



Australian Information Industry Association

Submission on

**Secure Australian Jobs Code (Secure Jobs
Code)**

About the AIIA

The Australian Information Industry Association (AIIA) is the nation's peak body for those in the digital ecosystem, leading strategic policy and advocacy to shape a thriving digital sector. Through strong engagement with government, industry, and the broader community, the AIIA ensures the voice of its members informs decision-making on technology, innovation, and digital capability.

Membership provides direct access to influential networks, premium events, and opportunities to collaborate on initiatives with the sector's best and brightest to drive industry growth, improve productivity, and secure Australia's place as a global technology leader. AIIA members access real collaboration, real connections, and real outcomes.

Introduction

The Australian Information Industry Association (AIIA) supports the Government's initiative to use purchasing power to promote secure, fair and high-quality employment. Strong workplace standards and capability are essential to Australia's economic resilience and digital competitiveness.

However, the Secure Australian Jobs Code must be designed to complement the substantial regulatory and policy frameworks already governing Commonwealth suppliers.¹ For technology providers, these settings already impose significant compliance obligations. Adding parallel or overlapping requirements risks increasing cost and procurement complexity, particularly for small and medium enterprises (SMEs).

Procurement policy should enable innovation, productivity and market participation. The technology sector is characterised by project-based delivery, fast-evolving skills needs and globally competitive labour markets. Applying further prescriptive frameworks to this sector would be counterproductive.

To achieve meaningful workforce outcomes while preserving competition and innovation, the AIIA recommends that the Secure Jobs Code adopt a targeted, proportionate and outcomes-focused approach.

Specifically, we recommend:

- The Secure Jobs Code should be tailored to the ICT sector's project-based, skills-driven operating model, rather than applying generic labour frameworks that risk excluding SMEs, increasing costs and constraining Australia's digital capability.

¹ Including the Commonwealth Procurement Rules, Supplier Code of Conduct, Fair Work reforms, Workplace Gender Equality requirements, and the Australian Skills Guarantee.

- The Secure Jobs Code should be outcomes-based and capability-focused, complement existing regulatory frameworks, and prioritise skills development over prescriptive workforce models to support innovation, productivity and long-term digital competitiveness.
- Implement the Secure Jobs Code via Procurement and Grants Connected Policies (PCP/GCP), not new legislation or CPR rewrites.
- Adopt a staged rollout, starting with a pilot on high-value procurements.
- Implement a risk-based, proportionate and digital-first compliance model, rejecting accreditation schemes, integrating compliance into value-for-money assessments, applying graduated enforcement, and minimising administrative burden, to protect SME participation and procurement agility.
- Design the Secure Jobs Code to safeguard SME participation, preserve procurement agility and support workforce capability uplift, to avoid productivity loss and ensure the Code strengthens innovation and economic performance.

If done correctly, the Secure Jobs Code can strengthen workforce outcomes while supporting innovation and productivity. If not, it risks reducing competition, raising costs, and limiting access to government markets, particularly for Australia's SME technology sector.

A Tech Sector Reality Check

The technology sector operates differently to labour-intensive industries, with project-based, knowledge-driven work delivered through blended teams of permanent staff and specialist contractors to meet rapidly evolving skill needs.

Importantly, the tech sector's workforce challenges are driven by persistent skills shortages, rapidly evolving roles and intense global competition for digital talent.² These are pressures that directly affect Australia's ability to deliver digital transformation, cybersecurity resilience and emerging technology capability at scale.

Technology suppliers already operate under extensive procurement and regulatory frameworks, including the Commonwealth Procurement Rules, Supplier Code of Conduct, workplace relations, gender equality and skills policies. Compliance in this context represents a significant operational cost for many AIIA members, particularly SMEs.³

Introducing a generic jobs code without clear sector differentiation risks compounding this burden, reducing competition and increasing delivery costs. Poorly calibrated settings could exclude innovative SMEs, slow procurement and restrict access to specialist skills⁴, ultimately undermining value for money and Australia's digital capability.

For the Secure Jobs Code to succeed in the ICT context, it must recognise these sector realities and be designed to support workforce capability and innovation, rather than constrain the suppliers government relies on to deliver modern digital services.

Recommendation One: The Secure Jobs Code should be tailored to the ICT sector's project-based, skills-driven operating model, rather than applying generic labour frameworks that risk excluding SMEs, increasing costs and constraining Australia's digital capability.

