

s 22

From: Crawford, Claudia
Sent: Monday, 27 November 2023 8:18 PM
To: Chalmers DLO
Cc: s 22
Subject: FW: Approval of Candidate - ATO Commissioner [SEC=PROTECTED, CAVEAT=SH:CABINET]
Attachments: Minister Approval of Candidate - ATO Commissioner (MS23-000933).pdf; Attachment B - ATO Commissioner Selection Report.pdf

PROTECTED//CABINET

Team

The Treasurer has selected Rob Heferen from the attached list. Grateful if this could be relayed to the department with signed brief tomorrow.

s 47E(d)

Thanks

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From: Rayner, Karla
Sent: Thursday, 16 November 2023 9:55 AM
To: Crawford, Claudia
Cc: s 22
Subject: Approval of Candidate - ATO Commissioner [SEC=PROTECTED, CAVEAT=SH:CABINET]

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Dear Claudia

Please find attached a Ministerial Submission from the Secretary regarding the ATO Commissioner selection process.

Kind regards

Karla

Karla Rayner — Chief of Staff to the Secretary

P s 22 M s 22

treasury.gov.au

Langton Crescent, Parkes ACT 2600

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Recruitment Selection Report

Commissioner, Australian Taxation Office

Attachments

Attachment A	Position Description
Attachment B	Shortlisting Spreadsheet
Attachment C	Interview Questions
Attachment D	Referee Reports
Attachment E	APSC Delegate Certification (N/A)

Attachment A – Position Description



POSITION DESCRIPTION AND APPLICATION PROCESS

POSITION DETAILS

Title	Commissioner, Australian Taxation Office
Level (Salary)	Total remuneration as set by Remuneration Tribunal
Number of positions	One
Location	Canberra, ACT (may be negotiated)
Working Arrangements	Full-time
Job Type	Statutory appointment
Eligibility	Required to be an Australian citizen and must hold a current security clearance or successfully complete a clearance prior to commencement
Relevant Experience	Experience in or with the taxation sector and a sound understanding of the sector.
	Experience in implementing and formulating regulatory and taxation reform.
	Outstanding record of achievement in a relevant field, combined with extensive knowledge of or experience in law, taxation, accounting, and/or government.
Closing Date	20 August 2023

ABOUT THE AUSTRALIAN TAXATION OFFICE

The Australian Taxation Office (ATO) is a non-corporate Government entity that sits within the Treasury portfolio. It is the Government's principal revenue collection agency, administering the legislation governing tax, superannuation and registry systems.

ABOUT THE ROLE

The ATO Commissioner leads one of Australia's largest Government agencies and employers.

The ATO Commissioner holds a range of powers under Australia's tax and superannuation laws and their primary function is to administer the taxation system in accordance with the laws that underpin it. The Commissioner is also the accountable authority under the *Public Governance, Performance and Accountability Act 2013*, responsible for directing and managing ATO's delivery on its purpose and obligations.

The Commissioner is also the Registrar of the Australian Business Register (ABR), Australian Business Registry Services (ABRS) and Register of Foreign Ownership of Australian Assets. Additionally, under the PGPA Act, the Commissioner is the Accountable Authority for the Tax Practitioners Board (TPB), who manage the registration and compliance of tax practitioners, and the Australian Charities and Not-for-profits Commission (ACNC), which is the independent national regulator of charities.

The ATO Commissioner, supported by three Second Commissioners, shapes the strategic direction of the ATO and leads over 20,000 permanent, non-ongoing and casual staff across 25 ATO offices in Australia. The Commissioner is expected to lead strategies that influence community behaviour and attitudes to compliance with the tax and superannuation laws. This is not limited to domestic tax issues but also extends to matters concerning international tax regimes.

The Commissioner will demonstrate high-level leadership and vision; be able to manage complex operations; work with others to meet objectives; have a high level of judgment; and demonstrate a high standard of professional and personal integrity as well as the capacity to promote these in an organisation.

The Commissioner will also have experience and knowledge of the tax system, tax administration and the role of the ATO; as well as an outstanding record of achievement in a relevant field combined with knowledge of, or experience in, accounting, tax, finance, law, superannuation, regulation and/or government.

