

# Agency performance

# 5

## Targets and key performance indicators

### Actual results versus budget targets

#### Financial targets

Category	2015/2016 Target <sup>(1)</sup> \$000	2015/2016 Actual \$000	Variance <sup>(2)</sup> \$000
Total cost of services (expense limit)	30 071	25 709	4362 <sup>(a)</sup>
Net cost of service	29 626	25 327	4299 <sup>(b)</sup>
Total equity	6950	12 482	(5532) <sup>(c)</sup>
Net increase/(decrease) in cash held	(546)	2713	(3259) <sup>(d)</sup>
Approved salary expense level	18 711	17 038	1673 <sup>(d)</sup>

<sup>(1)</sup> As specified in the Budget Statements.

<sup>(2)</sup> Further explanations are contained in Note 31 'Explanatory statement' to the financial statements.

<sup>(a)</sup> The variation is mainly due to an underspend in employee benefits expense of \$3.697 million due to vacancies not being filled during a functional review and realignment of the Commission's operations and structure in the first half of 2015/16 and a whole of sector recruitment freeze during the second half of 2015/16.

<sup>(b)</sup> The variation is covered by the explanation above.

<sup>(c)</sup> The variance is a result of the explanations provided above in addition to a further reduction in resources received free-of-charge from the Department of the Premier and Cabinet of \$431 000.

<sup>(d)</sup> The variation is a result of the underspend in employee benefits expense above.

*The Commission's key effectiveness indicators measure the extent to which our activities are achieving, or are progressing towards, our agency-level outcome. Key efficiency indicators provide a measure of the cost of inputs required to achieve outcomes.*

## Working cash targets

Category	2015/2016 Agreed limit \$000	2015/2016 Target/ <sup>(1)</sup> actual <sup>(2)</sup> \$000	Variance \$000
Agreed working cash limit (at budget)	1439	1415	24 <sup>(e)</sup>
Agreed working cash limit (at actuals)	1439	1244	195 <sup>(f)</sup>

<sup>(e)</sup> The variation is a result of a reduction in the expected total costs of services after the 2015/16 mid-year review, particularly in relation to Royalties for Regions initiatives.

<sup>(f)</sup> The variation is a result of a reduction in the actual total costs of services which was due to reduced employee benefits expenditure during the reporting period.

## Summary of key performance indicators

For a more detailed explanation of the indicators and reasons for variances, please refer to the audited 'Key performance indicators' section of this report.

## Summary of key effectiveness indicators

Key effectiveness indicator	Target 2015/16	Actual 2015/16	Variance between target and actual	Actual 2014/15	Actual 2013/14
The portion of core clients who indicate the Commission has delivered policy, assistance and oversight that has assisted them to enhance integrity within their agencies.	85%	95.5%	10.5%	97%	95%
The portion of core clients who indicate the Commission has delivered policy, assistance and oversight that has assisted them to enhance the effectiveness and efficiency of their agencies.	85%	85.6%	0.6%	89%	90%

Key effectiveness indicator	Target 2015/16	Actual 2015/16	Variance between target and actual	Actual 2014/15	Actual 2013/14
The portion of core clients who indicate that assistance provided by the Commission has helped them to meet their statutory obligations under the PID Act.	75%	83.8%	8.8%	75%	84%
The portion of core clients who indicate assistance provided by the Commission has helped them to meet their statutory obligations under Part IX of the EO Act.	75%	72.1%	(2.9%)	69%	78%

#### Summary of key efficiency indicators

Service 1 – Public sector leadership	Target 2015/16	Actual 2015/16	Variance between target and actual	Actual 2014/15	Actual 2013/14
Average cost per Leadership Development Product, Program or Training Hour	\$87	\$117	\$30	\$109	\$135
Average cost per Workforce Development Program, Product or Training Hour	\$139	\$117	(\$22)	\$118	\$154

<b>Service 2 – Assistance and support</b>	<b>Target 2015/16</b>	<b>Actual 2015/16</b>	<b>Variance between target and actual</b>	<b>Actual 2014/15</b>	<b>Actual 2013/14</b>
Average cost per hour of assistance and support provided	\$93	\$92	(\$1)	\$93	\$108

Average cost per Public Administration, Standards and Integrity Program, Product or Training Hour	\$80	\$85	\$5	\$120	\$105
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<b>Service 3 – Oversight and reporting</b>	<b>Target 2015/16</b>	<b>Actual 2015/16</b>	<b>Variance between target and actual</b>	<b>Actual 2014/15</b>	<b>Actual 2013/14</b>
Average cost per hour addressing legislative and policy development	\$95	\$91	(\$4)	\$97	\$109
Average cost per hour of performance and oversight activity	\$93	\$98	\$5	\$102	\$99
Percentage of oversight actions completed within target timeframes	90%	93%	3%	89%	91%

# Building capacity

## Developing our diverse workforce

As a citizen-centric public sector we need a workforce that is representative of the community we serve. We can achieve this by strategically aligning corporate planning and workforce planning processes, and offering programs that focus on developing employees from key diversity groups.

### Aboriginal Australians

As the largest employer in the State the public sector is well positioned to contribute in a meaningful way to the achievement of employment outcomes for Aboriginal people. We recognise that there is not a 'one-size fits all' solution and that to achieve tangible outcomes key public sector agencies need to partner and work together. In 2015/16 the Commission collaborated with the Department of Aboriginal Affairs and the Regional Services Reform Unit (Department of Regional Development) to develop strategies to provide more employment opportunities and will continue to do so in 2016/17 under the State Government's 'Resilient Families, Strong Communities' roadmap for regional and remote Aboriginal communities. This collaboration and a significant amount of engagement with elders, community members and peak bodies contributed to the development of the Commission's new Aboriginal Employment Strategy. It is anticipated that this joint commitment between the Commissioner, DEOPE, Director General, Department of Aboriginal Affairs, and the head of the Regional Services Reform Unit will release the new Aboriginal Employment Strategy in late 2016.

In fulfilling outcomes from the current Aboriginal Employment Strategy the Commission employed 48 full-time Aboriginal trainees and arranged for their placement in agencies across the public sector during 2015/16. Ten of these positions were funded as part of the Royalties for Regions project, 'Element 6: Indigenous employment'. To support trainees and improve retention rates, the Commission delivers the Supervising Aboriginal Trainee Talent Program to assist supervisors understand what is involved in mentoring Aboriginal trainees in the workplace. Of the 20 Aboriginal trainees that commenced their traineeship in 2014/15 through Royalties for Regions, 13 trainees completed the program in 2015/16.

The Jawun Indigenous Corporate Partnerships Program aims to bring together corporate, government, philanthropic and Indigenous organisations to build the capability of Indigenous people and organisations across Australia. Jawun supports our Aboriginal Employment Strategy by offering opportunities for public sector employees to participate in a short-term secondment program to share their skills and experience through placement in Aboriginal organisations and communities. In 2015/16 the Commission provided funding to enable four public sector employees, representing four agencies, to participate in the program, where they worked on a range of projects aiming to improve the capability of Indigenous people and organisations.

# IMPROVING ABORIGINAL OUTCOMES

## ACHIEVEMENTS TO DATE



## People with disability

The Commission was pleased to work with the Hon. Susan Ryan AO, Age and Disability Discrimination Commissioner, as she examined the barriers to employment for people with disability and older Australians as part of the 2016 national inquiry by the Australian Human Rights Commission, entitled *Willing to Work: National Inquiry into Employment Discrimination Against Older Australians and Australians with Disability* (Inquiry).

The Commission considers people with disability to be valuable and dynamic members of our community—but are under-represented in the workforce. In June 2016 the Commissioner, mindful of the recommendations made by the Inquiry and in collaboration with the DEOPE and the Disability Services Commissioner, launched *See my abilities: An employment strategy for people with disability*. This strategy will, amongst other initiatives, be supported by our new pilot People With Disability Traineeship Program, an academic program designed to encourage people with disability to consider the public sector as an employer of choice. The program is planned to run over a three-year period, employing up to 10 trainees annually until 2018.

## People 24 and under

The Commission, and the public sector in general, have a number of initiatives to promote sustainable career opportunities for people 24 and under.

As part of our commitment to increasing the representation of people 24 and under in the public sector the Commission maintains a pool of candidates who are eager to start their career with a traineeship in the public sector. In 2015/16, 51 trainees participated in the Public Sector Traineeship Program and will receive a *Certificate II or III in Government (Public Administration)* upon successful completion. Additionally, 22 school-based trainees completed their traineeship at the end of 2015 and 22 are on track to complete theirs at the end of 2016.