Principles for Designing the Secure Jobs Code

The AIIA supports the intent of the Secure Jobs Code to promote safe workplaces, lawful employment practices, gender equity and workforce capability. These objectives are already embedded across existing regulatory and procurement frameworks in the technology sector.

The effectiveness of the Code will depend on complementing, not duplicating, existing obligations. Technology suppliers already face extensive requirements and additional

² See generally Department for Employment and Workplace Relations, Digital and Tech Skills Working Group Final report, July 2023.

³ Phil Lewis et al, 'Compliance Costs of Regulation for Small Business' (2015) 9(2) *Journal of Business Systems, Governance & Ethics* 1, 4.

⁴ See generally Anthony Flynn, 'Research on SME involvement in public procurement: A review, critique and conceptual framework' (2025) *Journal of Purchasing and Supply Management*, In Press, Corrected Proof.

reporting or parallel compliance would add cost without improving outcomes, and should only be introduced where a clear policy gap exists.

We recommend an outcomes-based approach rather than prescriptive rules, with compliance demonstrated through existing legal obligations, streamlined self-attestation and risk-based audits. One-size-fits-all definitions of “secure work” risk misaligning with technology delivery models that rely on agile, project-based teams and specialist expertise.

Critically, the Code should prioritise capability over headcount.

In the tech sector, sustainable workforce outcomes are driven by skills development,⁵ training investment, knowledge transfer⁶ and local capability. Focusing on permanent versus contract arrangements misrepresents digital delivery realities and risks undermining the flexible workforce models needed to respond to rapid technological change and global talent competition. At the same time, flexible delivery models must support workforce stability, skills progression and clear career pathways.

By centring the Secure Jobs Code on capability uplift and lawful employment outcomes, government can strengthen job security while supporting innovation, productivity and Australia’s long-term digital competitiveness.

Recommendation Two: The Secure Jobs Code should be outcomes-based and capability-focused, complement existing regulatory frameworks, and prioritise skills development over prescriptive workforce models to support innovation, productivity and long-term digital competitiveness.

Implementation Model

The AIIA recommends implementing the Secure Jobs Code through a Procurement Connected Policy (PCP) and Grants Connected Policy (GCP), rather than through new legislation or a rewrite of the Commonwealth Procurement Rules (CPRs).

This approach offers clear advantages. PCPs and GCPs can be introduced more quickly, provide greater flexibility, and are easier to refine over time as impacts become better understood. Importantly, they also avoid complications associated with Australia’s international procurement obligations and minimise disruption to the existing procurement framework.

⁵ Pravan Mhaske et al, ‘Bridging digital skill gaps in the global workforce: A synthesis and conceptual framework building’ (2025) 11 *Research in Globalisation* 100311.

⁶ Ajitha A, ‘The impact of knowledge transfer on advancing the IT sector from industry 4.0 to Industry 5.0’ (2025) 26(1) *World Journal of Advanced Research and Review* 3480, 3482.

For industry, particularly SMEs, this model delivers materially lower compliance costs, allowing requirements to remain targeted and proportionate rather than locked into legislative or CPR structures that are difficult to adjust once implemented.

AIIA cautions against pursuing new legislation or fundamental CPR changes, which would significantly extend implementation timelines, increase costly regulatory complexity⁷ and reduce the government's ability to iterate based on real-world outcomes in fast-moving industries like tech.⁸

To support effective delivery, we recommend a staged rollout beginning with a pilot on a limited set of high-value procurements, allowing government to test compliance mechanisms, assess impacts on supplier participation and refine guidance before broader implementation.

A phased approach will help deliver workforce outcomes while preserving competition, innovation and value for money, particularly in fast-moving technology markets where procurement agility is essential.

Recommendation Three: Implement the Secure Jobs Code via Procurement and Grants Connected Policies (PCP/GCP), not new legislation or CPR rewrites.

Recommendation Four: Adopt a staged rollout, starting with a pilot on high-value procurements.

Compliance and Enforcement

The compliance framework will determine whether the Secure Jobs Code strengthens workforce outcomes or restricts competition and innovation. For AIIA members, particularly SMEs, poorly designed compliance mechanisms are one of the greatest risks.⁹

The AIIA strongly opposes any pre-qualification accreditation scheme for Commonwealth procurement. Accreditation is costly, slow¹⁰ and disproportionately excludes SMEs. An additional accreditation layer would raise barriers to entry without delivering meaningful workforce benefits.

