

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>Feedback from the President, Deputy President, committee members and senators about the quality and timeliness of advice and the achievement of key tasks indicated ongoing high levels of satisfaction. Retiring senators unanimously acclaimed the quality of services provided by the office.</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 of 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 7 August 2007 and 12 February 2008.</p> <p>The <i>Procedural Information Bulletin</i> was produced within the specified timeframe.</p> <p>The <i>Senators’ Guide to Procedures</i> was extensively updated.</p>
Quantity	<p>As required, on request, or proactively, to facilitate proceedings.</p>	<p>Consistent with previous election years, the demand for written advice was lower than in the previous two reporting periods.</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. Other documents were routinely published online.</p>

REPORT ON PERFORMANCE – OUTPUT GROUP 1

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 chairs the department’s Audit and Evaluation Committee.

The full-time equivalent staffing level for the Clerk’s office in 2007–08 was 4.2, close to the long-term average of 4.0. The minor variation was due to the engagement of additional non-going staff to identify and catalogue historical material of procedural significance.

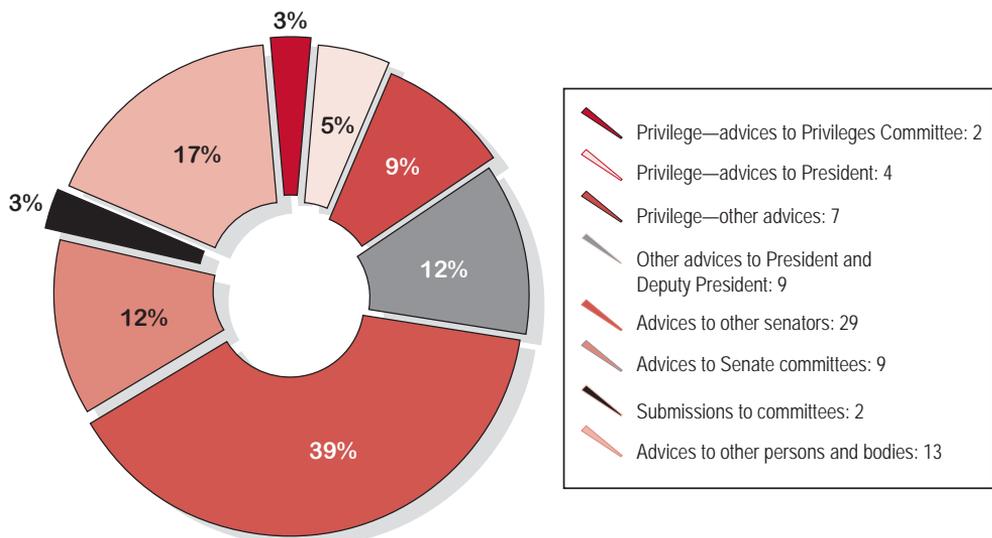
The cost of the office for 2007–08 was \$1.2 million (\$1.1 million in 2006–07).

Procedural advice

The primary function of the Clerk’s Office is to provide procedural and constitutional advice. 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.

Figure 3 shows the number and kinds of written advices provided during 2007–08 and each kind as a proportion of the total. The total number represents a decline in demand, reflecting the long election period.

Figure 3 **Written advices provided by the Clerk, 2007–08**



The advice provided by the Clerk’s Office covered subjects such as questions of order; the prorogation and opening of parliament; disclosure of advice to ministers, including legal advice; recent privilege cases; disallowance of regulations; and proceedings of committees examining estimates.

Although the number of advices was lower because of the election period, the breadth of topics covered continued to be wide, ranging from constitutional and governance issues to points of procedure.

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 once in 2007–08 in relation to several procedural matters. No report was presented to the Senate.

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 to contempt of the Senate. Those matters, which are a result of concerns raised by other committees or individual senators, are referred to the committee by the Senate. 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.

The committee met 10 times in 2007–08 (an increase from six meetings in 2006–07) and held no public hearings.

The committee presented five reports (an increase from two in 2006–07).

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.

In 2007–08, the committee met once (a decrease from five meetings in 2006–07), presented its annual report as required by its terms of reference, and tabled a revised version of the committee's handbook on the registration of senators' interests.

