



Australian Government
**Department of Immigration
and Border Protection**

Employment Suitability and Security Screening

SUBSECTION 55(1) OF THE *AUSTRALIAN BORDER FORCE ACT 2015*

I, MICHAEL PEZZULLO, Secretary of the Department of Immigration and Border Protection under subsection 55(1) of the *Australian Border Force Act 2015* give the following Directions:

1 Purpose of this Direction

The Department of Immigration and Border Protection (DIBP) is charged with protecting Australia's border and managing the movement of people and goods across it. We hold a privileged place at the border and in the community, with access to secure environments, and the ability to make decisions that affect a person's safety, rights and freedoms, and Australian trade and commerce. Our work and the information we hold is valuable to organised crime syndicates, who actively try to circumvent border controls, reduce border integrity and threaten national security and our border management activities are a significant target for criminal groups who have strong financial and other motives to infiltrate border protection agencies across the globe. Our integrity must be of the highest order and our behaviour consistent with the laws we enforce.

This Direction requires Immigration and Border Protection workers (IBP workers) to comply with certain integrity measures under the DIBP Integrity Framework relating to employment suitability and security screening.

2 Application and Citation

IBP worker is defined in subsection 4(1) of the *Australian Border Force Act 2015*. These Directions apply to all IBP workers and may be cited as the *Employment Suitability and Security Screening Secretary Directions*.

3 Directions

Employment Suitability Clearance

- 3.1 The Department assesses character and integrity suitability for non-public access to DIBP premises, information, systems or assets by conducting employment suitability screening.
- 3.2 All IBP workers are required to obtain and maintain an Employment Suitability Clearance (ESC) unless I or my delegate determine, in accordance with the employment suitability screening (ESS) policy as in force at 1 July 2015, that an IBP worker is not required to undergo ESS.
- 3.3 For IBP workers who are DIBP employees, it is an essential qualification for performing duties as a DIBP employee that the employee obtain and maintain an ESC at all times.
- 3.4 IBP workers who are required to obtain and maintain an ESC must comply with DIBP employment suitability screening policy as in force at 1 July 2015.

Security Clearance

- 3.5 IBP workers who are required to obtain and maintain an ESC must also obtain and maintain, at a minimum, a BASELINE security clearance.
- 3.6 For IBP workers who are DIBP employees, it is an essential qualification for the performance of any duties as a DIBP employee that a minimum BASELINE security clearance is obtained and maintained.
- 3.7 DIBP employees will be advised when the nature of their duties means that it is an essential qualification for the performance of those duties that they obtain and maintain a higher level of security clearance.
- 3.8 IBP workers to whom this Direction applies must comply with DIBP security clearance policy as in force at 1 July 2015.

Declarable Circumstances

- 3.9 IBP workers who are required to obtain and maintain an ESC or a security clearance must report changes in their personal circumstances.
- 3.10 IBP workers who are required, under 3.9, to report changes in their personal circumstances must report changes in personal circumstances in accordance with DIBP declarable circumstances policy as in force at 1 July 2015.


4 Effect of non-compliance

- 4.1 Failure to comply with these Directions by an IBP worker who is an APS employee may result in action being commenced to determine whether that IBP worker has breached the APS Code of Conduct.
- 4.2 Failure to obtain or maintain an ESC or security clearance may lead to an assessment that a DIBP employee lacks or has lost an essential qualification for performing his or her duties. Lack or loss of an essential qualification is a ground for termination of employment under s29(3)(b) of the *Public Service Act 1999*.

4.3 Failure to comply with these Directions by an IBP worker who is not employed under the *Public Service Act 1999*, including failure to obtain or maintain an ESC or security clearance, may result in action being taken in accordance with the terms and conditions under which that worker is providing services or labour to DIBP, or under section 57 *Australian Border Force Act 2015*.

5 Date of effect

5.1 These Directions commence on 1 July 2015.



Michael Pezzullo

Secretary

29th June 2015