⁷ \$160 billion and counting: The cost of Commonwealth regulatory complexity <<https://www.aicd.com.au/news-media/research-and-reports/economic-cost-of-regulatory-complexity.html>>.

⁸ We need to build agile regulation for AI <<https://www.unesco.org/ethics-ai/en/articles/we-need-build-agile-regulation-ai>>.

⁹ Why corporate compliance is becoming a \$160bn nightmare for small business <<https://www.asbfeo.gov.au/media-centre/media-releases/why-corporate-compliance-becoming-160bn-nightmare-small-business>>.

¹⁰ Australian Small Business and Family Enterprise Ombudsman, *Review of the implementation of the 1 July 2022 changes to the Commonwealth Procurement Rules*, December 2025, 24.

We support integrating Secure Jobs Code considerations into existing value-for-money assessments, with compliance demonstrated through supplier declarations and performance history and additional evidence sought only where risks arise. Upfront certification gates should be avoided, as they delay procurement and restrict access to specialist capability.

Enforcement must be proportionate and practical, with a graduated response that prioritises remediation, education and corrective action. Contract termination should be reserved for serious, repeated or deliberate breaches, aligning with regulatory best practice and supporting continuous improvement rather than punitive exclusion.

Finally, compliance should be digital-first, with a single online declaration portal, reuse of existing compliance evidence and API-enabled reporting for larger vendors. Streamlined, technology-enabled processes will reduce administrative burden for suppliers and government while improving transparency and oversight.

A risk-based, digitally enabled and proportionate compliance model will be essential to ensuring the Secure Jobs Code delivers real workforce outcomes without undermining competition, SME participation or Australia's digital delivery capability.

Recommendation Five: Implement a risk-based, proportionate and digital-first compliance model, without accreditation schemes, integrating compliance into value-for-money assessments, applying graduated enforcement, and minimising administrative burden, to protect SME participation and procurement agility.

Specific Risks for the Technology Sector

While the AIIA supports the intent of the Secure Jobs Code, it is important to recognise the potential unintended consequences for the technology sector if the framework is overly prescriptive or administratively burdensome.

Poorly calibrated compliance risks reducing SME participation, as smaller providers often lack the scale to absorb additional reporting and governance costs, narrowing supplier diversity and disadvantaging innovative Australian firms delivering specialist digital capability.

Additional compliance layers are likely to extend procurement timelines and increase bid costs. For technology projects, where speed and specialist skills are critical, these delays directly increase costs, slow digital transformation and reduce value for money.

Excessive compliance risks pushing suppliers to offshore elements of delivery to remain competitive, particularly in software, data and cybersecurity, undermining the Code's objectives by shifting high-value work offshore rather than building domestic capability.

Collectively, these impacts would result in fewer innovative vendors bidding for government work, reduced competition in procurement processes, and diminished access to emerging technologies.

The cumulative effect is a productivity drag on both government service delivery and Australia's broader digital economy.

For this reason, the AIIA urges a design approach that safeguards SME participation, preserves procurement agility and supports workforce capability uplift, ensuring the Secure Jobs Code strengthens, rather than constrains, Australia's innovation and productivity.

Recommendation Six: Design the Secure Jobs Code to safeguard SME participation, preserve procurement agility and support workforce capability uplift, to avoid productivity loss and ensure the Code strengthens innovation and economic performance.

Conclusion

The AIIA welcomes continued engagement with Government on the Secure Jobs Code and supports a collaborative approach to delivering workforce outcomes alongside innovation and productivity.

We would welcome the opportunity to work closely with DEWR and relevant agencies to co-design ICT-specific guidance that reflects the realities of technology delivery, supports workforce capability development, and avoids unintended impacts on competition and SME participation.

We strongly support the use of pilot programs and staged implementation to test compliance mechanisms, assess market impacts, and refine settings before broader rollout. This will enable evidence-based adjustments and ensure the Code delivers practical, measurable outcomes.

Finally, we request ongoing industry consultation before finalising the Secure Jobs Code to ensure it strengthens job security while preserving procurement agility, innovation and Australia's digital capability.