The Commissioner also performs a range of functions and responsibilities ancillary to the management of Australia's tax, superannuation, and registry systems. This includes representing the ATO in hearings before Parliament, serving as a member on the Board of Taxation, representing Australia at the Organisation for Economic Co-operation and Development's Forum on Tax Administration (currently vice-chair) and delivering speeches at domestic and international conferences, forums, and other events.

The Commissioner is expected to be active in the community, building and maintaining key relationships with internal and external stakeholders across Government, industry, advisory groups, external scrutineers, and international counterparts.

Location: The head office of ATO is in Canberra. The location of the Commissioner position is negotiable, but the Commissioner is expected to spend substantial time in the Canberra office.

THE ATO'S PURPOSE AND VISION

Taxpayers play a key role in Australia's tax system, which is reliant on taxpayer self-assessment and voluntary compliance. This means that all taxpayers are responsible for ensuring their tax returns and other lodgments include all necessary information and comply with all taxation and superannuation laws.

The ATO's purpose is to contribute to the economic and social wellbeing of Australians by fostering confidence in our tax and superannuation systems. The ATO aims to achieve taxpayer confidence in the Australian tax and superannuation systems by helping people understand their rights and obligations, improving ease of compliance and access to benefits, and managing non-compliance with the law.

ROLE OBJECTIVES

The ATO Commissioner is the Accountable Authority as defined in the *Public Governance, Performance and Accountability Act 2013*. The Commissioner must govern the ATO in a way that promotes:

- the proper use and management of public resources
- the achievement of the purposes of the ATO and
- the financial sustainability of the ATO.

PROFESSIONAL EXPERIENCE/QUALIFICATIONS

- Previous senior executive experience and a respected profile in accounting, law, superannuation or public administration, or other related field.
- Knowledge of, or experience in, one or more of the following fields: accounting, tax, finance, law, superannuation, regulation and/or government.
- A strong working knowledge of Australia's tax and superannuation systems, and the role of the ATO.
- The ability to lead an organisation of significant scale and complexity, and experience in managing organisational development and change.
- A strong track record of achieving results within the context of a complex organisation and/or Government policy.
- Significant experience working with high-level stakeholders, including the ability to develop relationships with public and private sector senior executives and influence and drive key issues
- International perspective and/or experience and the ability to engage in international fora will be of benefit.



SELECTION CRITERIA

- Demonstrates high level leadership and vision
 - sets a strategic vision and inspires others to achieve this
 - innovative in dealing with issues
 - articulates a clear direction for their organisation.
- Manages large and/or complex operations
 - achieves results within the context of organisational and/or Government policy
 - strong people management skills
 - strong financial management, ensuring efficient, effective and ethical use of resources
 - understanding of and commitment to quality organisational governance.
- Works with others to meet objectives
 - operates collaboratively with others to meet organisational objectives
 - cultivates productive relationships
 - listens to people and values different perspectives.
- High level of judgment.
- Demonstrates a high standard of professional and personal integrity and capacity to promote these in an organisation.



DESIRABLE QUALIFICATIONS / EXPERIENCE

- Deep understanding of tax administration across taxpayer segments, and the interaction of tax law and policy with tax administration.
- Outstanding record of achievement in a relevant field, combined with knowledge of, or experience in, accounting, tax, finance, law, superannuation, regulation and/or government.

APPLICATION PROCESS

The Treasury uses a range of assessment options and processes to assist in selecting suitably qualified and experienced applicants. Treasury uphold the Merit Principle and our processes are designed to select the right people for Government roles.

1.	Apply	Complete and submit your resume and 'two page pitch' (see below).
2.	Shortlist	Applicants for this process will be assessed on their written application.
3.	Interview	Shortlisted applicants will be invited to attend an interview.
4.	Referees	Referees may be contacted for further assessment of suitability. Panel will discuss any referee contact with you prior to approaching your referees.
5.	Process Complete	After the delegate has approved the process, an order of merit may be established.
		All applicants will be notified of the outcome of the process.

HOW TO APPLY

Your application should be lodged with Derwent (executive search firm) through their website www.derwentsearch.com.au (search "Commissioner").

For further information please email publicsector@derwentsearch.com.au or call Andrew McEncroe on (02) 9223 1855 or 0416 018 860.