As required under the relevant 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 7 December 2007 and 28 June 2008. 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 2007–08. While issuing supplements ensures that this essential reference work is always up to date, a period of major or accelerated procedural change demands a new edition. At the end of the reporting period, work had begun on the twelfth edition. This edition, as well as consolidating material from the supplement, will include a significant revision of the committee chapter, to take account of changes made to the committee system in 2006.

REPORT ON PERFORMANCE – OUTPUT GROUP 1

Issues of the *Procedural Information Bulletin* continued to be produced after each sitting fortnight or period of estimates hearings. The bulletin continued the relatively new practice of including occasional notes on aspects of parliamentary law, procedure and practice.

In addition to these documents, the Clerk and Deputy Clerk continued to produce and update publications on procedures in various forms. A new edition of the *Senators' Guide to Procedures* was published to coincide with the new parliament and in anticipation of a large intake of new senators in July 2008. New titles in the series *Brief Guides to Senate Procedure* were drafted.

During the election break, considerable progress was made on the project to produce an annotated edition of the *Standing Orders and Other Orders of the Senate*. Most of the planned appendices were completed and about half of the entries were drafted. The Deputy Clerk is being assisted in this project by several members of staff from the Table Office.

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.

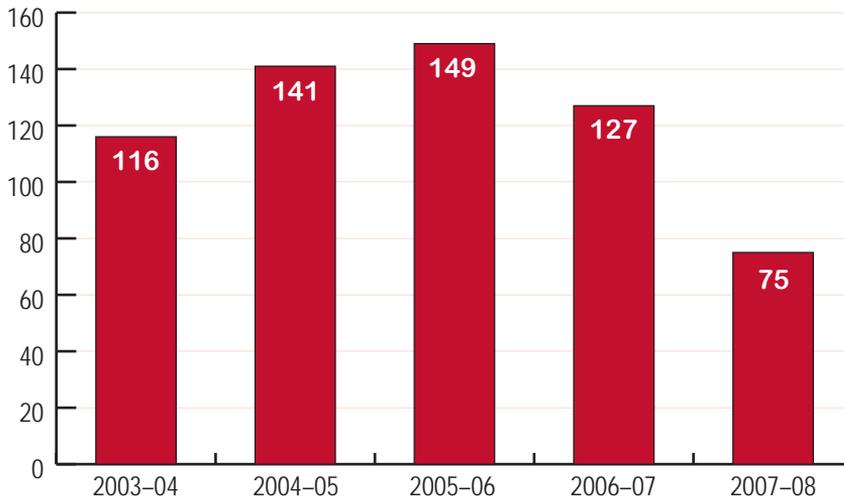
Factors, events and trends influencing performance

The federal election was held on 24 November 2007 and the Senate did not sit between October 2007 and February 2008. An election break influences the nature of work in the Clerk's Office, with less emphasis on day-to-day advice and more on longer term procedural work. The reduction in the number of advices provided reflects this.

The election resulted in a change of government, but the Liberal-National party coalition continued to hold an absolute majority of the Senate until 1 July 2008. Next year will see a return to the more commonly prevailing conditions, where no party enjoys a majority and the resulting need for all parties to negotiate creates a demand for innovative and flexible procedural advice from the Clerk's Office to support the effective functioning of the Senate.

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

Figure 4 **Number of advices provided by the Clerk's Office, 2003-04 to 2007-08**



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 next survey is due to be conducted in the first half of 2009.

In a non-survey year there is more reliance on informal feedback. In 2007-08, informal feedback continued to be positive. The large group of retiring senators was unanimous in expressing appreciation for the work of the office, either in valedictory remarks in the chamber or in correspondence.

Advice provided by the Clerk's Office may also attract scrutiny during the estimates process, either when the department 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 numerous occasions during the 2007-08 estimates hearings, committees and individual senators relied on the Clerk's advice. On some occasions, witnesses also sought the Clerk's advice.

Evaluation of specific activities, such as staff 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

As the Senate returns to a more normal configuration, the Clerk's Office will continue to provide advice to support its operations. A particular focus will be the orientation program and follow-up support for new senators as they settle into their new roles.

The Senate is due to elect a new President and Deputy President in August 2008; the Clerk's Office will provide assistance during the transition and support for the new office-holders.

A new edition of *Odgers' Australian Senate Practice* will be produced and work will continue on other procedural publications and resources, including the annotated Standing Orders and the collection of historical procedural materials.