

Output Group 1—Clerk’s Office

Outputs

Provision of sound and timely advice on proceedings of the Senate and its committees, and provision of leadership and strategic direction for the department.

Provision of secretariat and advisory support to the Procedure Committee, the Committee of Privileges and the Committee of Senators’ Interests.

Provision of procedural information and related services to senators and the Senate department.

	Performance indicators	Performance results
Quality	<p>The degree of satisfaction of the President, Deputy President, committee members and senators, as expressed through formal and informal feedback mechanisms, with the quality and timeliness of advice and support and the achievement of key tasks.</p> <p>Advice, documentation, publications and draft reports are accurate and of a high standard.</p>	<p>The 2007 senators’ survey recorded very high levels of satisfaction with advice on powers, privileges and proceedings. This result was also reflected in informal feedback from the President, Deputy President, committee members and senators.</p> <p>All advices, documents, publications and draft reports remained of a high standard and none was shown to be inaccurate.</p>
Timeliness	<p>Meetings held, documentation provided and reports produced within timeframes set by the Senate or the committee, as relevant.</p> <p><i>Odgers’ Australian Senate Practice</i> updated each six months; new printed edition produced regularly.</p> <p><i>Procedural Information Bulletin</i> produced two days after end of sitting fortnights.</p> <p>Other procedural resources updated and augmented as required.</p>	<p>All the indicators relating to timeliness were met to the satisfaction of senators.</p> <p>Supplements to the eleventh edition of <i>Odgers’ Australian Senate Practice</i> were produced at six-monthly intervals, and tabled in the Senate on 4 September 2006 and 6 February 2007.</p> <p>The <i>Procedural Information Bulletin</i> was produced within the specified timeframe.</p> <p>A manual for clerks at the table was augmented to include new duties for some clerks. All other procedural resources were kept up to date.</p>
Quantity	<p>As required, on request, or proactively, to facilitate proceedings.</p>	<p>Advices were produced in accordance with demand and proactively to facilitate proceedings.</p> <p>Sufficient copies of all publications for which the office was responsible were produced to enable access immediately after they were published or tabled, and relevant reports were published on the internet within minutes of being tabled in the Senate.</p>

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Analysis

The Clerk's Office consists of the Clerk, the Deputy Clerk and their executive assistants.

The Clerk is the Secretary of the Department of the Senate and, in accordance with the *Parliamentary Service Act 1999*, is responsible, under the President of the Senate, for managing the department. The Clerk is also the principal adviser to the President and senators on proceedings in the Senate, parliamentary privilege, committee proceedings and their outcomes in the chamber, and other parliamentary matters. The Deputy Clerk supports the Clerk in these roles and also chairs the department's Audit and Evaluation Committee.

The full-time equivalent staffing level for the Clerk's office in 2006–07 was 3.8, close to the long-term average of 4.0. The minor variation was due to turnover in one position following the retirement of a long-serving staff member.

The cost of the office for 2006–07 was \$1.1 million.

Procedural advice

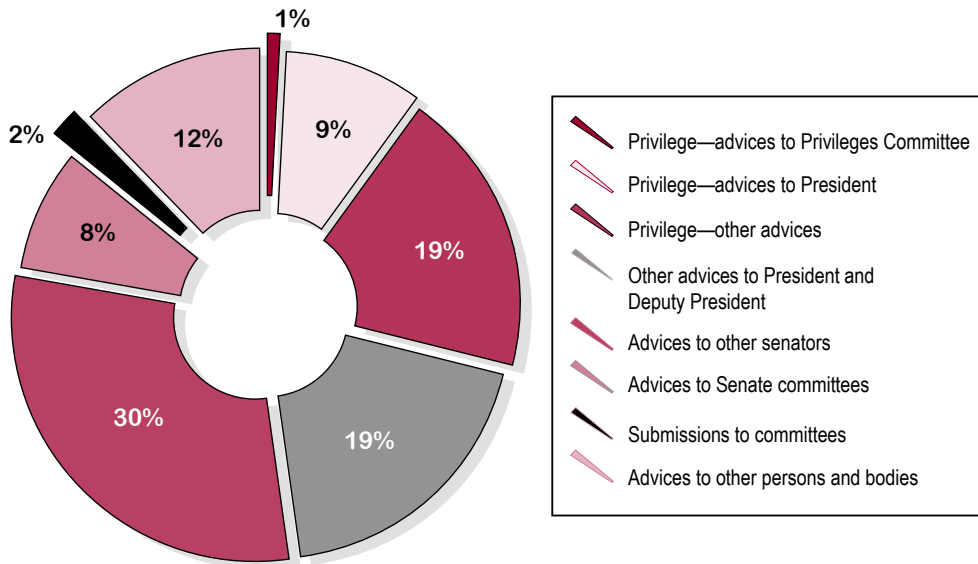
Providing procedural and constitutional advice is the primary function of the Clerk's Office. The office gives oral and written advice but records only written advice because of the difficulty of quantifying oral advice. The office may provide the advice proactively or on request.

