to fairly represent its membership and advocate for better outcomes that ultimately impact both the employer companies and job seekers they work with.

With this in mind we feel a suitable solution would be to ensure participants of the program are a Member of an appropriate industry body of their choice and thus governed by a code of conduct that supports the intent of the Jobs Finder program without limiting job seekers access to only one portion of the industry.

We would also propose that APSCO and RCSA have equal access to the program and all that it entails.

While we support the Queensland Government's initiative to support job seekers during the COVID-19 Pandemic, the exclusive arrangement with RCSA does pose a number of concerns for APSCO Australia as outlined below;

1. RCSA is one of two industry Associations that actively advocate for and drive best practice across the Australian recruitment market, in the interests of both the job seekers and even representation why is only one of those bodies part of the Scheme.
2. At present, the channel to participate is controlled exclusively by RCSA and requires applicants to be either a RCSA Member or be vetted by RCSA for consideration. Given that APSCO Members adhere to a professional Code of Conduct, Member companies offer the same level of protection and professionalism to candidates and clients. APSCO Members should therefore automatically qualify for the program.
3. The program clearly positions RCSA as the single voice for the recruitment industry. This is both false and misleading.

4. If the intent of the program is connect job seekers with available employment opportunities enabling APSCo to have inclusion serves to widen that opportunity and better serve Queensland job seekers in need of assistance.
5. If the role of the RCSA is to act as a concierge only, then including APSCo Membership into the qualifying criteria would offer less bias, better representation of the recruitment market and a benefit to the program and industry as a whole.
6. Given candidates are required to submit their details to be matched with the program participants, how is RCSA ensuring complete impartiality?
7. What is the matching process in place, can RCSA provide complete transparency around how the process works and who own the data?
8. If an APSCo Member has to pay to participate in the Staffsure program to be included in the Scheme, particularly during the current economic climate, it could be deemed less expensive to join RCSA and thus jeopardises APSCo Membership.
9. What assurance is RCSA providing that agencies will not be targeted for marketing purposes as a means to drive Membership and how is this being reviewed?

It is also important to mention that many of our Members have been accepted on to the QLD Government Preferred Supplier Panel which specifically mentions supporting job ready programs and all of our Members also hold Labour Hire Licences where required. As such APSCo Member companies have clearly demonstrated a level of compliance and professionalism that we as an industry body take very seriously.

Given the program is already well underway, several marketing messages appear to contradict the role RCSA has in the program. Some messaging suggests it to be an RCSA initiative and in other places a partnership with QLD Government which again is misleading.

This point highlights our concern that the program will be engineered to drive Membership for RCSA, rather than to broadly serve the needs of Queenslanders in need of employment.

I look forward to hearing from you in due course and thank you in advance for giving consideration to this submission.

Yours Sincerely

Lesley Horsburgh
Managing Director
APSCo Australia