

Annual performance statement



AUSTRALIAN SENATE

ANNUAL PERFORMANCE STATEMENT

As the accountable authority of the Department of the Senate, I present the department's annual performance statement for 2015–16, as required under paragraph 39(1)(a) of the *Public Governance, Performance and Accountability Act 2013* (PGPA Act).

In my opinion, this statement is based on properly maintained records, accurately reflects the department's performance, and complies with subsection 39(2) of the PGPA Act.

A handwritten signature in cursive script that reads 'Rosemary Laing'.

(Rosemary Laing)

Clerk of the Senate

7 October 2016

Overview

In 2015–16, the department successfully achieved its purpose, set out in its corporate plan, of facilitating all meetings required under decisions of the Senate and its committees. In doing so, the department provided comprehensive, timely and high-quality support to senators, the Senate and committees, as well as prompt and accurate procedural advice and legislative support. The department achieved this result against the challenging environment of sustained elevated demand for its services, particularly in supporting a very large number of committee inquiries.

More broadly, the department:

- published a range of materials on the role and work of the Senate and the Parliament, and delivered effective education and information programs
- managed its staff in accordance with its enterprise agreement and provided learning and development opportunities to maintain the department’s capabilities
- delivered its services in a cost-effective manner and in accordance with accountability requirements.

The department continued to work with the other parliamentary departments to deliver its services, to improve support for the Parliament and the work of its members and to enhance the strategic direction of the parliamentary service. A focus of interdepartmental effort remains the implementation of a whole-of-parliament approach to ICT and the integration of the disparate business systems that support the work of the Houses and their committees.

The department’s financial result for the year was a deficit of \$2.2 million, chiefly reflecting the costs of the additional resources required to support very high levels of committee activity, as well as adjustments to the department’s leave liabilities and amounts for depreciation. The deficit was funded through the department’s capital reserves. The department’s financial statements commence at page 73.

This performance statement records the department’s results against the planned performance table in figure 3, which is derived from its 2015–19 Corporate Plan and adapted from its PBS for 2015–16. The subsequent parts of this chapter report on the activities and performance of each office against the criteria contained in the PBS.

Results

Secretariat support

Assessment: The department’s activities enable the Senate and its committees to meet in accordance with their decisions

Target: Secretariat support is provided for all meetings

This criterion was fully met during 2015–16 through two program components.

1. Secretariat support for the Senate

The department provided secretariat support for the Senate on each of its 51 sitting days.

During the sittings the Clerk, the Deputy Clerk and senior officers provided advice in the Senate to the President and other senators. The Table Office and the Procedure Office provided procedural scripts and advice to assist senators participating in proceedings. Feedback from senators acknowledged the value and accuracy of this advice and support. Procedural briefings among senior officers and the contemporaneous publication and dissemination of procedural resources assisted in maintaining the capacity of officers to provide this advice and support.

Formal and ceremonial support for sittings was also provided by the Black Rod's Office, particularly in organising the opening of the second session of the 44th Parliament.

The Table Office published the Senate's formal records – principally the *Journals of the Senate* and the *Notice Paper* – and informal guides to the work of the Senate, including the Senate's daily program – the Order of Business or Senate 'Red' – and its online counterpart the Dynamic Red updated throughout the day. These resources were accurate and produced to meet the needs of senators and the timing of Senate sittings.

Documents supporting the Senate's legislative work were uniformly accurate and timely, as were the formal messages communicating Senate decisions to the lower House in accordance with the Senate's rules and orders. All documents received for tabling under order and under statute were processed for presentation and, together with other documents presented by ministers and other senators, recorded in procedural documents and archived.

The department also provided an inquiries service to assist with access to these documents, and information about the Senate's sittings. Increasingly documents and information are published online, enhancing the ability of senators and others to follow and participate in Senate proceedings. Planned progress was made on projects to further expand the range and accessibility of these resources.

2. Secretariat support for the committees

The department provided secretariat support for all committee meetings required under decisions of the Senate and of committees themselves, including those joint committees to which the department provides administrative support. This support was primarily provided by the Committee Office, although the Clerk's Office, Table Office and Procedure Office also supported a number of standing committees.

Secretariat support for committees encompasses:

- procedural advice for the chair and other members
- logistical support for meetings (particularly for committees holding hearings interstate)
- preparation of meeting documents, including minutes and agenda
- managing and publishing submissions
- organising witnesses
- research, analysis of evidence and briefings to members

- preparation of draft reports, and their finalisation for tabling
- organising their presentation to the Senate and, for joint committees, the House of Representatives.

During the year the Committee Office in particular experienced another sustained period of very high workload, supporting 16 legislation and references committees, nine select committees and four joint committees undertaking between them, at one point, 83 separate inquiries. Secretariat staff in the Committee Office processed more than 12,000 submissions, arranged 336 public hearings (which heard from more than 6,000 witnesses) and more than 500 private meetings. The Senate made more than 100 references during the year, adding to the list of ongoing inquiries from 2014–15, and the office assisted in drafting 200 reports. Across the other offices, secretariat staff supported an additional 87 meetings, including meetings of the three legislative scrutiny committees, drafting more than 80 reports and documents for tabling.