We offer several programs to support trainees to develop their full potential and assist supervisors to support and develop trainees. In 2015/16 the Commission facilitated 13 trainee professional development workshops for 221 participants to foster the skills required for a career in the public sector and encourage agencies to retain trainees following the completion of their traineeships. Additionally, the Commission delivered 14 workshops to 133 trainee supervisors to provide practical tools and best practice examples to increase the level of support offered through traineeship programs.

To retain trainee talent in the public sector and assist trainees to engage in full-time, permanent or fixed term employment subsequent to the successful completion of their traineeship, the Commission offers the Trainee Transition to Employment Program. The program provides agencies with access to a pool of skilled candidates who are interested and available for specified vacancies that arise without the need to advertise. In 2015/16 seven trainees transitioned to full-time permanent employment and 11 into fixed-term employment via the program.

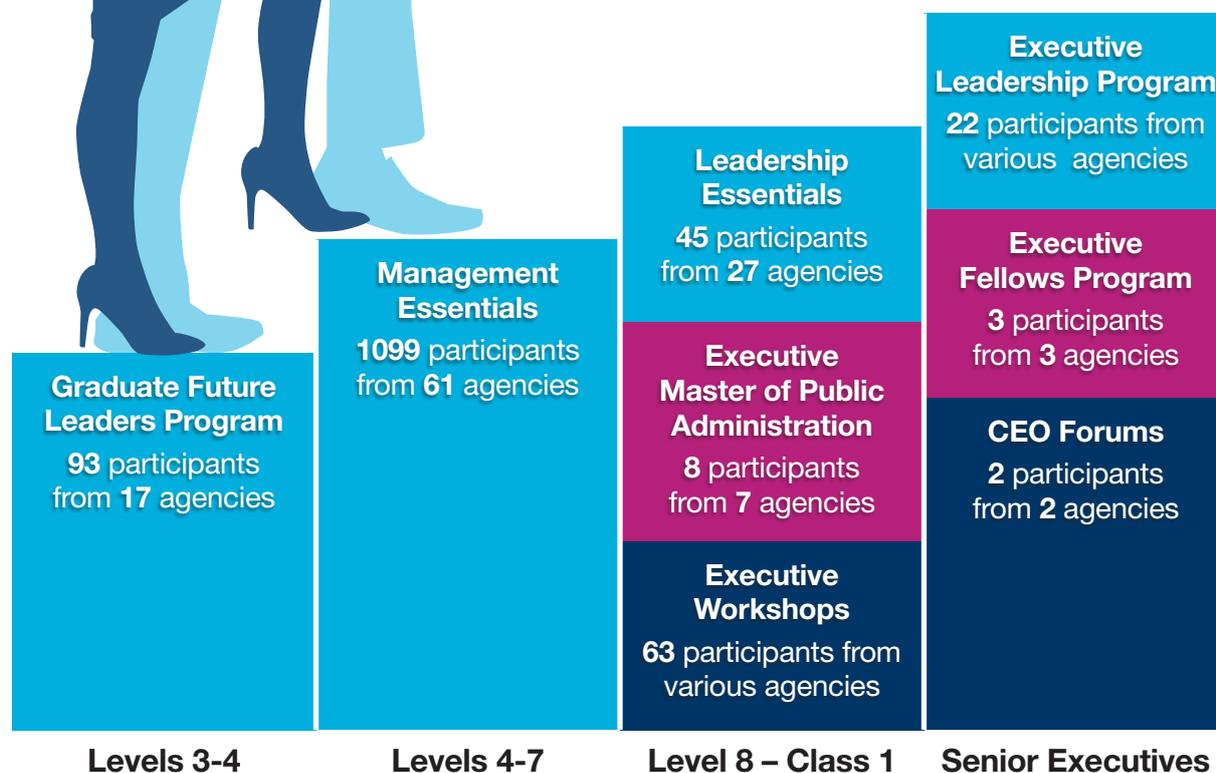
## Supporting our leaders

Leadership takes many forms and occurs across all levels of the public sector. Building leadership capacity is essential to equip the sector to respond efficiently and effectively to any challenges or opportunities that may arise. The Commission facilitates and delivers a range of programs aimed at developing leaders, now and into the future. The diagram on page 32 illustrates the progression of, and target audience for, these programs.

# THE LEADERSHIP DEVELOPMENT JOURNEY

2015/16

- PSC program
- ANZSOG program (academic)
- ANZSOG program (workshop)



## **Australia and New Zealand School of Government (ANZSOG) programs**

- **Executive Master of Public Administration**

The Executive Master of Public Administration (EMPA) is a two-year part-time post graduate qualification designed to assist future leaders to develop the management and policy skills needed in the public sector today, with an emphasis on ‘live’ issues confronting governments. The following Western Australian public sector representatives were accepted into the 2016 EMPA intake:

1. Ms Jane Hammond, Department of Mines and Petroleum
2. Mr Stephen Psaila-Savona, Health and Disability Services Complaints Office
3. Ms Christine Thompson, Department of Fisheries
4. Mr Simon Grieve, Department of Transport
5. Mr Blair Marsh, Polytechnic West
6. Ms Cheryl Smith, WA Country Health Service
7. Mr Shaun Whitmarsh, Department of Finance
8. Mr Andrew Chaplyn, Department of Mines and Petroleum.

- **Executive Fellows Program**

The Executive Fellows Program brings together 80 senior executives—leading academics and experienced practitioners from across Australia, New Zealand and overseas. It is a three-week residential program during which participants examine emerging trends in public sector management. In 2015/16 scholarships were awarded to the following senior executives:

1. Ms Peta Mabbs, Corruption and Crime Commission
2. Mr Simon Ridge, Department of Mines and Petroleum
3. Mr David MacLennan, Department of Planning.

- **CEO Forums**

The CEO Forums present an opportunity for senior government leaders in Australia and New Zealand to come together to reflect on their work with the aim of improving their strategic management techniques. In 2015/16 we provided scholarships to the following CEOs:

1. Mr Kim Papalia, Road Safety Commissioner
2. Ms Heather Brayford, Director General of the Department of Fisheries.

- **Executive Workshops**

The Executive Workshops aim to equip senior executives with the necessary knowledge and skills to lead and influence change. They focus on managing increasingly complex accountabilities in the context of shifting government priorities, limited finances and in many cases, entrenched organisational cultures. In partnership with ANZSOG in 2015/16 the Commission delivered workshops on *Applying Behavioural Insights and Project Management for Policy Design and Implementation*.

- **Leadership Seminar Series**

The Leadership Seminar Series provides a structured program of timely, relevant and influential events for public sector employees aspiring to leadership positions. In 2015/16 the Commission hosted 16 separate speaking events with the following speakers:

1. Dr Zina O’Leary (July 2015), The University of Sydney and ANZSOG
2. Associate Professor Liam Smith (September 2015), Director of BehaviourWorks Australia, Monash Sustainability Institute
3. Mr David Albury (March 2016), a Board Director of Innovation Unit, ANZSOG
4. Dr Adrian Kuah, Head of Case Study Unit, and Ms Cheryl Chung, Deputy Director, Strategic Planning (April 2016), Lee Kuan Yew School of Public Policy
5. Emeritus Professor Arie Freiberg AM (May 2016), Adjunct Faculty appointment at ANZSOG and is a fellow of the Academy of Social Sciences in Australia and the Australian Academy of Law, Monash University
6. Professor Gary Sturgess AM (June 2016), Premier of New South Wales ANZSOG Chair of Public Service Delivery, University of New South Wales.

## **Public Sector Commission programs**

- **Executive Leadership Program**

The pilot Executive Leadership Program is the Commission’s newest leadership initiative. As part of this program, we provide scholarships to senior executives from management Tiers 2 and 3 across the sector to help them identify and address their skills and capability gaps.

- **Leadership Essentials**

Leadership Essentials is designed to engage and develop authentic, ethical and innovative leaders who create value for agencies and the sector as a whole. Targeted at aspiring SES leaders, Leadership Essentials develops strategic and critical thinking to assist leaders to make decisions that have a positive impact on their environment.

- **Management Essentials**

Management Essentials is a series of modules delivered as individual workshops, designed to empower managers to lead and make good decisions. In 2015/16 the Commission delivered 41 workshops in the metropolitan area and three workshops in regional areas—Kalgoorlie, Geraldton and Karratha.

- **Graduate Future Leaders Program**

The Graduate Future Leaders Program is designed to provide public sector graduates with a whole-of-government perspective on the political, legislative, policy and operational environment. Graduates are exposed to a variety of inspiring work through workshops, an action-learning project and the opportunity to network.

- **Public Sector Management Program**

In 2015/16 we continued to work with the Queensland University of Technology to deliver the Public Sector Management Program, which is a national post graduate program to 50 participants from State and local governments.

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## **Harnessing our technical expertise**

The Commission regularly engages with technical specialists across the sector, including ICT specialists, financial officers, policy practitioners and human resource officers. In 2015/16 we initiated and facilitated a number of projects and programs to enhance the technical capability of these specialists.

