



Electoral Commissioner

Our Ref: 13/997



Supplementary Submission 020.1
Date Received: 5 March 2014

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The Hon Mr Tony Smith MP
Chair
Joint Standing Committee on Electoral Matters
PO Box 6021
PARLIAMENT HOUSE ACT 2600

Dear Mr Smith

Inquiry into the 2013 federal election - public hearing of 6 February 2014

This submission provides the Australian Electoral Commission's response to a number of requests for information taken on notice at the Joint Standing Committee on Electoral Matters' (JSCEM) public hearing held in Canberra on 6 February 2014.

The AEC's response to evidence provided by officers of the Australian National Audit Office (ANAO) and other information concerning the implementation of the recommendations contained in the ANAO report, *The Australian Electoral Commission's Preparation for and Conduct of the 2007 Federal General Election* will follow in due course. The forthcoming response will also include information regarding temporary polling staff responding to questions on notice from Mr Griffin and Senator Ruston at pages 27 and 28 of the transcript.

1. Photos of Western Australia Senate recount operation

1.1 On page 18 of the transcript, the Chair asked when the photos taken by Mr Rogers of the Western Australia recount operation were subsequently transmitted to the Electoral Commissioner.

AEC Response

1.2 Upon attending the recount centre on Monday 28 October 2013, I noted that rubbish was not adequately separated from boxes and that ballots were not adequately secured overnight. I advised the Electoral Commissioner of this that day, and took photographs which I showed to Mr Killesteyn following my return to Canberra on 3 November 2013.

2. Divisional Returning Officers

2.1 At page 22 of the transcript, Senator Kroger requested information on instances of action taken in relation to poor performance of Divisional Returning Officers (DROs).

Senator KROGER: Has anyone ever been moved on for not doing their job well—for failing in their employment?

Mr Rogers: I would have to take that on notice and look back through our personnel records.

Senator KROGER: Could you please do that and advise if there is a DRO in the last five years who has been deemed to be not fulfilling his obligations in a proper way. I am not saying improper activity, but just not doing his or job—

AEC Response

2.2 The AEC conducts performance management in accordance with its current Enterprise Agreement which underpins Sections 10A and 13 of the *Public Service Act 1999* regarding performance and code of conduct requirements for all APS staff.

2.3 Over the last five years the number of DROs who have been moved from their role is four.

3. Temporary polling staff

Western Australia (WA)

3.1 At page 23 of the transcript, Senator Smith requested information on the number of temporary election staff, who would have been working at an election for the first time.

Senator SMITH: Let us just make this a bit granular, if you do not mind, and focus on Western Australia. How many polling day workers were employed by the commission at the last state election in Western Australia?

[...]

What percentage of those would have been doing it for the first time?

AEC Response

3.2 51% of WA temporary staff were new and 49% had previous election experience. While the majority of temporary staff will be polling day workers this figure includes staff involved in activity prior to and post polling day. It is difficult to establish staff who worked at the last WA State Election as this is sourced from a non-mandatory text field in the AEC's recruitment system.

Pass mark for training assessment

3.3 At page 24 of the transcript, Senator Smith requested information concerning the pass mark for the AEC's online training assessment tool.

AEC Response

3.4 Each online training assessment tool requires 80% of the answers to be provided correctly to attain a pass mark. Curricula are tailored to specific roles taking into account their various responsibilities.

Role	Number of questions per curriculum
Polling Place Liaison Officer/Officer-in-Charge/Second-in-Charge;	41
Declaration Issuing Officer	17
Mobile Team Leader	21
Mobile Team Member	16
Pre-poll Officer-In-Charge	41
Pre-poll Issuing Officer	22
Remote Team Leader	21
Remote Team Member	16

Election Procedures Handbooks

3.5 At page 24 of the transcript, the Chair requested copies of AEC Election Procedures Handbooks to be provided to the secretariat.

AEC Response

- 3.6 The following materials are provided in electronic form:
- Handbook 1 – Polling Place Liaison Officer/Officer-in-Charge/Second-in-Charge (**Attachment A.1**);
 - Handbook 2 – Declaration Issuing Officer (**Attachment A.2**);
 - Handbook 3 – Ordinary Issuing Officer (**Attachment A.3**);
 - Handbook 4 – Mobile Team Leader (**Attachment A.4**);
 - Handbook 5 – Mobile Team Member (**Attachment A.5**);
 - Handbook 6 – Pre-poll Officer-In-Charge (**Attachment A.6**);
 - Handbook 7 – Pre-poll Issuing Officer (**Attachment A.7**);
 - Handbook 8 – Remote Team Leader (**Attachment A.8**); and
 - Handbook 9 – Remote Team Member (**Attachment A.9**).

Occupation

3.7 At page 33 of the transcript, Senator McDonald requested information concerning the occupations of temporary polling staff.