Table 2 shows the number and kinds of written advices provided during 2006–07. Figure 3 shows each kind as a percentage of the total. The total number represents a small decline in demand but remains on a par with the above-average totals for the past two years (see Figure 4).

Table 2 **Written advices provided by the Clerk, 2006–07**

Category	No. provided
Privilege—advices to Privileges Committee	1
Privilege—advices to President	11
Privilege—other advices	24
Other advices to President or Deputy President	24
Advices to other senators	39
Advices to Senate committees	10
Submissions to committees	3
Advices to other persons and bodies	15
Total	127

Figure 3 Written advices provided by the Clerk, 2006–07, by type



Subjects of advice included appropriations for ordinary annual services of the government; proceedings of committees examining estimates, parliamentary privilege, including production of documents to a state parliamentary committee, and attempts to silence senators; financial accountability; status of committee documents; refusals by government to produce information; swearing in of senators appointed to fill casual vacancies; and rules of debate.

As in recent years, advice requested by senators was often emailed to them while they were attending estimates hearings and using networked laptops in the committee rooms. The quick turnaround time for the provision of advice was the subject of favourable comment in the 2007 senators' survey.

Committees

The office is responsible for the administration of three Senate standing committees.

Procedure Committee

The Clerk of the Senate continued to serve as secretary to the Procedure Committee, which responds to references from the Senate or the President by evaluating, and recommending improvements to, Senate procedure.

The committee met twice in 2006–07 in relation to its reference on proposals to alter the structure of the Senate committee system. This included one meeting in Sydney by special authorisation of the Senate because the committee does not otherwise have power to meet away from Canberra. It presented one report, on restructuring the committee system, in August 2006.

Committee of Privileges

The Deputy Clerk served as secretary to the Committee of Privileges. The committee protects the integrity of Senate and committee proceedings by considering matters possibly amounting

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to contempt of the Senate that are referred to the committee by the Senate as a result of concerns raised by other committees or individual senators. The Committee of Privileges also administers the right-of-reply mechanism for people seeking to respond to adverse comment made about them in the Senate.

In continuation of the reduced workload experienced in 2005–06, the committee met only six times during the year (a reduction from nine in 2005–06 and 14 in 2004–05) and held no public hearings. It received a new reference from the Senate in February 2007, and this matter remained unresolved at the end of the reporting period.

The committee presented two reports (down from five in 2005–06), both of which were right-of-reply matters referred to it by the President. A further such matter remained outstanding at the end of the year.

Committee of Senators' Interests

The Deputy Clerk served as secretary to the Committee of Senators' Interests and Registrar of Senators' Interests, and gave assistance to senators to fulfil the requirements of Senate resolutions relating to declarations of pecuniary interests and gifts.

The committee's increased workload in 2005–06 continued in 2006–07. The committee met five times (the same number of meetings as in 2005–06) and, as required by its terms of reference, presented its annual report. The Chair, on the committee's behalf, made two oral reports to the Senate and tabled two revisions of the committee's explanatory notes. The committee also dealt with one matter involving the declaration of a gift to the Senate.

Inspections of the Register of Senators' Interests reached a record level in the early months of 2007, with one senator resigning as a minister and then as a senator as a consequence of anomalies in his statement of registrable interests.

As required by resolution of the Senate, senators continued to register alterations to their statements of interests. Volumes of alterations and new statements were prepared by the secretariat and tabled on 6 December 2006 and 20 June 2007. Updates of departmental Senior Executive Service (SES) officers' interests were tabled on the same dates.