Following its success in 2014/15 the Commission's pilot Public Sector Cadetship Program continued this year. Developed in collaboration with the Department of Training and Workforce Development and *Future Skills WA*, the cadetship program focuses on addressing the skill gaps identified across the public sector in financial services, human resources and investigations.

## **Investigations capability**

The end of the financial year saw the conclusion of the Commission's first full year of operation following the transfer of the minor misconduct oversight, prevention and education functions. Development of the skills and abilities of public sector employees has been critical in ensuring the smooth and cost effective transition of functions.

In 2015/16 the Commission provided *Certificate IV in Government (Investigation)* training to 114 public authority employees to enhance their capability to successfully undertake investigations within their organisation. The certificate provides participants with practical skills and knowledge to investigate non-compliance, conduct interviews and prepare investigation reports.

Further to the certificate qualification the Commission also offered senior staff who have oversight of investigations within their agencies a *Diploma in Government (Investigation) Cadetship*. This 18-month course is currently being delivered to 21 participants from 16 agencies.

### **Human resources capability**

At the request of the Australian and New Zealand Public Service Commissioners, the Commission collaborated with the New South Wales Public Service Commission to develop a joint CHRO leadership success profile and associated measurement system as a reference point for all jurisdictions. In 2015/16 the Commission also established a network of CHROs from the public sector, local governments, public universities and GTEs through the delivery of regular events and communities of practice.

In addition, the Commission offered the *Diploma of Government (Human Resources)* to 19 participants (4 regional and 15 metropolitan) from 14 agencies with the aim of investing in and building the sector's existing human resource expertise.

### **ICT capability**

This year, in collaboration with the GCIO, the Commission developed the ICT capability framework to advance and shape the ICT workforce. Adopting a whole-of-government approach, the framework maps the capability requirements for ICT practitioners to promote consistency across the sector. The framework was developed through extensive consultation with Chief Information Officers (CIOs), ICT practitioners and senior executives across the sector.

To support the framework's implementation, the Commission is currently delivering awareness sessions to IT managers, CIOs and human resource managers and is developing an online tool to attract and assist agencies to navigate the framework.

### **Policy capability**

Policy practitioner forums are a co-initiative of the Commission and the Department of the Premier and Cabinet and provide an opportunity for public sector employees to exchange ideas, opinions and knowledge. In 2015/16 we delivered two forums to 92 participants, entitled *Engaging with the process—working towards the ideal cabinet submission*. The forums explored the cabinet submission process with an emphasis on outlining the various key roles and responsibilities, defining the target audience, understanding how to effectively consult with relevant stakeholders and interested parties and understanding how to manage competing or contentious issues.

## Finance capability

In 2015/16, to enhance the financial skills of the sector, the Commission conducted a review of the current financial capability of the Western Australian public sector. The review involved discussions with 50 senior officers and Chief Financial Officers (CFOs), consultation with public sector CEOs and the distribution of a survey to over 70 agencies. Input from a reference group of CFOs and central agency representatives also contributed to the review. The Commission has seconded the CFO from the Department of Finance to assist with the implementation of recommendations arising from the review, including the development of a Finance Capability Framework.

To continue to build the financial capability of the sector the Commission also offered the *Diploma of Government (Financial Services)* to 15 participants (1 regional and 14 metropolitan) from 11 agencies.

## Engaging with our stakeholders

Engaging with our stakeholders is a priority for the Commission and a key means of sharing good practice and creating opportunities for collaboration.

## Regional engagement

With around one quarter of the public sector workforce located outside the Perth metropolitan area, Royalties for Regions funding has been essential to enabling the Commission to deliver capability and development programs and employment initiatives in the regions. This year marked the finalisation of our last funding initiative from Royalties for Regions, as we have integrated our regional activities into our core programs.

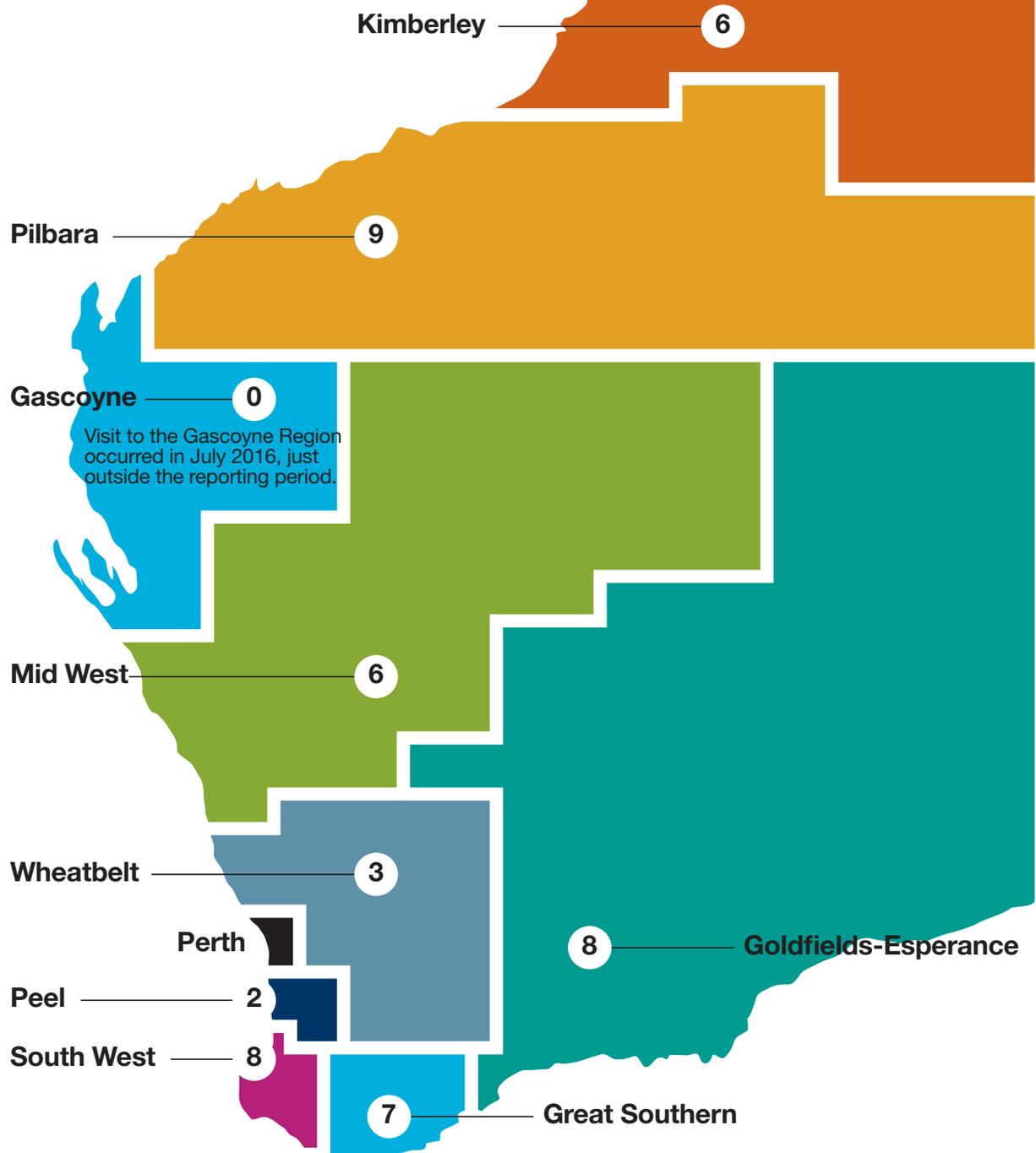
Throughout the year the Commission generated practical benefits for regional employees in public authorities, including an increased understanding of ethics and integrity, leadership and management development through the delivery of 49 professional development sessions in regional areas. Over the past year we were pleased to provide these opportunities in all regions of the State, although our sessions in the Gascoyne were delivered in July 2016, just outside the reporting period. Electronic infrastructure, including video conferencing and webcasting facilities has enabled 1091 employees from regional public authorities to access real-time professional development initiatives delivered by the Commission over the last year.

In 2015/16 the Commissioner also personally visited the Wheatbelt, Great Southern and Peel regions. These visits provided an insight into the regional perspective on the unique challenges and ethical issues faced in regions. A highlight of the regional program was the Commissioner's visit to Albany with the Commissioner of the CCC, the Hon. John McKechnie QC, to update the region on the new arrangements for reporting allegations of serious and minor misconduct of public officers.

The diagram on page 38 illustrates the number of visits to each of the regions by the Commission during the reporting period.

# OUR REGIONAL VISITS

2015/16



## Local Government engagement

Since the transfer of minor misconduct and prevention and educations functions from the CCC to the Commission on 1 July 2015, we have sought to increase our engagement with local government and build strong relationships across this sector.