As part of your application you will need to provide:

- your current resume of no more than four pages
- a 'two page pitch' describing how your skills and experience would contribute to the role
- if possible, please provide details of at least two referees. Treasury will discuss any referee contact with you prior to approaching your referees.

COMMUNICATION FROM TREASURY

Please ensure the contact information you supply is up to date. Your nominated email address will be used for any further communication. If you are selected for an interview, you will be contacted by phone.

If at any stage you are unavailable for further contact, for example you are travelling; please notify publicsector@derwentsearch.com.au or call Andrew McEncroe on (02) 9223 1855 or 0416 018 860 as soon as possible.

Attachment E – APSC Delegate Certification

Not applicable

S 22

From: Crawford, Claudia
Sent: Wednesday, 6 December 2023 11:18 AM
To: S 22
Subject: RE: ato-mr.docx [SEC=OFFICIAL]
Attachments: ato-mr.docx

One tiny suggestion attached. Will come back to you re first line subject to ExCo

From: S 22
Sent: Wednesday, 6 December 2023 11:12 AM
To: Crawford, Claudia
Subject: FW: ato-mr.docx [SEC=OFFICIAL]

OFFICIAL

OFFICIAL

From: S 22
Sent: Monday, 4 December 2023 8:56 AM
To: Crawford, Claudia <Claudia.Crawford@TREASURY.GOV.AU>
Cc: Treasurer Media <TreasurerMedia@TREASURY.GOV.AU>; S 22 <S22@TREASURY.GOV.AU>
Subject: ato-mr.docx [SEC=OFFICIAL]

OFFICIAL

Crawf – ATO appointment release.

S 22

OFFICIAL

s 22

From: Crawford, Claudia
Sent: Sunday, 3 December 2023 9:55 PM
To: Treasurer Media; s 22; s 22
Subject: FW: ATO Commissioner [~~SEC=PROTECTED, CAVEAT=SH:CABINET~~]
Attachments: EC23-003447 002 ATO Appt Media Q and A.docx; EC23-003447 001 Draft Media Release_ATO Commissioner.docx

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Draft media release and QA for ATO commissioner attached, which we'll try and get ready for Friday s 22

s 22 is policy contact but s has been assisting with appointment process

Thanks

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From: Barrett, Angela
Sent: Friday, 1 December 2023 8:17 PM
To: Crawford, Claudia; s 22
Cc: s 22
Subject: ATO Commissioner [~~SEC=PROTECTED, CAVEAT=SH:CABINET~~]

PROTECTED//CABINET

Claudia and s 22

Q&A and draft media release for the ATO Commissioner attached.

Regards

Angela

Dr Angela Barrett — Chief Operating Officer
Corporate Division
P +61 2 6263 4745 M s 22
EA CorpDivOffice@treasury.gov.au

s 22

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ATO Commissioner Appointment – Rob Heferen - Q & A

1. Why are you appointing Mr Heferen? (*From 1 March 2024 for seven years*)

- Mr Heferen is a highly qualified public sector leader with broad experience in many diverse roles. In particular, he has a deep knowledge of the tax system.
- He has over 30 years' experience in the Australian Public Service, including more than a decade in senior leadership positions.
- Mr Heferen is currently CEO of the Australian Institute of Health and Welfare.
- His tax experience includes: Secretary to the Henry Review in 2008-09, and overseeing tax and superannuation policy advice as Treasury's Deputy Secretary – Revenue from 2011-16
- He worked for the ATO earlier in his public service career, before joining Treasury in 1998 as a team leader in designing and implementing the GST
- Tax is in his DNA. It is his professional passion. Returning to the ATO as Commissioner, with the leadership and vision he has acquired along the way, completes the circle.

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From: s 22
Sent: Thursday, 7 December 2023 9:58 AM
To: Crawford, Claudia; s 22
Subject: FW: TREASURER - MEDIA RELEASE - NEW COMMISSIONER OF TAXATION - 7 DECEMBER 2023 [SEC=OFFICIAL]

OFFICIALOFFICIAL



The Hon Jim Chalmers MP
Treasurer

MEDIA RELEASE

NEW COMMISSIONER OF TAXATION

The Albanese Government will appoint Rob Heferen as the Commissioner of Taxation to lead the Australian Taxation Office (ATO) for a period of seven years.