Advice, documentation and draft reports were consistently provided to committees in accordance with their requirements. Reports were drafted and presented to the Senate in accordance with the timeframes agreed by committees and by the Senate.

Secretariat staff work closely with senators in supporting committees and, in particular, work closely with the chair in preparing draft reports. This provides an ongoing opportunity for direct feedback about senators' satisfaction. Despite the high workload this direct feedback indicated high levels of satisfaction. The department noted some dissatisfaction among senators that, because of workload, secretariats were occasionally unable to provide assistance with preparing dissenting reports or additional comments.

Senators referring to committee reports during debates in the Senate indicated their high levels of satisfaction with the support provided by secretariat staff.

Advice about the operations of the Senate and its committees

Assessment: Senators (and others) have the advice and support they require to participate in meetings of the Senate and its committees

Targets: advice and support are sound and timely; satisfaction of senators

One of the key outputs of the department is advice about the operations of the Senate and its committees. Much of this advice is given orally and instantaneously by the Clerk and other senior officers in the Senate, and by committee secretaries and their staff during committee meetings. These officers also provide procedural advice to senators and their staff at other times, both orally and in writing. Committee secretaries are supported in providing advice by the Clerk Assistant (Committees) and Senior Clerk of Committees, ensuring advice to committees is consistent and sound.

Advice about the programming of business in the Senate is the responsibility of the Clerk Assistant (Table). Procedural advice and support for non-government senators is a particular responsibility of the Clerk Assistant (Procedure). Senators continued to acknowledge the value of their advice. The Clerk Assistant (Procedure) and her office also

draft legislative amendments and private senators bills, helping senators participate in legislative proceedings. Amendments and bills were accurate, and were prepared within required timeframes and to the satisfaction of senators.

Senators and committees routinely seek written advice from the Clerk on more complex matters. Requests for advice throughout the year again reflected elevated levels of committee activity and the impact of the Senate's numerous and politically diverse cross-bench, noted as significant influences on demand last year.

Senators and other recipients of written advice continued to acknowledge its value, and it was invariably provided in time to meet the purposes for which it was sought. On numerous occasions during the year, recipients of advice published it as a contribution to public debate, at the same time subjecting it to public scrutiny. When committees seek the Clerk's advice it is almost always for the purpose of publishing it, to show the basis on which committees may have taken particular decisions or reached particular conclusions. The likelihood of publication ensures that advice is prepared to the highest standards and on the soundest possible basis. No committee expressed dissatisfaction with advice received.

Advice provided by the office was frequently tested during estimates hearings and in other Senate proceedings. None was found to be wanting, with senators seeking and relying on such advice throughout the year.

Recruitment practices, learning and development activities and processes for updating and disseminating procedural resources continued to underpin the department's capacity to provide advice and support.

Administrative advice and support for senators

Assessment: Senators are satisfied with the administrative advice and support that fall within the department's responsibilities

The department, principally through the Black Rod's Office, provides support services to the Senate, to Senate committees and to senators at Parliament House. These services include general office support, asset management, maintenance of equipment and furniture, and stationery services. The office also coordinated transport arrangements for senators and accommodation within the Senate wing, and facilitated 31 suite moves for senators associated with resignations, filling of Senate vacancies and ministerial reshuffles.

Security matters continued to have an increased profile during the period as a range of physical security upgrades occurred in Parliament House. The Usher of the Black Rod and the Deputy Usher of the Black Rod provided security advice and support to the President, committees, senators and the department. They also worked with colleagues in the DPS Security Branch and the Serjeant-at-Arms' Office, and with the Australian Federal Police, providing input into security matters from a Senate perspective.

The office provided payroll services for senators, published an updated *Senators' Entitlements* handbook and provided information to senators about the effect of the dissolution of the Senate on their salaries and allowance.

Services were delivered within established timeframes and, where relevant, met legislative requirements. The regular work of the office involves frequent and direct contact with Senate office holders, senators and their staff, and other stakeholders, all of whom provided regular informal feedback which was generally positive.

Governance and accountability

Assessment: Accountability obligations to the Senate are met

The department met its accountability obligations to the Senate during the year, particularly through the appearance of officers before estimates hearings and by answering estimates questions placed on notice.

Senate committees provide opportunities for senators and others to monitor the department's performance. The Clerk and other officers appear at estimates hearings of the Finance and Public Administration Legislation Committee during each round of Senate estimates, and also provided responses to 95 estimates questions, which were published on that committee's web pages. These activities provide an important accountability mechanism by which senators may test advice provided by departmental officers and evaluate the department's performance in a public forum. The Appropriations, Staffing and Security Committee also has a specific role in relation to the department's appropriations as well as matters concerning the department's structure, staffing and ICT and security arrangements. Quarterly reports on the department's financial performance were provided to the President of the Senate and the Appropriations, Staffing and Security Committee, as was the annual report of the department's Audit Committee.