In 2015/16 the Commissioner had personal contact with 58 local governments over the course of the reporting period. Central to this was ongoing communication with the Local Government Managers Australia (LGMA) (WA) and the Western Australian Local Government Association (WALGA), the peak bodies for local government in Western Australia.

In October 2015 the Commissioner spoke at the LGMA (WA) State Conference. This was the Commissioner's first presentation at a whole-of-local government sector event and was a positive step forward in continuing to forge our relationship with this sector. The Commissioner used the opportunity to share his vision of where the Commission is heading with its integrity promotion program, particularly around building ethical cultures, good governance and capability. In November 2015 the Commissioner also spoke at the WALGA Breakfast with the Commissioner of the CCC about how the relationship between elected members and local government employees is critical in ensuring effective governance.

Local government plays an important role in the communities of Western Australia through the delivery of a diverse range of services. While the roles of elected members and employees are different, all officers have a responsibility to perform their duties in the public interest and make accountable and ethical decisions.

Under the *Local Government Act 1995* local governments are required to prepare or adopt a code of conduct to be observed by elected members, committee members and employees. In 2016 the Commission developed a guide to assist local governments to develop, implement, promote or review their codes of conduct, with particular emphasis on employees. The guide is complemented by a range of other governance resources available on our website. In addition, the Commission has developed an Accountable and Ethical Decision Making (AEDM) program customised for local government – supported by workshop materials. The program is intended to support local governments in the development and delivery of an accountability program that enables employees to gain a better understanding of the expected standards of conduct and their obligations as public officers within the unique local government context.

## Community engagement

The Commission is increasingly engaging with new stakeholders in the not-for-profit and community sectors. We have established links with peak bodies such as Volunteering WA, Western Australian Council of Social Services, Reconciliation WA and Linkwest to plan and conduct collaborative events. In addition, we continued to work with key organisations in the disability, LGBTI<sup>1</sup> and youth sectors, as well as directly with the community. In collaboration with the Ombudsman and the Office of the Information Commissioner we have also held a series of informal conversations at Community Neighbourhood and Learning Centres.

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<sup>1</sup> Lesbian, gay, bisexual, transgender and intersex (LGBTI).

## International engagement

The Western Australian public sector has a long history of engagement with its overseas neighbours. The Commission, in collaboration with the Department of Foreign Affairs and Trade, has led the sector's engagement to develop stronger and more sustainable relationships with our counterparts in Asia.

In 2015/16 the Commission was pleased to join the Indonesian Consul General, the President of the Indonesia Institute, and colleagues from the Department of State Development and Curtin University to successfully deliver the International Leadership Program: Indonesia to 27 participants from the Government of Indonesia ministries. The program provides Indonesian Australian Award scholarship recipients with an understanding of the Western Australian public sector through a series of seminars, discussions and site visits.

Throughout 2016 the Commission has also been involved in facilitating the Australia-Indonesia CAFE (Connection, Association, Friendship and Exchange) Program which aims to connect Indonesian civil servants with people in the public sector in a peer-to-peer or peer-to-mentor scheme. This year 18 Indonesian CAFE participants have been paired with one Western Australian public officer, with efforts made to link people with similar profiles.

The Commission has also formed a collaborative relationship with the Bruneian Public Service Department to improve cross-country understanding of government structures and processes. In 2015 we welcomed two interns from Brunei as part of an inaugural exchange between the Australian and Bruneian Governments.

In addition, we continued to embrace opportunities for closer relationships with our international counterparts and share our recent experiences of changes in the integrity landscape. In 2015/16 we hosted six international delegations and met with several senior public servants from Indonesia (including the Executive Council of Indonesian Ombudsman), Ghana, Sri Lanka and Papua New Guinea.

### In the future we will:

- partner with the DEOPE to release a range of diversity strategies
- develop a leadership success profile to establish a common set of expectations, accountabilities and experiences that can apply to all CEOs
- partner with the University of New South Wales in a research project evaluating how successfully government agencies implement initiatives to progress gender equality
- continue to strengthen our strategic ties with our international neighbours, the community and non-government sectors.

# Assistance and support

## Advisory and consultancy services

The Commission acknowledges that public authorities operate in a complex and challenging environment and at times require additional guidance and support.

Our advisory and consultancy services assist agencies to interpret and apply the public sector standards in human resource management, provisions of the PSM Act, Commissioner's Instructions, associated regulations and other instruments relevant to the Commissioner's functions. We also provide advice on the PID Act and relevant sections of the CCM Act to public authorities and members of the community.

## Embedded assistance activity

As part of the Commission's assistance role several staff have been embedded in agencies across the public sector to provide support during periods of organisational change. In 2015/16 a total of seven staff were embedded in six agencies.

In certain cases the Commission may also investigate matters on behalf of agencies where they are particularly sensitive or complex or where the agency does not have the resources to resolve the matter. In 2015/16 the Commission assisted two agencies with three investigations examining conduct issues.

## Advisory line

The Commission provides an advisory line service to assist public authorities with inquiries around a variety of issues from the application of employment standards and the operation of breach of standard provisions, to the notification of minor misconduct matters and the development of agency codes of conduct.

In 2015/16 the Commission responded to or initiated 2840 enquiries, of which 610 (21.5 per cent) related to minor misconduct. Of these calls 52 (8.5 per cent) related to conflicts of interest, 24 (3.9 per cent) related to gifts, benefits or hospitality, 21 (3.4 per cent) were about personal behaviour, eight (1.3 per cent) related to the use of public resources, four (0.7 per cent) were about fraudulent or corrupt behaviour and four (0.7 per cent) were about use of information and record keeping.

In the wake of the public sector external recruitment freeze the Commission provided a greater level of support and assistance to agencies particularly around:

- *Public Sector Commissioner's Circular 2015-05: 2015 – 16 Budget – Additional Corrective Measures – Recruitment Freeze*
- *Public Sector Commissioner's Circular 2015-16: Mid-Year Review – Additional Corrective Measure External Recruitment Freeze Procedures For Agencies.*

These documents defined the scope and application of principles to be applied during the freeze.

## **Workplace behaviour, performance and investigations**

To support agencies to manage workplace behaviour and performance, the Commission delivered two metropolitan *Workplace behaviour: Is it discipline?* sessions focusing on the management of issues arising from problematic or unwanted workplace behaviour.

## **Accountable and Ethical Decision Making (AEDM)**

The Commissioner is responsible for providing AEDM training to chief executives. In 2015/16 he personally delivered training to 22 groups comprising CEOs, corporate executives and local government leaders. Commission staff delivered 38 AEDM training sessions to agencies, boards and committees, and also delivered AEDM training to ministerial staff.

As part of our consultancy service we are available to review agency codes of conduct and associated policies upon request and completed 34 peer reviews in 2015/16. We also conducted 64 presentations on good governance to metropolitan and regional boards, local governments and other agencies.

## **Public Interest Disclosure**

As part of our assistance role we support authorities to comply with the PID Act by distributing a range of material to assist agencies to meet their obligations under the PID Act and delivering specialised training to Public Interest Disclosure (PID) officers.

To support the public interest disclosure process in 2015/16 the Commission delivered 24 *Navigating the 'Public Interest Disclosure Act 2003'* information sessions to 551 participants. A new suite of PID products to encourage disclosers to speak out against wrongdoing and assist agencies to appropriately manage disclosures was released in 2016.

*Advisory and consultancy services provided by the Commission assist agencies to interpret and apply the public sector standards in human resource management, provisions of the PSM Act, Commissioner's Instructions, associated regulations and other instruments relevant to the Commissioner's functions. The Commission also provides advice on the PID Act and relevant sections of the CCM Act to public authorities and members of the community.*

## Human resource management

### Redundancy and redeployment

The Commissioner is responsible for administering the public sector's redeployment and redundancy framework. As part of assisting the public sector to implement this framework the Commission provides general advice and support to agencies on legislative requirements and case management. In 2015/16 there were 1241 voluntary severances across the public sector, 10 employees registered for redeployment received a redundancy payment and an average of 734 vacant positions were posted for redeployment clearance each month. As at 30 June 2016 there were six registered redeployees.

### Recruitment Advertising Management System

The Recruitment Advertising Management System (RAMS) is a whole-of-government e-recruitment solution that allows agencies to manage their recruitment and candidate management practices, severances, redeployment and redundancies, and employment registers.

The Commission is responsible for managing the contract and funding of the system, which includes day-to-day support for agencies and job seekers. Significant system projects have been undertaken over the past 12 months in order to:

- meet the new redeployment and redundancy arrangements that came into effect in 2015
- improve agency recruitment practices, such as the Aboriginal Workforce Development Centre jobs board that aims to better assist Aboriginal job seekers in finding employment
- integrate the Commission's Internship Program to streamline processes and achieve improved outcomes
- ensure the *WA Government Jobs Board* meets appropriate accessibility standards.