Mr Heferen is an outstanding leader and one of the nation's most experienced tax experts.

He is currently the Chief Executive Officer of the Australian Institute of Health and Welfare, a role he has held since 2021. He has over 30 years' experience in the Australian Public Service, including over ten years in senior leadership roles.

Mr Heferen has previously worked at the ATO and served as the Deputy Secretary of Revenue Group at the Treasury between 2011 and 2016, where he had responsibility for tax policy, tax legislation and revenue forecasting.

His diverse experience across policy development and program delivery in a range of portfolios, as well as representing Australia in international forums, including the UN and OECD, will position Mr Heferen well as Commissioner of Taxation.

The appointment comes after a thorough, methodical and considered selection process.

We sincerely thank Chris Jordan for his outstanding contribution to the ATO over the past decade.

His leadership and expertise have helped the ATO manage and shape the tax, excise and superannuation systems through a period of great change for our economy.

Among the important initiatives during his time as Commissioner were improved tax compliance efforts targeting multinationals and large corporations, particularly the success of the ATO's Tax Avoidance Taskforce.

Mr Jordan's term concludes on 29 February. Mr Heferen will commence in the role on 1 March.

The appointment continues the Albanese Government's commitment to ensuring our nation's key institutions remain world-class with the right leadership in place to meet current and future challenges.

THURSDAY, 7 DECEMBER 2023

Media contacts 22

[@treasury.gov.au](mailto:22@treasury.gov.au)



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From: s 22
Sent: Thursday, 7 December 2023 12:22 PM
To: s 22; Rayner, Karla; Barrett, Angela; Crawford, Claudia
Subject: RE: 461 - Commissioner of Taxation [~~SEC=PROTECTED, CAVEAT=SH:CABINET~~]

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Thank you s 22

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From: s 22
Sent: Thursday, 7 December 2023 12:18 PM
To: s 22; Rayner, Karla; Barrett, Angela; Crawford, Claudia
Subject: FW: 461 - Commissioner of Taxation [~~SEC=PROTECTED, CAVEAT=SH:CABINET~~]

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Attached confirmation of signed instrument.

Kind regards,

s 22
Portfolio Governance and Appointments
Governance and Stakeholder Liaison Branch
Corporate Division
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Langton Crescent, Parkes ACT 2600
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TREASURER

Departmental No. 461 of 2023

Minute Paper for the Executive Council

Executive Council
Meeting No.27.....

Subject

Taxation Administration Act 1953

Australian Taxation Office – Full-time Commissioner –
Appointment 2023

Approved in Council

David Hurley
Governor-General

7 December 2023

Filed in the Records
of the Council

s 47F

Secretary to the Executive Council

Recommended for the approval of His Excellency the Governor-General in Council that, by instrument in the attached form and under section 4 of the *Taxation Administration Act 1953*, he appoint Robert Heferen to be the full-time Commissioner of Taxation for a period of seven years, beginning on 1 March 2024.

Dr Jim Chalmers
Treasurer



Australian Taxation Office – Full-time Commissioner – Appointment 2023

I, General the Honourable David Hurley AC DSC (Retd), Governor-General of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, under section 4 of the Taxation Administration Act 1953, appoint Robert Heferen as the Commissioner of Taxation, on a full-time basis, for a period of 7 years beginning on 1 March 2024.

Dated 7 December 2023

A large, stylized signature in black ink, consisting of a large loop followed by a long horizontal stroke.

A signature in black ink, featuring a large loop at the top and a long horizontal stroke at the bottom.

David Hurley
Governor-General

By His Excellency's Command

Dr Jim Chalmers
Treasurer

s 22

From: Chalmers DLO
Sent: Friday, 1 December 2023 1:48 PM
To: Crawford, s 22
O'George, Kit
Subject: Tax Comm [~~SEC-PROTECTED, CAVEAT-SH:CABINET~~]
Attachments: Appt - Tax.pdf

PROTECTED//CABINET

Hi Crawf

Please see attached the Tax Commissioner appointment paperwork.

Thanks

s 22

Office of the Hon Jim Chalmers MP, Treasurer
P s 22 M s 22 E ChalmersDLO@treasury.gov.au
S 22 Parliament House, Canberra, ACT 2600

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