Procedural information

The main vehicle for procedural information is *Odgers' Australian Senate Practice*. In accordance with performance targets, the Clerk produced two six-monthly supplements during 2006–07. Issuing supplements ensures that this essential reference work is always up to date.

Issues of the *Procedural Information Bulletin* continued to be produced after each sitting fortnight or period of estimates hearings. The bulletin continued to include occasional notes on aspects of parliamentary law, procedure and practice, reported as a new feature in last year's report.

In addition to these documents, the Clerk continued to produce publications on procedures in various forms.

The Deputy Clerk augmented the in-house training manual for clerks at the table to provide for expanded table duties undertaken by SES-level clerks.

Work also began on a project to produce an annotated edition of the Senate's Standing Orders, as resources permit, and on a project to catalogue and preserve items of historical significance in the development of Senate practice and procedure.

The Clerk and Deputy Clerk contributed to training programs on parliamentary matters, including 'Parliament, privilege and accountability', the long-running program for SES officers of executive agencies.

Information about Senate officers' presentations and papers appears in Appendix 5.

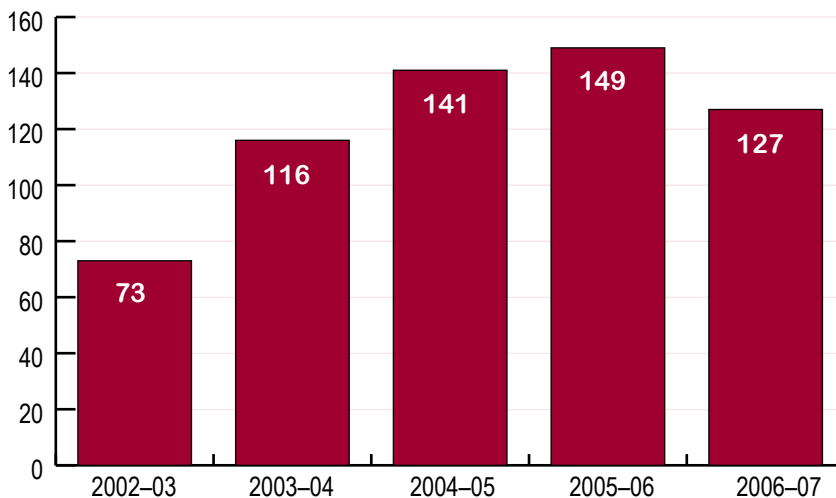
Factors, events and trends influencing performance

In 2006–07, the second year in which the government parties held a majority in the Senate, the first major procedural changes attributable to the government majority occurred when the Senate committee system was restructured. References and legislation committee functions were combined into a single legislative and general purpose standing committee, chaired by a government senator.

Although broadly comparable with totals for the previous two years, the 2006–07 total for the number of advices provided by the Clerk was lower. The drop in demand may be associated with the government majority and the consequent negligible success rate of non-government initiatives, ranging from committee references and orders for production of documents to legislative amendments.

Figure 4 shows the trend for the provision of written advice.

Figure 4 Number of advices provided by the Clerk's Office, 2002–03 to 2006–07



Evaluation

The principal medium for formal evaluation of services provided by the Clerk's Office is the biennial senators' survey, most recently conducted in early 2007.

The survey reported high levels of satisfaction with services provided by the Clerk's Office, including just over half (55 per cent) of respondents who reported having received advice indicating they were highly satisfied with the service, 41 per cent indicating they were satisfied and 3 per cent being neutral. No dissatisfaction was recorded.

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Advice provided by the Clerk's Office may also attract scrutiny during the estimates process, either when the Department of the Senate appears before the Finance and Public Administration Committee or when advice provided by the Clerk's Office to senators or committees is immediately tested in public. On all occasions when this occurred during 2006–07, no advice was found to be inaccurate or wanting in quality.

The continuing demand for advice, albeit at a slightly reduced level, is itself a measure of senators' continuing satisfaction with the advice they receive.

Evaluation of specific activities, such as contributions to training programs, occurs through participant feedback, usually in the form of written comments. On this measure, recipients of these services were well satisfied.

Performance outlook

Over the next 12 months, the Clerk's Office will continue to respond to the needs of the Senate and senators, providing advice as required through the upcoming election period and beyond. Support will be provided for the opening of a new Parliament. Work will be done to keep procedural publications up to date and to develop new publications and procedural resources.