During the reporting period there were 11 427 advertisements created in RAMS compared with 13 857 in 2014/15 and 10 233 in 2013/14.

### Machinery of government

In 2015/16 the Commission assisted the State Government with the implementation of the following machinery of government changes:

- establishment of the Office of Road Safety Commissioner as a department with effect from 1 July 2015
- establishment of the Office of Chief Information Officer as a sub-department under the *Financial Management Act 2006* with effect from 1 July 2015
- establishment of the Conservation and Parks Commission as a new statutory body combining the former Marine Parks and Reserves Authority and the former Conservation Commission with effect from 7 May 2016.

Additionally, the Commission provided advice on the proposed deregulation of the Potato Marketing Board announced on 15 April 2016 to take effect on 1 July 2016 and machinery of government issues associated with proposals for new heritage laws ('exposure draft' released August 2015).

As part of the Government's asset sale program the Perth Market Authority (PMA) was sold to a company outside the public sector on 31 March 2016. Commission staff assisted the Department of Treasury's Strategic Project Team and the Minister for Agriculture and Food in putting in place appropriate arrangements for the management of existing PMA employees.

The Training Sector Reform Project implemented key changes to the structure of the Western Australian public training sector, with the number of State Training Providers streamlined from 11 to 5. The new structure commenced operation from 11 April 2016. The Commission supported the Minister and the Department for Training and Workforce Development in implementing the reform measures. This included the formation of new Governing Councils, the appointment of acting Managing Directors and arrangements for employees affected by the reform measures.

### Chief executive officers and statutory office holders

The Commissioner is responsible for the appointment and reappointment of CEOs of public authorities under sections 45 and 46 of the PSM Act respectively. As part of this, advice is provided to the Commissioner by our officers on recruitment, transfer, acting appointments, remuneration, performance agreements, discipline and separation. In 2015/16 six new CEOs were appointed and 10 were reappointed, as outlined below.

#### CEO appointments 1 July 2015 to 30 June 2016

Position and agency	Appointee
Executive Director, Department of the State Heritage Office	Mr Graeme Gammie
Managing Director, Durack Institute of Technology	Mr William Swetman
Managing Director, Challenger Institute of Technology	Ms Terry Durant
Commissioner of Road Safety, Office of the Commissioner of Road Safety	Mr Kim Papalia
General Manager, Perth Theatre Trust (position held concurrently with the office of Director General, Department of Culture and the Arts)	Mr Duncan Ord OAM
Director General, Department of Water	Mr Michael Rowe

*The Commissioner is the employing authority of CEOs appointed by the Governor pursuant to section 45 of the PSM Act.*

## CEO and Deemed CEO reappointments 1 July 2015 to 30 June 2016

Position and agency	Appointee
Director General, Disability Services Commission	Dr Ron Chalmers
Director, Kimberley Development Commission	Mr Jeff Gooding PSM
Director, South West Development Commission	Mr Don Punch
Director, Great Southern Development Commission	Mr Bruce Manning
Director, Wheatbelt Development Commission	Ms Wendy Newman
Director, Mid-West Development Commission	Mr Gavin Treasure
Chief Executive Officer, Metropolitan Cemeteries Board	Mr Peter Deague
Chief Executive Officer, Department of Education Services	Mr Richard Strickland
General Manager, Office of the Environmental Protection Authority	Mr Kimberley Taylor
Chief Executive Officer, Minerals Research Institute of Western Australia	Mr Mark Woffenden

In 2015/16 we also assisted with the appointment of the following statutory office holders:

- Mr Colin Pettit, Commissioner for Children and Young People
- Ms Sarah Cowie, Director of the Health and Disability Complaints Office
- Ms Nicola Cusworth, Chairperson of the Economic Regulation Authority
- Mr Stuart West, General Manager of the Forest Products Commission.

### CEO performance agreements

CEO performance agreements and assessments support high level leadership and accountability across the public sector by documenting and promoting a shared understanding between a responsible authority, a CEO and the Commissioner as their employer. The performance agreements detail high level outcomes and timeframes being sought by a responsible authority with respect to Government priorities, agency specific objectives and sector-wide initiatives.

In 2015/16 the Commission amended the CEO performance agreement template to include measurement against departmental financial performance and budget appropriation. We are also reviewing the current process and guidelines to develop a more robust and meaningful framework.

During the next reporting period the Commission will develop a discrete CEO success profile and a discrete CFO success profile. Each success profile will describe and support high level leadership and business-focused role requirements across the Western Australian public sector by outlining role expectations, accountabilities and experiences deemed critical to overall individual, agency and whole-of-sector performance. The profiles will act as tools to provide building blocks towards future recruitment, performance management, key performance measurement, and learning and development systems.

## Senior Executive Service

The SES is a group of senior officers who deliver high level strategic policy advice for the sector and undertake managerial responsibility. As at 30 June 2016 there were 500 members of the SES comprising 169 females and 331 males.

The Commission provides advice and guidance to agencies in relation to SES contracts of employment, the creation and variation of SES positions and the appointment of senior executives. The Commission is instrumental in the determination of classifications, reclassifications and payment of temporary special allowance submissions for all public service positions above the Level 8 classification.

This year the Commission assessed 87 SES submissions of which 80 were supported, four were not supported and three were withdrawn.

## Boards and committees

### Remuneration

The Commission recommends remuneration rates for the majority of government boards and committees. This year the Commission provided recommendations for 28 boards. This included the new WA Health Governing Boards due to commence on 1 July 2016. Board and committee remuneration received by members in a financial year is generally published in the annual reports of public authorities.

### Advice and assistance

In 2015/16 the Commission assisted in a number of matters relating to conflicts of interest. We continue to support government boards and committees by providing information and advice for establishing and maintaining good governance practices. To this end, the Commissioner addressed 16 government boards and committees on good governance procedures, taking the total to 112 over the last five years.

### In the future we will:

- release products to encourage disclosers to speak out against wrongdoing and to assist agencies in managing PID disclosures
- enhance the performance of CEOs through the development of a CEO success profile and a renewed approach to CEO performance agreements
- continue to make public authorities aware of their obligations under the PSM Act, PID Act and CCM Act
- continue to provide assistance and support to agencies on a range of public administration and workforce management issues.

# SECTOR SUPPORT IN NUMBERS

2015/16



# Minor misconduct

The end of the reporting period saw the conclusion of our first full-year of operations arising from implementation of legislative changes arising from proclamation of the CCM Act on 1 July 2015. These changes have given the Commission responsibility for the oversight of minor misconduct by public officers and misconduct prevention and education, and enabled the CCC to focus on serious misconduct by public officers, including police misconduct. The CCM Act defines all misconduct by police as serious misconduct.

It is important to note that minor misconduct, as defined in the CCM Act, can have a significant outcome, if proved, in that to meet the definition under section 4(d) of the CCM Act the misconduct constitutes or could constitute a disciplinary offence providing reasonable grounds for the termination of a public officer's employment.

The transfer of responsibility for minor misconduct and the prevention and education functions from the CCC to the Commission has been led by the Commissioners who have worked collaboratively to ensure communication with public authorities has been clear and consistent. The two agencies developed a joint information resource which provided advice on the requirement to notify and about 'tests' to be applied in making an informed judgement about whether a matter should be treated as suspected minor or serious misconduct. The Commission delivered 74 *Navigating the integrity landscape* information sessions either face-to-face in both metropolitan and regional Western Australia or online through WebEx. This collaborative and consistent approach has contributed to a seamless and cost effective transition of functions.

The Commissioners have also jointly, and individually, engaged in a number of significant events including the:

- Joint Commissioners' Forum, *Understanding the new integrity framework*, for CEOs in July and SES members in August 2015
- Australian Public Sector Anti-Corruption Conference (APSACC) in Brisbane in November 2015
- Western Australian Local Government Association (WALGA) Breakfast in November 2015
- Joint Commissioners' Forum, *Navigating the new integrity framework* in Albany in March 2016
- Joint Commissioners' Forum, *Reflections of the first 12 months*, for CEOs in June 2016.

## Notification of minor misconduct

The Commission has implemented a number of prevention and education initiatives aimed to improve awareness of notification requirements of public authorities, and understanding of the misconduct oversight framework. As a result, it seems public authorities are generally making informed notifications about misconduct.

However, we considered it timely that an evaluation be conducted of the general arrangements used by public authorities to manage misconduct and notify minor misconduct. The evaluation commenced in May 2016 and covers leadership and culture, systems, policies and processes, and the application of these arrangements by public authorities. It is anticipated outcomes from the evaluation will be provided to the Commissioner in late 2016.