Senator IAN MACDONALD: [...] Can you categorise, in a fair way, the type of people who are your clerks across Australia?

[...]

I am talking about your temporary—on the day, on the week or two weeks before—type of people.

AEC Response

3.8 The top 3 occupations for temporary staff at the 2013 Federal Election were found to be:

Occupation	Percentage (%)
Not in paid employment	34
Education professionals	8
Local, State and Commonwealth employees	5

3.9 Note that this data has been sourced from a non-mandatory text field in the AEC's recruitment system and is subject to the applicant's description of their current occupation. As a consequence the AEC has grouped the most common descriptions into the groups above.

4. Business Assurance Committee and risk management

4.1 At page 26 of the transcript, Senator Smith requested information concerning the membership and meetings of the AEC's Business Assurance Committee (BAC), and the AEC's risk management framework.

Senator SMITH: What I would be interested in understanding—and perhaps you can provide it to the committee on notice—is the membership and how many times it has met over the last year. I would like to know how many times it has met since 2007. I am sure you have extensive reporting on this. I would also like to know about the risk management framework that you use—how you go about identifying and assessing risk.

AEC Response

Business Assurance Committee (BAC)

4.2 The BAC membership as at 31 December 2013 is: Mrs Jenny Morison, Chair and external independent member; Mr Tom Rogers, Deputy Chair (Deputy

Electoral Commissioner); Mr Pablo Carpay, Member (First Assistant Commissioner); Mr Tim Courtney, Member (Assistant Commissioner, Information Technology Branch); Ms Claire Witham, Member (State Manager, South Australia), and Mr Robert Pugsley, Member (Territory Manager, Northern Territory).

4.3 Five BAC meetings were held in 2013: in March, June, August, October and December. The first 2014 meeting was held on 20 February 2014.

4.4 Between 1 January 2007 and 28 February 2014 BAC met 30 times.

Risk Management Framework

4.5 The AEC recognises that risk is inherent in all activities and is committed to integrating risk management principles and practices into its business processes. The AEC believes that a formal, systematic approach to risk management is sound business practice and improves decision-making, performance and accountability.

4.6 The AEC has based its risk management framework on the latest Australian Government better practice guidance, specifically the Comcover, *Better Practice Guide – Risk Management*, June 2008 and the Australian National Audit Office, *Better Practice Guide – Public Sector Audit Committees*, August 2011.

4.7 The AEC's Risk Management Framework currently consists of the following three major elements:

1. Chief Executive Instructions on Risk Management

The Chief Executive Instructions (CEI) set out the policies of the AEC in relation to risk management, including the requirement for, and contents of, the AEC Risk Management Policy and responsibilities of AEC staff. The current CEIs were endorsed in October 2013.

2. AEC Risk Management Policy

The AEC Risk Management Policy provides the framework, structures, methodology and culture within which risk is managed in the AEC, and is based on the International (and Australian) Standard for Risk Management *ISO 31000:2009*. The current Policy was endorsed in February 2013.

3. AEC Risk Assessment and Mitigation Handbook (the Handbook)

The Handbook provides AEC staff with the resources to identify, manage and mitigate risk. It also facilitates the integration of formal risk management processes into the AEC's organisational culture in order to achieve the AEC's risk management objectives. The current Handbook was endorsed in February 2013.

5. Other

5.1 I wish to correct evidence provided in relation to the start date of the independent external Chair of the AEC's Business Assurance Committee (BAC) (page 26 of the transcript refers). In evidence I indicated the independent external Chair was appointed at the start of 2013. In fact, Mrs Jenny Morison was appointed as the first independent external Chair of the BAC on 1 January 2012; for 18 months prior to this appointment Mrs Morison was the external independent member of the BAC.

5.2 I also undertook to provide the JSCEM with a copy of our training evaluation (page 25 of the transcript refers) and a copy of our evaluation of measures responding to recommendations of the report of Mr Mick Keelty AO, *Inquiry into the 2013 WA Senate Election*, implemented for the Griffith by-election (page 28 of the transcript refers). Copies of these documents will be provided once these evaluations have been completed.

5.3 In my evidence I referred to there not having been a recount of Senate ballot papers since the new Senate voting system was introduced in 1984 (page 29 of the transcript refers). I should have limited by my answer to there not having been any recount ordered by the Electoral Commissioner of Senate ballot papers since 1984 as there were two court directed recounts following the decisions in *Re Woods* and *Sue v Hill* for the 1987 and 1998 federal elections.

Yours sincerely

Tom Rogers
Acting Electoral Commissioner

5 March 2014

Attachment A.1

Attachment A.2

Attachment A.3

Attachment A.4

Attachment A.5

Attachment A.6

Attachment A.7

Attachment A.8

Attachment A.9