Assessment: Public governance and accountability obligations are met

The department's services are enabled by its governance and accountability arrangements. These facilitate the department's work and provide assurance to the Clerk, as its accountable authority, in fulfilling accountability obligations to the Senate, under the *Parliamentary Service Act 1999* and under the *Public Governance, Performance and Accountability Act 2013*.

The department's corporate governance mechanisms include two senior management committees, the Program Managers' Group and the Audit Committee, each chaired by the Deputy Clerk. During the year these committees provided advice and support to the Clerk to ensure that statutory responsibilities for the management of the department were met. Details of the department's management forums are set out in the annual report each year in the *Management and Accountability* chapter.

The department's activities are also scrutinised by both an internal audit service provider and the Australian National Audit Office. This scrutiny underpins the activities of the department's Audit Committee, which was reconstituted under a new charter in 2015–16, with increased independent membership.

The Audit Committee reports, as required, to the Clerk and produces an annual report, which is also provided to the President of the Senate and the Appropriations, Staffing and Security Committee.

The department has established appropriate risk management tools and processes, centred on an ongoing risk monitoring process, which forms the basis of reports to the Audit Committee and a focus for the department in developing its annual internal audit program.

The department's management of risk also includes:

- a fraud control plan and fraud risk assessment process
- Clerk's Instructions and delegations
- the articulation of risk management practices in departmental policies
- a range of guidance material used by different program areas to promote accuracy and consistency of work standards.

Senior management routinely reports on fraud risk and risk mitigation strategies to the Audit Committee. The department assessed its risk controls as improving during the last year in two of its four monitored categories.

The department also works within a strong ethical framework guided by the Parliamentary Service Values, Parliamentary Service Employment Principles and the Parliamentary Service Code of Conduct set out in the Parliamentary Service Act.

The Clerk, as accountable authority, complied with all known public governance and accountability obligations, including in relation to the matters certified in this report.

Analysis

The department reports against the performance indicators contained in its portfolio budget statements, tabled in the Senate in May 2015, and those in its Corporate Plan for 2015–19. Those indicators have two dimensions, comprising an assessment of the demand for the department's services and an evaluation of the department's performance in delivering those services.

Factors influencing demand

A constant in the department's planning and reporting has been the recognition that much of the demand for its services shifts in line with levels of Senate legislative and committee activity. Demand is overwhelmingly driven by the requirements of senators, and the decisions and activities of the Senate and its committees. Each year, significant factors include:

- the political dynamics of the Senate
- the number of days and hours, and distribution, of its sittings
- the legislative workload of the Senate
- the number of committees on which senators serve, and
- the number and complexity of committee inquiries.

Each of these is in turn affected by the electoral cycle. 2015–16 was the second year of the 44th Parliament, which included a rare prorogation to provide for a second session and was brought to a close when the Senate was dissolved on 9 May 2016. These events led to an increase in demand for written advice. As with the previous year, the Senate’s most numerous and diverse cross-bench continued to affect the level of demand for advice, and the character of advice and support required.

The Senate sat on 51 days, with its final scheduled sittings superseded by its dissolution. The elevated levels of committee activity seen in recent years continued. The need to support this activity saw another increase in staff numbers in committee secretariats, partially funded by one-off supplementation.

Performance in delivering services

Evaluation of the department’s performance is based upon the degree to which its services meet the requirements of the Senate and its committees, and senators, principally measured against criteria centred on:

 **accuracy**—frequently assessed by considering whether advice or documents were demonstrated to be inaccurate

 **timeliness**—particularly whether advice, documents or services were provided in time to meet the purpose for which they were sought

 **satisfaction of senators** (including committees of senators) with the advice, documents or other services provided—the assessment of which is considered further below.

The particular criteria which apply are described in the department’s portfolio budget statements and in the performance summary tables for each office contained in this chapter.

Monitoring and assessing satisfaction

Much of the department’s work involves contact with senators and their staff, presenting the most direct means of eliciting feedback about services and performance, and an avenue for addressing concerns as they are raised. As noted throughout this report, this direct feedback was positive across all service areas during the year, particularly in relation to core advisory and secretariat support roles. Senators’ comments about the department and its staff, placed on the public record during Senate and committee proceedings, constitute another valuable source of performance information. These comments continued to be overwhelmingly positive during 2015–16. The department also monitors its performance through formal and informal channels, including letters, emails, phone calls, seminar evaluation forms and outputs from management information systems. Again these sources were generally positive.

With the introduction of the Annual Performance Statement this year, program managers are adopting a more formal process for recording and providing feedback to the Clerk, to provide assurance for her certification of the statement.

For many years the department undertook a wide ranging survey of senators and their staff to assess their satisfaction with the advice, support and services they receive. The survey routinely reflected high levels of satisfaction with the department's core services. As noted in the corporate plan for 2016–20, the department has determined the need to develop additional mechanisms to assess senators' satisfaction with the advice, support and services they receive. The process to be undertaken in 2016–17 will provide a baseline for future assessments. The opportunity to undertake such a process this year was overtaken by changes to the sitting pattern, and the dissolution of the Senate on 9 May 2016.

The following sections of this report describe the department's operations and performance using the additional performance indicators for each office described in the 2015–16 portfolio budget statements.