### **Prevention and education**

The Commission has always had a role in ensuring an ethical public sector and has long had responsibility for the oversight of the *Public Interest Disclosure Act 2003* across public authorities. The transfer of the prevention and education functions from the CCC has added an additional dimension to the Commission's existing integrity role. Preventing misconduct provides the Commission with the opportunity to adapt a number of existing products and programs to a wider audience. Recognising the importance of communicating a shared understanding of expected standards of conduct the *Accountable and ethical decision making* curriculum, delivered by agency heads across the State public sector, has been adapted for the use of local government. This complements our new *Guide to developing a code of conduct* for local governments which was released in 2016.

A key component of our prevention and education role has been developing the capability of integrity practitioners and officers who undertake investigations. The Commission has provided a specialist qualification, *Certificate IV in Government (Investigation)* to 114 officers, enhancing their capability to successfully undertake investigations within their organisation. A step-up from the certificate qualification is the *Diploma in Government (Investigation)*. The Commission is currently delivering this 18-month course to 21 senior staff who have oversight of investigations within their agencies.

To support our activities we have designed a range of integrity promotion resources and fact sheets, including the *I think it's misconduct – What should I do?* brochure for community members which is available in 10 different languages. The Commissioner met with 40 community leaders from culturally and linguistically diverse groups to discuss the minor misconduct landscape and the recent changes to reporting.

### **Assessment process**

Under the CCM Act the Commission is required to assess every report or notification it receives. Many complainants who report matters to the Commission have expectations that their concerns will be investigated. However, there are a number of key issues that need to be taken into consideration when assessing matters. These include:

- whether the matter falls within the Commission's jurisdiction—if not, we may refer it to another appropriate authority or take no further action
- the seniority of the public officer involved and the position the public officer holds

- whether the matter has system-level implications within the agency concerned or for the broader sector
- whether the public authority has the resources and capability to investigate the matter itself
- whether the public authority has robust quality and assurance mechanisms in place
- whether the matter raised is of particular interest to the Commission or the CCC, in relation to broader patterns of conduct or particular themes in ongoing prevention and education work.

The Commission aims to assess notifications and reports as quickly as possible. This process is assisted by detailed reports and notifications that reference or include all available evidence. Following an assessment, there are a number of options available to the Commission. These include:

- taking no further action in relation to the matter
- referring the matter back to the public authority for it to manage
- referring the matter back to the public authority for it to manage, with the Commission monitoring the process undertaken and/or the outcome
- investigating the matter using investigation or inquiry powers that are available to the Commissioner
- investigating cooperatively with the CCC or another appropriate authority
- referring the matter to the CCC or to another appropriate authority.

In 2015/16, upon assessment, the Commission took the following actions in relation to minor misconduct matters.

Action	Number
Referred to Authority – outcome requested	183
Referred to Authority – report requested for review	76
Referred to CCC or other agency	67*
Referred to Authority – no response required	11
No action taken	140
<b>Total matters</b>	<b>477</b>

\* 66 matters referred to the CCC and one matter referred to the Department of Local Government and Communities.

### Misconduct matters

In 2015/16 the Commission was notified about 477 minor misconduct matters, of which:

- 384 were notifications from notifying authorities and other individuals obliged to notify minor misconduct under section 45H of the CCM Act

- 93 were reports from other individuals made under section 45E of the CCM Act
- none were propositions about minor misconduct made by the Commissioner under section 45F of the CCM Act.

The number of minor misconduct matters notified to the Commission by each sector are provided in the table below.

Sector	Notifications (section 45H)	Reports (section 45E)	Total matters
Western Australian public sector	272	53	325
Local governments	36	24	60
GTEs	59	4	63
Public universities	16	5	21
Out of jurisdiction	1	7	8
<b>Totals</b>	<b>384</b>	<b>93</b>	<b>477</b>

The 477 matters comprised 824 allegations of minor misconduct and with a total of 200 016 employees across four jurisdictions this represents approximately one allegation per every 250 employees. As illustrated by the graphic on page 53, just under 57 per cent of these concerned personal behaviour—this is consistent with our experience that the areas of greatest risk are those which involve decision making by individuals directly relating to another individual.

Of the 824 allegations received, 616 have been finalised by the Commission. Of these 616 allegations finalised, 238 allegations were referred to another more appropriate authority or the Commission decided to take no further action in relation to them. Of the remaining 378 allegations finalised by the Commission:

- discipline investigations were conducted in relation to 256 allegations
- discipline investigations were not conducted by the relevant employing authority in relation to 122 allegations.

Circumstances where an allegation may not result in a discipline investigation are when:

- the employee resigned and the employer considers that it is not in the public interest to pursue the matter
- the employment contract was not renewed
- counselling or improvement action was taken.

Of the 256 allegations for which a discipline investigation was conducted, 195 allegations were substantiated. The final outcome for these substantiated allegations are provided in the table on page 52.

Outcome	Western Australian Public Sector	Local governments	GTEs	Public universities	Total
Training, counselling or other improvement action mandated	39	10	18	1	68
Employment terminated	26	5	30	3	64
Not terminated, but other sanction applied	51	5	4		60
No sanction applied	2		1		3
<b>Totals</b>	<b>118</b>	<b>20</b>	<b>53</b>	<b>4</b>	<b>195</b>

The Commission's internal assessment team monitors trends in reporting to ensure there are no serious issues of concern. Consistent with our focus on prevention and education, the Commission was only required to undertake one investigation of minor misconduct this year.

A broader analysis of public sector ethical conduct, as well as the range of behaviours that could reasonably lead to the termination of employment (minor misconduct), will be provided in the *State of the WA public sector 2016* report.

*The end of the reporting period saw the conclusion of the first full-year of operations arising from implementation of legislative changes arising from proclamation of the CCM Act on 1 July 2015. These changes have given the Commission responsibility for the oversight of minor misconduct by public officers and misconduct prevention and education.*

# MINOR MISCONDUCT ALLEGATIONS

2015/16

65 Does not relate to the conduct of a public officer as defined within the CCM Act

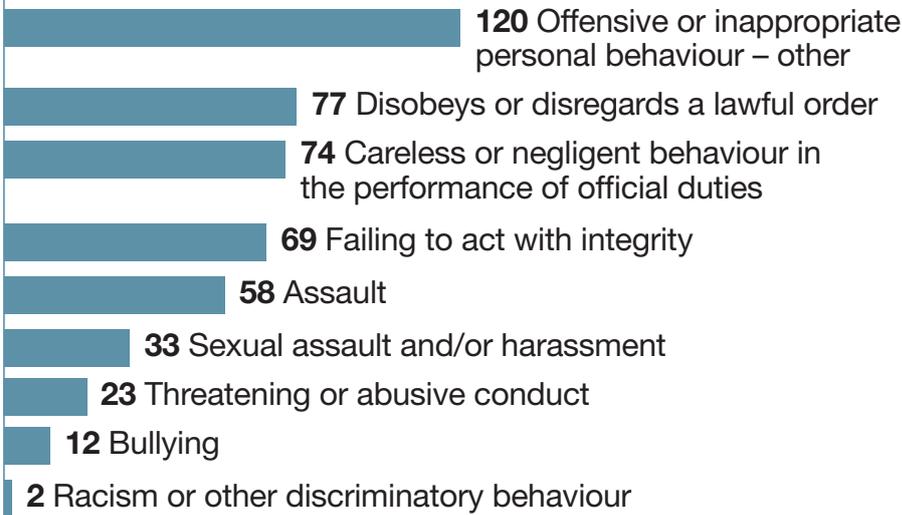
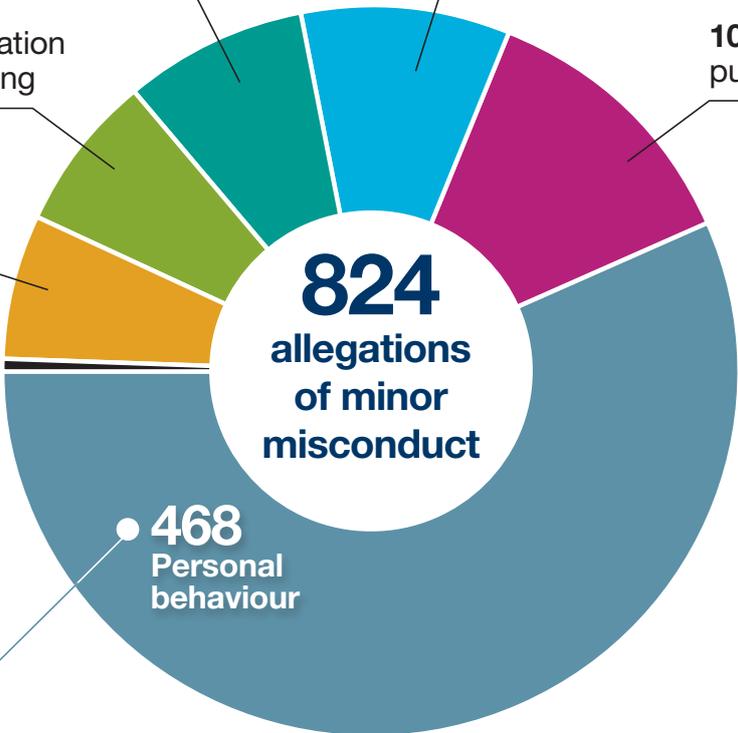
76 Fraudulent or corrupt behaviour

59 Use of information and record keeping

101 Use of public resources

53 Conflicts of interest

2 Inappropriate provision of gifts or hospitality



# Oversight and reporting

## Legislative reform

We recognise that changes to legislation provide significant opportunities for improving the efficiency and effectiveness of the sector. The Commission is currently supporting the Premier with two pieces of legislation, both of which have been introduced into the Parliament.

### Integrity (Lobbyists) Bill 2014

The Commission was the instructing agency for the Integrity (Lobbyists) Bill 2014, which the Government introduced to the Parliament in the Legislative Assembly on 26 November 2014. The 'Third Reading' of the Bill in the Legislative Assembly occurred on 26 November 2015 and the Bill was introduced to the Legislative Council on 2 December 2015. The 'Third Reading' of the Bill in the Legislative Council occurred on 30 June 2015 and 'Royal Assent' was given on 11 July 2016, with Part 1 of the *Integrity (Lobbyists) Act 2016* (IL Act) commencing on that date and the rest of the IL Act on date(s) to be fixed by proclamation.

The IL Act aims to promote and enhance public confidence in the transparency, integrity and honesty of dealings between lobbyists and government representatives by:

- providing for the registration of lobbyists
- providing for the issuing of a code of conduct for registered lobbyists in their dealings with government
- prohibiting registered lobbyists from agreeing to receive payments or other rewards that are dependent on the outcome of lobbying activities, and for related purposes.

The IL Act is consistent with the current administrative regime and formalises arrangements in statute. Under the terms of the IL Act the Commissioner will continue to be responsible for administering a Register of Lobbyists and a Code of conduct, as well as continuing to assess registration applications. The Commission will report on those matters in its annual report for the 2016/17 reporting period.

At the end of June 2016 there were 110 registrants on the Register of Lobbyists and 276 listed lobbyists.

### Executive Officer Remuneration (Government Entities) Legislation Amendment Bill 2015

As the Government's instructing agency for the Executive Officer Remuneration (Government Entities) Legislation Amendment Bill 2015 the Commission supported amendments to the *Salaries and Allowances Act 1975* to ensure remuneration is more consistent across the sector. The Bill was read a second time by the Premier in November 2015 and remains before the Legislative Assembly.

The principal purpose of the Bill is to provide a mechanism to bring the remuneration determination for CEOs of listed GTEs within the jurisdiction of the Salaries and Allowances Tribunal. Where the jurisdiction is not activated or ceases to be activated the Bill also requires the remuneration for a CEO to be determined on the recommendation of the responsible Minister for the relevant GTE.

### **Policy advice**

The Commission continues to provide policy advice to agencies to refine the different regulatory instruments applied in the sector and achieve improvement objectives. Over the course of the year the following policy advice was provided by the Commission.

- Provided advice and support to the Department of Health concerning governance arrangements under the Health Services Bill 2016 (given 'Royal Assent' on 26 May 2016, becoming the *Health Services Act 2016*).
- Provided assistance to the Economic Regulation Authority in assuming the remaining functions and staff of the Independent Market Operator as part of the Government's electricity market reforms. In particular, the Commission issued *Commissioner's Instruction No. 14 - Interim arrangements for the Economic Regulation Authority* to fill certain public sector vacancies, which provided a temporary variation to the application of *Commissioner's Instruction No. 2 - Filling a public sector vacancy* to facilitate the movement of the relevant staff.
- Progressed a revision of *Public Sector Commissioner's Circular 2010-03: Policy for Public Sector Witnesses Appearing Before Parliamentary Committees* to develop a more contemporary and comprehensive policy, in consultation with relevant stakeholders.

### **Appearances by the Commissioner before committees**

To strengthen public sector accountability and transparency the Commission continues to provide high level information and advice to the Government. In 2015/16 the Commissioner appeared before the following parliamentary committees:

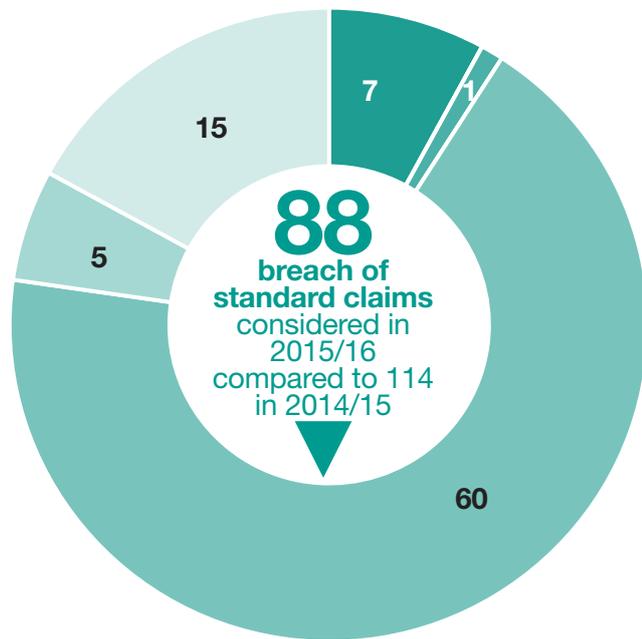
- Legislative Assembly Budget Estimates Committee (May 2016)
- Procedure and Privileges Committees of the Legislative Council and the Legislative Assembly (June 2016)
- Public Administration Committee of the Legislative Council (June 2016).

*The Commission was the instructing agency for the Integrity (Lobbyists) Bill 2014 which was passed by the Parliament on 30 June 2015. Under the terms of the 'Integrity (Lobbyists) Act 2016' the Commission will be responsible for administering a Register of Lobbyists and a Code of conduct, as well as continuing to assess registration applications.*

## Compliance with standards and ethical codes

### Breach of standard claims

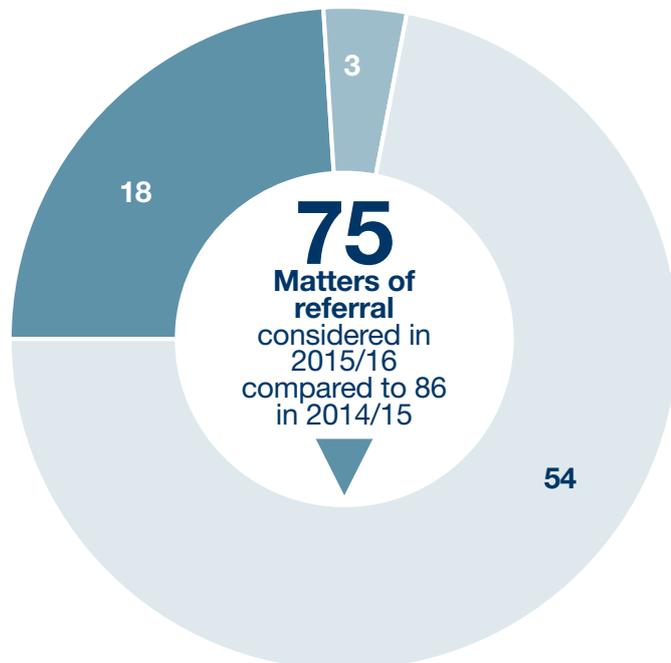
Individuals who believe they have been adversely affected by an agency's decision that contravenes a human resource standard may make a claim for review or conciliation under the *Public Sector Management (Breaches of Public Sector Standards) Regulations 2005*. Employing authorities are required to notify affected individuals when decisions are made with respect to human resource matters covered by the employment standard and the grievance resolution standard. The graphic (to the right) provides a breakdown of outcomes during the 2015/16 reporting period.



- breach of standard confirmed (7)
- lapsed (1)
- dismissed as no breach (60)
- withdrawn (5)
- review declined by Commissioner (15)

### Matters of referral

The Commission receives many unsolicited complaints, letters of concern and referrals that do not fall within its jurisdiction under the PSM Act. These matters range from questions on public sector integrity to general complaints about management or administrative processes. Collectively, these matters are referred to as 'matters of referral'. The graphic (to the right) provides a breakdown of outcomes during the 2015/16 reporting period.



- referred to breach process (3)
- no further action (54)
- referred to agency (18)

## Complexity of oversight matters resolved in 2015/16

The Commission assesses the complexity of oversight matters (excluding minor misconduct) as either simple, routine or complex. These categories are assigned to target timeframes. The resolution of matters within these target timeframes is used as an efficiency indicator of the Commission's oversight function. The table below details the number of cases in 2015/16 that fell into each category, the success rate for completing those matters within the target timeframe and an indication of whether these completion rates have progressed since 2014/15.

Category	Breach of standard claims	Matters of referral	Total oversight matters	Completed within timeframe 2015/16	Progress
Simple (30 days)	7	20	27	85%	↓
Routine (50 days)	74	49	123	93%	↑
Complex (120 days)	7	6	13	96%	↑
<b>Totals</b>	<b>88</b>	<b>75</b>	<b>163</b>	<b>93%</b>	↑

## Public interest disclosure

The PID Act facilitates the disclosure of public interest information and provides protection for those making such disclosures and those who are the subject of disclosures.

In 2015/16 the Commissioner received six public interest disclosure matters, which were actioned under the PID Act. This is comparable to the five PID matters received in 2014/15. Five PID matters were finalised in 2015/16, while three matters were still under consideration by the end of the reporting period.

## Special inquiry, review and assurance projects

By strengthening public sector accountability and transparency through our involvement in special inquiries and reviews, the Commission continued to highlight key integrity risks existing in the sector and assist stakeholders to mitigate these risks.

## **Special inquiry into the Waroona bushfire**

The Commissioner was directed by the Premier, under sections 24H (2) and (3) of the PSM Act, to arrange for a Special Inquiry to examine the system of fire management in the rural area of Waroona during the bushfire that occurred earlier in that month. In particular, the Special Inquiry examined the effectiveness of: planning and implementation of strategies for bushfire prevention and suppression; emergency procedures; incident management; and communication and assistance provided to those affected by the fire.

The Special Inquiry report, entitled *Reframing Rural Fire Management: Report of the Special Inquiry into the January 2016 Waroona Fire*, was tabled in the Parliament on 23 June 2016. The report highlighted the urgent need to effect fundamental changes to the system of rural fire management in order to improve the systems of community safety and bushfire risk management in Western Australia. The Commission is currently considering the report's recommendations, in particular, those made in relation to structural reform.

## **Review of ticket use for sponsored or financially supported events**

In April 2015 the Commission commenced a thematic review of ticket use by government bodies for sponsored or financially supported events. The review arose from a written request from the Premier to assess information and provide advice in relation to answers provided to a series of parliamentary questions about the acquisition and provision by all public sector agencies of ticket and box access for sporting and cultural events.

Using the Commissioner's authority under section 24B of the PSM Act, the specific activities of Government bodies during the period 1 July 2013 to April 2015 were assessed. Steps to ensure proper governance and transparency of these arrangements in the future were also considered.

The report, entitled *Ticket use for sponsored or financially supported events*, was tabled in the Parliament in February 2016 and recommended that agencies:

- ensure ticket use arrangements take into account government and agency policies and other relevant guidelines, instructions and delegations
- obtain appropriate ministerial, CEO or delegate approvals for events
- periodically review terms of arrangements to ensure proper oversight
- take an informed and conservative approach when making decisions about sponsored and financially supported events.

## **Survey responses assurance project**

The Commission relies heavily on survey data when reporting to the Parliament and the community on the state of the sector. In 2016 the Commission conducted an assurance exercise to examine the reliability of data collected from 10 agencies — based on a sample of questions from the 2015 Public Sector Entity Survey (PSES). As part of this assurance project agencies were asked to provide primary evidence supporting some of their responses to the 2015 PSES.

The outcomes of the assurance project confirmed that, in most cases, agencies in the sample had reasonable data assurance processes in place. However, it did identify isolated areas where local data collection, collation and reporting practices could be improved. The project also identified opportunities to improve the clarity of the wording of some questions. These were put in place for the 2016 data collection program. In the coming year the Commission intends to expand its assurance projects to encompass further agencies.

### **Collecting and reporting sector-wide data**

Access to a broad range of data about the public sector workforce and about equitable, efficient and effective management practices is vital to the monitoring, reporting and policy functions of the Commission. The data collection instruments involved in our 2015/16 survey program and associated reporting mechanisms are described below.

#### **Public Sector Entity Survey**

The PSES is distributed at the end of each financial year to the chief executives of public sector agencies. The survey covers human resource management policies and practices, workplace behavioural trends and performance development activities. It includes questions regarding:

- compliance with the PID Act
- ethics and integrity
- human resource management
- workforce development
- efficiency and effectiveness.

The Commission, in conjunction with its emerging assurance program, is reviewing its current survey program to build upon our commitment to improve clarity and reduce the costs and burdens of compliance reporting.

#### **Integrity and Conduct Survey**

While all other public sector agencies complete the PSES annually, the Integrity and Conduct Survey (ICS) is designed for agencies with less than 20 Full-Time Equivalent (FTE) staff. The ICS is also sent annually to the principal officer of other public authorities, including local governments, public universities and GTEs.

As one of the methods to evaluate compliance with the PID Act and the CCM Act, the ICS includes a range of questions about activities relating to PID and minor misconduct, including:

- the number of PIDs received, designated PID Officers and awareness raising strategies
- strategies undertaken to respond effectively to and prevent minor misconduct.

As with the Equal Employment Opportunity (EEO) Survey, the Commission assists local governments, public universities, GTEs and government boards to complete the ICS.

## Human Resource Minimum Obligatory Information Requirement

Public sector agencies are required to submit Human Resource Minimum Obligatory Information Requirement (HRMOIR) workforce data on a quarterly basis. The HRMOIR process aims to provide high quality data for agency and whole-of-government workforce monitoring, analysis, planning and reporting purposes.

In 2015/16 the Commission responded to a number of requests for specific information including:

- producing relevant statistics and information to support *Time for action: Diversity and inclusion in public employment* and *See my abilities: An employment strategy for people with disability*
- collecting information relating to the employment conditions of public sector employees for the CPSU/CSA (Community & Public Sector Union/Civil Service Association of WA)
- collating workforce statistics to support the Department of Regional Development, Regional Services Reform.

## Equal Employment Opportunity Survey

The EO Act requires public authorities to provide the DEOPE with diversity statistics on an annual basis. While public sector agencies provide this data through the HRMOIR process, the Commission assists 138 local governments, four public universities and 17 GTEs in meeting their reporting obligations by administering an EEO Survey.

The survey helps agencies to keep track of internal programs and allows the Commission to evaluate diversity initiatives across government. The results are published annually in the DEOPE annual report. Although results are kept confidential, reporting one's diversity status remains voluntary. The Commission continued to work with agencies to encourage current employees to feel empowered to disclose their diversity status.

In 2016 we piloted an alternate platform for local governments to submit their EEO data, and will look to expanding the use of the platform in the coming year.

## Employee Perception Survey

The Commission conducts the Employee Perception Survey (EPS) across the Western Australian public sector to capture the views of employees about the extent to which behaviour in their agency is consistent with human resource standards, *Commissioner's Instruction No. 7 - Code of Ethics*, and equity and diversity principles. The survey also collects employee views about leadership, innovation and job satisfaction.

The Commission aims to distribute the EPS to public sector agencies once every five years. In June 2016 the survey was distributed to 7390 employees, in 11 agencies, with a response rate of 52.5 per cent. This was a smaller sample than the previous year, in which a response rate of 31 per cent was received from 37 347 employees.

During 2015/16 the Commission explored improvements to the EPS to enable more efficient and effective reporting on workforce performance and behaviour. This included consideration of technology solutions to expand the size of the survey to a census and to provide automated 'self-service' reports, thereby improving the access and quality of data available to the sector. A pilot will be undertaken in 2016/17 to trial the proposed approach.

### **State of the sector report**

The PSM Act requires the Commissioner to report annually to the Parliament on the state of administration and management of the public sector and on the compliance or non-compliance by public sector bodies or employees with the principles set out in section 8(1)(a-c) and section 9 of the PSM Act, public sector standards, Code of Ethics and codes of conduct.

The *State of the WA public sector 2015: Creating opportunities* report was tabled in the Parliament in November 2015. Key issues emerging from the report included promoting a more diverse and inclusive public sector, streamlining business processes, leveraging technology and innovative partnerships, and strengthening governance around gifts, benefits and hospitality. The 2015 report continues to reflect a more contemporary style and benchmarks the Western Australian public sector's performance against other jurisdictions for a variety of performance indicators.

### **In the future we will:**

- use our current evaluation of minor misconduct notifications to inform our prevention and education priorities and provide advice to public authorities on strategies to combat misconduct
- focus on improving the breadth, scope and quality of data to ensure our data collection, management and security is robust
- improve the clarity and reduce the costs of compliance reporting
- pilot new technology solutions to expand the size of the EPS to a census and to provide automated 'self-service' reports.